



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 12/05/2023
MP ener.a.1(2023)4913274

Mr Tom Holen
Long Street 1
SE1 4PG London
United Kingdom

By email: ask+request-11248-8087027a@asktheeu.org

Subject: Your application for access to documents – EASE 2022/2781

Dear Mr Holen,

We refer to your e-mail of 16 May 2022 in which you make a request for access to documents, registered on 17 May 2022 under the above-mentioned reference number.

You request access to *all documentation, including but not limited to, attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings of the cabinet members of Commissioner Kadri Simson with multiple organisations:*

- 1. Meeting with Shell on 17/03/2022 on energy prices, security of supply of gas.*
- 2. Meeting with Equinor on 23/02/2022 on Industrial decarbonisation, hydrogen market and sustainable carbon cycles.*
- 3. Meeting with Shell on 04/03/2022 on Shell corporate policy on fossil fuel purchases from Russia.*

Your application concerns the following documents:

Nr.	Stakeholder	Ares	Date	Title
1	Equinor	Ares(2022)706221	31/01/2022	MEETING REQUEST KS - 23/02/2022 - Brussels - With Equinor's CEO. Mr Anders Opedal

2	Equinor	Ares(2023)1846772	14/03/2023	20222023 Minutes of the meeting with Equinor CEO
3	Shell	Ares(2023)541156	24/01/2023	MEETING REQUEST [SG] 17-18/03/2023 Brussels BE with Shell
4	Shell	Ares(2023)2946252	26/04/2023	MEETING MINUTES Cab meeting with Shell - 4 March 2022
5	Shell	Ares(2023)2944856	26/04/2023	MEETING MINUTES Meeting Cabinet Simson - Shell of 17 March 2022

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents listed above may be partially disclosed.

In fact, 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 Regulation 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) 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.

Access is granted to minutes of a meeting with external parties (document n.2). This document was drawn up for internal use under the responsibility of the relevant service. It solely reflects the service's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers. It does not reflect the position of the Commission and cannot be quoted as such.

With reference to document n.4, please note that Shell's decision on a phased withdrawal from Russian hydrocarbons in line with government guidance and to exit the downstream business in Russia was communicated to Stefano Grassi at a later date, further to a decision by the board of Shell on 8 March. Therefore, the sentence *Mr Martin explained that Shell would stop any involvement with investment in Russian hydrocarbons, from oil*

to gas and LNG, in a phased manner. It would also shut down operations in Russia, for service stations or aviation fuels refers to a separate conversation further to the decision of Shell's board on 8 March.

Moreover, in the same document part of the second paragraph has been redacted since disclosure of the redacted part would undermine the protection of commercial interests of a natural or legal person and is therefore prevented by the exception laid down in Article 4(2), first indent, of Regulation (EC) No 1049/2001. According to Shell, which has been consulted on the disclosure of the minutes, the redacted part contains commercially sensitive business information, also in view of the fact that it does not correctly reflect the position of Shell.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076

B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Ditte Juul Jørgensen

p.p. Matthew Baldwin,
Deputy Director-General

¹ <https://www.ec.europa.eu/transparency/documents-request>