



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION
Common Implementation Centre
Common Legal Support Service
The Head of Unit

RS/
rtd.h.1.002(2021)7311460

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Advance copy by e-mail:
nik@miningwatch.pt

Subject: Your application for access to documents GestDem Ref No 2021/5914

Dear Mr Völker,

We refer to your application of 4 October 2021, in which you submitted a request for access to documents within the framework of Regulation 1049/2001¹, registered on the same date under the above-mentioned number.

In your application you requested the “*presentations delivered by the Commission services to the event "The Supply of Critical Materials in Europe for the Industries of the Future" that took place on Sep 29th 2021 (e.g. by Gerardo Herrera of DG GROW and Johan Blondelle of DG R&I), as well as any related records (e.g. presentations of participating regions, meeting minutes, notes on "Exchanges between the Commission, the Regions and the Audience", etc.) held by the Commission and its services*”.

We have identified one document falling under the scope of your request. Please find attached the redacted version of the presentation *Battery R&I: Policy context and implementation*.

A complete disclosure of the identified document is prevented by the exception on the protection of privacy and integrity of the individual outlined in Article 4(1)(b) of Regulation 1049/2001, because it contains the following personal data: the name and email address of a Commission staff who is not senior management, and pictures, functions and names of other natural persons.

Art 9(1)(b) of the EU Data Protection Regulation² 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

¹ 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 (OJ L 145, 31.5.2001, p. 43), hereinafter referred to as ‘*Regulation 1049/2001*’.

² 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.

specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subjects 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 Art 4(1)(b) of 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 believe that the legitimate interests of the concerned individuals would not be prejudiced by the disclosure of their personal data.

You may reuse the disclosed document according to the [Decision on the reuse of Commission documents](#), free of charge, for non-commercial and commercial purposes, provided that the source is acknowledged and that you do not distort its original meaning and message. The Commission does not assume liability stemming from the reuse.

Please be informed that the parts of your application referring to “*presentations delivered ... by Gerardo Herrera of DG GROW ..., as well as any related records (e.g. presentations of participating regions, ... etc.) held by the Commission and its services*” are handled by DG GROW and you will receive an answer from our colleagues in due time.

In accordance with Art 7(2) of Regulation 1049/2001, should you wish the Commission to review this position, you are entitled to make a confirmatory application within 15 working days upon receipt of this letter, at the following address:

European Commission
Secretariat-General
Unit SG.C.1 – Transparency, document management & access to documents
BERL 07/076
1049 Brussels Belgium

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

Yours sincerely,

Reinhard Schulte

Encl.: redacted general presentation on batteries