



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

Brussels, 07 AVR. 2015

Ms Vicky Cann
CEO
Rue d'Edinburg 26
1050 Brussels
By email: ask+request-1765-8d8a4f55@asktheeu.org

Subject: Your application for access to documents – Ref /GestDem No 2015/1006

Dear Ms Cann,

We refer to your e-mail dated 19 February 2015 in which you make a request for access to documents, registered on the same day.

Your application concerns *"all documents which relate to Dennis Abbott and his move from the European Commission to Burson-Marsteller"*. You request in particular *"a) a note of all Mr Abbott's job titles at the European Commission, including dates held; b) copies of any application(s) that Mr Abbott has made under Article 16 of the Staff Regulations to undertake outside / professional activities; c) all correspondence, emails or meeting notes related to the authorisation of this new role."*

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

The documents identified are the application form submitted by Mr Abbott in the framework of Article 16 of the Staff Regulations and the related decision response from the Appointing Authority. We have also identified email exchanges within Commission services or between Commission services and Mr Abbott pertaining to the underlying internal procedures concerning these requests for authorisations (covering a period from 9/12/2014 to 12/02/2015).

The documents you requested contain personal data relating to the past and present occupational activities of Mr Abbott. It is the Commission's obligation to ensure that the privacy and the integrity of the EU staff member concerned, also in his professional capacity, are correctly protected. This is why I consider that the exceptions foreseen in Article 4(1) (b) apply. As for the email exchanges between the Commission services and Mr Abbott Article 4(3) paragraph 2 of Regulation No 1049/2001 apply. While I have also considered the possibility of granting partial access, I have concluded that this would equally undermine the protection of personal data.

Against this background, I can nevertheless provide you with the following general information on the process to which your request relates.

Mr Abbott submitted a Declaration of intention to engage in an occupational activity after leaving the Commission (Article 16 of the Staff Regulations) dated and registered on 18 December 2014. His only request under this Article related to the authorisation to engage in a remunerated occupational activity for an indefinite period as a Managing Director Communication at Burson-Marsteller SPR.

Following the general rules concerning the consultation process for this type of request, the Appointing Authority gave its approval to carry out this activity as it did not lead to a conflict with the legitimate interests of the institution.

Mr Abbott was reminded of the specific staff obligations as laid down in Articles 16, 17 and 19 of the Staff Regulations, as well as in Article 19 of the Commission Decision on outside activities and assignments and Article 339 of the Treaty on the Functioning of the European Union.

I can also provide you with some information on the last post held by Mr Abbott. From the 2011 to 2015, the period which was assessed as regards any potential conflict of interest, he was a Spokesperson for Education, Culture, Multilingualism and Youth.

I would like to remind you that Corporate Europe Observatory remains subject to the provisions implementing Directive 95/46/EC¹ 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.

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

Please be informed that a copy of this letter will be sent to the person concerned.

Yours faithfully

po 
Irene SOUKA

¹ 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