



European  
Commission

## **Transatlantic Trade & Investment Partnership Advisory Group**

*Meeting report, 28 October 2014*

## 1. Adoption of the agenda

## 2. Transparency

Following the brief discussion at the meeting of 18 September, the Chair invited suggestions from members on how to improve transparency on the TTIP negotiations. He set out three particular areas for consideration: transparency towards the European Parliament (beyond the INTA Committee and Member States), transparency towards and more effective engagement with civil society, and transparency towards the general public.

The following points were raised in discussion:

- Some members of the group mentioned that their organisations would be responding to the **European Ombudsman's consultation on TTIP transparency**, and asked how the Commission would take the results into account. The Chair explained that the new Commissioner would certainly seek to look very closely at the Ombudsman's recommendations, but may also wish to move more quickly in certain areas.
- The group agreed that **making more EU documents available to the public** would be valuable. Some members emphasised that greater transparency is particularly important on the regulatory pillar, and this should be treated in a similar way that normal internal EU regulatory proposals are made. Members concurred that classical market access negotiations on tariffs do not need greater transparency. A number of members mentioned as examples of good practice the transparency of negotiations in some multilateral institutions (such as the World Intellectual Property Organisation, or the World Health Organisation). Two members recalled that TTIP is a negotiation with a third party, and there will need to be some limits to transparency to leave the Commission space to negotiate in the interests of the EU, including on regulatory issues.
- **Explaining TTIP and trade policy more effectively to the general public.** Several members agreed that new transparency initiatives must go alongside clear explanations of the EU's objectives for TTIP, what TTIP could and could not do (linking to existing WTO commitments), and the negotiating context. Simply releasing more information would not work. Also, more specific engagement on key topics such as regulatory cooperation would be useful.
- **Better engagement with civil society.** One member suggested that Commissioner Malmström dedicate time to engage directly on social networks such as Twitter on a

regular basis. Another recommended investigating innovative ways to bring different groups together, for example by working with a communications agency.

- **Translation of documents into other EU languages.** One member suggested that a wider choice of languages would be helpful to engage better with civil society across the EU. The Chair noted that a number of key documents on the TTIP website are already available in more than one language, but that it would not be feasible to translate most documents into all EU languages.
- **Role of the group.** Some members requested early sight of any new proposals on transparency, in order that members may offer specific advice on these, and recommended that Commissioner Malmström meet the group at an early stage to discuss.

The Chair took note of all these points, and invited members to send anything further in writing. He agreed to produce a summary as soon as possible.

### 3. Working methods of the group

The Chair explained that the Commission was considering ways to make the work of the Advisory Group more practical and effective in future, including by exploring alternatives to the reading room, and by consulting the group on draft EU documents at an earlier stage. He invited views from members on what more could be done to ensure that the group can perform its advisory role effectively.

The following points were raised in discussion:

- **Access to documents.** All members supported the exploration of alternatives to the reading room. One member recommended that the Commission asks specific questions when consulting on such documents, in order to encourage fast and comparable responses. Members said they would welcome the opportunity to react on draft texts within similar timeframes as envisaged for the Council and Parliament.
- **Management of meetings.** Several members recommended that more detailed preparation in advance of meetings (for example through annotated agendas or supporting documents) would help to improve the quality of discussion. Others noted the value of presentations from lead negotiators, as well as the Chief Negotiator. It was suggested that sometimes members of the group might also wish to make presentations on specific issues themselves. Members agreed that it was important to hold meetings within a reasonable time after each negotiating round, to allow for updates and discussion of progress.

- **Technical issues and the role of experts.** The Chair suggested that occasionally some members may wish to meet in sub-groups with lead negotiators to discuss issues that are not of interest to the whole group. Alternates and experts nominated by members would be welcome to join these meetings. Members agreed that involving experts more could be helpful, especially on technical topics, but some were concerned that sub-groups might simply create complexity. Access to documents for experts in the reading room would also be valuable. The Chair agreed to test the idea by organising a first sub-group on services, to meet in November.
- **More strategic discussion.** Several members felt that the real added value of the group would be found by tackling aspects of the negotiating strategy for TTIP, and its broader context among other EU trade negotiations. Advice on specific technical topics, and on communications about TTIP, is also valuable to the Commission but it is of a different nature.
- **Role of stakeholders.** Some members highlighted the need to take views of stakeholders beyond the group into account, for example the INTA Committee and social partners.
- **Responsibilities of members.** Some members noted that they would be happy to take further commitments on confidentiality if that would facilitate more flexible ways of working.

The Chair again took note of all these points, and agreed to provide a short paper to the next meeting summarising the proposals with the aim of achieving consensus on improved working methods for the group.

#### 4. Update and forward look

Mr Houben set out the early calendar of Commissioner Malmström on TTIP, including plans for discussions with the European Parliament, with Member States, with civil society and with the US.

The following points were raised in discussion:

- **Comparison of EU and US trade calendars.** Members discussed the relative progress of TTIP against the Trans-Pacific Partnership negotiations on the US side, and against EU bilateral negotiations such as those with Canada and Japan.
- **Communications on TTIP in the EU.** Members discussed the need to be clearer on the negotiating impacts of the EU's priorities, while continuing to emphasise that TTIP is not about changing the "European model" or lowering levels of protection for people and the environment.

- **Future meetings.** Members noted the topics of Technical Barriers to Trade (TBT), regulatory coherence, and sustainable development, as well as the results of the consultation on investor-state dispute settlement (ISDS), as agenda items for future meetings. Several members expressed an interest in meeting Ms Malmström before she finalises her policy approach on transparency and ISDS, in order to discuss these. The Chair promised to convey this request and also agreed to look at dates for meetings in 2015.

## Attendees

### Members of the TTIP Advisory Group

BERGELIN Erik (Manufacturing)  
BOWLES Edward (Services)  
DINGS Jos  
FEDERSPIEL Benedicte (Consumers)  
GOYENS Monique (Consumers)  
FELLER Roxane (Food and drink)  
JENKINS Tom (Labour and trade union)  
KERNEIS Pascal (Services)  
LØGSTRUP Susanne (Health)  
MITCHELL Dominique (Labour and trade union, alternate for Guido Nelissen)  
NEUGART Felix (Small business)  
PETIT Arnaud (Agriculture, alternate for Pekka Pesonen)  
QUICK Reinhard (Manufacturing)  
SANTOS Luisa (Business)  
WOODFORD Emma (Health)

### Commission officials

GARCIA BERCERO Ignacio	Chair, TTIP Chief Negotiator
HOUBEN Hiddo (TRADE)	TTIP Deputy Chief Negotiator
DAWKINS Miranda (TRADE)	Official
O'MALLEY Eoin (TRADE)	Official
DAVANNE Claire (TRADE)	Trainee