



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Director-General

21 NOV. 2013

Brussels,

JUST/A.1/PDL/Is/D/(2013)3692725
GESTDEM 2013/3117

Mr Arun Dohle

By e-mail:

[ask+request-527-
9a9e9f80@asktheeu.org](mailto:ask+request-527-9a9e9f80@asktheeu.org)

Subject: **Access to documents: Comparative study on the adoption procedures
in EU Member States -GESTDEM 2013/3117**

Dear Mr Dohle,

This is the follow-up of our replies of 27 June and 19 July 2013 concerning your request related to the comparative study on the adoption procedures in EU Member States.

You have asked access to the *"correspondence received by the Commission both from Members of the European Parliament and citizens/associations, in the period between 1/1/2006 and 1/6/2010 to which this study was a follow-up"*.

With our reply of 19 July 2013 (registered under Ares(2013)3220748), we have already disclosed most of the correspondence related to adoption issues, which was not the subject of other specific requests from you, such as correspondence with associations as Nordic Adoption, Amici dei Bambini, Amici dell'Adozione, Care/Sera, etc... as well as the parliamentary questions and letters from MEPs linked to adoption.

You sent a request for "internal review" on 20 September 2013 to which we answered that *"Concerning your request related to GESTDEM 3117/2013, for which you already sent on 20 September a confirmatory appeal, please be aware that you have received most part of the correspondence available to DG Justice already on 19/7/2013. Moreover, the letters from the associations (like Amici dei Bambini, Amici dell'Adozione, etc) had been the subject of other requests of yours and you have already received the answer. There are still few letters from citizens for which we are collecting the permission to disclose and that will be forwarded to you as soon as possible"*.

After having carried out an extensive research, we have been able to identify the following correspondence:

- written parliamentary question P-5462/06 from MEP Sbarbati;
- e-mail 14/3/2007 MEP Gibault to Cabinet Frattini and related documents;
- e-mail from Mr Nydes 18/4/2007 and related documents;
- e-mail 7/5/ 2007 from Mr Macaluso to Vice-President Frattini;
- e-mail 17 /5/2007 from Mr Macaluso to Vice-President Frattini;
- e-mail 12 /10/2007 from Mr Macaluso to Vice-President Frattini;
- letter 29/8/2008 MEP Cavada to Vice-President Barrot and related document;
- letter 6/12/2008 from Mr Montubert to Vice-President Barrot;
- e-mail 19/11/2009 from Mr Poole;
- letter 23/11/2009 MEP Cutas to Vice-President Barrot;
- e-mail 19/3/2010 from Ms Hayes;
- e-mail 21/5/2010 from Ms Harpum;
- e-mail 14/6/2010 from Mr Jansen.

Under the provisions of Regulation (EC) No 1049/2001, the Commission has consulted the third parties involved concerning the possibility to disclose their correspondence. Please be informed that Mr Montubert has denied access to his correspondence, while Ms Hayes, Ms Harpum, Mr Jansen and Mr Macaluso have not replied to the Commission's request. We have to consider this an implicit refusal to disclose correspondence which concerns sensitive issues related to private and family life.

We are therefore disclosing the documents listed below after having expunged the personal data of those which have made such request. According to Article 8(b) of Regulation (EC) No 1049/2001 regarding public access to documents, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

Please find attached:

- written parliamentary question P-5462/06 from MEP Sbarbati;
- e-mail 14/3/2007 MEP Gibault to Cabinet Frattini and related documents;
- e-mail from Mr Nydes 18/4/2007 and related documents;
- letter 29/8/2008 MEP Cavada to Vice-President Barrot and related document;
- e-mail 19/11/2009 from Mr Poole;
- letter 23/11/2009 MEP Cutas to Vice-President Barrot.

Should you wish this position to be reconsidered, you should present in writing, within 15 working days from receipt of this letter, a confirmatory application to the Commission's Secretary-General at the address below.

European Commission
Secretary-General
Transparency unit SG-B-5
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

The Secretary-General will inform you of the result of such review within 15 working days from the date of registration of your request. You will either be given access to the document or your request will be rejected, in which case you will be informed of what further action is open to you.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'T. Le Bail'.

Françoise LE BAIL