



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

19 DEC. 2014

Ms Vicky Cann  
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*By registered letter with  
acknowledgment of receipt*

**Subject: Your application for access to documents – Ref GestDem No 2014/5318**

Dear Ms Cann,

We refer to your e-mail dated 10 November 2014 in which you make a request for access to documents, registered on 11 November 2014 under the above mentioned reference number.

**1. Scope of your request**

Your application concerns *"all documents (correspondence, including emails, notes/minutes from any meetings etc.) which discuss Vanessa Mock's employment at the Commission as it relates to articles 11 and 11a of the staff regulations."* In particular, you inquire *"what assessments have been made of Ms Mock's personal interests, considering her previous work for the Wall Street Journal"* and if there *"are there any matters from which she has been relieved from dealing, under Article 11a 2 of the staff regulations"*. You also request *"copies of all Ms Mock's job descriptions at the Commission."*

**2. Analysis**

I have examined your request under the provisions of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup>.

We identified one document which falls under the article of the Staff Regulations you refer to in your request. The document corresponds to the form used to declare and

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<sup>1</sup> Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145, 31.05.2001, p.43.

identify any potential conflict of interest by a candidate upon entry into service in accordance with Article 11 (3) of the Staff Regulations.

### 3. Exception to the right of access – Protection of privacy and integrity of the individual

I regret to inform you that access to this document cannot be granted, as disclosure is prevented by an exception to the right of access laid down in Article 4 of this Regulation, as set out below.

The disclosure of this document is prevented by Article 4.1(b) of Regulation (EC) N° 1049/2001 as this document contains personal data on Ms Mock. Its disclosure would violate the privacy and the integrity of the individual concerned, in particular in accordance with Regulation (EC) N° 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>2</sup>.

While I have also considered the possibility of granting partial access, I have concluded that this would equally undermine the protection of personal data.

I can nevertheless provide you the following general information on the process to which your request relates.

As part of the recruitment procedure and as for any candidate to be potentially recruited by the European Commission, Ms Mock had to declare any potential conflict of interest. Neither personal interest nor interests of third parties were identified by the candidate in relation to the post proposed to her. The services involved in the recruitment of Ms Mock assessed the situation and in particular if there were any personal interests which would actually or potentially impair the candidate's independence in carrying out her duties in the specific position or any circumstance which actually or potentially constitutes a conflict of interest with respect to the proposed position. None of the services involved identified any potential risk of conflict of interest. The Appointing Authority confirmed at the end of the process that there was no risk of conflict of interest with respect to the proposed position to Ms Mock.

I can also provide you with some information on the post of Ms Mock. Ms Mock holds as of 1 December 2014 a post of a temporary agent as a spokesperson assigned to DG COMM.

I would like to remind you that Corporate Europe Observatory remains subject to the provisions in implementing Directive 95/46/EC<sup>3</sup> on the protection of individuals with regard to the processing of personal data according to which personal data must, *inter alia*, be processed fairly and lawfully and subject to the unambiguous consent of the data subject concerned.

Please be informed that a copy of this letter will be sent to the person concerned.

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<sup>2</sup> OJ L 8, 12.1.2001, p. 1–22.

<sup>3</sup> Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Irene Souka', with a stylized, cursive script.

Irene SOUKA