



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

Ms Vicky Cann
CEO
Rue d'Edimbourg 26
1050 Bruxelles
By email: asktheeu1463-44d85529@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2014/3952

Dear Ms Cann,

We refer to your e-mail dated 8 September 2014 in which you make a request for access to documents, registered on 9 September 2014.

Your application concerns *"all documents (correspondence, including emails, notes/minutes from any meetings etc) which discuss Bruno Alves' employment at the Commission as it relates to articles 11 and 11a of the staff regulations."* In particular, you request *"what assessments have been made of Mr Alves' personal interests, considering his previous work for Nike, and are there any matters from which he has been relieved from dealing, under Article 11a 2 of the staff regulations?"* You also request *"copies of all Mr Alves' job descriptions whilst at the Commission."*

I have examined your request under the provisions of Regulation No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

We identified one document which fall under the articles of the Staff Regulations you refer to in your request. The document corresponds to the form used to declare and identify any potential conflict of interest by a candidate upon entry into service in accordance with Article 11 (3) of the Staff Regulations.

This document contains personal data on Mr Alves. It is the Commission's obligation to ensure that the privacy and the integrity of the EU official concerned are correctly protected. I regret to inform you that the access cannot be granted to the requested document, as it falls under the exception in Article 4(1)(b) of Regulation 1049/2001¹. While I have also considered the possibility of granting partial access, I have concluded that this would equally undermine the protection of personal data.

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

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 Mr Alves 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 him. The services involved in the recruitment of Mr Alves 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 his 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 Mr Alves.

I can also provide you with some information on the employment of Mr Alves. Mr Alves is since 1 January 2014 policy officer (he is a contract agent FG IV) in DG CNECT, unit Digital Social Platforms whereby he contributes to the definition and implementation of the Digital Social Platforms and related policies at EU level.

I would like to remind you that Corporate Europe Observatory remains subject to the provisions in implementing Directive 95/46/EC² 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.

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

Yours faithfully



Irene SOUKA

² 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