



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels
ENER/DJ

Address

Corporate Europe Observatory

Rue d'Edimbourg 26

1050 Brussels – Belgium

By registered letter with acknowledgment of receipt

(Advance copy) by email: ask+request-9452-234d9834@asktheeu.org

Dear Sir,

Subject: Your application for access to documents – GESTDEM 2021/3031

We refer to your e-mail of 7 May 2021 in which you make a request for access to documents, registered on 7 May 2021 under the above-mentioned reference number.

You request access to documents related to Hydrogen Europe and the Hydrogen Backbone

The following documents have been identified as falling within the scope of your application for access to documents:

- FW: Invitation to Hydrogen Europe event on “Hydrogen Act”, 6 May 2021, [Reference ARES(2021)3158545], (hereafter ‘document 1’),
- RE: UNDER EMBARGO: “Hydrogen Act”, 29 April 2021, [Reference ARES(2021)31556714], (hereafter ‘document 2’),
- Meeting invitation to European Hydrogen Backbone 12 April 2021 (hereafter ‘document 3’)

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 may be partially disclosed.

With regard to the attached 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;
- other information relating to an identified or identifiable natural person.

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

Yours faithfully,

e-signed
Massimo Garribba, Deputy Director-General
p.o. Ditte Juul Jørgensen, Director General