



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate B  
SG-B-3 Ethics  
Head of Unit

Brussels,

Mr Chris Harris  
[ask+request-3229-19b2fc6f@asktheeu.org](mailto:ask+request-3229-19b2fc6f@asktheeu.org)

**Subject: Request for information on 'details of all complainants – broken by year for 2014, 2015 and 2016 received by the European Commission in relation to its Code of Conduct'**

**Ref.: GestDem 2016/4664**

Dear Mr Harris,

On 16 August 2016 you submitted a request for access to documents on the basis of Regulation (EC) N° 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents. Your request was registered on 23 August 2016 under the above-mentioned reference number.

In your e-mail, you request '*...details of all complaints – broken down by year for 2014, 2015 and 2016 (so far) – received by the European Commission in relation to its Code of Conduct... For each complaint, you ask: date received; the source country of the complaint; full details of the complaint; to which department or directorate the complaint was addressed to; under what provision of the code the complaint was related to; the outcome of the complaint (e.g. was it settled or did the complainant appeal)*'.

The Commission does not have a document which lists, for each complaint, the requested details nor can such a list be automatically generate. The information you requested would have to be compiled and processed by the Commission in order to satisfy your request.

As specified in Article 2(3) of Regulation (EC) N° 1049/2001, the right of access to documents applies only to existing documents in the possession of the institution.

Therefore, your request does not qualify as an application for access to documents under Regulation 1049/2001. Consequently your request registered under GestDem 2016/4664 will be closed.

The Commission will instead consider your correspondence as a request for information within the meaning of point 6 of the Code of Good Administrative Behaviour for Staff of the European Commission in their relations with the public<sup>1</sup>.

Your request for information covers a number of details of all complaints received by the Commission in 2014, 2015 and 2016 in relation to the Code of Good Administrative Behaviour.

The compilation of such information, having regard to a large number of documents to be screened and necessity to consult all Commission's departments would involve an inappropriate administrative burden and would be disproportionate.

With a view to safeguarding the interests of good administration, we therefore see ourselves obliged to balance your interest in access to this information against the workload resulting from the handling of your request.

Consequently, the scope of your request will be narrowed down (i.e. date received; the source country of the complaint; to which department or directorate the complaint was addressed to, did the complainant appeal), so as to reduce it to a more manageable the screening of the complaints.

In accordance with the Code of Good Administrative Behaviour, you can expect to receive a response within 15 working days from the date of receipt of this letter.

Your initial request was submitted via the AsktheEU.org website which is mainly designed for sending the access to documents applications and the corresponding replies. Since your request will be dealt with as a request for information, under the Code of Good Administrative Behaviour, please indicate your private address/e-mail address by sending it to our functional mailbox: [SG-Code-de-bonne-conduite@ec.europa.eu](mailto:SG-Code-de-bonne-conduite@ec.europa.eu).

Yours sincerely,



Donatienne Claeys Bouuaert

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<sup>1</sup> [http://ec.europa.eu/transparency/code/\\_docs/code\\_en.pdf](http://ec.europa.eu/transparency/code/_docs/code_en.pdf)