



## **Second round of Transatlantic Trade and Investment Partnership**

15 November 2013

### **Report of stakeholder briefing**

Marking the end of the second round of TTIP negotiations, which took place in Brussels from 11 to 15 November 2013, the EU's chief negotiator Ignacio García Bercero, together with his US counterpart Dan Mullaney, held a meeting with over 350 EU and US stakeholders representing non-governmental organisations, consumer groups, trade unions, and business and professional organisations. The discussion was moderated by Damien Levie, EU Deputy chief negotiator and Head of DG Trade's US and Canada unit. During the meeting, chief negotiators provided insights on the week's discussions and the status of the negotiations. They also listened and shared opinions in an open dialogue with participants on their views on the negotiations.

In his opening remarks, Mr Garcia Bercero highlighted the successful and productive set of meetings held during the week, and noted that progress is already being made, with a better understanding of common ground that will allow negotiators to move to more textual-based discussions in future rounds. In terms of topics discussed during the week the following were covered through physical meetings:

- services & investment, where negotiators compared their respective approaches and enhanced their understanding where convergences are
- energy and raw materials, very important in terms of economic implications and where negotiators are exploring what could be done in the TTIP context

- the bulk of discussions were on the regulatory component of the negotiations: both on horizontal rules (TBT and regulatory coherence) and, as important, a very intense engagement on sectors. On the latter, Mr Garcia Bercero welcomed that both sides were able to bring their own regulators to the discussions. Although the list is not exhaustive the following were sectors discussed during the week: pharmaceutical, medical devices, cosmetics, chemicals, pesticides, ICT, automobiles.

Mr Garcia Bercero also noted that given scheduling issues, video conferences were also organised on other TTIP topics (ie sanitary and phytosanitary rules, competition policy, small and medium enterprises, sustainable development, including labour and environment, tariffs), as well as separate meetings (procurement discussed in October and regulatory cooperation on financial services planned for 27 November).

During his initial intervention, Mr. Mullaney emphasized the expected benefits of the agreement; in addition to promoting international competitiveness and growth, the TTIP is expected to add to the more than 13 million American and European Union jobs already supported by transatlantic trade and investment. But also it aims at providing opportunities and benefits directly to consumers in a wide range of areas.

Mr Mullaney confirmed the series of successful and productive set of meetings this week and noted that the second round has given EU and US negotiators an opportunity to probe more deeply into the respective approaches to trade and investment agreement provisions, and to discuss some more specific negotiating proposals. On this basis, it is expected to move rapidly and lay the ground for the third round of negotiations, which will take place in Washington during the week of 16th December.

In terms of the areas covered Mr Mullaney reiterated the work done on areas such as services, investment and energy and highlighted also that a significant part of the discussions focused on the four dimensions of the regulatory and standards issues that were originally set out in the joint High Level Working Group report.

Both chief negotiators made strong statements emphasizing that all the discussions, in particular in the regulatory arena, are and will be based on the fundamental principle that nothing must undermine the protections that

both sides have adopted for consumer, environmental, health or safety protection. The objective is not to negotiate downwards the level of protection or to compromise the right of regulate.

Finally, as regards transparency and stakeholder engagement, both chief negotiators noted the critical importance of ensuring there is a good dialogue with civil society throughout the negotiation and that the widest possible range of stakeholders and civil society broadly can engage and provide input in their issues of interest or concern. As part of this dialogue, both Mr García Bercero and Mr Mullaney confirmed their intention to continue organising, among other stakeholder engagement activities, joint stakeholder briefings during the subsequent negotiating rounds.

Mr Garcia Bercero also used the opportunity to announce an additional EU initiative to ensure stakeholder engagement. DG Trade will establish in upcoming weeks a group of experts that will have a regular interaction with the chief negotiator, identify issues of concern that would need to be carefully considered in the negotiation or that would need more dedicated sessions with the relevant EU negotiators. The European Commission is finalising the arrangements and expects to provide in the next weeks further information on the functioning and composition of the group, which intends to have a balanced representation of different civil society interests (business, consumers, NGOs, trade unions, etc).

Following these opening statements, the meeting was then opened to the floor for general comments and remarks. A large number of stakeholders, covering a large spectrum of issues at stake in these negotiations, intervened during this session. Questions and concerns raised by stakeholders focused on the following:

- the status and progress of discussions in a number of sectors (ie pharmaceuticals, agriculture, services - in particular financial services) and how horizontal and sectoral discussions would progress and interlink
- how negotiators will reconcile the ambitious objectives for TTIP and the need for each side to continue regulating to its own standards

and protecting the levels of consumer and environmental protections already in place

- how can stakeholders engage with negotiators in both sides and provide further input into the discussions
- services and investment discussions, in particular the concerns by a number of stakeholders related to the inclusion of provisions related to investor-to-state dispute settlement (ISDS) and concerns raised on the application of TTIP to public services and, in particular, water services
- scope and progress on the energy and raw materials area, including on export/import issues, energy prices and energy production
- scope of discussions on social and labour issues
- the extent to which the EU would take an innovative approach to negotiations on rules of origin
- the potential impact on and lessons learned from the NAFTA and CETA agreements on TTIP
- The scope and composition of the announced EU's TTIP advisory group.

[Full list of the organizations](#) that participated in these events.

[For further information](#) on the TTIP negotiations.