

## **CEEP ANSWER TO THE OMBUDSMAN CONSULTATION ON TRANSPARENCY IN TTIP**

CEEP welcomes that the Member States have at long last reacted to the call to make the TTIP mandate public. However, this move by the Member States is just a first step and we believe that there is still a lot to be done in order to make the negotiations more transparent. Indeed, we need more commitment from European governments and the European Commission alike to make sure that stakeholders, from small and medium size enterprises, advocacy groups and civil society feel involved in the process.

Only when Americans and Europeans can participate meaningfully in the creation of the TTIP will they be confident that it is being created for their benefit. Secret trade deals may have been appropriate when they were limited to tariffs and quotas, but given the wide swath of issues covered under modern “trade” agreements—including health care, intellectual property, labour, environment, information technology, financial services, public services, agriculture, food safety, anti-trust, privacy, procurement and supply chains—secrecy of trade negotiations should be reconsidered.

In this context, CEEP acknowledges the efforts made by the European Commission to make the negotiations on TTIP more transparent. For instance, CEEP notes that the Commission already commits itself in public briefing sessions for the stakeholders after every negotiating round, giving stakeholders an opportunity to discuss progress and voice concerns. We also noted with satisfaction the participation of members of the negotiating teams in events organised with our members. Such commitments lead to very useful exchanges of information. The new Commission should keep encouraging such practices and make them common working practices with stakeholders on the TTIP dossier. What is more, CEEP is fully aware of the issues related to the negotiation of a free trade agreement, including the non-strategical necessity to provide all documents to stakeholders and to the public. We therefore do not request the complete transparency of the TTIP-negotiations but we have the following suggestions in order to improve transparency:

There is a need for stakeholders to be better informed on matters that concern them. For example, CEEP found out about the EU approach on the so called ‘ratchet clause’ in TTIP for the first time during a meeting with a representative of the European Commission. Since then, we have not had any further official explanations and indications, neither on the possible scope of this principle nor on the state of play of the negotiations on this issue,

when it could affect a large number of European companies and local authorities in their daily and future business. Therefore, stakeholders should be informed of the state of play of the negotiations in their respective field of competences in a timely manner and regular follow-up meetings should be organised, independently from the events taking place around each round of negotiation.

- In addition, the Commission has taken the unprecedented step to publish on its website a number of positions papers on specific chapters and sectors outlining negotiating objectives. However, without endangering the negotiations, such positions papers could be more detailed and updated as the negotiations progress. Such positions papers should also encompass the EU approach on negotiations on services.
- Members of the European Parliament (MEPs) should be properly involved in the discussions. So far, only MEPs involved in the INTA Committee responsible for trade can access the documents under strict security conditions. These security conditions should be more flexible and the Members of the INTA Committee should have access to a broader range of documents. Since issues related to the TTIP negotiations are transversal, the Commission should also reflect on the opportunity to extend the access of TTIP related negotiating documents to other committees.
- Parliaments and social partners should not only be integrated deeply in the negotiating and planning process, but also in the monitoring process after the Agreement is in place. This monitoring process should focus on potential social and ecological impacts and the enforcement of rules laid down in the relevant chapters of the negotiations.
- The Commission has for the first time created an Advisory Group to assist the negotiators and provide input into the negotiation process. This Advisory Group is made up of consumer, environmental, business and trade unions' representatives. However, CEEP notes that providers of services of general interest are clearly underrepresented in this group. According to the list of participants of the Advisory Group, none of the organizations present are able to provide its expertise and overview on the overall and cross-sectoral impact of TTIP on sectors such as communication, education, electricity, environment, healthcare, public administration, transport, water and waste management. Therefore, CEEP calls upon the Commission to integrate a cross sectoral European representative of services of general interest employers and providers into the Advisory Group. In our view this is of utmost importance, as those services are the backbone of the EU Social Model and carry for EU citizens and representatives an "emotional weight".

We are convinced that those proposals will improve the transparency of the negotiations. CEEP reiterates its assessment that greater transparency in the final negotiations can only positively impact the acceptance of TTIP negotiations and their final outcome by the civil society and by the European Parliament. CEEP consequently calls upon the European Commission to implement our proposals as soon as it is officially designated.