



SG.LD.ATD
Access to Documents Correspondent

Brussels, 25 October 2024
eeas.sg.ld (2024) 7490206

To
Mr Pascoe Sabido
by electronic mail

Subject: Your request for access to documents of 11 September 2024
EEAS reference: 2024/159

Dear Mr Sabido,

I would like to thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.¹

Following your application, we have searched in the EEAS filing systems and document management databases for the requested documents, i.e:

- *“All documents—including but not limited to correspondence, emails, agendas, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, read-outs, lines to take, briefings, and presentations—related to meetings between EU Commission staff and Azerbaijan government officials mentioning hydrogen and Azerbaijan (potential, projects, developments, financing etc) between January 2023 and the date the request is dealt with”.*
- *“All documents—including but not limited to correspondence, emails, agendas, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, read-outs, lines to take, briefings, and presentations—related to meetings between EU Commission staff and gas industry stakeholders (including but not limited to SOCAR, TAP AG, BP, Fluxys, Snam,*

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, of 31.5.2001, p. 43, hereafter the "Regulation"), as applied by the EEAS pursuant to Article 11(1) of the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, of 3.8.2010, p. 30).

Enagas, Eni, Equinor, Uniper, EBRD) mentioning hydrogen and Azerbaijan (potential, projects, developments, financing etc) between January 2023 and the date the request is dealt with”.

After this search, the EEAS has identified the following documents matching your application, as referenced hereafter:

- Commission report mission to Baku: Southern Gas Corridor Advisory Council (10th meeting) and Green Corridor Ministerial (2nd meeting) (document 1);
- Commission report from the Baku Energy Forum, 4-6 June 2024 (document 2).

Documents 1 and 2 originate from the European Commission. Following our examination of these documents as well as the consultation with the Commission as per Article 4(4) of the Regulation, I regret to inform you that their disclosure to the general public would undermine the public interest as regards public security and the EU international relations, as per Article 4(1)(a), first and third indents, of the Regulation.

In fact, documents 1 and 2 contain information relevant to the EU objective of phasing out dependency from Russian fossil fuels in the context of Russia’s weaponisation of energy supplies and full-scale war aggression against Ukraine. Disclosure of this information at this stage would jeopardise the EU objectives and strategies in that regard, thereby undermining the public security in the EU as regards energy supply and independency. Moreover, documents 1 and 2 contain information on and provided by a variety of non-EU countries concerning the matter at stake, as well as the European Commission internal preliminary assessments and possible way forward. Any disclosure of this information would undermine the climate of trust and cooperation between the EU and the countries at stake and therefore jeopardise the EU international relations with them.

I have considered the possibility to grant you partial access to the documents in line with Article 4(6) of the Regulation. However, since the substantive parts of the documents are covered by the invoked exceptions, the release of the marginal and accessory information in the documents not covered by the exceptions would deprive them from any useful effect.

Therefore, I regret to inform you that we are not in a position to disclose these documents at this point in time, neither as a whole or partially, since it would undermine the protection of the public interest as regards public security and international relations, as per Article 4(1)(a), first and third indent, of the Regulation.

Should you wish this position to be reviewed, you may make a confirmatory application within 15 working days in accordance with Article 7(2) of the Regulation.

Yours sincerely,

[e-signed]

Seppo Nurmi