



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary-General

Brussels,

Mr Klaus Welle
Secretary-General
European Parliament

Mr Uwe Corsepius
Secretary-General
General Secretariat of the Council

Subject: Selection procedure for the appointment of the European Data Protection Supervisor and Assistant Supervisor; Commission decision not to adopt a short list

Dear Secretaries-General,

According to Article 42 (1) of Regulation n° 45/2001¹, the European Parliament and the Council appoint, by common accord, the European Data Protection Supervisor for a term of five years on the basis of a list submitted by the Commission. In accordance with the same procedure, they appoint also an Assistant Supervisor.

The Commission consulted your Institutions on the text of a vacancy notice and published it on 31 July 2013.

The vacancy notice indicated that the selection procedure would be carried out in line with the existing rules in the Commission. Subsequently, the Commission established a pre-selection panel which was chaired by the Registrar of the European Court of Justice and composed of two Directors-General in the Commission; representatives at senior level from your Institutions were also designated. The panel examined all applications, including candidates' eligibility for a function at this level and invited 10 for an interview. Following the interviews, the pre-selection panel drew up a list of five persons for further interviews with the Commission's Consultative Committee on Appointments

The Consultative Committee on Appointments, which I chaired in line with Commission procedures for the most senior level appointments and in line with the procedures followed by the Commission in cases where it is required to establish short lists for appointments by other Institutions, interviewed the five candidates. As you know representatives of the European Parliament and the Council participated in the interviews. Prior to the interview, candidates went through an assessment centre. Based

¹ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, O.J. L 8, 12.01.2001, p. 1

on the selection criteria laid down in the vacancy notice, the Committee considered that none of the candidates should be short-listed.

The Commission, having taken note of the opinion of the Consultative Committee on Appointments, decided during its meeting of 14 January 2014, not to establish a list of candidates under Article 42 (1) of Regulation (EC) No 45/2001 and to suggest to the European Parliament and the Council to close the current selection procedure and to make a new publication. Copy of the decision is attached.

I should be grateful if you could inform the competent authorities within your Institution of the Commission decision.

In the absence of a list from which the European Parliament and Council could appoint the European Data Protection Supervisor and the Assistant Supervisor, the Commission suggests to close this selection procedure and to proceed rapidly with a new publication of these two functions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Catherine Day', with a large, stylized flourish at the end.

Catherine Day

Encl. 1

5. QUESTIONS ADMINISTRATIVES ET BUDGETAIRES DIVERSES
(SEC(2014) 42/2)

QUESTIONS ADMINISTRATIVES
(PERS(2014) 1/2)

**5.1. SECRETARIAT GENERAL – PROCEDURE DE SELECTION
RELATIVE AUX FONCTIONS DE CONTROLEUR ET DE
CONTROLEUR ADJOINT EUROPEENS DE LA PROTECTION DES
DONNEES**
(PERS(2013) 104 A /6)

Ayant pris acte de la procédure suivie, telle que décrite au point 1 du document PERS(2014) 1/2, la Commission, sur proposition de M. ŠEFČOVIČ, en accord avec M. le PRESIDENT, décide :

- de ne pas établir de liste de candidats conformément à l'article 42 du règlement (CE) 45/2001 ;
- de suggérer au Parlement européen et au Conseil de clôturer la procédure de sélection en cours COM/2013/10338 relative au pourvoi des fonctions de contrôleur et de contrôleur adjoint européens de la protection des données, en vue d'une nouvelle publication ;
- de charger le secrétariat général de communiquer ces décisions au Parlement européen et au Conseil.

Ces décisions prennent effet immédiatement.

