



Att. Mr Kurt Weiss

By e-mail only

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Copenhagen,

SBN/OCO

Ref.: EEA/D/ 33533

**Subject: Your request for access to documents – Code of conflict of interest for the European Environment Agency**

Dear Mr Weiss,

With reference to your message of 6.5.2013 requesting access to documents in relation to the EEA policy on the prevention and management of conflict of interest, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup>, please be advised as follows.

1. In the execution of its activities the European Environment Agency (EEA) implements measures as specified in the Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Community as well as those set in the financial rules applicable to the general budget of the European Union and their rules of application which primarily consist in the implementation of ex-ante controls and preventive measures through awareness raising campaigns towards its staff members.

Furthermore, the EEA applies internal control standards similar to those existing within the European Commission services and in particular internal control standards on reporting improprieties, recording exceptions, recording and correction of internal control weaknesses. The EEA has also entered into an agreement with the European Anti-Fraud Office (OLAF) concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Communities interests.

2. You will find attached a brief synthesis of the various procedures and forms in force within the EEA sorted by types of activity. This information is available to all staff members on the EEA intranet. Please note that this list is not exhaustive and may be supplemented according to the development in IT technology, the applicable rules and regulation and any recommendations that might be made by the EEA management and/or the internal or external supervisory bodies.
3. At its 65<sup>th</sup> meeting held on 12.12.2012, the EEA Management Board has approved the set of measures already in effect as well as new procedures proposed by the Executive Director – summarised in the attached document – and which then constitute the EEA policy on the prevention and management of conflict of interest and reputational risks. This document together with the synthesis referred to in paragraph 2 above provide the relevant information requested under point 1 of your application.

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<sup>1</sup> OJ L 145 of 31.5.2001, p. 43.

4. Under point 2 of your application, you request access to all declarations on conflict of interest for members of EEA Management team, Governing Board and Scientific Committee.

These declarations contain however personal data (such as name and signature) which may not be disclosed as this could undermine the protection of the privacy and the integrity of the individual concerned and consequently, access to these documents has to be refused on the basis of Article 4(1) lit. (b) of Regulation (EC) No 1049/2001.

Blank forms applicable for each type of activities are attached for your information.

5. The last documents concerned by your applications are the EEA whistleblowing policy and all and any relevant documents related to MEP's assertion that current OLAF's investigation at EEA would be following a "*personal revenge*" by a former agency official", as stated in an article published in the European Voice on 11.4.2013.


The whistleblowing procedure applicable in the EEA is part of the internal control standards that were adopted by the EEA Management Board in November 2005. The procedure for reporting improprieties (internal control standard 14), a copy of which is herewith attached, is described in the EEA quality management system which is available to all staff members on the EEA intranet.

EEA has no control and may assume no responsibility for any opinion expressed by third parties in the media. Therefore, we invite you to apply to the MEP directly from whom you may obtain information relevant to your request.

6. Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, we shall inform you that you may, within fifteen working days from receipt of this letter, make a confirmatory application asking the EEA to reconsider its position with regard to access to the requested documents.

I trust you will find this information helpful and take the opportunity to thank you for your interest in the work of the EEA.

Yours sincerely,

  
Søren B. Nielsen  
Head of Programme  
Administrative services

Enclosures:

- EEA policy the prevention and management of conflict of interest and reputational risks (Annex 6 to Document EEA/MB/65/13)
- Information on ethics and integrity available on EEA intranet
- Declaration of absence of conflict of interest and confidentiality templates
- Procedure for reporting improprieties (internal control standard 14) including annexes