



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-10012-
614cfb93@asktheeu.org

Subject: Request for access to documents – GestDem No. 2021/6221

Dear Ms Indiano,

Thank you for your e-mail of 7 October 2021 which was registered at the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs of the European Commission on 11 October, 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

After a precision request sent on 18 October 2021 and the reply received from you on the same date, the scope of your request has been set as follows:

“For the period between 1 October 2017 to date:

- a list of all meetings and/or calls between the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs with the following stakeholder: the European Battery Alliance, The European Automobile Manufacturers’ Association, during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” were discussed.

For the period between 1 of July 2021 to date:

- a list of all meetings and/or calls between the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs with Vulcan Energie Ressourcen during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” and/or “lithium” were discussed.

For the period between 1 of February 2021 to date:

- a list of all meetings and/or calls between Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs with Stellantis during which “hydrogen vehicles”

and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” and/or “lithium” were discussed.

For the period between 1 of January 2018 to date:

- a list of all meetings and/or calls between Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs Solvay SA during which “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen” and/or “lithium” were discussed.

As well as documents related to the meetings:

- 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) discussing “hydrogen vehicles” and/or “electric vehicles ” and/or “batteries” and/or “hydrogen”.”

In a further reply on 20 October you specified that the request also covers the meetings of the European Battery Alliance.

Regarding the part of your request concerning the “European Automobile Manufacturers’ Association”, you have received a reply on 24 November (Ares(2021)7238344).

Regarding the part of your request concerning “Vulcan Energie Ressourcen”, you have received a reply on 10 November (Ares(2021)6912256).

No meetings or correspondence with Stellantis or Solvay SA falling under the scope of your request has been identified.

Thus this reply covers the meetings of the European Battery Alliance.

When searching for relevant documents, we have understood “meetings of the European Battery Alliance” to refer to the High Level Meetings on Battery Development and Production in Europe which are chaired by Vice President Šefčovič. These meetings took place on 11 October 2017, 12 February 2018, 15 October 2018, 30 April 2019, 26 September 2019 and 12 March 2021. The European Battery Alliance is the name of the initiative launched by the Commission to support the development of a complete battery value chain in Europe.

A number of documents related to the meetings of the European Battery Alliance is available on the web site https://ec.europa.eu/growth/industry/policy/european-battery-alliance_en. In this reply we thus do not list the documents which are already in the public domain.

Please note that the present reply covers the first three meetings. Regarding the meetings of 26 September 2019 and 12 March 2021 we are still in the process of identifying relevant documents and carrying out third-party consultations. Thus we will send you a second reply at a later stage. We apologise for any inconvenience this may cause.

2. DESCRIPTION OF DOCUMENTS IDENTIFIED

For this first batch of documents, we have identified 197 documents that match the scope of your request. The list of these documents is in annex.

3. DISCLOSURE OF DOCUMENTS

All 197 documents are disclosed.

Documents 49, 83-103 and 172 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 disclose 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.

Documents 1-48, 50-82, 104-171 and 173-197 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.

4. 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, contact information and functions of Commission staff members not pertaining to the senior management;
- the names/initials, contact details and functions 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.

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.

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
Zipped file containing 197 documents