



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

Brussels,
HR /GI

Mr Bram Vranken
Corporate Europe Observatory (CEO)
Rue d'Edimbourg 26
1050 Brussels

By e-mail: request-11962-
6632cda9@asktheeu.org

Subject: Your application for access to documents – Ref/ EASE 2022/5795

Dear Mr Vranken,

We refer to your e-mail, dated 11 October 2022, registered on 12 October 2022 under the reference number 2022/5795, in which you make a request for access to documents.

You request access to *“documents which relate to any article 16, article 12B and article 40 (staff regulations) applications made by Gorka Navea, former employee at DG Competition.*

In particular, I request a note of all Mr. Navea job titles at DG Comp including dates held; copies of any application(s) that he has made under article 12b, 16 and 40 to undertake a new professional activity; and all documents (correspondence, emails, meeting notes etc) related to the authorisation of the new role or roles.”

Having examined your request under Regulation (EC) No 1049/2001 and Regulation (EU) 2018/1725 (hereafter, Data Protection Regulation), I regret to inform you that your request cannot be handled as handling your request, including the confirmation of the existence of documents falling under the scope of your request or not, and any identification of (a) document(s) covered by your request (if any), is prevented by the Data Protection Regulation.

Information about the existence of documents falling under the scope of your request, formulated in relation to an identified or identifiable natural person, and their identification, if any, constitutes processing of personal data and reveals information relating to an identified or identifiable natural person (personal data).

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward sufficiently substantiated arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 9(1)(b) of the Data Protection Regulation, your request formulated in relation to an identified, or identifiable, natural person cannot be handled, as the need to obtain access to the personal data resulting from the handling of your request, for a specific purpose in the public interest, has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

In accordance with Article 7(2) of Regulation (EC) 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

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Gertrud Ingestad