

EUROPEAN COMMISSION

Directorate-General for Trade

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Amelie Canonne
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experts et chercheurs (AITEC)
21 ter rue Voltaire
75011 Paris
France

By registered letter with acknowledgment of receipt

Advance copy by email:
Ask+request-1890-5c97dd13@asktheeu.org

Dear Ms Canonne,

Subject: Your application for access to documents – Ref GestDem No 2015/2036

We refer to your email dated 08/04/2015 in which you make a request for access to documents, registered on the same day under the above mentioned reference number.

Your application concerns documents relating to the meeting between Christian Burgsmüller, Member of the EU Trade Commissioner Cecilia Malmström's Cabinet and Mouvement des Entreprises de France (MEDEF) on 24 March 2015.

We have identified one document (a meeting report) that can be partially released. The expunged parts contain personal data, in particular names of the Commission staff members. The names have been withheld according to the protection of personal data as provided in Article 4.1 (b) of the Regulation (EC) No 1049/2001.

Pursuant to Article 4.1 (b), access to a document or part of it has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

¹ OJ L 8 of 12.1.2001, p. 1

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable². According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.


We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles

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

Yours sincerely,


P.O. (R.M. PETRICCIONE)
Jean-Luc DEMARTY

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

TRADE ACCES DOCUMENTS

From: [Art 4.1(b)] (TRADE)
Sent: 24 March 2015 16:35
To: RATSO Signe (TRADE);

Art 4.1(b)

Cc: (TRADE)
Subject: BURGSMUELLER Christian (CAB-MALMSTROM); TRADE TTIP TRANSPARENCY Meeting with Lys VITRAL from MEDEF. 24/03/2015

Subject: meeting with Lys VITRAL, Deputy Director in charge of the International Commission at MEDEF (Mouvement des Entreprises de France). 24th of March 2015. From CAB: Christian BURGSMUELLER. From DG Trade:

[4.1(b)]

Meeting requested by Ms Vitral in order to explain MEDEF's trade priorities and upcoming trade-related activities organised by MEDEF.

- The FTA with Japan remains a strategic priority for MEDEF as the rules part of this agreement is crucial. They would like that the impact on certain French industry with a defensive interest, such as cars, is minimised. But other French industries such as pharma, chemicals, textiles or machinery have a strong offensive interest. They would like to see a more reciprocal treatment on public procurement for railways.
- Regarding TTIP, a key issue for MEDEF is openness on the US public procurement market. On ISDS, MEDEF does not have a clear position yet between reforming the current ISDS system and developing a new one. They are in touch with BDI in order to have a common position on ISDS.
- Other priorities for MEDEF remain Canada-CETA, with which they are very satisfied, and the Mercosur region (not only Brazil but also Argentina). In addition, Mexico and Chile are also of their interest and they would welcome an update of the FTAs. Asked about a possible FTA with Australia and New Zealand, Ms Vitral said that in principle it seems French business do not have neither a defensive nor an offensive interest – only thing would be niche interests such as energy. She will ask MEDEF members and reflect their priorities in an upcoming trade position paper, which could be useful for the trade policy communication.
- MEDEF acknowledges the need of an educational/informative effort with business, in particular SMEs. For example, when looking at the effects of the Korea FTA, it seems that German companies are benefiting 30% more than French business. This is not only because Germany has a solid network of exporting SMEs, but also because of the follow up Germany has done on the implementation of the agreement in terms of disseminating information among SMEs. MEDEF admits that big companies will benefit more in the short term from trade agreements such as TTIP or Japan as they are already "waiting" for those agreements. The benefits for SMEs will come in the medium to long term and should be accompanied with dissemination of information/educational efforts.
- Ms Vitral informed about the upcoming trade-related activities by MEDEF: a high level event possibly co-organised with BDI about TTIP with other global trade elements to be organised by July or September in Paris – CM to be invited; a round table on trade in order to debate about globalisation to be organised within the summer university of HEC Paris; testimonies from SME on TTIP benefits to be collected.