



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL JUSTICE and CONSUMERS

Directorate A: Civil justice  
Unit A.1 : Civil justice policy

Brussels, **10 AOUT 2015**  
JUST/A.1/PDL/jeh/D/(2015)3515478  
GESTDEM 2015/3602

Mr Arun Dohle  
Viktoriastr. 46  
52066 Aachen

*By registered letter with acknowledgment of receipt*

*Advance copy by email:*  
<mailto:ask+request-2116-5a2b410a@asktheeu.org>

Dear Sir,

**Subject: Your application for access to documents – Ref GestDem No 2015/3602**

We refer to your e-mail dated 6/7/2015 in which you make a request for access to documents, registered on 8/7/2015 under the above mentioned reference number.

Your application concerns:

- a) The signed and registered version of the letter by former DG Justice Director-General Ms Françoise Le Bail to Jurnalul National;
- b) Information regarding the publication or not of the above mentioned letter on Jurnalul National;
- c) The transmission of the above-mentioned letter to the participants in the 2009 Adoption Conference in Strasbourg.

In order answer to your request, we hereby transmit to you the following documents:

- 1) the Romanian version of the letter to Jurnalul National signed by Ms LeBail (the English version was a courtesy copy for non-Romanian speakers and has not been signed). Concerning the registration number, we are not able to provide this information;
- 2) the exchange of e-mails concerning the failure to publish the letter by Jurnalul National;
- 3) the e-mail dated 16/10/2010 sent to the participants in the 2009 Adoption Conference in Strasbourg.

The documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document must be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with EU legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the

Council of 18 December 2000 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<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

According to Article 8(b) of this Regulation, 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.

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. Therefore, we are disclosing the documents requested having expunged this personal data.

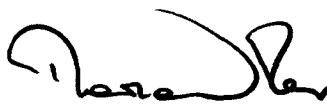
In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application 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 faithfully,

  
Michael Shotter  
Head of Unit

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<sup>1</sup> OJ L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.