

Mr. Eamon Gilmore T.D.  
Office of the Tánaiste and Minister for  
Foreign Affairs and Trade,  
Iveagh House,  
80 St. Stephen's Green,  
Dublin 2.  
Ireland

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11 June 2013

**Subject: Joint call for the Transatlantic Trade and Investment Partnership (TTIP) mandate**

Dear Minister Gilmore,

This 14 June, the European Union (EU) Foreign Affairs Council is to approve the European Commission's mandate to negotiate the Transatlantic Trade and Investment Partnership (TTIP) with the United States (US).

The European Consumer Organisation (BEUC), Eurogroup for Animals and the environmental group Friends of the Earth Europe (FoEE) are generally supportive of international agreements which deliver a fairer, safer and greener place for citizens and consumers on both sides of the Atlantic and do not downgrade European standards on animal welfare.

However, consumer, animal welfare and environmental organisations hold considerable concerns about the possible weakening of crucial environmental, consumer and social safeguards. Areas such as health, product safety, financial services, food and agriculture, data protection, energy supply, climate protection, animal welfare standards for farm animals, wildlife conservation and intellectual property rights are all affected.

Hard won and longstanding, these essential safeguards risk being watered down as an ancillary cost of TTIP. We are also collectively disquieted about potential drawdowns of the precautionary and 'polluter-pays' principles and the granting of excessive rights - without obligations - to investors and companies.

Therefore, we urge you to include the following core criteria in the mandate of the European Commission:

**1. Ensure transparency of negotiations**

To earn legitimacy, it is key that negotiations are not done in secrecy. The negotiation texts and progress should be shared with civil society in the EU and the US in due time, as many international organisations such as the World Intellectual Property Organization (WIPO), World Health Organisation (WHO), the World Trade Organisation (WTO) or the Codex alimentarius of the Food and Agriculture Organization do.

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The importance of this is even more evident as the Industry Advisory Committee, composed of industry representatives in the US, will have access to these texts. It is therefore crucial that all layers of civil society can be involved in the negotiations. The European Commission regularly states its commitment to transparency. Only a transparent process will allow negotiators to make well-informed and balanced decisions, while being seen to do so.

Exact parameters of the scope of the agreement should be made clear from the start of the process to allow civil society's participation. The EU's negotiation mandate should be the result of a consultation process with civil society.

## **2. Aim for the highest standards of consumer and environmental protection and animal welfare**

'Regulatory convergence' has been identified as the cornerstone of the negotiations. BEUC, Eurogroup for Animals and Friends of the Earth Europe are conscious that this engenders risks to many basic consumer, social and environmental rights as well as animal welfare protection. We do not want to see an end result where negotiations lead to a lower common denominator. Therefore it is vital that the negotiations aim for the highest standards. Negotiations should not result in a weakening of EU standards and safeguards in these areas.

This principle is shared by the European Parliament. Its Resolution of October 23, 2012, "stresses the importance of continuing with the strengthening of transatlantic economic relations, while supporting EU interests, in fields such as environmental, health and animal protection standards, food safety, cultural diversity, labour rights, consumers' rights, financial services, public services (and) geographical indications, among others."<sup>1</sup>

## **3. The right to maintain higher standards**

Independent to the outcome of negotiations, an agreement should not limit the authority of EU member states to maintain or introduce higher standards beyond what is agreed in TTIP. Such higher levels should apply to domestic and foreign suppliers and producers in a non-discriminatory way.

## **4. No Investor States Dispute Settlement (ISDS) mechanism**

Friends of the Earth Europe, Eurogroup for Animals and BEUC strongly oppose the inclusion of ISDS provisions in the negotiating mandate on the TTIP. As both the EU and the US have well-respected and well-functioning court systems, there is no need to include specific investor protection provisions in the agreement.

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<sup>1</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2012-388>

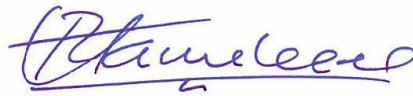
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Australia and Brazil have refused to include ISDS provisions in trade agreements. This shows that alternatives are viable. Foreign investors should not be given more rights than domestic investors and investor rights should not prevail over the rights of citizens, democratic processes and decisions.

We trust that you will be amenable to our concerns and remain at your disposal for any further information.



Monique Goyens  
Director General  
The European Consumer Organisation



Reineke Hameleers  
Director  
Eurogroup for Animals



Magda Stoczkiewicz  
Director  
Friends of the Earth Europe

#### **About our organisations:**

**BEUC** is a member of the Transatlantic Consumer Dialogue (TACD), a partnership of consumer organisations in the two continents directly at issue. TACD was established to protect consumer interests in European and American policy making.

The initial submission by TACD to the negotiators can be found here:  
<http://bit.ly/11B1td0>

**Friends of the Earth Europe** is the largest grassroots environmental network in Europe, uniting more than 30 national organisations with thousands of local groups. Friends of the Earth Europe has a long tradition of monitoring international agreements between governments and ensuring that they contribute to sustainable development.

**Eurogroup for Animals** is coordinating the Transatlantic Animal Welfare Council (TAWC) was created in 2010 by leading organisations from the U.S. and the EU. This platform was established with the objectives of strengthening the cooperation between Animal Welfare organisations, and achieving higher standards of animal welfare in Europe and in the U.S.

TAWC contributions to European Commission and USTR can be found here:  
<https://sites.google.com/site/tawc2011/>