



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate H - Common Implementation Centre  
**H.1 - Common Legal support service**  
Head of Unit

B1/RS

**To:**

[REDACTED]

**E-mail:**

r [REDACTED]  
taat.de

**Subject: Your application for access to documents – EASE Ref No 2022/6951**

Dear Mr [REDACTED]

We refer to your letter dated 30 November 2022 in which you submitted an application for access to documents, within the framework of Regulation (EC) 1049/2001<sup>1</sup>.

**1. SCOPE OF YOUR REQUEST**

You requested access to:

- 1- *“The vacancy notice for the vacancy of a Policy Officer within the ‘Climate and Planetary Boundaries’ Unit found on [https://urldefense.com/v3/\\_https://www.egu.eu/jobs/4673/policy-officer-within-the-climate-and-planetary-boundaries-unit-of-the-european-commission/\\_;!!DOxrgLBm!B7JKnO-HX-qxbgf8QIZTBAPdJNL9mEAz0wDoU8DAWihEIY-B3MGVMH\\_fjHn1LWY2wmWsl-tHwnOVPoT3yjtefQtzcZrdMzISBV1wqnsywodJp6M\\$](https://urldefense.com/v3/_https://www.egu.eu/jobs/4673/policy-officer-within-the-climate-and-planetary-boundaries-unit-of-the-european-commission/_;!!DOxrgLBm!B7JKnO-HX-qxbgf8QIZTBAPdJNL9mEAz0wDoU8DAWihEIY-B3MGVMH_fjHn1LWY2wmWsl-tHwnOVPoT3yjtefQtzcZrdMzISBV1wqnsywodJp6M$) with application deadline 30 November 2022. There is unfortunately no job opening identifier. I assume there is a signed document. Please provide both internal and external notice if there are different versions.*
- 2- *The privacy notice for the applicable recruitment process.*
- 3- *All internal communication that relates to how this job opening was brought to the attention of possible candidates including recommendations and instructions to staff members concerning the distribution.*
- 4- *All LinkedIn posts relating to the job opening that factually can be attributed to the EU staff members in their professional capacity.*
- 5- *Documents and internal communication that give evidence to how the CAST database was used to fill the vacancy or why it was not used”*

<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43), hereinafter referred to as ‘Regulation (EC) 1049/2001’.

We have identified two documents falling under the scope of your request (hereinafter the 'requested documents'):

- 1- The vacancy notice for the post in question, reference “RTD.B.3 - GF IV – Policy Officer job n° 367633”.
- 2- The privacy notice applicable to this recruitment process, reference “DPR-EC-02054”.

## **2. EXAMINATION UNDER REGULATION (EC) No 1049/2001**

### **PARTIAL ACCESS UNDER REGULATION (EC) No 1049/2001**

We are pleased to inform you that partial access can be granted to document 1, we enclose a copy of it. We have only expunged some personal data, which disclosure is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001, as explained below.

#### **Protection of privacy and the integrity of the individual**

According to Article 4(1)(b) of Regulation (EC) 1049/2001, access to documents is refused where disclosure would undermine the protection of "*privacy and the integrity of the individual*", in particular in accordance with European Union legislation regarding the protection of personal data<sup>2</sup>.

The requested document contains personal data such as names, surnames and emails of individuals identified in the document. This information clearly constitutes personal data in the meaning of Article 3(1) of Regulation 2018/1725.

Pursuant to Article 9(1)(b) of Regulation 2018/1725, personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if '*[t]he recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject's legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests*'.

According to Article 9(1)(b) of Regulation 2018/1725, the European Commission has to examine the further conditions for a lawful processing of personal data only if the first condition is fulfilled, namely if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Therefore, personal data have been withheld from the requested document.

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<sup>2</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ('Regulation 2018/1725

## **FULL ACCESS UNDER REGULATION (EC) NO 1049/2001**

Regarding document 2, it is already in the public domain. It is published on the register of the Data Protection Officer (DPO), under Point 7 - Information to data subjects on their rights, accessible through this link:

- <https://ec.europa.eu/dpo-register/detail/DPR-EC-02054.2>

## **NO DOCUMENTS HELD**

We regret to inform you that the Commission does not hold any document that would correspond to the description given in your application under points No 3-5.

As specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that Regulation applies only to existing documents in the possession of the institution. Given that we could not retrieve the documents corresponding to the description given in your application under points No 3-5, we are not in a position to handle this part of your application.

## **DISCLAIMER AND RE-USE OF THE DOCUMENTS**

You may reuse the document requested free of charge, for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the document. Please note that the Commission does not assume liability stemming from the reuse.

Yours sincerely,

*[Electronic signature]*

