

WEISKORN Michael

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Part 2 - Data

To Public consultation OI/10/2014
Subject Public consultation on TTIP
Content Answer by the Confederation of Swedish Enterpris

The European Ombudsman
Brussels

Stockholm 24 September 2014

Response to the public consultation on transparency issues in the TTIP negotiations.

Question 1.

Answer: We cannot at this stage envisage any reasonable further steps to make the TTIP negotiations more transparent. The transparency measures already adopted by the Commission are totally unprecedented, and already risk compromising the negotiations. The issue of transparency must be kept separate from the issue of general information about and education concerning international trade. The perception currently being spread of the TTIP negotiations as some form of secret undertaking, devoid of political control, is entirely false. Those clamouring for more transparency are very well aware that that would not be practically possible, if the EU aims to achieve a good outcome of the negotiations. To a very large extent views about a sinister lack of transparency are fed by the public at large being uninformed about how trade policy is made and implemented, and specifically so how international trade negotiations are – and must be – conducted. Transparency about the progress of negotiations is, however, totally separate from the dissemination of knowledge about trade issues in general.

Question 2.

Answer: In our view the TTIP negotiations and the subsequent information provided about them by the Commission is in itself the best available practice to date.

Question 3.

Answer: Greater transparency, in the vein of the public consultation, would most likely result in a worse outcome (or no outcome at all) for the EU than otherwise had been possible, for three main reasons.

1. Showing your cards to your opposite partner cannot but hopelessly weaken your negotiating power. It would be absolutely inconceivable in any other business negotiation, which is what a possible TTIP deal in actuality would be from a business point of view.
2. Published documents would most likely not serve to alleviate the general unfamiliarity with international trade issues or induce feelings of greater security about what these negotiations are all about, but would instead supply nay-sayers with an endless source of technical detail out of which to fabricate spurious claims of sinister plots to deprive the EU population of its political and labour rights, protection from harmful substances etc. *ad infinitum*.
3. Because of the effect stated under 2. the Commission would in all likelihood be totally overburdened by demands for refuting false accusations, correcting misunderstandings or explaining the intricacies of trade policy in general. That could

not but weaken its ability to conduct the negotiations as such.

The issue of transparency thus, in our view, is not about the negotiations as such but revolves around the general task of informing the public about international trade policy and negotiations. We perceive that the Commission, notwithstanding its already great exertions to do just that, still has a huge work ahead. However, from a principal point of view, it is not so much the European Commission that has been at fault in this respect as many member country governments. In international trade negotiations the Commission is only the executor of the mandate given by the member countries, and it ought to be their responsibility to better explain the 'why' about the current (and other) trade negotiations.

Best regards,

Olof Erixon
Director Trade Policy