



EUROPEAN PARLIAMENT

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Committee on Constitutional Affairs

2014/2228(INI)

10.2.2015

DRAFT OPINION

of the Committee on Constitutional Affairs

for the Committee on International Trade

on Recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP)
(2014/2228(INI))

Rapporteur: Esteban González Pons

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SUGGESTIONS

The Committee on Constitutional Affairs calls on the Committee on International Trade, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

A. whereas the Lisbon Treaty extended the scope of the Common Commercial Policy to include foreign direct investment, and whereas it gave Parliament new powers in the field of international trade agreements by strengthening its right to regular information, and by giving it a decisive role in the definition of the Union's trade policy, as its consent is now required for the implementation of international trade agreements;

1. Addresses, in the context of the ongoing negotiations on TTIP, the following recommendations to the Commission:

(d) regarding the rules:

- (i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;
- (ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

(e) regarding transparency, civil society involvement and public outreach:

- (iii.) while a certain extent of confidentiality is necessary for effective negotiations on a trade agreement of such high economic and political importance, to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;
- (iv.) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available relevant documents on its website more proactively and comprehensively, and by ensuring more balanced and transparent public participation;
- (v.) to fully involve national parliaments in the debate on the specifics of TTIP and keep them regularly informed on the course of negotiations, especially since this agreement should be considered a 'mixed-type' agreement and would thus require a ratification at national level;
- (vi.) to create a mandatory transparency register to be used by all European institutions

in order to have a full overview on the lobbying activities associated with the TTIP negotiations.