

**EUROPEAN COMMISSION**  
Neighbourhood and Enlargement Negotiations  
The Director-General

Brussels,

16 02 16

**Subject: Your application for access to documents – Ref GestDem No 2016/ 0069**

Dear Mr Dohle,

I refer to your e-mail dated 30 December 2015, registered on 6 January under the above mentioned reference number, in which you make a request for access to documents relating to the stolen children during the seventies and eighties and the current system of inter-country adoption in Serbia. I also refer to the mail from DG NEAR to you of 27 January 2016 which informed that the Commission was not in a position to reply within the deadline foreseen by Regulation 1049/2001 and that an extended time limit was needed because different services had to be consulted.

The Commission has identified the following documents relating to this request:

- Letter addressed to Mr Degert, Head of Delegation, dated 17 May 2012.
- Reply from Mr Davenport, Head of Delegation, on IPA projects and deinstitutionalisation (2014).
- Letter addressed to Mr Davenport, dated 17 May 2014.
- Letter from Mr Davenport, dated 23 May 2014.
- Briefing from the EU Delegation, dated 9 June 2014, for a meeting relating to the missing babies case.

The Commission can grant partial access to the above-mentioned documents. Certain sections of these documents had to be taken out since they contain information covered by the exception to the right of access, relating to the protection of the privacy and the integrity of the individual, pursuant to Article 4(1) (b) of Regulation (EC) N°1049/2001. These sections cannot be quoted because their disclosure would undermine the protection of the public interest as regards privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data, according to the above-mentioned provision of Regulation 1049/2001. Please find these documents expunged from this personal data in the annexes.

Mr Arun Dohle  
Viktoriastr. 46  
D-52066 Aachen  
Email: ask+request-2481-c2602733@asktheeu.org

The applicable legislation relating to the public interest as regards privacy and the integrity of the individual is Regulation (EC) No 45/2001<sup>1</sup> on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>. We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

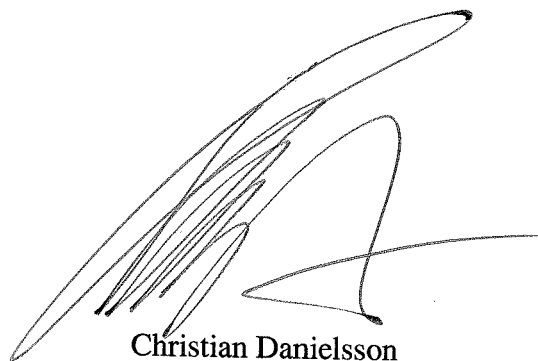
If you wish to receive these personal data, we invite you to provide us with arguments explaining your need for such information and demonstrating that there would be no adverse effects to the legitimate rights of the persons whose data should be disclosed.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/327  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Christian Danielsson.

Christian Danielsson

Annexes: 5

<sup>1</sup> OJ L8, 12.01.2001, page 1.

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case C-28/08 P, Commission/The Bavarian Lager Co. Ltd