

Brussels, 10/02/2021
EPSO/RK/mr ARES (2021)s. 1110553

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**Subject: Your request for access to documents of 13/01/2021
GestDem 2021/0564**

Dear Mr Nielsen,

I refer to your message of 13 January 2021, registered in EPSO on the same day under the reference number GestDem 2021/0564, whereby you lodged a request for access to documents pursuant to Regulation (CE) No 1049/2001.

You request access to the following documents:

"Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

Initial EPSO test results of Thibault de La Haye Jousselin as well as his 2019 EU management test results leading to his promotion to AD13 in Frontex."

Having thoroughly examined your request, I regret to inform you that it cannot be granted, since EPSO holds no documents that would fit the criteria specified therein.

Analysis of your request

Regulation (CE) No 1049/2001 provides that any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, has a right of access to documents of the institutions, subject to the principles, conditions, and limits defined in the Regulation. According to Article 2(3), the Regulation *"shall apply to all documents held by an institution, that is to say, documents drawn up or received by it and in its possession"*.

This means that the institutions are only required to provide access to existing documents that they possess.

However, the personal name mentioned in your request does not appear in EPSO's database of candidates, and consequently, no test results could be linked to it.

Furthermore, I would like to clarify that EPSO has not been involved in any selection of staff at AD13 grade for Frontex.

Since EPSO holds no documents corresponding to your request, I am not in a position to respond favourably to it.

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In accordance with Article 7(2) of Regulation 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-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Minna VUORIO