

EUROPEAN COMMISSION

Directorate-General for Trade

Directorate A - Resources, Information and Policy Coordination
Information, Communication and Civil Society

Brussels, 21 October 2015
trade.a.3.dir(2015)4981163

Amelie Canonne
AITEC
21^{ter} Rue Voltaire
75011 Paris
France

By email only:
ask+request-2322-14e6ee48@asktheeu.org

Dear Ms Canonne,

Subject: Your application for access to documents – Ref GestDem No 2015/5238

We refer to your email dated 5 October 2015 in which you make a request for access to documents, registered on 6 October 2015 under the above mentioned reference number.

Your application concerns documents *"related to the meeting held between Christian Burgsmüller and the European Composer and Songwriter Alliance (ECSA) last 11th of Sept, on TTIP"*.

We have identified two documents that fall under the scope of your request:

- 1) a meeting request from ECSA dated 3 July 2015 (Ares(2015)2802638); and
- 2) a short meeting report (Ares(2015)4120771) by Mr Burgsmüller.

Both documents can be fully released. In document 2 we have only redacted personal data, in particular the name of a Commission staff member and another name of an ECSA employee. 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. Therefore, we are disclosing the documents requested expunged from this personal data.

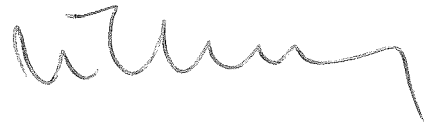
In case you would disagree with the assessment you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

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,



Lutz Güllner
Head of Unit

² Judgment in *Commission v Bavarian Lager*, EU:C:2010:378, paragraphs 63-64; judgment in *Guido Strack v Commission*, EU:C:2014:2250, paragraphs 101.

Brussels, 3 July 2015

Subject: Meeting request with ECSA

Dear Commissioner Malmström,

ECSA is the European Composer and Songwriter Alliance (ECSA) representing over 23,000 professional composers and songwriters in 23 European countries. With 45 member organizations across Europe, the Alliance speaks for the interests of music writers of art & classical music, film & audiovisual music as well as popular music. ECSA is co-founded by the European Commission's Creative Europe program.

As you may appreciate, we closely follow the ongoing TTIP negotiations and the efforts being made to raise awareness on the role of IPR by encouraging innovation and creativity as well as the Agreement's wish to enforce IPR rules in a balanced way.

Therefore, we kindly express our highest interest in meeting with you to further discuss the current TTIP negotiations and the possible outcome. This would also be an opportunity to exchange views on the possible implications the Agreement and the ongoing negotiations might have on authors and the cultural and creative industries.

We would be pleased to present our views in order to provide you with evidence-based suggestions from the author's point of view and discuss the state of play.

We thank you for your kind consideration and remain at your disposal for any meeting arrangement with high-level representatives of our association at your best convenience.

Yours sincerely,



Patrick Ager
ECSA Secretary General

[4.1(b)]

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From: BURGSMUELLER Christian (CAB-MALMSTROM)
Sent: 06 October 2015 15:25
To: VERLY Johan (CAB-MALMSTROM)
Cc: MUNGENGOVA Jolana (CAB-MALMSTROM)
Subject: Meeting with ECSA on 11 September

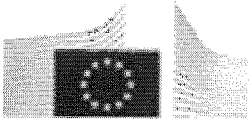
On 11 September I met with Patrick Ager and [4.1(b)] of the European Composer and Songwriter Alliance (ECSA) to discuss TTIP-related issues of interest to their association. They were especially interested to see IPR rules enforced in a balanced way. They also inquired about possible effects of TTIP on cultural institutions like opera houses and theatres.

We agreed to remain in contact throughout the negotiations.

Best,
Christian

Christian BURGSMÜLLER

Member of the Cabinet of Commissioner Cecilia MALMSTRÖM
Trade



European Commission

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