

## **TTIP: Civil Society statement on the new EU proposal on Regulatory Cooperation**

March 21th 2016

Dear Commissioner Malmström,

The undersigned organisations are writing to express our deep concern with the new EU proposal on horizontal regulatory cooperation (dated 21 March 2016) in the EU-US TTIP negotiations . We consider it a threat to democratic decision-making and regulation in the public interest.

The new EU position paper on "regulatory cooperation and good regulatory practices" offers an insight into how negotiators hope to avoid future "non-tariff" and "technical barriers" to trade. While it is unclear precisely what form such "cooperation" would take, we understand that the proposals would entail several changes to EU and US law-making processes.

### **Here is our critical assessment of the new EU proposal:**

1. The proposal makes it possible for the US to exert undue influence at a very early stage of decision-making, before any proposal is considered by elected bodies, namely the Council and the European Parliament. Judging from past experience, such an approach can have a detrimental impact on regulation in the public interest. It also undermines democracy.
2. The proposal provides big business groups with the tools to influence legislation that they have been demanding, including a mechanism by which transatlantic business coalitions can include their own preferences in the regulatory cooperation working programme. The establishment of a broad advisory group with the presence of public interest groups does not offset this institutionalisation of lobbying.
3. The new proposal clearly identifies the European Commission and US regulatory agencies as drivers and responsible actors for transatlantic regulatory cooperation. The question of how it is supposed to function is postponed until after the ratification of TTIP and thus to a moment when it gets less public attention is on it. So we see no major improvement here. It implies an unacceptable power grab by the Commission, strengthens the US impact on EU regulation and weakens the role of the European Parliament. Even though the proposal does not contain a Regulatory Cooperation Body (RCB) any longer, its functions still remain.
4. The proposal gives immense powers to "regulatory authorities" (the European Commission in the case of the EU) to decide on the development of regulatory cooperation, including on the selection of areas which the two sides are to cooperate on.

5. The new proposals imply an importation of elements of the US regulatory system to the EU, among them an enhanced role for impact assessment by means of cost-benefit analyses in the planning phase of legislation. The balance between trade criteria and environmental and social issues is not met. This could lead to the watering down and delay of important legislation in the public interest.

Given the five points mentioned above, we ask you to end the TTIP negotiations, as trade agreements are not the appropriate fora to decide on our public interest laws.

Signed,

Amis de la Terre France  
Asociația România Vie/Romania Alive Society  
Attac Austria  
Attac Bizkaia  
Attac Denmark  
Attac Germany  
Attac Spain  
Bund für Umwelt und Naturschutz Deutschland (BUND)  
Campact  
Campagna Stop TTIP Italia  
Coordinadora de Organizaciones de Agricultores y Ganaderos (COAG)  
Corporate Europe Observatory (CEO)  
Ecologistas en Acción  
Electronic Frontier Finland  
European Digital Rights (EDRi)  
Fairwatch (Italy)  
Finnish TTIP Network  
FÍS NUA  
Forum für Umwelt- und Entwicklung  
Global Justice Now  
Greenpeace  
Keep Ireland Fracking Free  
Koalicija Proti Tajnim Sporazumom  
LobbyControl  
Mehr Demokratie e.V.  
Oplysningsforbundet May Day  
Plataforma Não ao Tratado Transatlântico  
Portuguese Platform No to the Transatlantic Treaty  
PowerShift e.V.  
Protestival Slovenia  
Red Solidaria contra la Ocupación de Palestina (RESCOP)  
Seattle to Brussels Network (S2B)  
Skiftet  
Slovenski E-forum  
Society Movement for Sustainable Development of Slovenia – TRS  
Solidarna Bulgaria

Stop TTIP UK

SumOfUs

Bündnis TTIP Unfairhandelbar

Transnational Institute (TNI)

War on Want

Women in Europe for a Common Future (WECF)

Wittener Bündnis gegen TTIP/CETA/TISA

Xnet

4th Group of the United Left