



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate A - Strategy, Better Regulation & Corporate Governance
The Director

Brussels
SG.A.6/SW

Aaron MCLOUGHLIN
Copy to
aaronmcloughlin@mac.com

Subject: Your applications for access to documents – EASE 2023/2252

Dear Mr MCLOUGHLIN,

We refer to your e-mail of 16 April 2023 in which you make a request for access to documents, registered on the same date under the above-mentioned reference number.

You request access to ‘a copy of the decision to remove the names of European Commission staff under Head of Unit level of the EU Whoiswho Directory and copies of any supporting documents that influenced the decision’.

The European Commission has recently aligned with the long-standing practice of the European Parliament and the General Secretariat of the Council to limit the publication of names and contact details in the EU Whoiswho to staff occupying management positions, e.g. heads of units and above. This practice is also common in national administrations.

Alongside its obligations linked to transparency and accountability, the Commission has the duty to protect its staff, especially those dealing with sensitive files. To avoid that these colleagues are subject to undue pressure from external sources, the access to the names and contact details of non-management staff has been limited. The measure is part of the Commission’s increased efforts on security and emphasis on data protection, respecting the requests from a number of colleagues on non-managerial positions not to disclose their data on EU Whoiswho.

The following documents fall within the scope of your application:

- Internal communication between the Secretariat-General and the Publications Office of the European Union of 30 March 2023
- Background document: privacy statement DPR-EC-00447. Processing operation: EU Whoiswho – Official Directory of the European Union

With regard to the document ‘Internal communication between the Secretariat-General and the Publications Office of the European Union of 30 March 2023’ listed above, a complete disclosure of the identified documents is prevented by the exception concerning

the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management.

Article 9(1)(b) of the Data Protection Regulation (Regulation (EU) 2018/1725) 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 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 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested document, as the need to obtain access thereto for a 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 case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

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 faithfully,

Michael WIMMER

¹ <https://www.ec.europa.eu/transparency/documents-request>

Enclosures:

- 1) Internal communication between the Secretariat-General and the Publications Office of the European Union of 30 March 2023 (personal data redacted)
- 2) Background document: privacy statement DPR-EC-00447. Processing operation: EU Whoiswho – Official Directory of the European Union