

GARCIA LOPEZ BERGES Victor (TRADE)

Subject: RM&E - meeting with BeST 3/12/13

Importance: High

From: MARKOVICOVA Vanda (TRADE)

Sent: Friday, December 06, 2013 10:40 AM

To: HOUBEN Hiddo (EEAS-WASHINGTON); PASTOR ARENILLAS Isabel (EEAS-WASHINGTON); PIPER Jeffery (ENER); MARGHERITA Michelangelo (TRADE); MUSALL Benjamin (TRADE); LEVIE Damien (TRADE); BHASKAR Renita (TRADE); PERREAU DE PINNINCK Fernando (TRADE)

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Meeting 3/12/13 Brussels in the context of TTIP (RME Chapter)

BeST, Beryllium Science & Technology Association: [ART. 4.1b], [ART. 4.1b]; **Materion:** [ART. 4.1b]

TRADE: P. Sourmelis, JG Westerhof, C. Boeshertz, V. Markovicova

BeST advocates specific reference to critical raw materials in TTIP with a view of ensuring their availability and recognising their socio-economic relevance. BeST suggests that US and EU lists of critical raw materials coincide to a large extent and that Beryllium is considered critical on both side of the Atlantic. 96% of Beryllium is mined in the US and this element has been identified as the only strategic or critical material by the US government due to its defence application. It is, in addition, a relevant input for the automotive sector and aerospace as well. BeST voiced a concern that the standards proposed to some critical raw materials (i.e. Beryllium, but also mentioned Lithium and Chrome) under the EU legislation (read: REACH) could create a serious import restriction (the respective thresholds for Beryllium are 'below detection levels'). BeST warned that if access to Beryllium in the EU is restricted, EU companies active in certain market segments (e.g. certain car components) would be deprived from an essential input and would be replaced by suppliers from Asia that could still sell components based on beryllium but not produced in the EU. This would lead to negative consequences on SMEs and employment in the EU. For these reasons BeST would like to see provisions on regulatory cooperation and/ or specific provisions in RME chapter on critical raw materials in TTIP. No concrete examples on trade disciplines were presented at the meeting. [NOT RELEASABLE] and their concerns were also echoed by the US negotiator during the 2nd round of TTIP negotiations.

EC explained the proposed architecture of TTIP and its template building objective vis-à-vis the third countries. It was emphasised that the EU strategy aims at negotiating strong horizontal disciplines with the objective of eliminating export restrictions on all raw materials. [NOT RELEASABLE]. In this context it was emphasised that TTIP cannot be used as a vehicle to override the EU regulatory regime, in particular, the Treaty based precautionary principle.