

**Committee of the Regions**

The Secretary general

Brussels, 18.05.16 00673
SoB/ssch D 926/2016**Memo to the attention of Mr. James Panichi**By email: ask+request-2341-d177b283@asktheeu.org

Subject: Access to information request – Correspondence relating to harassment allegations of CoR official Robert McCoy 2013-2014

Ref.: Your email dated 24 March 2016 and annotation of 25 April 2016

Dear Mr. Panichi,

I refer to your emails dated 24 March 2016 and 25 April 2016 asking for an "internal review" of the Committee of the Regions' handling of your FOI request relating to harassment allegations of Mr. McCoy for the period 2013-2014.

In agreement with the Committee of the Regions' President, I would like to remind you that we have already carried out an "internal review" of the follow up of your request.

In this context let me recall to you the entire exchange of information on this matter between you and our institution so far.

- 1) On 6 October 2015 you submitted a request for access to documents concerning correspondence relating to harassment allegations of Mr. McCoy for the period 2013-2014.
- 2) On 26 October 2015 we sent you a negative reply, based on Article 4(2), second indent, of Regulation 1049/2001, because such a disclosure would undermine the protection of the ongoing court proceedings.
- 3) On the same day, you asked for an internal review of our decision rejecting the access to documents.

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4) On 15 March 2016 you sent us two reminders by email.

5) On 21 March 2016 we sent you a detailed answer to these emails explaining that, in light of the fact that Mr McCoy lodged a new case before the Civil Service Tribunal on 6 October 2015, it was not possible to give you access to the requested documents, due to the exception provided for under the second indent of Article 4(2) of Regulation No 1049/2001, as interpreted by the case-law of the Court of Justice.

6) On 24 March 2016 you sent us an email in which you disagreed with the reasoning of our reply to you, dated 21 March 2016.

7) On 25 April 2016 you published an annotation on the website asktheeu.org complaining not to have received a response to your request for internal review.

As mentioned before, we already carried out an internal review on the follow up of your request and you received the relevant answer on 21 March 2016.

Therefore I can only repeat that we cannot disclose these documents, for the same reasons given in our previous replies.

Yours sincerely,


Jiří Buriánek