TTIP point of situation

The European Union is negotiating a trade and investment deal with the United States, the Transatlantic Trade and Investment Partnership – TTIP. The goal is to make imports and investments between US and EU simpler by improving trade regulations. Consequently, such is envisioned to create more jobs and growth and to cut prices and offer more for the consumer to choose from. Major concern arises from questioning if such agreement will cost the EU to adopt some of the less protective US laws concerning health, product safety, environment and workers’ rights. It is for many unclear to which extent such agreement is mostly dictated by lobbies without fiduciary responsibilities for overall citizens and the planet.

**TTIP digits**

First negotiation round: July 2013

Number of rounds: 13

Next round: July 2016

Predicted end date: before November 2016 (US presidential elections)

Predicted economy boost by the European Commission: EU’s economy by 120 billion euros, US by 90 billion and the rest of the world by 100 billion

First leak: March 2014

First public consultation (limited): July 2014

Last leak: April 2016

Predicted jobs loss by Tufts University (USA): 600 thousand lost jobs

Number of signatures collected against TTIP: more than 3.2 million European citizens signatures (collected from October 2014 to 2015)

**Interview with Bernard**

Bernard Gerard, secretary of Eindhoven Association for Environment Protection, voluntary on Brabant Environment Federation and active blogger has kindly given his time, for which we thank him, for a talk about his views on TTIP. We here share our main four questions for Bernard and his very informative answers.

Vredesburo: What will be the future of TTIP?

Bernard: I want to distinguish between what I would like to happen and what I think will possibly going to happen, it might be not necessarily the same. Ideally, international trade should have as basis a global system based on the interests of the population and strength of the States and their specific national laws. This would be a legal system which does not make differences between large and rich international companies, and in which the typical national characteristics of countries and their political perspectives are well recognized.

What I think will happen it is currently difficult to say because the idea is gaining momentum. The case draws emotions and broad interest in, everyone is going to interfere with it and it's a bit unclear what the EU is doing with it. One possible outcome could be that the EU concludes a treaty with a sort of light version, with more stringent exceptions and somewhat less intervention in the national powers countries. Moreover, it is questionable whether our national parliaments will approve it.

V: How can citizens, consumers and businesses affect this treaty?

B: They must first and foremost ensure that the national parliaments have the final verdict on TTIP. Currently, the power to approve this agreement is only lying with the European Parliament. But now that that such treaty power interferes with national sovereignty, the legal system and a conflict between what is public and private, that simply goes too far for the decision to be made by the European Parliament alone. So point one is that the national parliaments must also have a say. Furthermore, we have the usual ways to talk to our parliamentarians, we can demonstrate, make events like we did in Eindhoven, send letters, send emails, trying to get on the radio and television, do your own studies and internal research. The usual means of communicating with our national government.

V: How can we ensure fair and sustainable world economy regulations?

B: If you try to display in one sentence the core problem of TTIP and similar developments, then you should say that it's really about whether the power in the world is public or private. If you think, like me, that the world must be governed democratically, then the control and power must ultimately be given to the people. What TTIP will do is that through its own international legal system will make the power lie with the companies instead of with the general citizens. It is a kind of privatization of the world. In addition, it is important to respect the already prevailing conditions where international law is based, and the different trade relationships between different European countries and the US.

**Competing in the world economy**

Partnerships as TTIP can be seen as highly necessary in order for successfully competing with the emerging economies outside Europe. The US has been negotiating in the past years several trade agreements between all major economies (TISA, TPP, CETA and NAFTA) but excluding the emergent economies of Brazil, Russia, India, China and South Africa (the BRICS). Moreover, it is argued that such partnerships can subsequently ensure producers worldwide to continue to increase its quality standards toward joint US-EU regulations. On the other hand, it might therefore further increase inequalities, not just among the world players but also inside the EU. With only the most competitive member states profiting and the peripheral ones becoming even more dependent on foreign capital, the EU economics crisis can become even more exacerbated.

**Different standards across the sea**

Nowadays, to export to the US, the EU firms must meet US rules on standards. Often these rules differ and to trade in between such differences can become costly. TTIP can reduce these differences and therefore related costs of overseas trade. Nevertheless, the conventional trade barriers between the US and the EU are already low. This is due to long-standing membership in the World Trade Organization (WTO) but also to recent agreements and work by the Transatlantic Economic Council. Therefore many believe the deal aims mainly to focuses on non-conventional barriers, such as overriding national regulations.

**Corporations and the sovereignty of nations**

The Investor-State Dispute Settlement (ISDS) is a procedure covered by TTIP that allows companies to sue foreign governments and to receive compensation if laws or measures reduce their profit. It therefore can be seen as an attack to the sovereignty of a nation to act in the interest of their citizens. Similar procedures in other treaties have allowed an American tobacco company to sue Australia for enacting anti-smoking legislation, an American energy company to sue the state of Quebec after it issued a moratorium on fracking and a Swedish energy company to take legal action against Germany nuclear energy phase out politics.

**Is secrecy always conspiracy?**

Besides the contents of the agreement, the way it is being conducted it is also for many anti-democratic. The general public is not allowed to see the official texts until negotiations are finished. On the European side, authorised readers include the European Commission negotiators, members of the European Parliament and European Union. Nevertheless, parliamentarians have limited access to the documents, as they are only allowed to read them in especially designated rooms, without expert help, are not allowed to tell the public about it. Such is putted from EU as a common procedure until all negotiations have been settled. Nevertheless, there is some information made available by the EU; such as the stages of the negotiating process with a public release for every negotiating round, the EU negotiating texts already tabled with US negotiators, an independent study identifying TTIP’s likely impact from 2013, and factsheets on every chapter in TTIP explained in plain English.

Outside experts have also been assigned from business and trade unions, consumer bodies and environmental and public health groups. Moreover, a second independent and more in depth study has been commissioned known as the Sustainability Impact Assessment and four public consultations have also been held. Still, Stop-TTIP organization writes in its website that 92% of all consulted stakeholders were companies representatives, with only very few cases corresponding to consumers and trade unions.

**TTIP can’t be a deal at any price!**

At the European Commission trade webpage, the EU representatives write that TTIP “can’t be a deal at any price”, and they specifically underline two important points. First, such agreement must ensure that products imported into the EU meet EU higher standards, especially in what concerns people’s health, safety and the environment. And second that the EU governments must fully maintain their right to adopt rules to protect the people and the environment and run public services however they wish.

In the current global market display, such oversea agreement between two big players as the US and the EU seems to be a very sure step to be taken in the recent future. If not with TTIP, with other catchy treaty acronym. Nonetheless, the future is also bringing new business models. Such advocate for the three P’s – caring not just about Profit but also People and Planet. Treaties like such can be seen as an opportunity for citizens and representatives to press for the corporate world to face too their civic responsibility. TTIP can’t be a deal at any price but instead a fair exchange of rights and duties, benefiting both parts alike, firms and the general citizen.

**Useful sources about TTIP**

Bernard Gerard blog

[www.bjmgerard.nl](http://www.bjmgerard.nl)

European Commission TTIP page

<http://ec.europa.eu/trade/policy/in-focus/ttip/>

European Initiative against TTIP and CETA

<https://stop-ttip.org/>

The Guardian piece on TTIP

<https://www.theguardian.com/business/2015/aug/03/ttip-what-why-angry-transatlantic-trade-investment-partnership-guide>

TTIP Greenpeace leak

<https://ttip-leaks.org/>

more info and references on: <https://en.wikipedia.org/wiki/Transatlantic_Trade_and_Investment_Partnership>

Dutch interview to Bernard

1 Hoe heeft u voor het eerst over TTIP gehoord?

Dat is jaren geleden, dat is zo lang geleden dat ik het eigenlijk niet meer weet. Waarschijnlijk heb ik het ergens gelezen in de krant of in een brochure van tegenstanders of iets in die gist, maar ik weet het echt niet meer

2 Wat zal de toekomst van TTIP zijn?

Ik wil onderscheid maken tussen wat ik wil dat er gebeurd en wat ik denk dat er gebeurd, dat hoeft niet hetzelfde te zijn. Wat ik wil dat er gebeurd is dat er een wereldhandelsysteem is, wat meer gebaseerd is op de belangen van de bevolking en wat meer gebaseerd is op sterke positie van staten en op inzet van gangbaar nationaal recht en waarin geen apart juridisch systeem is voor grote en rijke internationale ondernemingen en waarin ook de typische nationale kenmerken van landen –en hun politieke opvattingen- beter erkend worden.

Wat ik denk dat er gebeurd dat is op dit moment moeilijk te zeggen omdat de gedachte in een stroomversnelling zit. De zaak trekt emoties en brede belangstelling aan, iedereen gaat zich ermee bemoeien en het is een beetje onduidelijk wat de EU ermee doet. Een mogelijke uitkomst zou kunnen zijn dat de Europese Unie een verdrag afsluit met een soort light-versie van het – ISDS?—waardoor het wat beter aanvaardbaar wordt en dat ze een strenger verdrag maken met meer uitzonderingen en wat minder ver ingrijpt in de nationale bevoegdheden van landen. En dan is nog de vraag of onze parlementen dat goedkeuren (misschien?) Maar het vraagt bijna op dit moment een helderziendheid om te bepalen wat er gebeurd en die helderziendheid heb ik niet.

3 Hoe kunnen burgers/consumenten en ondernemers invloed uitoefenen op dit verdrag?

Ze moeten er op de eerste plaats voor zorgen dat de nationale parlementen het eindoordeel hebben over TTIP. De bevoegdheid is neergelegd bij de EU om internationale handelsverdragen te sluiten. Maar nu blijkt dat die bevoegdheid zo ingrijpt in de nationale soevereiniteit en het juridisch systeem en belangenafweging in de opvatting over wat publiek en privaat is, dat gewoon het te ver gaat om deze beslissing aan de EU over te laten. Dus punt 1 is dat het nationale parlement zich erover moet buigen. Dan hebben we de gebruikelijke manieren om onze parlementsleden aan te spreken, we kunnen demonstreren, manifestaties doen zoals we dat bij Eindhoven gedaan hebben, brieven sturen, e-mails sturen, proberen op de radio en televisie te komen, eigen studies doen, eigen research doen. De gebruikelijke middelen om je nationale overheid bepaalde kanten op te krijgen. En die moet je ook bij TTIP inzetten.

4 Hoe kunnen we zorgen voor eerlijke en duurzame regelgeving in wereldeconomie?

Je kunt moeilijke vragen stellen…

Als je probeert in één zin weer te geven waar TTIP en vergelijkbare ontwikkelingen over gaan, dan moet je zeggen dat… Het gaat eigenlijk over de vraag of de macht in de wereld publiek of privaat is. Als je vindt, zoals ik, dat de wereld democratisch moet worden geregeerd. Dan ligt de zeggenschap over de dingen bij regeringen en bevolkingen en democratische systemen – voor zover die er zijn want het is natuurlijk lang niet ideaal in deze wereld – en hoe het dus de macht uiteindelijk aan bevolking is. Wat TTIP wil, dat is via een eigen internationaal juridisch systeem eigenlijk dat de macht bij de ondernemingen liggen. Het is een soort van privatisering van de wereld----, TTIP en aanverwante verdragen en… belangrijkste is dus dat de normale gangbare verhoudingen waar het internationaal recht op gebasseerd is of verhoudingen tussen landen onderling en binnen landen, dat die ook de basis zijn van de wereldhandel. En niet specifieke belangen een rijke groep ondernemingen die hun eigen soort recht bedacht hebben.

En dan verder heb je natuurlijk veel eigenaardigheden, Frankrijk heeft zijn kaas en Duitsland zijn dierenwelzijn. En zo heb je overal specifieke eigenaardigheden waar de bevolking in een historisch proces ooit voor gekozen heeft en dat soort dingen dienen gewoon in de internationale handel gerespecteerd te worden.