



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, **21 NOV. 2013**
SG.B.5/JMLC/psc - sg.dsg1.b.5(2013) 3743296

Mr Orestis BEKAS

per email only:
ask+request-665-bc6fa1a1@asktheeu.org

Subject: Confirmatory application for access to documents – Gestdem 2013/3659

Dear Mr Bekas,

I am writing in reference to your email of 27 August 2013, registered on 13 September 2013, in which you require, in accordance with Article 7(2) of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents¹ (hereafter Regulation 1049/2001) a review of the position taken by the Directorate General for Research and Innovation (DG RTD) on 2 August 2013, in reply to your initial application of 11th July 2013 (point 1 to 6). I also refer to our holding letter of 4th October 2013.

In your application you request:

"...full, or partial copies, of the following documents:

- #1. The article 25 of Regulation No 45/2001 prior notification(s) applicable to the four FP7 GA A.I.*
- #2. The documents drawn up by the relevant data controller(s) for the prior notification(s) under #1 above.*
- #3. The documents drawn up by the DG RTD Data Protection Coordinator for the prior notification(s) under #1 above.*
- #4. The documents drawn up by the Commission services pursuant to article 27 of Regulation No 45/2001 for the kind of personal data processing operations indicated by the four FP7 GA A.I.*
- #5. The documents with which the Commission services notified every single data subject referred to in the four FP7 GA A.I pursuant to article 12(1) of Regulation No 45/2001.*
- #6. Partial copies of the four FP7 GA A.I, which are documents held by the Commission services, in particular the range of pages indicated for each FP7 GA listed under section (I) above, and which are full of personal data."*

¹ OJ L145, 31.05.2001 p.43

As regards point 6, I have the pleasure to inform you that you can find the requested information or documents which were listed by you in your initial request under the following links:

- http://www.synsys.eu/wp-content/uploads/2011/04/Annex-I-FP7-SYNSYS-amendment-01-10-12_v3.pdf
- <http://deepfishman.hafro.is/lib/exe/fetch.php?media=finaldowdeepfishman.pdf>
- http://www.euclipse.eu/downloads/DOW_EUCLIPSE_final.pdf
- <http://www.recosy.eu/documentos/ReCosy%20Annex%20I.pdf>

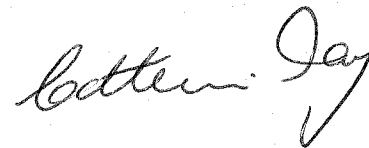
As far as the last web link is concerned, please note that, this is now the proper link to the document.

As regards non-existent documents (under requests numbers 1 to 5), after verification, I confirm that the requested documents are not held by DG RTD.

Under these circumstances, I consider that your confirmatory application is devoid of purpose. Indeed, a confirmatory application is a request to review a position by which access to one or more documents has been fully or partially denied. This is obviously not the case with regard to your request.

Finally, I draw your attention to the means of redress available against this decision. You may, under the conditions of Article 263 TFEU, bring proceedings before the General Court or, under the conditions of Article 228 TFEU, file a complaint with the European Ombudsman.

Yours sincerely,



Catherine Day