

ANNEX 2

Request for access to documents GESTDEM 2013/2132 3rd batch of documents Details of exceptions applying to the documents identified¹

Document 46

We cannot release parts of the report of the meeting with the European Association of Automotive Suppliers (CLEPA) on 5th of March 2013.

Under “Main points of discussion”, 26 words from the 2nd sentence of the 1st paragraph, the 2nd sentence of the 4th paragraph, and the 8th paragraph have been withheld as they contain the EU's assessment of the internal situation of the US market as well as the EU positions and tactical approaches on certain aspects of the regulatory negotiations in various areas. Disclosure of these parts would risk putting the EU at disadvantage when negotiating with the US (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Fourteen words in the 1st sentence of the paragraph 6 have been withheld as this part contains an assessment of problems encountered by CLEPA. Placing this information in the public domain could have a negative impact on CLEPA's position on the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001).

Paragraph 10 has been withheld as it contains sensitive information relating to the EU's internal decision-making process regarding regulatory issues. Disclosure of this information would reveal the EU's approach and would seriously undermine the Commission's decision-making process (Article 4 paragraph 3 of the 1049/2001).

Document 47

We cannot release a paragraph of the report of the visit of Ditte Juul-Joergensen to Washington on 16-18th January 2013.

The last paragraph of the report has been withheld as it contains information related to the US strategic position in the framework of the EU-US relations. Furthermore, it contains an EU's assessment on the work done at EU level on a particular area relevant to the bilateral relations with the US. Release of both pieces of would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 49

We cannot release parts of the report of the meeting with UPS on 26th September 2012. Seventeen words from the 1st paragraph, the 2nd paragraph, twelve words in the 3rd paragraph and the last sentence of the 4th paragraph have been withheld as these contain comments made by UPS on a particular competition policy case in relation to the future of transatlantic trade, and

¹ Exceptions according to Art 4 paragraph 1 (b) are not included in this annex

on the possible outcome and consequences of the US elections. Placing this information in the public domain could impact negatively on the stance of UPS's position in the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001).

Document 50

We cannot release parts of the report of the meeting with ORGALIME on 13th of July 2012.

One word in the 4th bullet point and the whole 7th bullet point under "Points raised by ORGALIME" have been withheld as these parts contains comments made by ORGALIME. Placing this information in the public domain could impact negatively on the stance of ORGALIME's position on the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001).

The 8th bullet point under "Points raised by ORGALIME" has been withheld as it contains information of tactical relevance in international negotiations. Disclosure of these parts would risk putting the EU at disadvantage when negotiating with the US (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 55

We cannot release parts of the report of the meeting with Cosmetics Europe and EFCI on 11th of September 2012.

Nine words in the 2nd bullet point have been withheld from the report as disclosing comments in the regulatory system of the US could affect negatively our relations with the US. Disclosure of this information could also lead to a misleading interpretation of the EU's bilateral relation with the US and potentially undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

The 7th bullet point has been withheld from the report as it contains information on the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on the EU's relations with the country and undermine its position when tackling the issue. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 56

Five words and two sentences in 1st bullet point, seven words in the 2nd bullet point, one sentence in the 4th bullet point and 3 words in the 6th bullet point have been withheld from the report of meeting with GM on 12th September 2012. Withheld parts contain GM's assessment of relations and other information concerning the local industry and their dealings with government representatives. Placing this information in the public domain could have a negative impact on GM's position on the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001).

Document 57

We cannot release parts of the report of the meeting with TABD on 14th of September 2012. 27 words in the 4th bullet point, and two sentences and 14 words of last sentence in the 5th bullet point have been withheld. Disclosing comments concerning other countries' authorities could affect negatively industries commercial interests in the US (Article 4 paragraph 2 first indent of Regulation 1049/2001).

15 words of last sentence in the 9th bullet point have been withheld. Disclosing comments concerning the other country's authorities could affect negatively our relations with the US and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 59

The 1st bullet point and four words in the 2nd bullet point under section "Possible targets to be part of a unilateral submission by EFPIA" from the report have been withheld as they contains information on the tactical approach towards the ongoing EU/US negotiations. Release of this information could have an impact on EU's relations with the US and undermine the EU's position when tackling the issue (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 62

The last sentence of the 3rd bullet point under "General Points" has been withheld from the report of the meeting with CEFIC on 27th of November 2012, as it contains information related to the EU's negotiating position in the EU/US trade negotiations. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 64

Two sentences of the 1st bullet point under 'Main message from EC' have been withheld from the report of the meeting with Cosmetics Europe on 14th of January 2013, as it contains information related to the EU's negotiating position in the EU/US trade negotiations. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 69

Twenty words have been withheld from the report of the meeting with BusinessEurope on 5th of October 2012. This part of the sentence is revealing information regarding the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on EU's relations with the country and undermine its position when tackling the issue. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and

therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 70

Twenty words have been withheld from the report of the meeting with ACEA on 25th of October 2012. This part of the sentence is revealing information regarding the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on EU's relations with the US and other countries. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 74

One sentence in the 4th bullet point under the item “EU-US Trade Relations and the HLWG” has been withheld as it contains information regarding the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on EU's relations with the US and other countries. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 75

Thirty-three words from the paragraph on EU-US trade relation have been withheld as they contains information regarding the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on EU's relations with the US and other countries. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 77

Six words and one sentence have been withheld from the report of the meeting with ACEA on 20th of February 2013. This part contains industries view and assessments on the specific issues in the EU/US trade negotiations. Release of that information could have a negative impact on ACEA's position on the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001). Disclosure of this information could also lead to a misleading interpretation of the EU's bilateral relation with the US and potentially undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 78

Two sentences have been withheld from the report of the meeting with Business Europe on 22nd of February 2013. These sentences reveal information regarding the tactical approach towards the ongoing EU/US trade negotiations which could have an impact on EU's relations with the country and undermine its position when tackling the issue. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 79

Document 79, containing the report from the meeting with ACEA on 12th of March 2013, has been withheld as parts of its content reveal commercial strategies and priorities which are shared by industry in the context of the EU/US trade negotiations. The commercial interests of ACEA and its members could be undermined by the release of this document (Article 4 paragraph 2 first indent of Regulation 1049/2001). Other parts of this document contain the information regarding the tactical approach towards the ongoing EU/US trade negotiations, which could have an impact on EU's relations with the US and undermine its position when tackling the issue. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

The possibility of granting partial access to this document (Article 4(6) of the Regulation) has also been examined. However, it is considered that all parts of this document are covered by the invoked exceptions. As a result, no such access can be granted.

Document 80

We cannot release parts of the report of the meeting with Ford on 13th of March 2013.

Three sentences and thirty-three words from the 1st paragraph under section "TTIP" have been withheld as they contain commercial strategies and priorities which are shared by Ford in the context of the EU/US trade negotiations. Release of this information would undermine the protection of their commercial interests (Article 4 paragraph 2 first indent of Regulation 1049/2001).

Eighty-one words from the 2nd paragraph under section "TTIP" have been withheld as they contain information regarding the tactical approach towards the ongoing EU/US trade negotiations. Release of that information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

Document 81

We cannot release parts of the report of the meeting with VDA on 10th of April 2013.

Twenty-two words under Part 1 have been withheld as they contain commercial strategies and priorities which are shared by VDA in the context of the EU/US trade negotiations. Release of this information would undermine the protection of their commercial interests (Article 4 paragraph 2 first indent of Regulation 1049/2001).

One sentence in under Part 2 and eight words under Part 4 have been withheld. Withheld parts contain VDA's assessment of the situation for car industry in the US. Placing this information in the public domain could have a negative impact on VDA's and its member's position on the US market. It would therefore undermine the protection of commercial interests of a natural or legal person (Article 4 paragraph 2 first indent of Regulation 1049/2001).

Nine words under Part 3 and eleven words under Part 6 have been withheld as these parts contain sensitive information relating to the EU's internal decision-making process. Disclosure of this information would reveal the EU's approach and would seriously undermine the Commission's decision-making process (Article 4 paragraph 3 of the 1049/2001). In addition, release of that information could have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).

One sentence under part 5 has been withheld as disclosure of this information could harm EU's international relations with US since it could lead to a misleading interpretation of EU's bilateral relations (Article 4.1 (a), third indent of the Regulation).

Document 82

The last of the 4th paragraph has been withheld as it contains an assessment of a particular of the EU-US trade negotiations. The release of this information would have a negative impact on the EU's ability to conduct the negotiations and therefore undermine the protection of the EU's international relations (Article 4 paragraph 1 (a) third indent of the Regulation 1049/2001).