



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels
ENER.B.5/IL

Mr Nik Völker
MiningWatch
Portugal

Sent by email only: ask+request-9032-8b72f2ce@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2021/0609

Dear Mr Völker,

We refer to your e-mail dated on 09 February 2021 in which you make a request for access to documents, registered on the same day under the above-mentioned reference number.

You request access to the following information referenced in the "EIT Triennial Work Programme 2015–2017" page 41:

- Innovation Readiness Process (IRL), developed by EIT KIC InnoEnergy;
- Contractual documents INSIGHT_E, including any existing or prepared addenda, annexes, amendments, errata or substitutions, and subcontracts.

We regret to inform you that the Directorate General for Energy does not possess any documents related with Innovation Readiness Process (IRL), and does not hold addenda, amendments, errata, substitution and subcontracts relating to INSIGHT_E project.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution. Given that no such documents, corresponding to the description given in your application, are held by the Directorate General for Energy, we are not in a position to fulfil this part of your request.

However, in the spirit of Regulation No 1049/2001, and in particular, Article 6 (4) thereof, with the aim to assist you as much as possible with your request, we are kindly advising you to consult the publicly available information:

- Concerning the description of IRL process, developed by EIT KIC InnoEnergy <https://www.reeem.org/uploads/REEEM-D2.2a.pdf>, or to make an inquiry with KIC InnoEnergy by <https://www.innoenergy.com/contact/> ;
- Concerning INSIGHT_E <http://www.insightenergy.org/>.

With reference to the remaining of your request, we identified the following contractual documents of INSIGHT_E —Interdisciplinary Strategic Intelligence wareHouse and Think-tank for Energy, FP7-ENERG Y-2013-2 project no. 612743, reference Ares(2014)837900, which include:

1. The Grant Agreement;
2. Annex I Description of work;
3. Annex II General conditions;
4. Other annexes.

We are pleased to inform you that we are able to grant partial access to these documents, herewith enclosed. Redactions have been made to a minor extent by deleting the personal data and contact information to protect the 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;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of 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.

Please note that these are the documents originating from the third parties and 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 document/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.

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 sincerely,

Ditte Juul Jørgensen

Enclosure: Contractual documents of INSIGHT_E —Interdisciplinary Strategic Intelligence wareHouse and Think-tank for Energy, FP7-ENERG Y-2013-2 project no. 612743, 194 pages, reference Ares(2014)837900