

Commissioner Karel de Gucht
European Commissioner for Trade
European Commission
BE-1049 Brussels

May 19, 2014

Civil society call for full transparency about the EU-US trade negotiations

Dear Commissioner De Gucht,

The undersigned organisations are writing to express deep concerns about the lack of transparency around the ongoing trade talks on a Transatlantic Trade and Investment Partnership (TTIP). **We are calling on you to open the negotiation process to the public, by releasing the negotiating mandate, documents submitted by the EU, and negotiating texts.**

The European Commission has repeatedly stated that trade and investment between the European Union (EU) and the United States (US) are already highly integrated, and that the main focus of TTIP will be to achieve regulatory convergence by removing so-called non-tariff barriers to trade. This means that the outcome has much less to do with traditional trade issues such as tariffs, than with the regulations and standards that apply in the EU and the US and that affect every single aspect of citizens' daily lives – from the quality of the food we eat to the safety of chemicals we use, the energy we consume, or the impact of financial services on each of us.

Civil society groups in the EU and in the US have voiced concerns that this might lower standards and remove safeguards across the board. They have requested greater transparency about the negotiations to address these concerns. The setting up of a stakeholder advisory group for the negotiations by the EU – although an improvement compared to previous negotiations – is far from sufficient to make the process fully transparent. Members of the group will have limited access to the negotiating texts under strict confidentiality rules, and these will remain out of reach for the rest of interested civil society groups and citizens.

The European Commission has argued that secrecy in this process is inevitable because this is a matter of international relations. If these negotiations are intended to affect domestic regulations, standards and safeguards on each side, then citizens have the right to know what is being put on the table, and how this is being negotiated. The standard legislative process in the EU allows for public scrutiny of each step of policy-making as well as full involvement of the European Parliament. We would urge that those negotiations should comply with the same level of openness. The process should also allow for public accountability of the European Commission for the negotiating positions that it takes. Given that many of the issues under negotiation relate to the environment, this would also reflect the EU's obligations under Article 3(7) of the Aarhus Convention to promote access to information, public participation and access to justice in international environmental decision-making processes¹.

¹<http://www.unece.org/fileadmin/DAM/env/documents/2005/pp/ece/ece.mp.pp.2005.2.add.5.e.pdf>

Furthermore there are several examples of international negotiation processes, which provide a greater degree of openness to civil society than the negotiations on TTIP do, and whereby negotiating documents are disclosed.

Examples include:

- **The World Trade Organisation (WTO):** Even the WTO, which is regularly the subject of criticisms by civil society and member states, makes submissions made by member states in the negotiations, as well as offers, and reports by committee chairs available on its website².
- **The United Nations Framework for Convention on Climate Change (UNFCCC):** The negotiating texts and submissions from the parties are circulated before the negotiations start. Observers, including external stakeholders, attend the sessions, and can provide submissions on request by the parties³.
- **The World Intellectual Property Organisation (WIPO):** Draft negotiating documents are being released all along the process. Meetings are open to the public, and webcasted⁴.
- **The Aarhus Convention:** Meetings of the governing body and its subsidiary bodies are as a rule public. Accredited observers can participate in meetings of parties and in drafting groups working in collaboration with parties to develop text during the negotiations. They have the same speaking rights as parties⁵.

With this letter, we would like to restate our call for openness and public accountability of the TTIP negotiations. Without full transparency, there can be no meaningful engagement of civil society representatives in the process.

Basic transparency requirements include making the following available for the public at the earliest possible stage and at regular intervals:

- The text of the EU's negotiating mandate;
- The initial position papers tabled by the EU;
- Any further papers submitted by the EU in the course of the negotiations that detail or explain the position of the EU on the topic, and that are being used in the course of the negotiations with the other party;
- The draft versions and final versions of individual chapters as well as the whole agreement at all steps of preparation and evolution (and at least before closing the negotiations and initialling so that parliaments and the public can still assess the outcome and make comments and recommendations).

If the European Commission is serious about openness and engagement of the public, it should also proactively make the following available:

- All written communications between the European Commission and other European institutional bodies (European Parliament and Member States) on this issue;

²https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S001.aspx

³http://unfccc.int/parties_and_observers/ngo/items/3667.php

⁴<http://www.wipo.int/policy/en/index.html#bodies>

⁵ Aarhus Convention Task Force on Public Participation in International Forums, Innovations in Public Participation in International Forums – Advanced Draft, 23 February 2011, (“Innovations draft”), available at <http://www.unece.org/env/pp/ppif/6meeting/Innovations%20in%20public%20participation%20in%20international%20forums%20-%20draft%20for%20consideration%20by%20PPIF%20Task%20Force%20v.1%20.doc>

- All agendas and minutes of meetings between the European Commission and the European Parliament and Member States on this issue;
- All written communications between the European Commission and third parties –including industry and lobby organisations – on this issue;
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Yours sincerely,



Magda Stoczkiewicz
Director, Friends of the Earth Europe

Contact: Paul de Clerck, Friends of the Earth Europe
paul@milieudfensie.nl ; +32-494-380-959

On behalf of:

Signatories: Co-initiators

11.11.11

AccessInfo Europe

ArbeiterKammer Europa (AK Europa)

Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU)

ATTAC European Network

Campagna Stop TTIP Italia

ClientEarth

Corporate Europe Observatory (CEO)

European Consumer Organisation (BEUC)

European Digital Rights Initiative (EDRI)

Electronic Frontier Foundation (EFF)

European Environmental Bureau (EEB)

European Federation of Journalists (EFJ)

European Public Health Alliance (EPHA)

Finance Watch

Friends of the Earth Europe (FoEE)

Greenpeace

Health and Environment Alliance (HEAL)

LobbyControl

Powershift

Re:Common

Seattle to Brussels

SOMO (Centre for Research on Multinational Corporations)

Spinwatch

Transnational Institute (TNI)

Transparency International EU (TI-EU)

Transatlantic Consumers Dialogue

Transport and Environment (T&E)

Signatories: Europe

Access

AEB e.V.

Africa Europe Faith and Justice Network (AEFJN)

Afrika Kontakt

Aitec-IPAM

Alternative Informatics Turkey

An Taisce The National Trust for Ireland

Article 19

Asamblea Las Rozas

Asociación Qué hacen

Attac Austria

Attac Germany

Attac Nuernberg
Attac Paderborn
ATTAC Portugal
ATTAC SPAIN
Berlin Water Council
Berlin Water Table
BI Fracking freies Hessen
BI lebenswertes Korbach e.V.
Both ENDS'
Breadboard
BUND Naturschutz in Bayern e.V.
Buy Responsibly Foundation
CADTM - Committee for Abolition of the Third World Debt
Campaign for Real Farming
Central America Women's Network
Central America Women's Network (CAWN)
Centre for Sustainable Development
Centrum Cyfrowe Projekt: Polska
Change Partnership
Chaos Computer Club
Climate Alliance
RED CIMAS
Civil Euro Perspective
CNCD-11.11.11
Collectif Roosevelt
Commons Network
Compass
Compassion in World Farming
Danish Ecological Council
Danish Society for a Living Sea
Deutscher Naturschutzring (DNR) - German League for Nature and Environment
Diritto Di Sapere
Dutch Elasmobranch Society (NEV)
Earth Open Source
Earth Watch Media
Ecological Movement of Patras
Ecologistas en Acción
EcoNexus
Ecoropa
Ekumenicka akademie Praha
ELA – Basque Workers Solidarity
Engineering Without Borders Spain
Entrepueblos/Entrepobles/Entrepobos/Herriarte
Environmental Pillar

Esquerra Unida País Valencià
European Academy for Environmental Medicine EUROPAEM
European Coalition for Corporate Justice (ECCJ)
European Coordination Via Campesina
European Federation of Public Service Unions (EPSU)
European Transport Workers' Federation
Fair Trade Advocacy Office
FAIR TRADE HELLAS
FairFin
Fair–Fish International association
Fís Nua
Food & Water Europe
Forum Informationsfreiheit (FOI)
Foundation for a Free Information Infrastructure (FFII)
Foundation for environment and agriculture
Foundation of the "Fair Trade Coalition" (Poland)
Fracking Free Ireland
Fresh Eyes - People to People Travel cic
Friends of the Earth Czech Republic
Friends of the Earth England Wales and Northern Ireland
Friends of the Earth Ireland
Friends of the Earth Malta
Gaia Foundation
Generations Futures
German NGO Forum on Environment and Development
Gewerkschaftlicher Linksblock
GLOBAL 2000-Friends of the Earth Austria
Global Responsibility Platform
Global Vision Foundation
GM-free Ireland Network
GMWatch
GMWatch UK
Green Budget Europe
Green Zone Foundation (Fundacja Strefa Zieleni)
Greenpeace Saar
Grupo Portugal Parceria Transatlântica de Comércio e Investimento
Hallintovahdit ry, Finland (Administration Watch, NGO)
Hausfeld & Co LLP
Health Action International Europe
Heaven or sHell
Hegoa Instituto de Estudios sobre el Desarrollo y la Cooperación Internacional
HuertAula Comunitaria de Agroecología Cantarranas de la Universidad Complutense de Madrid
IG Übersetzerinnen Übersetzer
Iniciativa por la Soberanía Alimentaria de Madrid

Initiative bessere Zukunft
Initiative für Netzfreiheit
Institut Veblen
Institute for Ecology and Action Anthropology, infoe e.V.
Institute of Global Responsibility (IGO)
Irish Doctors Environmental Association
Iuridicum Remedium, Czech Republic
Jordens Vänner
Kalasantiner Kongregation
Katholische Jungschar Österreichs
KBW - Katholishches Bildungswerk Wien
KIFF – Keep Ireland Fracking Free
Kritische Oekologie / ifak e.V.
Latinamerikagrupperna
Les Amis de la Terre France
Lithuanian national consumer federation
Local Urban Development European Network(LUDEN)
Locale Globale
MIM Moral in Motion
Modern Poland Foundation
MyGR Technology Ltd
Nature and Biodiversity Conservation Union (NABU)
NaZemi
Network Social Responsibility (NeSoVe)
NOAH - FOE Denmark
Nordic Financial Unions
Nuclear-Free Future Award
ÖBV-Via Campesina.Austria
ÖGB Europabüro
OroVerde - Tropical Forest Foundation
Panoptikon
Partido Humanista de Sevilla
Permaculture Association (Britain)
Pesticide Action Network Germany (PAN Germany)
Platform Aarde Boer Consument
Polish Fair Trade Association
Powershift Belgium
PresidioEuropa No TAV
Pro Ethical Trade Finland
Pro Natura
PROVIEHVgtM e.V.
Quaker Council for European Affairs
Red Huertos Urbanos Comunitarios de Madrid-ReHd Mad!
Request Initiative

Research & Degrowth
RESEAU ENVIRONNEMENT SANTE
RESULTS UK
RETS – (Spanish Collective, human rights)
Save Rosia Montana Madrid
Sciaena - Marine Sciences and Cooperation
Seas At Risk
Send a Cow
Slow Food
Slow Food Germany
Soil Association
SOL - People for Solidarity, Ecology and Lifestyle
Solidarity Sweden Latin America/ Solidaridad Suecia America Latina
Stichting Schaaliegasvrij Nederland
StopTTIP uk
SÜDWIND
Swedish Society for Nature Conservation
The Open Knowledge Foundation
TheStory.ie
Trade Justice Movement
TransFair e.V./Fairtrade Deutschland
Treffpunkt mensch & arbeit Braunau
Tschecho-Slovakisch-Österreichisches Kontaktforum
Umweltdachverband
Umweltinstitut München e.V.
Unión Sindical Obrera (USO)
VIBE!AT – Austrian Association for Internet Users
VIDC Vienna Institute
VIER PFOTEN / FOUR PAWS
VOICE (Voice of Irish Concern for the Environment
Vrijschrift
VSF – Justicia Alimentaria Global
War on Want
Wasser in Bürgerhand
WEED - World Economy, Ecology & Development
West Country Brokers
WIDE – Network for Women’s Rights and Feminist Perspectives in Development
Working group Food Justice
World Fair Trade Organization (WFTO)
WWF European Policy Office
Za Zemiata, FoE Bulgaria

Signatories: US

Activate USA

Animal Legal Defense Fund
Bay Area Light Brigade
Center for Food Safety
Center for International Environmental Law (CIEL)
Center for Rights
Citizens Trade Campaign
Consumer Federation of America
Earth in Brackets
Electronic Privacy Information Center
Fight for the Future
Food & Water Watch
Friends of the Earth-US
Institute for Agriculture and Trade Policy
OpenTheGovernment.org
SumOfUs.org
Sunlight Foundation

Signatories: Other Regions

Australian Food Sovereignty Alliance
Centre for Law and Democracy
Common Frontiers
IFMSA - Canada / Canadian Federation of Medical Students
Iraqi Journalists Rights Defense Association (IJRDA)
Mauritius Trade Union Congress
Migration and Sustainable Development Alliance
PAPDA - Haitian Platform to Advocate Alternative Development
Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (PIDHDD)

Signatories: International

350.org
ActionAid International
Association for Progressive Communications
Global Marshall Plan Initiative
Humane Society International
OpenMedia.org
Oxfam International