



8 July 2015

S&Ds achievements in the TTIP Resolution

1. No lowering of EU standards & no circumvention of democratic legislative processes

Articles (c) (ii) + (b) (xviii) + (xix) + (xix)

We will not lower our standards with regard to the environment (precautionary principle), social standards, animal welfare and cultural diversity. We also clarify that regulatory cooperation will not affect standards that are yet to be set for example in the area of chemicals (REACH) and cloning.

The resolution also includes a paragraph asking for full compliance with UNESCO Convention on the protection and promotion of cultural diversity and the articles in the EU treaties. Nothing in the agreement should affect the ability of the EU or the EU Member States to provide financial support to cultural industries, cultural, educational and audio-visual services.

2. Data protection

Article (b) (xii)

The resolution specifies that the EU's *acquis* on data privacy should not be compromised though the liberalisation of data flows and that TTIP should include a specific clause referring to the protection of personal data. It also calls for a legally binding and suspensive human rights clause within the TTIP, as we have in all trade agreements.

3. Regulation of financial markets

Article (b) (x)

It says that we should only have regulatory cooperation in the financial services' sector with the aim of regulating to the highest available standard and to support other international commitments with regard to the regulation of financial markets.

4. Labour Rights

Articles (d) (ii) + (iii) + (iv) + (v)

It calls for the effective US ratification and implementation of all the ILO core labour standards and that these labour rights are mainstreamed throughout the agreement. Labour and environmental standards should be subject to a binding dispute settlement clause (the first to be featured in any trade agreement) and should be monitored by civil society and trade unions.

5. Transparency of negotiations

Articles (e) (i) + (ii)

The recommendations from the Ombudsman regarding transparency must be implemented, to increase transparency to the general public and to give all Members of the European Parliament access to consolidated texts

6. Services and Public services

Articles (b) (v) + (vii)

The resolution calls for the cautious liberalisation of services according to a positive list approach for market access. This means that only services which are explicitly listed will be opened for foreign service providers.

It also calls for the full exclusion of current and future services of general interest (for example water, health, education) as well as Services of General economic interest regardless if they are privately or publicly funded. It also says that clauses in the services chapter should allow for enough flexibility to bring services of general interest back into public control.

7. Investment and ISDS

Articles (d) (xiii) + (xiv) + Compromised Amendment CAM1173

The Commission must address the issues of investors' obligations and responsibilities. Benchmarks for these obligations should be international conventions, the OECD principles for multinational enterprises and the UN principles on Business and human rights. We have put down the principle that foreign and domestic investors should be treated equally and that foreign investors shall benefit from no greater rights than domestic investors.

The ISDS-system should be replaced by a new system for resolving disputes between investors and states, which is subject to democratic principles and scrutiny where potential cases are treated in a transparent manner by publicly appointed, independent professional judges in public hearings and which includes an appellate mechanism, where consistency of judicial decisions is ensured, the jurisdiction of courts of the EU and of the Member States is respected and where private interests cannot undermine public policy objectives.

This paragraph buries the secret tribunals and puts an end to the involvement of corporate lawyers deciding on the outcome of any dispute between states and investors. There will be no more secret deals and undisclosed sums of compensation paid to companies. It is the end of ISDS in EU trade agreements.