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TTIP: Ombudsman welcomes greater transparency in international trade negotiations

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, Emily O'Reilly, has welcomed the announcement of European Parliament President Martin Schulz that future trade negotiations, and in particular the on-going negotiations with the US on the *Transatlantic Trade and Investment Partnership (TTIP)* will be more transparent and open for stakeholder involvement. This comes after the Ombudsman's recommendation to make such negotiations more transparent and the recognition of the EU institutions themselves of past failures in such trade talks.

Emily O'Reilly stated: "I am glad that the EU institutions did not sign overly restrictive confidentiality agreements in the TTIP negotiations as had been the case in the context of the negotiations on the *Anti-Counterfeiting Trade Agreement (ACTA)*. Apart from the legitimate need for certain documents to remain confidential in such important negotiations, the public needs to know about the state of play in trade agreements that will ultimately affect their daily lives."

Lessons learned from the ACTA negotiations

In December 2011, 28 digital civil rights associations from 18 European countries known as European Digital Rights (EDRI) complained to the Ombudsman about the European Parliament's (EP) refusal to disclose several documents concerning the ACTA negotiations. The EP explained that it was bound by a confidentiality agreement, negotiated by the Commission.

The Ombudsman accepted this explanation, but advised Parliament to ensure that the Commission and the Council do not sign confidentiality agreements in the future that could undermine Parliament's ability to deliberate openly on such issues.

In his letter to the Ombudsman, President Schulz explained that in the context of the TTIP negotiations, no confidentiality agreement has been signed with the US. The negotiators instead committed to implementing the EU's access to documents rules. Schulz wrote that the Commission took the unprecedented step of publishing important documents at the start of the TTIP process and invited stakeholders to submit their views. He promised to keep reminding the Commission that a pro-active approach is needed to keep the public informed about the state of play in all such negotiations.

The letter from President Schulz is available at:
<http://www.ombudsman.europa.eu/en/cases/correspondence.faces/en/53286/html.bookmark>