



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

Ecosystems IV: Mobility & Energy Intensive Industries

I2. Mobility

Head of Unit

Brussels,
GROW I2/SPR/cds(2021)

Ms Carlotta Indiano
Investigative Reporting Project Italy
Viale Giulio Cesare, 92
00192 Rome
Italy

Sent by email only to:

[ask+request-10061-
f78b5bf3@asktheeu.org](mailto:ask+request-10061-f78b5bf3@asktheeu.org)

Subject: Request for access to documents – GestDem No. 2021/5993

Dear Ms Indiano,

Thank you for your e-mail of 11 October 2021 which was registered at the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs of the European Commission on the same day, requesting access to documents under Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L145, 31 May 2001, page 43 and following).

1. SCOPE OF YOUR REQUEST

Your e-mail requested access to documents as follows:

For the period between 1 October 2017 to date:

- a list of the meeting and/or calls between The European Automobile Manufacturers' Association and the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, 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 Internal Market, Industry, Entrepreneurship and SMEs and the The European Automobile Manufacturers' Association, 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".

2. INFORMATION ON MEETINGS

The following meetings have been identified as falling under the scope of your request:

Date	Organisation(s)	Commission representatives	Meeting record (y/n)
28.06.2018	ACEA	DG GROW	y
15.01.2019	ACEA, Eurobat	DG GROW	y
20.03.2019	ACEA, MAN, CNH, Scania, Daf, Daimler, Volvo Trucks	DG GROW, JRC	y
05.04.2019	ACEA	DG GROW	y
28.05.2019	ACEA, AFCAR, CLEPA, TOMTOM, HERE, INSURANCE EUROPE	DG GROW, DG MOVE; DG CNECT	y
05.02.2020	ACEA, MAN, Volvo, Daf, Daimler, Scania	DG GROW, JRC, DG CLIMA	y

3. DOCUMENTS IDENTIFIED

We have identified eight documents falling under the scope of your request. The list of these documents is in annex.

4. DISCLOSURE OF EIGHT DOCUMENTS

Documents 1-8 are disclosed, apart from the redaction of personal data. The parts of the documents which do not fall under the scope of your request have been redacted.

Documents 1 and 3-7 originate from the European Commission. You may reuse the documents free of charge 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.

Documents 1 and 3-7 were drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

Documents 2 and 8 originate from third parties. I can confirm that DG Internal Market, Industry, Entrepreneurship and SMEs has consulted according to Article 4, paragraph 4 of Regulation 1049/2001 the third parties with a view to assessing whether an exception in paragraph 1 or 2 is applicable, and has obtained their permission to release the documents.

Please note that documents originating from third parties 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 originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

5. PROTECTION OF PERSONAL DATA

With regard to the documents 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;
- the names/initials and contact details 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 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 documents, 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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Bruxelles,
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Joanna Szychowska

Annexes: Document register
8 documents (11 PDF files)

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.