

## JASMONTAITE Inga

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**From:** linda kaucher [REDACTED]  
**Sent:** 31 October 2014 00:13  
**To:** Consultation-OI-10-2014  
**Subject:** [EOWEB] Consultation on transparency in TTIP  
**Attachments:** Response to European Ombudsman - TTIP.odt

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### Sender

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**Sender** linda kaucher [REDACTED]  
**To** Public consultation OI/10/2014  
**Date** Friday, October 31, 2014 12:13:03 AM CET

### Your data

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#### Part 1 - Contact information

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**Language you would like to receive an answer in** en - English

#### Part 2 - Data

**To** Public consultation OI/10/2014  
**Subject** Consultation on transparency in TTIP

**Content**

# European Ombudsman's public consultation on the transparency of the Transatlantic Trade and Investment Partnership (TTIP) negotiations

## Response from StopTTIP uk

30 Oct 2014

1. **Please give us your views on what concrete measures the Commission could take to make the TTIP negotiations more transparent. Where, specifically, do you see room for improvement? (We would ask you to be as concrete as possible in your replies and also to consider the feasibility of your suggestions, in light of the timeframe of the negotiations. It would be most helpful if you could prioritise your suggestions).**

### Why lack of transparency in trade negotiating is not justified

It is claimed, by the EU Trade Commission, that TTIP negotiations must be secret – because bilateral trade negotiations always are. Yet negotiators on both sides of the negotiating table are aware of what is on the table, and what little information does emerge shows that business groups have a great deal of input into negotiating positions, so therefore also know what is on the table. Thus lack of transparency appears to exclude the public on whose behalf negotiations are supposedly being undertaken.

'Trade', insofar as TTIP is a 'trade' agreement, and that is very much open to question considering the priorities of this agreement and the lack of traditional 'trade' elements i.e. tariff reductions, is supposedly of mutual benefit to the trading partners.

It therefore seems inappropriate that the excuse for lack of transparency is along the lines of the need to hold cards close to the chest.

### Why transparency is necessary

As these negotiations are on behalf of the public, they should be public. If they are not, then democracy is undermined.

If documentation, core and contributing, is not publicly accessible, there is the very real danger that negotiators may act disproportionately for particular interests as well as the danger of corruption.

### Trade Commission's lack of transparency in civil society dialogue attendance facilitation

While the Trade Commission has a mechanism for funding travel for attendance at civil society dialogues, it refuses to show any budget for this. This then allows the Trade Commission to potentially provide or refuse funding at its own discretion. For meetings on TTIP, this most important of

**‘trade’ deals, there is a flat refusal to fund travel to attend, without any logical reason.**

### **Public consultations**

**For public consultations, eg on aspects of trade agreements, to be meaningful responses must be seen to be taken into account and the mechanism for how this will happen needs to be transparent.**

**Prior to the launch of any consultation, how responses will be handled, that is the method of collating and taking responses into account should be debated and decided by the elected European Parliament. This information should then be publicly provided, as part of the consultation.**

**None of this sort of practice was followed in the case of the Commission’s consultation on ISDS in TTIP. The method of collation was not made public prior to the commencement of the consultation. This then allowed for instance the Commission to suggest, after the close of the consultation, that responses that were similar would not be taken into account, although this had not been previously stated.**

### **Access to documentation for elected representatives**

**It is particularly important for democracy that elected representatives, both at the EU and national parliament levels have access to all negotiating documentation. The present system of a few INTA members having sight only of documents is unacceptable. This is in fact a lowering of EU standards to those of other states, in this case, the US, even while there is an insistence that standards will not be lowered via TTIP regulatory harmonisation.**

- 2. Please provide examples of best practice that you have encountered in this area (for example, in particular Commission Directorates-General or other international organisations) that you believe could be applied throughout the Commission.**

**The World Trade Organisation shifted towards more transparency and provision of information.**

- 3. Please explain how, in your view, greater transparency might affect the outcome of the negotiations**

**Information on trade agreements, coming onto the public sphere, has drastically changed outcomes of trade agreements, in some cases causing them to be abandoned as a result of public reaction to the information.**

**In fact there is a strong correlation between public information (officially or unofficially obtained) and public rejection of trade agreements. Examples are the MAI, the FTAA, the WTO Doha Round (for the most part), ACTA.**

**This is the democratic pathway, as in the will of the people coming through, that lack of transparency, as is currently the case with TTIP, seeks to block.**

**Submitted by Linda Kaucher  
on behalf of StopTTIP uk**

