

Da: ve_inea.inea-access-documents (INEA) <inea-access-documents@ec.europa.eu>

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A: media.releases@presidioeuropa.net

Oggetto: Ares(2021)50202 - Access to documents CEF Action 2014-EU-TM-0401-M - INEA 2020-41

Sent by ve_inea.inea-access-documents (INEA) <inea-access-documents@ec.europa.eu>. All responses have to be sent to this email address.

Envoyé par ve_inea.inea-access-documents (INEA) <inea-access-documents@ec.europa.eu>. Toutes les réponses doivent être effectuées à cette adresse électronique.

Dear Mr Prieri,

We refer to your two emails addressed to Mr Walter GOETZ, dated 04/12/2020, in which you request for access to documents. Please note that your requests were transmitted to INEA Access to documents as INEA is in the possession of the requested documents. As both requests are submitted by the same person and refer to the same Action, they were registered jointly under the reference number INEA 2020/41.

You request access to the "Grant Agreement for CEF Action 2014-EU-TM-0401-M (Lyon-Turin base tunnel) extended until 31.12.2022, as referred in the letter you attached to your request, dated 30.04.2020, sent to you by Mr. Herald RUIJTERS.

After analyzing your request, we consider that the following document fall within its scope:

Amendment n° 1 to grant agreement n ° INEA / CEF / TRAN / M2014 / 1057372 concerning Action EU-TM-0401-M signed on 17 April 2020

After examining this document in accordance with the provisions of Regulation (EC) No. 1049/2001 on public access to documents and taking into account the opinion of third parties from whom certain parts of the document emanate as per Articles 4(4) and 4(5), we have reached the following conclusion:

Amendment n ° 1 to grant agreement n ° INEA / CEF / TRAN / M2014 / 1057372, may be partially disclosed. Certain parts of the document have been blanked out, as their disclosure is prevented by exceptions to the right of access provided for in Article 4 (1) (b) (disclosure would undermine the protection of privacy and the integrity of the individuals, in particular in accordance with Community legislation on the protection of personal data) and Article 4 (2), first indent (disclosure would undermine the protection of the commercial interests of legal entities, including intellectual property rights). The redacted parts of the documents contain sensitive business information about the legal entities that submitted them and personal data that cannot be disclosed. Please find attached a redacted copy of the requested document.

The exceptions provided for in Article 4 (2) and (3) of Regulation (EC) No 1049/2001 apply, unless an overriding public interest justifies disclosure of the documents. We have not identified an overriding public interest email justifying full disclosure of this document in your email.

Please note that documents from third parties are disclosed to you on the basis of 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 party from which they originate, who may hold an intellectual property right on them. INEA does not assume any responsibility from their reuse.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application as regards your request for access to documents requesting the Agency to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Director of INEA at the following address:

INEA

Chaussée de Wavre 910

B-1049 Bruxelles

or by email to: INEA-ACCESS-DOCUMENTS@ec.europa.eu

Yours sincerely,

INEA ACCESS TO DOCUMENTS