

# People, environment and democracy before profit and corporate rights

Joint statement of European Civil Society groups working against the TTIP threat, March 2014

## 1. Who are we?

We are an EU-wide coalition of civil society organisations who share a deep concern about the various threats posed by the Transatlantic Trade and Investment Partnership TTIP (also known as Transatlantic Free Trade Agreement or TAFTA). We represent a wide range of public interests including **environmental protection, public health, agriculture, consumer rights and protection of food and farming standards, animal welfare, social and labour standards, workers' rights, development, public access to information and digital rights, essential public services including education, financial systems stability, and others.**

We are strongly committed to challenging the ongoing negotiations for the TTIP, in order to ensure transparent and democratic policy debate. Any agreements must serve the public interest and our common future.

## 2. What is TTIP?

TTIP is a far-reaching agreement currently being negotiated between the European Commission (on behalf of EU Member States) and the USA government. It is less about trade as tariffs are already generally very low between the EU and the USA, and mostly about regulations, standards, corporate rights and investment guarantees.

The proposed TTIP supposedly aims at facilitating direct investment, and eliminating unnecessary bureaucratic hurdles to market access for corporations from both sides of the Atlantic.

However, evidence from business and industry positions reveals that the focus on non-tariff barriers and regulatory convergence is being used to push deregulation, increased investment guarantees, intellectual property rights leading to monopolies, and a race to the bottom. The proclaimed but unsubstantiated economic benefits are marginal to society at large even in the best case scenarios. All evidence to date suggests that these goals threaten important rights acquired in long democratic struggles and societal interests of the public in the EU, US, and the rest of the world.

Negotiations are happening behind closed doors, without comprehensive and effective public consultation. National parliaments are not even informed about the details of the Commission's negotiation texts - but the rare snippets of information that have been released -- or leaked -- raise considerable concerns.

## 3. What are our concerns?

- **the lack of transparency and democratic procedures**, which makes it impossible for citizens and civil society to monitor the negotiations in order to ensure that public interests are being protected. Currently these negotiations are extremely biased: business lobby groups are given privileged access to information and opportunities to influence the negotiations.
- **the proposed investment protection chapter**, particularly the inclusion of an Investor State Dispute Settlement provision. **ISDS** mechanisms give investors exclusive rights to sue states when democratic decisions – made by public institutions in the public interest – are considered to have negative impacts on their anticipated profits. These mechanisms rely on rulings outside the national courts and thereby undermine our national and EU legal systems, our democratic structures for formulating laws and policies in the public interest.
- **the creation of new anti-democratic governance structures and procedures** that aim to 'harmonise regulations' like the proposed **Regulatory Cooperation Council**. These structures would make the TTIP a moving target, constantly developed in secret by unelected bureaucrats and big business. These undemocratic structures threaten to lower

important standards and rules designed for the protection of public interests, or prohibit future improvements, regardless of necessity and public mandate. We are also concerned about the aim to strengthen protection and enforcement of "intellectual property rights" which could impede our rights to health, culture education and free expression.

#### 4. Our shared demands and goals:

Based on the values of international solidarity, social justice and environmental sustainability, and the respect of all human rights, we work together with our allies in the US and other parts of the world and **we demand**:

- a) **Transparency now**: the EU Commission's negotiation texts as well as all negotiation documents must be made public to allow for an open and critical public debate on the TTIP.
- b) **A democratic process**, including scrutiny and assessment of the negotiation texts, which ensures that policies are in the public interest and which involves the EU Parliament, debate in national parliaments, civil society organisations, trade unions and stakeholder groups.
- c) **No ISDS**: any provision containing Investor State Dispute Settlement mechanisms must be taken permanently out of the negotiations and no other mechanism introduced (including indirectly via other pre-existing or subsequent trade agreements) which grants privileged rights to investors.
- d) **No regulatory cooperation council**: all regulation of business operations, trade conditions and setting of product- and production-standards must be in the hands of democratically controlled bodies and processes.
- e) **No deregulation of standards** safeguarding and serving the public interest: the level of social and labour standards, consumer and public health protection, care for the environment including regeneration of our natural resources, animal welfare, food safety standards and environmentally sustainable agricultural practices, access to information and labelling, culture and medicine, financial market regulation as well as data protection and other digital rights **need to be enhanced**, not "harmonised" down to the lowest common denominator. Mutual recognition is not acceptable in as far as it undermines democratically agreed standards and safeguards. The precautionary principle must be widely applied.
- f) **No further deregulation and privatisation of public services**. We demand guaranteed access to high quality education, health care and other public services and government procurement which promotes local jobs and local economies, local content, positive discrimination, social entrepreneurship, sustainable economics and serves the public interest.
- g) **The promotion of environmentally sustainable agricultural practices** and protection of small family farming.
- h) **Public authorities must keep the political power** and structures necessary to protect certain sensitive sectors and safeguard standards important to our quality of life. Internationally agreed labour and environmental standards must be respected and enforced. The continuous violation of labour standards should be addressed by imposing monetary fines.

Any EU-US trade agreements, now and in the future, should meet these demands, follow these principles and promote cooperation, social justice and ecological sustainability.

Signed: