

EUROPEAN COMMISSION
DIRECTORATE-GENERAL
HUMAN RESOURCES AND SECURITY
Director-General

Brussels, **03 JUL. 2015**

Mr Klaus Zinser
Hauptstrasse 8
88427 Bad Schussenried
Germany
By email: ask+request-1886-
f8785cbb@asktheeu.org

Subject: Your application for access to documents – Ref GestDem N° 2015/2031

Dear Sir,

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

Your application comprises a number of points, as follows:

1) *"the official Curriculum Vitae of: SERDYNska J. Legislative Officer, SHOTTER Michael Head of Unit, DE LUCA P. Team Leader External relations and international cooperation in civil justice, MICHOU Paraskevi Director, NEMITZ Paul Director, ADAMO Chiara Head of Unit, STOCKWELL N. Policy Officer - Rights of the child, TUI TE M. Policy Officer, BOULANGER Marie-Helene Head of Unit (Union Citizenship and Free Movement), RINGOU N. Deputy Head of Unit - Deputy Head of Unit, SAASTAMOINEN Salla Director, Reicherts, Martine (Earlier EU Commissioner for Justice), Reding, Viviane (Earlier EU Commissioner), Selmayr, Martin (Earlier assistant to EU Commissioner Reding), McGuinness Mairead Child Mediation, Emily O Reilly EU Ombudsman."*

2) *"the total headcount of DG JUST (only decision makers who are in the EU Whoiswho)"*

3) *"how many of the EU Commission Members of DG JUST have British nationality."*

4) *"the names and position of all EU Commission members who are current and past Members of EJM."*

5) *"papers showing financial investments and interests (for sure they were published for the EU Commissioners)."*

I have examined your requests under the provisions of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

As regards the access to the CVs of the persons you have identified

In relation to the first point of your application, I regret to inform you that "*the official Curriculum Vitae*" do not exist in the Commission. Any official can introduce his "e-CV" in the Commission's IT system but this is not mandatory and serves for internal purposes only. These e-CV contains personal data which belongs to the personnel files of the staff members concerned. It is the Commission's obligation to ensure that the privacy and the integrity of the EU staff members concerned, including in relation to their professional capacity, are correctly protected.

For this reason, I regret to inform you that access to these documents cannot be granted, as disclosure is prevented by the exception to the right of access laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001.

Pursuant to Article 4(2) of Regulation (EC) No 1049/2001, an exception to the right of access must be waived if there is an overriding public interest in disclosure. For such an overriding public interest to exist, this interest, firstly, has to be public and, secondly, overriding, i.e. it must outweigh the harm caused by disclosure.

In the present case, you do not demonstrate the existence of such overriding public interest. Consequently, the exception to the right of access indicated above cannot be waived.

Finally, please note that I have also analysed the possibility of granting you partial access to the documents. However, it would not be possible to guarantee the anonymity of those staff members by expunging their names from the documents, since CVs are by very nature related to the personal and professional experience of an individual. For that reason, a partial access under Article 4(6) of Regulation (EC) No 1049/2001 would not be possible without affecting the interests protected by the applicable exception.

However, I note that the CVs of some of the persons indicated in your request are in the public domain and are accessible through a search on the internet.

As regards the other points included in your request

I regret to inform you that no documents were found that would correspond to the description you provided, as outlined in points 2) to 5) above.

Indeed, as specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents have been identified, the Commission is not in a position to handle the part of your request described under points 2) to 5) above.

I can nevertheless provide you with the following information which points to publicly available resources:

- the organisation chart of DG JUST, which shows the management posts in that Directorate General and identifies the holders of such posts, is available via the following link:

http://ec.europa.eu/justice/about/files/organisation_chart_en.pdf ,

- the composition of the team of the Commissioner for Migration, Home Affairs and Citizenship is available via the following link:

http://ec.europa.eu/commission/2014-2019/avramopoulos/team_en

- Article 2 of Council Decision 2008/976/JHA of 16 December 2008 on the European Judicial Network lays down the rules on the composition of that network. That Decision is available via the following link:

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1434432680317&uri=CELEX:32008D0976>

- the declarations of interest of the EU Commissioners are available via the following link:

http://ec.europa.eu/commission/2014-2019_en

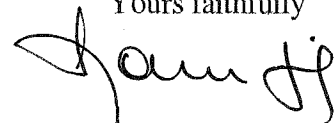
In accordance with Article 7(2) of Regulation No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

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-5
BERL 5/327
B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully



Irene SOUKA