

EUROPEAN COMMISSION

Secretariat-General

Directorate D - Policy Co-ordination I
SG.D.2-Internal Market and Competitiveness

Brussels, 11.12.2017
 SG.D2 EL/isk

Peter Teffer
 EUobserver
 Rue Montoyer 18B,
 1000-BXL, BE

Reply by email:
ask+request-4812-0ca889c5@asktheeu.org

Subject: Your application for access to documents, Ref. N° GESTDEM 2017/6973

Dear Mr Teffer,

We refer to your e-mail dated 19 November 2017 in which you make a request for access to:

- " all documents related to the 17 October 2017 meeting between Eduard Hulicius and Volkswagen Aktiengesellschaft, including but not limited to minutes, verbatim reports, e-mails, and presentations."

Your application concerns the following two documents hereby attached:

	Registration N°.	Date of registration	Subject/Title
1.	Ares(2017)5738338	23.11.2017	Request for a meeting with Cabinet of VP Katainen, from Mr Christof Klitz, VOLKSWAGEN AG
2.	Ares(2017)6026113	8.12.2017	Minutes Volkswagen meeting of 17 October 2017

Some of the documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is 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 data¹.

¹ Official Journal L 8 of 12.1.2001, p. 1

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

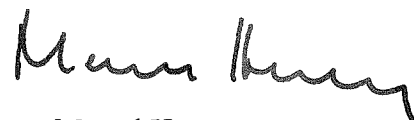
We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles
or,
by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Marcel Haag

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

From: [REDACTED]
Sent: Monday 11 September 2017 13:47
To: [REDACTED] (CAB-KATAINEN)
Subject: RE: Ares(2017)4223956 Meeting with Mr. Klitz from Volkswagen - a new date tbc
Attachments: Letter to Mr Muller.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: [REDACTED]

Hi [REDACTED]
Yes, then let's look into some other dates. I think it would be best if we could by then have already answered the letter from the CPC-network which I attach here for your interest if [REDACTED] hasn't seen it yet. Since the deadline to answer the letter is the 6 of October and it makes most sense to meet after Mr. Klitz would be available for a meeting after that date.

For now for example

- 09/10 in the morning or afternoon
- 10/10 in the morning
- 11/10, 16/10 or 17/10 all day

Still look good. Please let me know once you chose a date so I can put it into our agenda.
Best [REDACTED]

[REDACTED]
EU-Affairs
VOLKSWAGEN AG
Group EU Representation/VGS
Rue Archimède 25
B-1000 Brussels

Phone: [REDACTED]
GSM: [REDACTED]
Fax: [REDACTED]
Email: [REDACTED]

Volkswagen Aktiengesellschaft
Registered Seat: Wolfsburg
Registration Court: Amtsgericht Braunschweig
Commercial Register No.: 100484
Chairman of the Supervisory Board: Hans Dieter Pötsch
Board of Management: Matthias Müller (chairman), Karlheinz Blessing, Herbert Diess, Francisco J. Garcia Sanz, Jochem Heizmann, Hiltrud Werner, Andreas Renschler, Rupert Stadler, Frank Witter
Important Notice: The above information is automatically added to this e-mail. This addition does not constitute a representation that the content of this e-mail is legally relevant and/or is intended to be legally binding upon Volkswagen Aktiengesellschaft

From: [REDACTED]
Sent: Montag, 11. September 2017 13:23
To: [REDACTED]
Subject: FW: Ares(2017)4223956 Meeting with Mr. Klitz from Volkswagen - a new date tbc

Dear [REDACTED]
I am following up on your call today asking if we can postpone this meeting (scheduled to take place on 19 September), which is fine for [REDACTED]
Would you prefer to follow up with me later on, or should we already look into some possible dates in early October?
I could then check the availabilities of the other colleagues, including also cab Jourova.
Best regards,
[REDACTED]

From: [REDACTED]
Sent: Monday, August 28, 2017 2:35 PM
To: [REDACTED] (CAB-KATAINEN)
Cc: [REDACTED] (CAB-KATAINEN)
Subject: Ares(2017)4223956 Meeting with Mr. Klitz from Volkswage

Dear [REDACTED]
Thank you for our call on the phone. As outlined our Head of Office, Christof Klitz from Volkswagen would be interested in a meeting with [REDACTED] in order to get acquainted to each other and talk about the challenges of the automotive industry in the context of a European Urban Emissions Initiative. Since Commissioner Katainen received a more coordinating role on this issue Mr. Klitz would be interested to exchange with [REDACTED] on these matters.

Since Mr. Klitz is based in Brussels he can adapt to [REDACTED] agenda. Please find some time slots below which would work for Mr. Klitz. Maybe there's a match.

Best regards,
[REDACTED]

- 04/09 all day
- 11/09 9.00-14.00 h
- 12.09. 9.00 – 14.00 h
- 18/19/20/09 in the afternoon

Melissa Günnewig

EU-Affairs
VOLKSWAGEN AG
Group EU Representation/VGS
Rue Archimède 25
B-1000 Brussels

Phone: [REDACTED]
GSM: [REDACTED]

Fax:

Email:

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From: [REDACTED]
 To: [REDACTED]
 Cc: SG UNITE D2
 Subject: Minutes Volkswagen meeting of 17 October 2017

Meeting with Volkswagen, 17 October 2017

Volkswagen requested a meeting with Cabinet Katainen and other Cabinets to discuss the points below:

1. Information about measures being taken by Volkswagen (VW) after the German National Diesel Forum to improve air quality

VW summarised the main outcome of the German Diesel Forum of 2 August 2017 and the remedial actions it outlined for VW and other car manufacturers (e.g. Pan-European Software update/ sustainable mobility fund/ environmental trade-in incentive). Some measures are pending the establishment of the new German government. Generally, the forum could be a good model for other Member States. At present only three German manufacturers are paying into the fund; VW's contribution is of € 94 million.

2. State of Play of the EU Action Plan agreed with regards to the affected cars

VW reiterated the main elements of its EU Action Plan to tackle the consequences of the scandal and outlined the status of the recall in the EU28 since receiving the green light on the fix by the relevant Type Approval Authorities (TAAs) and the additional rolling out of trust building measures in June/July 2017. VW explained that the success of the recall varied between Member States; some have already achieved a rate of about 90% (AT, DE, DK, FI), while it was expected to reach >70% by end of October 2017 and about 75% by end of 2017. The rate is considered quite good for this type of recall, especially given that it is not mandatory in all Member States. Further outreach is planned to better reach non-first-hand users, as part of a larger communication campaign to mobilise car owners and to clarify that it is not necessary to go to a VW workshop to get the fix. A dedicated website also provides the possibility to submit complaints; so far very few have been received. VW then announced that it expected to be able to provide additional improvements to the current software fix for 1.5 million cars in the coming year, explaining that while hardware updates could easily take three years to develop, software updates were much easier.

VW furthermore raised concerns about possible diesel bans, as it considers that these would mainly punish consumers, calling on the European Commission to facilitate in the matter.

3. Strategic outlook Volkswagen

VW outlined the strategic outlook of the car industry outlined at the International Motor Show 2017 (IIA) in Frankfurt in September 2017 with regard to e-vehicles, highlighting in particular the ambitious goals set by the different brands of the VW Group. It then welcomed the initiative by VP Šefčovič to organise a Batteries summit in Brussels on 11 October 2017, underlining the importance of building an ecosystem for the whole batteries value chain.

While being mostly in listening mode on points 1 and 3, Cabinets were engaged in the discussion of point 2 relating to the emission scandal. In particular, critical questions on the recall, in particular on 2nd hand cars, were raised by Cabinet Jourová. Cabinet Bieńkowska highlighted the measures foreseen proposal revising the Type Approval Framework that aim to improve market surveillance and its enforcement, for example expanding the use of mandatory recalls. Cabinet Katainen underlined the importance of tackling air pollution, reminding that the kind of instruments available to Member States will depend on the specific context.

Participants:

VW – Christoph Klitz, [REDACTED]
 European Commission – Cabinets Katainen, Bieńkowska, Jourová, Moedas, SG