

TACD BULLETIN ▪ November 2015

Talks during the 11th TTIP negotiating round in Miami at the end of October covered a range of areas, from market access to regulatory issues. The US tabled proposals on regulatory coherence, technical barriers to trade and customs and trade facilitation, while the EU tabled its proposal on sustainable development.

Last week, the European Commission sent its [final proposal for an Investment Court System \(ICS\)](#) in TTIP to the US, making it an official negotiation document.

Also, earlier this month, the [full text](#) of the Trans-Pacific Partnership (TPP) was released. The document is an important resource as it includes US positions on areas of relevance for TTIP and TiSA.

Protection of fundamental privacy rights has continued to be a priority. TACD called on data protection officials at the [International Privacy Conference](#) in Amsterdam to support a comprehensive privacy legal framework. In Washington, TACD representatives met US and EU officials, to ensure that safe harbour 2.0 does not undermine EU data protection.

Registrations for the 16th TACD Annual Meeting will close in less than a month! **Do not forget** to [register](#) by Friday, 11 December!

Best regards,

The TACD Secretariat

INSIDE TACD

European Commission publishes first detailed TTIP negotiation report

In line with its transparency policy, the European Commission published for the first time ever a [detailed report of the 11th negotiating round](#).

The Commission also published its textual proposals for an [article on Anti-Microbial Resistance](#) within the SPS Chapter of TTIP and a [sustainable development chapter](#) (see [press release](#)), as well as its proposal to establish a [SME committee](#) within the framework of the SME chapter.

The 12th TTIP negotiating round will take place in Brussels, likely in February 2016.

Issue 11/2015

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TACD is supported by:



Interim Co-Chair of TACD's IP Policy Committee

[Agustín Reyna](#) (Senior Legal Officer at BEUC) is the interim EU Co-Chair of TACD's Intellectual Property Policy Committee. He is temporarily replacing Tessel Mellema, who is on maternity leave until April 2016. Congratulations, Tessel and welcome, Agustín!

TACD meetings in Washington

Anna Fielder, TACD's Senior Policy Advisor, together with members of the TACD Steering Committee and US-based members, met with both US and EU officials in Washington in early November. Anna, Jean Halloran (Consumers Union) and Melinda St. Louis (Public Citizen) met with USTR lead TTIP negotiators Ann Heilman-Dahl (SPS) and Rachel Shub (regulatory cooperation) to discuss progress after the 11th negotiating round.

Anna, Susan Grant (CFA) and Jeff Chester (CDD) also met with USTR negotiator on ecommerce, Robb Tanner, as well as with the digital team at the EU delegation, to ensure that EU data protection is not undermined by a revamped safe harbour agreement.

In addition, meetings were held at the US State Department and the EU delegation to discuss a number of issues of importance to consumer groups in TTIP and beyond.

TACD members meet EU Justice Commissioner to discuss Safe Harbour 2.0

On 13 November, TACD members met with Commissioner Věra Jourová during her visit to Washington DC, to raise concerns about the so-called "Safe Harbour 2.0" agreement that the EU is currently negotiating with the US. TACD members **Center for Digital Democracy** (CDD) and the **Electronic Privacy Information Center** (EPIC) called on the Commissioner to urge the US to enact comprehensive privacy legislation and other legal safeguards that would protect both the American and EU public. In the absence of an effective framework for data protection, any new safe harbour agreement would likely be rejected by the EU court, they said. A number of TACD members and other civil society groups sent [a letter](#) to Commissioner Jourová and the US Secretary of Commerce laying out these and other issues.

European Commission's expert advisory group on TTIP

Monique Goyens (BEUC) and, on behalf of TACD, Benedicte Federspiel (Danish Consumer Council) participated in the most recent meeting of the European Commission's expert advisory group on TTIP on 10 November 2015. Key issues discussed included regulatory cooperation and the EC's Investment Court System proposal.



Agustín Reyna, Senior Legal Officer and Digital Team Leader at BEUC, is the interim EU Co-Chair of the IP Policy Committee.



EU Justice Commissioner Věra Jourová met with TACD members and other NGOs in Washington DC on 13 November to discuss safe harbour 2.0

TACD calls for the protection of fundamental privacy rights at the 37th ICPDP

TACD's efforts to advocate for the need to protect fundamental rights in the online era continued throughout the past month. At the 37th International Conference of Privacy and Data Protection Commissioners held in Amsterdam at the end of October, a EU-US TACD delegation strongly argued for the need to support a comprehensive fundamental rights framework on data protection. One of the highlights of the conference was the release of a so-called "[Bridges](#)" report on transatlantic cooperation and privacy.

In a [statement](#) released at the start of the "bridges" debate, TACD, alongside leading privacy and consumer organisations, criticised the report, which primarily recommended a continuation of industry self-regulation to address privacy, without proposing any substantive legislative changes. The paper's failure to address the consequences of the European Court of Justice safe harbour decision made it "remarkably out of touch with the current legal reality".

Together with the other consumer and data protection groups, TACD urged all nations to adopt and strengthen a meaningful privacy legal framework.

16th TACD Annual Meeting

Do not forget to [register](#) to the Annual Meeting which will take place on 24-27 January 2016 in Brussels. Registrations close on **Friday, 11 December 2015**. We can provide partial sponsorship for a limited number of participants, so register as soon as possible if you want to be considered for funding support.

Financial Services side event

On 27 January 2016 we are holding our **side event on regulatory responses to the global financial crisis in the EU and US**, at the European Parliament. The event is organised under the auspices of MEP Sorin Moisă (Group of S&Ds, RO).

If you want to participate, please [register](#) your attendance by **Friday, 8 January 2016**.

Be sure to check out [our event page](#) for programme and other updates.



UPCOMING EVENTS AND DEADLINES

- **2 December 2015** – TACD event: "It is not healthy: Mending the broken medicines innovation model" in Brussels.
- **2 December 2015** – Civil Society Dialogue on TTIP organised by DG Trade in Brussels.

Calendar of events – 16th Annual Meeting:

- **Sunday, 24 Jan:** internal meeting of the Steering Committee and the Policy Committee co-chairs
- **Monday, 25 Jan:** meetings of the Policy Committees
- **Tuesday, 26 Jan:** Multi-stakeholder Forum
- **Wednesday, 27 Jan:** Financial services side event

- **11 December 2015** – Deadline to register to the 16th TACD Annual Meeting at <http://goo.gl/forms/zW3By5XLYh>.
- **8 January 2015** – Deadline to register to the Financial Services side event on 27 January 2016 at: <http://bit.ly/1MbXvIX>.
- **24-27 January 2016** – 16th TACD Annual Meeting in Brussels.
- **27-28 January 2016** – Electronic Frontier Foundation (EFF) Strategy Meeting on “Catalyzing Reform of Trade Negotiation” in Brussels.

MEMBERS CORNER

- **European Public Health Alliance (EPHA)** published a position paper on [Investment Protection in TTIP and Trade Agreements](#).
- **The Institute for Agriculture and Trade Policy (IATP)** released Steve Suppan’s [report](#) on challenges to food safety and animal health standards in TPP trade agreement.
- Breda Kutin, President of the **Slovene Consumers Association (ZPS)** participated in a [citizens' dialogue on TTIP](#) with the EU Trade Commissioner, Cecilia Malmström, and flagged the flaws of the proposed Investment Court System (ICS). The event was organised by the European Commission in Ljubljana on 10 November 2015.
- Jaydee Hanson and Evan Bromfield of the **Center for Food Safety (CFS)** published a new blog post: “[Unregulated Tricks in Your Nano Treats](#)”.
- Marc Rotenberg of the **Electronic Privacy Information Center (EPIC)** [testified](#) before the US Congress in hearing on the EU Safe Harbour decision and its impact for transatlantic data flows, on 3 November 2015.
- **BEUC** launched a [new position paper](#) on regulatory cooperation in TTIP.
- Monique Goyens (BEUC) published a [new blog post](#) on the European Commission’s proposed Investment Court System.
- **Electronic Frontier Foundation (EFF)** will organise a Strategy Meeting on “**Catalyzing Reform of Trade Negotiation Processes**” at the Open Society European Policy Institute in Brussels, on 27-28 January 2016. The meeting is an independent side event alongside the TACD Annual 16th Meeting. TACD members are invited to express interest in attending by emailing **Jeremy Malcolm** (jmalcolm@eff.org). Limited travel support is available. More information is available [here](#).

If you have not yet done so, follow [@TACD_Consumers](#) on Twitter for updates from US and EU consumer organisations and important contributions as part of the TTIP debate.



TACD and members in the News

- TACD mentioned in TechCrunch article: „[Call For Robust Privacy Legislation In Wake Of EU Safe Harbour Strike-Down](#)“.
- Marc Rotenberg (EPIC) quoted in The Hill article: „[Privacy groups warn a new Safe Harbour will be struck down](#)“.

RECOMMENDED READING ON TTIP & TISA

European Commission: [Report of the 14th TISA negotiation round, 6-13 October 2015](#).

European Commission: “[Commission issues guidance on transatlantic data transfers](#)”. See [press release](#) and [guidance note](#).

European Parliament: [In-depth analysis of TTIP](#).

Politico: “[Malmström: TTIP should be ‘sustainable’](#)”.

Reuters: “[U.S. wary of EU proposal for investment court in trade pact](#)”

Politico: “[Official: Next four months critical for TTIP completion](#)”

The Guardian: “[TTIP: EU negotiators appear to break environmental pledge in leaked draft](#)”

World Trade Online via [bilaterals.org](#): “[EU focuses on three sectors in procurement; won’t challenge SME policy](#)”

Dutch broadcaster VPRO International documentary: “[TTIP: Might is Right](#)”

ABOUT THIS NEWSLETTER

This newsletter from the TACD Secretariat is circulated every month to current TACD members. Email ineagoe@consint.org with your ideas and suggestions for the next edition of the newsletter by 11 December 2015.

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