



Plenary sitting

B9-0152/2021

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PROPOSAL FOR A UNION ACT

submitted under Rule 47(2) of the Rules of Procedure

on the transparency of selection procedures for high-ranking EU officials

Eugen Jurzyca, Johan Van Oortveldt, Lucia Ďuriš Nicholsonová, Michal Šimečka, Sirpa Pietikäinen, Ondřej Kovařík

Proposal for a Union act on the transparency of selection procedures for high-ranking EU officials

The European Parliament,

- having regard to Article 225 of the Treaty on the Functioning of the European Union,
 - having regard to Article 16(2) of the Treaty on the Functioning of the European Union,
 - having regard to Article 5 of the Decision of the European Parliament of 28 September 2005 adopting the Statute for Members of the European Parliament¹,
 - having regard to Article 11 of the Charter of Fundamental Rights of the European Union,
 - having regard to Rule 47(2) of its Rules of Procedure,
- A. whereas the protection of natural persons in relation to the processing of personal data is a fundamental right; whereas the European Parliament is committed to protecting personal data and to respecting privacy;
- B. whereas freedom of information includes the freedom to receive and impart information and ideas without interference by public authorities and irrespective of frontiers;
- C. whereas a curriculum vitae constitutes personal data within the meaning of Article 3(1) of Regulation (EU) 2018/1725;
- D. whereas it may be deduced from the provisions of Regulation (EU) 2018/1725 concerning the processing of personal data by the Union institutions, bodies, offices and agencies that the publication of the curriculum vitae of a candidate for a top-level management post as a Union official responsible for carrying out crucial tasks in the public interest or in the exercise of official authority vested in the Union institution, body, office or agency in question (hereinafter ‘candidate’) is not permitted without the explicit consent of that candidate;
- E. whereas transparency and democratic scrutiny are core principles of the European Union and its Member States; whereas the public should, in principle, have the right to access information about the necessary skills of the candidate; whereas limited access to necessary information about the candidate for the Members of the European Parliament and other bodies involved in the selection process diminishes the opportunity to carry out a proper assessment and arrive at an informed decision; whereas this might create an unnecessary obstacle to preparations for selecting the candidate;
- F. whereas it should be possible to disclose information pertaining to the candidate’s education, work experience and history of any work done in the service of the public, including in elected positions, as well as to their basic qualifications and knowledge of

¹ OJ L 262, 7.10.2005, p. 1.

foreign languages (hereinafter ‘professional curriculum vitae’), excluding the confidential elements, more specifically details of the candidate’s addresses, telephone numbers, family details and date and place of birth; whereas the disclosure of information about the candidate’s education and work history does not entail the candidate’s public exposure to the point of becoming intrusive;

- G. whereas a professional curriculum vitae is an important element in the selection procedure in order to assess the suitability of the proposed candidate; whereas in order to evaluate candidates and to strike the appropriate balance between the public objectives and the protection of the individual interests of candidates, it is necessary to disclose a minimum amount of information, such as that contained in a professional curriculum vitae;
 - H. whereas, in some cases, such as the selection of the Chair and Executive Director of the European Banking Authority, or the positions of Chair and Vice-Chair in the Single Resolution Board, the professional curricula vitae of the candidates are only made available to a few members of the European Parliament shortly prior to the decision being taken; whereas, moreover, this is only done upon request and after submitting solemn declaration in writing;
 - I. whereas candidates for crucial public offices should display a greater degree of tolerance of publicity, which, however, should be weighed up against the potentially harmful impact on the candidate’s privacy;
 - J. whereas in order to allow for the proper democratic public scrutiny of candidates, it is essential to ensure the availability of a professional curriculum vitae to the public at large;
 - K. whereas the European Court of Human Rights has repeatedly handed down judgments which clearly illustrate that it is important to apply strict scrutiny in accordance with freedom of expression, opinion and information, while recognising the importance of transparency on matters of public interest²;
1. Requests the Commission to submit, by [.....], on the basis of Article 16(2) of the Treaty on the Functioning of the European Union, a proposal amending Regulation (EU) 2018/1725 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;
 2. Believes that such a proposal should extend the list of legal grounds for the lawful processing of personal data to encompass information included in a candidate’s full professional curriculum vitae;
 3. Asks the Commission to establish in the proposal a list of posts or categories of post for which a candidate’s curriculum vitae has to be published, and is of the view that this list

² E.g. the judgment in the case of Centre for Democracy and the Rule of Law v. Ukraine (Application no. 10090/16) of 26 July 2020 <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-201896%22%5D%7D>

should be amended by the Commission through delegated acts;

4. Instructs its President to forward this resolution to the Commission, the Council and the governments and parliaments of the Member States.

EXPLANATORY STATEMENT

The curriculum vitae (CV) is an important element in the selection procedure for assessing the suitability of the proposed candidate. It is legitimate for the general public to have the opportunity to oversee and supervise the suitability of candidates for the Union's top-level executive positions.

In line with the provisions of Regulation (EU) 2018/1725, a candidate's CVs is not publicly available unless they agree to having it published. CVs are only made available to Members of the European Parliament once they have signed a solemn declaration.

The selection procedures for executive positions in the Union's institutions and bodies should be transparent. Without disclosing private details, the candidates' CVs should be publicly available to interested members of the public.

By extending the list of legal grounds for the lawful processing of personal data to encompass information included in a professional CV, the candidates' CVs should be made freely available with the purpose of promoting the transparency of selection procedures.