



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels, 23.01.2014
SG.B.4/MF/rc - sg.dsg2.b.4(2014) 8903

Ms Vicky CANN
AsktheEU

**By e-mail only: ask+request-947-
93c81014@asktheeu.org**

Subject: Your application for access to documents pursuant to Regulation No. 1049/2001 – GestDem N° 2013/5404

Dear Ms Cann,

I refer to your confirmatory application of 3 December 2013, registered on the same day, in which you request, pursuant to Regulation No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹, a review of the position taken by the Directorate General for Human Resources (DG HR) on 15 November 2013 in reply to your initial application of 4 November 2013.

In your initial application you asked access to *all documents which relate to the moves by “four senior European Union policy makers” to join Covington and Burling as detailed in this New York Times article: http://www.nytimes.com/2013/10/19/world/europe/lobbying-bonanza-as-firms-try-to-influence-european-union.html?_r=2&pagewanted=all, [i]n particular, [...] a note of all these officials' job titles including dates held; copies of any application(s) that they made under Article 16 of the Staff Regulations to undertake a new professional activity; and all correspondence or emails related to the authorisation of the new role or roles.*

I note that in its letter of 15 November 2013, DG HR asked you to specify your request pursuant to Article 6(2) of Regulation 1049/2001 as it was not able to identify the persons referred to in your request based on the information you provided. In particular there was no basis for assuming that any of these persons were former Commission officials.

From the information which we have at our disposal, it seems that you did not provide such specifications but instead chose to introduce a confirmatory request.

When assessing a confirmatory application for access to documents submitted pursuant to Regulation 1049/2001, the Secretariat-General conducts an independent review of the reply given by the Directorate-General concerned at the initial stage.

Following this independent review, I have come to the conclusion that your confirmatory application falls outside the scope of Regulation 1049/2001, as the Commission has not been able to identify any document falling within the scope of your confirmatory request based on the information provided by you.

¹ Official Journal L145, 31.05.2001, p.43.

I therefore have to conclude that your application under Regulation 1049/2001 is devoid of purpose.

As regards the detailed arguments supporting this conclusion, please refer to my answer to your confirmatory application registered under number *Gestdem* 2013/5493, which was sent to you on 20 January 2013. A similar reasoning also applies to the present case.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Catherine Day', with a stylized flourish at the end.

Catherine Day