



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

The Director-General

Brussels, 14/12/2021
CNECT.R.4

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REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT

Subject: Your requests for access to documents - GestDems 2021/5939, 6034, 6302, 6367, 6419 & 6540

Dear Ms Cicculli,

We refer to your e-mails of 7, 11, 21, 26, 28 and 29 October 2021 in which you make requests for access to documents pursuant to 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 (hereinafter 'Regulation 1049/2001'), registered on the respective days of submission under the above-mentioned reference numbers. We also refer to our holding replies, dated 28 October 2021 (our reference Ares(2021)6644621), 3 November 2021 (our reference Ares(2021)6747417), 15 November 2021 Ares(2021)7003203 and 18 November 2021 Ares(2021)7095547, whereby we informed you that the time limit for handling your application was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

1. SCOPE OF YOUR APPLICATION

By your applications, you request access to the following:

For GestDem 2021/5939:

'(...) For the period between 1 October 2017 to date:

- a list of all lobby and industry meetings and/or calls held by the Communications Networks, Content and Technology, including any Cabinet Members and/or officials,

during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” were discussed.

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;?

- all minutes and other reports of these meetings and/or calls;?*
- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.*
- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Climate Action, including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen”. (...)*

For GestDem 2021/6034:

‘(...) For the period between 1 October 2017 to date:

- a list of the meeting and/or calls between European Battery Alliance and the Directorate-General for Communications Networks, Content and Technology, including any Cabinet Members and/or officials, during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” were discussed.*

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;?

- all minutes and other reports of these meetings and/or calls;?*
- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.*
- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Communications Networks, Content and Technology and the European Battery Alliance, including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen”. (...)*

For GestDem 2021/6302:

‘For the period between 1 October 2017 to date:

- a list of the meeting and/or calls between The European Automobile Manufacturers’ Association (ACEA) and the Directorate-General for Communications Networks, Content and Technology, including any Cabinet Members and/or officials, during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” were discussed.*

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;

- all minutes and other reports of these meetings and/or calls;*
- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.*

- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Communications Networks, Content and Technology and the The European Automobile Manufacturers' Association (ACEA), including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing "hydrogen vehicles" and/or "electric vehicles " and/or "batteries" and/or "hydrogen".'

For GestDem 2021/6367:

'For the period between 1 of September 2021 to date:

- a list of the meeting and/or calls between the Vulcan Energie Ressourcen and the Directorate-General for Communications Networks, Content and Technology, including any Cabinet Members and/or officials, during which "batteries" and/or "hydrogen" and/or "lithium" were discussed.

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;

- all minutes and other reports of these meetings and/or calls;

- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.

- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Communications Networks, Content and Technology and the Vulcan Energie Ressourcen, including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing "batteries" and/or "hydrogen" and/or "lithium",'

For GestDem 2021/6419:

'For the period between 1 February 2021 to date:

- a list of the meeting and/or calls between Stellantis and the Directorate-General for Communication Networks, Content and Technology, including any Cabinet Members and/or officials, during which "hydrogen vehicles" and/or "electric vehicles " and/or "batteries" and/or "hydrogen" and/or "lithium" were discussed.

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;

- all minutes and other reports of these meetings and/or calls;

- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.

- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Communication Networks, Content and Technology and Stellantis, including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing "hydrogen vehicles" and/or "electric vehicles " and/or "batteries" and/or "hydrogen" and/or "lithium".'

For GestDem 2021/6540:

'For the period between 1 January 2018 to date:

- a list of the meeting and/or calls between Solvay SA and the Directorate-General for Communications Networks, Content and Technology, including any Cabinet Members and/or officials, during which "electric vehicles " and/or "batteries" were discussed.

The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;

- all minutes and other reports of these meetings and/or calls;*
- all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.*
- all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Communications Networks, Content and Technology and Solvay SA, including any Cabinet Members and/or officials, and any lobby group and/or industry representative discussing “electric vehicles ” and/or “batteries”.’*

Please note that as regards documents falling within the scope of the abovementioned requests held by the Cabinet of the Commissioner for Internal Market, Mr Thierry Breton, also in charge for the digital economy and society, the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) will provide you with a response under requests reference numbers GestDem 2021/5993, 2021/6221 and 2021/6225.

2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUESTS

We have identified the following documents as falling within the scope of your requests GestDems 2021/5939 and 2021/6302:

- Report of the Future and Emerging Technologies (FET) Workshop on Future Battery technologies – 10 January 2018 **(Document 1)**;
- Battery 2030 Vision - 4 November 2018 **(Document 2)**
- European Automobile Manufacturers Association (ACEA) manifesto 2019-2024 **(Document 3)**;
- Rails priorities for the European Green Deal - Community of European Railway and Infrastructure Companies (CER) 12 November 2019 **(Document 4)**;
- Email of the CER of 14 November 2019 - European Green Deal - input of the CER **(Document 5)**;
- Thomas Skordas Opening Speech – FET Workshop on Future Battery Technologies – 10 January 2018 **(Document 6)**;
- Back to Office report – Meeting between ACEA and DG CONNECT – 7 November 2019 **(Document 7)**;
- Briefing – Workshop on ‘The Future of Batteries’ – 29 October 2018 **(Document 8)**;
- Mission report - Workshop on ‘The Future of Batteries’ - 29 October 2018 **(Document 9)**;
- Preparatory note - Panel discussion Battery 2030 **(Document 10)**;
- Email of the ACEA of 10 January 2021 - Invitation as Guest Speaker of Honour to ACEA event on 31 January 2018 **(Document 11)** and the attached letter addressed to Commissioner Gabriel **(Document 12)**.

No documents were identified in relation to your requests GestDem 2021/6034, 2021/6367, 2021/6419 and 2021/6540.

3. ASSESSMENT UNDER REGULATION 1049/2001

Following an examination of the identified documents under the provisions of Regulation 1049/2001 we have arrived at the conclusion that full access can be granted to four documents and partial access can be granted to eight documents. Please also note that parts of Document 9 have been blanked out as being outside the scope of the request.

A. Full disclosure

Documents 1 - 4 are fully disclosed. Please note that Documents 1 and 2 are publicly available via the following links:

Document 1:

<https://digital-strategy.ec.europa.eu/en/library/fet-workshop-future-battery-technologies-energy-storage>

Document 2:

https://ec.europa.eu/information_society/newsroom/image/document/2018-46/battery_2030_vision_4_nov_2018_E0A3BFAC-9095-6107-A5B9312C56F8A783_55328.pdf

B. Partial disclosure

(i) Protection of privacy and integrity of individuals

Full disclosure of Documents 5 – 12 is prevented by the exception concerning the protection of privacy and integrity of the individual outlined in Article 4(1)(b) Regulation 1049/2001, since they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- Names, functions and contact information of other natural persons.

Article 9(1)(b) of the Data Protection Regulation¹ 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 any 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) Regulation 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.

¹ 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, OJ L 295, 21.11.2018, p. 39.

4. ABSENCE OF DOCUMENTS FALLING UNDER THE SCOPE OF THE REQUESTS GESTDEM 2021/6034, 2021/6367, 2021/6419 AND 2021/6540

We regret to inform you that DG CONNECT does not hold any documents that would correspond to the description given in your applications GestDems 2021/6034, 2021/6367, 2021/6419 and 2021/6540.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in the abovementioned applications, are held by DG CONNECT, we are not in a position to fulfil these requests.

5. REUSE OF DOCUMENTS

You may reuse public documents which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the disclosed Documents 1, 2 and 6 - 10 originating from the Commission free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that Documents 6 - 10 were drawn up for internal use under the responsibility of the relevant services of DG CONNECT. They solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

Documents 3 – 5, 11 and 12 originate from third parties. Please note that they are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originators, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

6. CONFIRMATORY APPLICATION

In accordance with Article 7(2) of Regulation (EC) No 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 Secretariat-General of the Commission at the following address:

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 sincerely,

Electronically signed

Roberto Viola

Enclosures: (12)