



**EUROPEAN COMMISSION**  
Directorate-General for Trade

The Director General

Brussels, **19 MAI 2016**  
trade.dga2.e.1(2016)2601664

Mr. Kenneth Haar  
Overgaden oven Vandet 12  
1415 Copenhagen  
Denmark

***By e-mail:*** [ask+request-2584-5018d9df@asktheeu.org](mailto:ask+request-2584-5018d9df@asktheeu.org)

***By registered mail***

**Subject: Document request pursuant to Regulation (EC) No 1049/2001 (GESTDEM 2016/0722)**

Dear Mr Haar,

Thank you for your request 2016/0722 for access to documents under Regulation No 1049/2001<sup>1</sup> regarding public access to European Parliament, Council and Commission documents ("the Regulation").

We understand from your request that you would like to have access to:

*All documents on TTIP related to the meetings between DG Trade and BusinessEurope, including emails, documents presented at the meeting or sent in connection with the meeting, as well as minutes from the meetings. The meetings took place on the following dates: 16. February 2015; 5. March 2015; 27. March 2015; 7. May 2015; 8. May 2015; 9. August 2015.*

You will find the full list of meetings and available reports in Annex I. As for the six reports identified we are pleased to release them as follows:

- Full release of one report (document 1).

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<sup>1</sup> OJ L 145, 31.5.2001, p. 43.

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- Full release of four reports (documents 2, 3, 4 and 5) except for the data (i.e. names and positions) which have been removed in application of the exception concerning the protection of privacy (Art. 4.1(b) of the Regulation). Consequently only the name of the industries and/or companies with whom the meeting took place are released. Please note that some parts of the reports have been removed for not being relevant to your request.
  - Partial release of one report (document 6) as one sentence and a part of a sentence are covered by Art. 4.1(a) of the Regulation. A detailed assessment of the reasons why we understand that these parts are partially covered by the exceptions of Article 4 of the Regulation is included in Annex I.

Please note that some parts of the reports have been removed for not being relevant to your request.

Concerning the application of Article 4.1(b) on the protection of privacy and the integrity of the individual, please note that when access is requested to documents concerning personal data, Regulation (EC) No 45/2001<sup>2</sup> becomes fully applicable<sup>3</sup>.

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 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 some of this personal data. If you wish to receive this personal data, we invite you to provide us with arguments showing the need for having this personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

We hope this information meets your needs. Please note that you may reuse the fully released documents free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

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

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<sup>2</sup> OJ L8 of 12.1.2001, p.1

<sup>3</sup> Judgment in *Commission v Bavarian Lager*, C-28/08 P, EU:C:2010:378.

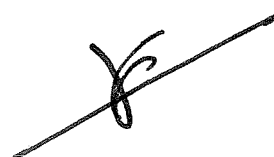
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Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/282  
B-1049 Brussels

Or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' and 'L' followed by a long horizontal stroke.

Jean-Luc DEMARTY

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Annex I – List of meeting reports, including justification under Regulation 1049/2001

## GestDem HAAR 2016/0722

Meeting Nr.	ARES number	Date	Interlocutor	Release: Yes/ No/ Partial	Reason(*):
1	Ares(2015)4613151	2015 02 16	BusinessEurope	Yes	
2	Ares(2015)1013869	2015 03 05	BusinessEurope	Partial	* Art. 4.1b
3	Ares(2015)2845539	2015 03 27	BusinessEurope	Partial	* Art. 4.1b
4	Ares(2015)4678997	2015 05 07	ETUC, BusinessEurope	Partial	* Art. 4.1b
5	Ares(2015)2004936	2015 05 08	BusinessEurope	Partial	* Art. 4.1b
6	Ares(2015)4684184	2015 09 08	BusinessEurope	Partial	<p>* Art. 4.1b</p> <p>* Eight words in a sentence in the first bullet point and the last sentence of the report cannot be released. They contain the Commission's assessment on matters still under discussion in the negotiations. Disclosure of this information could harm the EU's international relations by revealing aspects of the EU's negotiating strategy (Article 4 paragraph 1 (a) third indent).</p>