

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 processes<sup>1</sup>.

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<sup>1</sup><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 website<sup>2</sup>.
- **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 parties<sup>3</sup>.
- **The World Intellectual Property Organisation (WIPO):** Draft negotiating documents are being released all along the process. Meetings are open to the public, and webcasted<sup>4</sup>.
- **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 parties<sup>5</sup>.

**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;

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<sup>2</sup>[https://docs.wto.org/dol2fe/Pages/FE\\_Search/FE\\_S\\_S001.aspx](https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S001.aspx)

<sup>3</sup>[http://unfccc.int/parties\\_and\\_observers/ngo/items/3667.php](http://unfccc.int/parties_and_observers/ngo/items/3667.php)

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

<sup>5</sup> 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,



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Director, Friends of the Earth Europe

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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