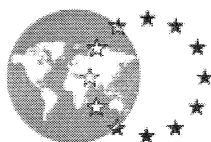


EUROPEAN EXTERNAL ACTION SERVICE



Corporate Board Secretariat

Brussels, 17 JAN. 2012
EEAS/CBS D(2012) 53569

Ms. Vicky Cann
ask+request-24-77f544ac@asktheeu.org

Dear Ms Cann,

Subject: Request for access to documents regarding the move by Mr Darren Ennis from Commission to MHP – reference Getsdem 2011/5983

Thank you for your request dated 24/11/2011, which was registered in the Commission access to documents registry under reference Gestdem 2011/5983, for access to documents under Regulation (EC) No 1049/2001 of the European Parliament and the Council regarding public access to European Parliament, Council and Commission documents (“Regulation 1049/2001”), which also applies to the European External Action Service pursuant to Article 11 paragraph 1 of Council Decision 2010/427/EU establishing the organization and functioning of the European External Action Service (“Decision 2010/427”).

You have requested access to “*all documentation relating to Commission decisions made about the job move by Mr Darren Ennis from being spokesperson to Commissioner Ashton to starting to work for MHP Communications*” and further related specific information.

As these documents and information are related to an individual person, we would like to point out that in accordance with Article 4 paragraph 1 (b) of Regulation 1049/2001, we cannot provide access to any document “*where disclosure would undermine [...] privacy and the integrity of the individual, in particular regarding the protection of personal data.*” We therefore have to take account of the relevant provisions of EU law regarding the protection of personal data when dealing with a request for access to documents of such nature.

In accordance with Article 8 of Regulation (EC) No. 45/2001 of the European Parliament and the Council 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 (“Regulation 45/2001”) – which also applies to the EEAS pursuant to Article 11 paragraph 3 of Decision 2010/427 - , personal data may only be transferred to recipients

outside the EU institutions if they establish the necessity for the data to be transferred and if there is no reason to assume that the legitimate concerns of the individual concerned might be prejudiced (paragraph (b)).

In order to examine your request, we would therefore need to obtain a justification of the necessity for the transfer of the requested information to you.

Furthermore, we would like to point out that in any case, any disclosure of personal data relating to Mr Ennis would be subject to the right of Mr Ennis to be informed thereof and have the possibility to object to such disclosure, pursuant to Article 18 of Regulation 45/2001.

Yours sincerely

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

Cesare Onestini
Head of Division