

Rough Trade

The threat of TTIP to small businesses in the UK



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The Transatlantic Trade and Investment Partnership (TTIP) is a major trade deal currently being negotiated in secret between the EU and USA.

First announced in President Barack Obama's State of the Union address in 2013, the stated aim was to conclude the TTIP negotiations by the end of 2015. With opposition to the talks rising, that deadline was quietly dropped. Yet negotiations continue, despite the real fears of what TTIP will bring.

TTIP is not a traditional trade deal. At the heart of TTIP is an agenda of deregulation: the downgrading or removal of social and environmental rules on both sides of the Atlantic that transnational corporations see as 'barriers' to the maximisation of their profits. Yet these rules are often key standards protecting public health and local communities, and many small businesses have embraced the high quality of goods and services they guarantee.

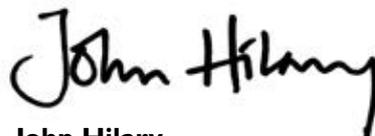
The threat of deregulation is particularly acute in Europe, where social and environmental standards tend to be far higher than in the USA. TTIP will grant US corporations greater access to the markets of Europe without having to comply with the same level of social and environmental regulation as in the EU. This unfair competition is predicted to result in the loss of thousands of small businesses across Europe, and at least 680,000 jobs.

TTIP was crafted by and for big business. The overwhelming majority of European small and medium-sized enterprises (SMEs) do

not engage in trade outside the EU, and only a tiny minority (0.7%) export to the USA. According to the European Commission's survey for TTIP, less than 0.5% of UK small businesses are engaged in the export of goods to US markets. Most small businesses are more concerned with protecting their own markets than conquering the States.

There is now growing opposition to TTIP among European SMEs. Thousands of individual businesses have signed up to 'SMEs Against TTIP' platforms in Austria, Germany and the Netherlands. The Business Against TTIP campaign was launched in the UK at the beginning of 2016 by a number of businesspeople concerned at the threat posed by TTIP, including the 2015 Entrepreneur of the Year. Several national associations of SMEs have expressed concern at the dangers posed by TTIP to their members' interests.

We can defeat TTIP and defend ourselves from the threat posed by its deregulation agenda. Yet in order to do this, we need to build a mass movement of resistance across all countries and all sectors of Europe and the USA. More and more communities and sections of society are coming out in opposition to TTIP, and small business is an important part of the movement. The increasingly loud message from SMEs across Europe is that they do not want TTIP. They are right to reject it.



John Hilary
Executive Director

1 Small businesses in the UK

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Rough Trade: The threat of TTIP to small businesses in the UK

Small and medium-sized enterprises (SMEs) account for the overwhelming majority of all businesses across Europe, and create the vast majority of new jobs. The European Commission has called SMEs “the engine of the European economy”, adding: “They drive job creation and economic growth, and ensure social stability. In 2013, over 21 million SMEs provided 88.8 million jobs throughout the EU. Nine out of every 10 enterprises is an SME, and SMEs generate 2 out of every 3 jobs.”¹ In the words of Jean-Claude Juncker, President of the European Commission, “SMEs are the backbone of our economies.”²

In the UK, SMEs are hotwired into every part of the economy. According to UK government statistics:³

- SMEs represent 99.9% of all UK private sector businesses and account for at least 99% of businesses in every main industry sector.
- The UK’s 5.4 million SMEs provide jobs for 15.6 million people (60% of all private sector employment), and their combined £1.8 trillion turnover represents almost half the entire turnover of the UK private sector.
- 99.3% of all private sector businesses in the UK are small businesses (those with fewer than 50 employees). As the government’s Department for Business, Innovation and Skills acknowledges, “Small businesses are a major source of job creation as well as being critical in driving economic growth through innovation and competition.”



What is an SME?

An SME is a small or medium-sized enterprise. SMEs are defined by a combination of the number of employees they have and their turnover, as set by an EU regulation which came into effect in 2005. For ease of reference, the most common definition of an SME is a business with fewer than 250 employees, while a small business is one with fewer than 50 employees.

Micro businesses: 0–9 employees, turnover up to €2 million

Small businesses: 10–49 employees, turnover up to €10 million

Medium-sized businesses: 50–249 employees, turnover up to €50 million

- The overwhelming majority of the UK's small businesses (5.1 million, or 95% of all businesses) are micro-businesses, employing fewer than 10 people. Indeed, 4.1 million of all UK private sector businesses are registered as having no employees at all.

While SMEs are of crucial importance to the economies of Europe, the vast majority are focused on production of goods and services for local markets, or for markets within other EU countries. A tiny minority – just 0.7% of all European SMEs – are engaged in exporting to the USA.⁴

Less than 0.5% of British SMEs are engaged in the export of goods to the USA.

The proportion of UK-based SMEs engaged in trade with the USA is also very small. Government statistics show that over 97% of UK small businesses are focused on the domestic market only, and not engaged in any

overseas trade. According to the survey of SMEs undertaken by the European Commission in relation to the TTIP negotiations, less than 0.5% of all SMEs in the UK are engaged in the export of goods to the USA.⁵ Even allowing for the same number again in services exports, the US market is a minority interest. The survey revealed that those SMEs which do export goods from the UK to the USA are concentrated in the low-value end of the market, with larger firms dominating the high-value sectors.

The low level of response to the European Commission's TTIP survey indicates how little interest most UK small businesses have in expanding their operations to take on the US market. A total of just three UK firms sent in answers to the European Commission's survey question on US non-tariff barriers, the central issue in TTIP. When compared to the 52,000 responses returned by UK citizens to the European Commission's consultation on investor-state dispute settlement (ISDS) in TTIP, this indicates a significant absence of small business interest in the opportunities that TTIP is supposed to offer.⁶

2 TTIP: by and for big business

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TTIP is designed as a comprehensive trade and investment agreement for transnational corporations operating across the Atlantic. Its origins lie in the TransAtlantic Business Dialogue, an invitation-only group of chief executives from the most powerful EU and US companies that was set up in 1995 to lobby for the removal of regulations on trade between the EU and USA. The creation of the Transatlantic Economic Council in 2007 provided a new platform for these companies to press for a free trade area based on the deregulation of markets on both sides of the Atlantic. Preparations for the TTIP negotiations began in 2011.

TTIP is a deal crafted by and for big business. Ahead of the start of the TTIP negotiations, the European Commission held over 100 private meetings with representatives of large corporations and industry lobby groups in order to determine the EU's negotiating positions for the deal.⁷ This reflects the interests of the entrenched industry lobbies in Brussels and the 'revolving door' between the European Commission and big business. Small business associations were not consulted in the meetings that defined the content of TTIP, nor were their representatives invited to be members of the TTIP Advisory Group established by the European Commission in January 2014.⁸

It is no secret that big business stands behind TTIP, and that the largest corporations are the ones set to benefit from the deal. Maltese MEP Alfred Sant has attacked TTIP as being fuelled by "multinationals of the neoliberal order", and leading towards "oligo-polarisation" on an EU-US scale: "The powers behind it are the multinationals... and where can it go? We're moving towards a global economy with a few oligarchs at its helm. I don't see how it's going to help SMEs."⁹

If it is widely accepted that the bulk of any gains to be made from TTIP will go to the largest EU and US corporations, there is also broad agreement that many people in Europe and the USA stand to lose their jobs as a result of the deal. The official impact assessment commissioned by the European Commission at the start of the negotiations calculated that TTIP will lead to the loss of at least 680,000 jobs in the EU and 325,000 in the USA – and many more than this if the 'ambitious' outcome sought by the European Commission becomes a reality.¹⁰ Despite its different methodology, a subsequent study into TTIP's impacts undertaken by Tufts University concurred that the EU will see the loss of around 600,000 jobs as a result of TTIP.¹¹

“The powers behind TTIP are the multinationals... I don't see how it's going to help SMEs.”

Alfred Sant MEP

The loss of jobs predicted for TTIP is largely the result of the unfair competition that small businesses will face from US firms (see next section). The European Commission has acknowledged that there are "legitimate concerns" that the hundreds of thousands who lose their jobs as a result of TTIP will not be able to find alternative sources of work, given the high levels of unemployment already seen across Europe.¹² Earlier claims that TTIP could lead to gains of up to £10 billion for the UK economy have long been discarded by UK government officials, who concede that the calculations on which the claims were based were unfounded.¹³



In the five years since work on TTIP commenced, no study has been undertaken into the costs or benefits for SMEs; indeed, projected gains for small businesses remain hypothetical, while history suggests they will lose out from any deal not constructed in their interests. The 1994 North American Free Trade Agreement (NAFTA) between the USA, Canada and Mexico was sold to small businesses on the understanding that they would be among its main beneficiaries. Yet in the 20 years since NAFTA, growth of US small business exports to non-NAFTA countries was nearly twice that of their exports to NAFTA partners, while small and medium-sized farming businesses in Mexico were obliterated by competition with US agribusiness, with as many as two million losing their jobs. Small businesses in the USA

have seen their share of exports to Canada and Mexico fall from 14% to 10% as a result of NAFTA, another indication that free trade deals are designed primarily in the interest of larger firms.¹⁴

One of the most controversial elements of TTIP is its proposed investor-state dispute settlement (ISDS) mechanism, the means by which transnational corporations can sue host states in their own privileged legal system for any loss of profits caused by policy change. The European Commission received a record number of public responses to its 2014 consultation on ISDS in TTIP, over 97% of which opposed the inclusion of ISDS powers outright. SMEs were among the respondents to the consultation, noting that ISDS offered them no benefits – especially if they ever had

to bear the costs of unsuccessful suits under a new 'loser pays' principle.¹⁵

Despite this clear opposition to ISDS, EU Trade Commissioner Cecilia Malmström has continued to press for its inclusion in TTIP, proposing an Investment Court System that will guarantee US corporations permanent ISDS powers. SME concerns were disregarded, as the variant of ISDS introduced by Malmström includes the 'loser pays' principle as a key element in the new system. In recognition of the fact that the proposal favoured the interests of larger investors only, the European Commission conceded that there might need to be "adjustments" for SMEs when they lose cases so that they are not immediately wiped out by the costs.¹⁶

Proponents claim ISDS is a mechanism for companies of all sizes, even though a comprehensive review of payouts to date shows that they have overwhelmingly favoured the largest firms.¹⁷ Most obviously, the average cost of \$8 million per case is prohibitive for all but the largest SMEs. As Mario Ohoven,

President of the German Association for Small and Medium-Sized Businesses (BVMW), noted in his rejection of investor protection in TTIP and in the parallel EU-Canada deal, CETA: "Litigation is not really an option for small and medium-sized businesses as they run a serious risk of going bankrupt in the process."¹⁸

Stung by the widespread criticism that the TTIP negotiations offer nothing to small businesses, the European Commission has published a proposal for a dedicated SME chapter in the agreement.¹⁹ Yet the chapter is different from all other parts of TTIP in that it proposes nothing more than an exchange of information that might be useful for small businesses. Among the proposals are: sharing information with a view to increasing transatlantic linkages and business opportunities; exchange on good regulatory practices; and exploring opportunities for linkages and exchanges between entrepreneurial programmes. This stands in sharp contrast to the binding adjustments that TTIP proposes in the interest of larger corporations.

The ISDS threat to SMEs

From interview with Martina Römmelt-Fella, CEO of Bavarian engineering firm FELLA Maschinenbau: 'SMEs want a TTIP rethink', Euractiv, 25 November 2015

"Cecilia Malmström, the EU's Trade Commissioner, has merely renamed ISDS as ICS [Investment Court System], the core mechanism remains the same. As before, the 'new' system undermines national legal systems and preserves the shortcomings of the previous model. This legal system is geared towards the interests of the big companies.

"This process is already being used to dispute, among others, anti-tobacco laws, bans on toxic substances, environmental-impact assessment guidelines, hazardous waste disposal and fiscal policy. The average cost of an arbitration process is €8 million, a price that few SMEs can muster. This two-tier system, where foreign investors are prioritised, is detrimental to our smaller businesses."

3 Threats to small businesses

TTIP threatens to expose small businesses in Europe to direct competition with some of the largest multinational corporations in the world – and on unequal terms. The primary aim of TTIP is to remove measures that might act as regulatory ‘barriers’ to increased trade between the EU and USA. Initially negotiators spoke of achieving this goal through a ‘harmonisation’ of standards on both sides of the Atlantic, which would entail a massive process of deregulation on the European side, given that EU standards of social and environmental protection are far higher in most cases than those in the USA.

As a result of the public outcry which greeted this prospect, talk has now turned to achieving the goal of regulatory coherence through a ‘mutual recognition’ of standards on both sides of the Atlantic. This would require EU regulators to treat the USA’s social and environmental regulations as if they were equivalent to those that pertain in Europe, and to allow US products and services into the European market as if they had met the EU’s own standards – despite the fact that US regulations are far less exacting in almost all sectors.²⁰

US businesses face far lower production costs due to less stringent regulations, lower labour standards and cheaper inputs, especially energy costs. US big business has the added advantage of huge economies of scale. As a result of this unfair competition, US businesses can offer products at far cheaper prices than European SMEs. With the introduction of ‘mutual recognition’ agreements under TTIP, European SMEs will be unable to compete with their US counterparts, with many

US businesses face far lower production costs due to less stringent regulations, lower labour standards and cheaper inputs.

going out of business – as concluded by the Veblen Institute in its dedicated study of the impact of TTIP on European SMEs:²¹

Income inequalities (in the US, average salaries are 30 to 40% lower than European ones), fewer American regulations in many areas, energy costs and the weakness of the dollar in relation to the euro maintained by the Fed, will continue to ensure that US companies are in a favourable position to acquire large market shares in Europe, with a significant likelihood of reducing intra-European trade.

American producers would thus maintain their advantage with regard to costs of production in sectors where the mutual recognition of standards could be agreed upon (recognition of an equivalence without any modification to the regulations). For example, if US regulations concerning the use of pesticides and additives or pathogen reduction treatments were declared to be equivalent to the stricter rules in effect in the European Union, then products manufactured at lower cost in the USA would be in an excellent position to take shares of the European market. Even the SMEs which export beyond the EU make almost 90% of their turnover within the European market, and could be severely affected by American competition.

Mario Ohoven, President of the German Association for Small and Medium-Sized Businesses (BVMW), has commented on how the regulatory discrepancy between the EU and US systems discriminates against European producers: “US suppliers are able to bring a new product onto the market up to two and a half years earlier than their German counterparts. That is an unparalleled competitive advantage.”²²

The UK’s exports to other European countries could be severely affected by TTIP, with a fall of over 40% in the value of UK exports to Germany, Italy, Spain and Ireland.

The Belgian SME association UCM, which represents SMEs from the French-speaking Walloon area of the country, concurs: “Competition between Walloon SMEs and American SMEs is entirely unfair. The latter have minimal administrative burdens, very low energy costs and social rules that allow them to hire and fire at will.” As a result, the UCM has concluded that SMEs “have nothing to gain from this deal. On the contrary, in its current form it brings dangers.”²³

In addition, the expansion of trade envisaged in TTIP will further disadvantage SMEs as a result of their lesser access to market information. As noted by Petr Zahradnik of the Chamber of Commerce in the Czech

Republic, the ‘asymmetry of information’ that affects smaller businesses will be exacerbated under TTIP, causing a particular threat to SMEs.²⁴

A number of studies note that TTIP will also see a drop in trade between EU countries as a result of trade diversion to the USA, with one warning of ‘European disintegration, unemployment and instability’ as a direct result of TTIP.²⁵ A parallel report has calculated that the UK’s exports to other European countries could be severely affected by TTIP, with a fall of over 40% in the value of UK exports to Germany, Italy, Spain and Ireland, and a fall of 36% in the value of UK exports to France.²⁶ Given that British SMEs which are engaged in overseas trade depend heavily on Europe as their main trading partner, any such diversion could cause disproportionate harm.²⁷

The farming sector provides an instructive example of the dangers of mutual recognition in TTIP. Removing non-tariff barriers in agriculture is a key aim for the US agribusiness industry in its attempt to overcome bans on its use of hormones to accelerate animal growth, the use of pesticides banned in the EU, the acid-washing of meat and the use of genetically modified organisms (GMOs) prohibited in Europe. Additionally, the USA has far lower animal welfare standards – meaning that, for example, more poultry can be housed in a given area due to smaller cage size requirements. All these practices result in dramatically lower costs for US producers.

Speaking in the House of Commons in summer 2015, Cheshire egg producer Duncan Priestner explained how the EU’s animal welfare regulations would put him at a direct disadvantage if there were any mutual recognition of US standards in TTIP: “I run a

relatively small farm but decided to replace my old battery cages with the new enriched cage system, which have more space, scratching pads, perches and nesting areas. This was the biggest decision of our lives and it will take most of my working life to pay off. We have seen a big improvement in animal welfare with lower mortality, better feather cover, and good production because the hens are happier in a system that provides more of the hens' needs.

"We would like to send out a clear message to those involved in the negotiations that we do not regard US poultry production systems to be equivalent to the UK and we believe that the gap between the EU and US production methods is too wide and it is unrealistic to reach a compromise."²⁸

Similar fears are expressed in Ireland, where the beef industry alone employs over 70,000 people. A government-commissioned report into the impact of TTIP on the Irish economy revealed that the Irish beef sector is one of those that will be most negatively affected by "increased competition from cost efficient US beef producers in the European market".²⁹ Responding to the report's findings, Patrick Kent, President of the Irish Cattle and Sheep Farmers' Association (ICSA), warned that: "The beef industry stands to lose between €25 and €50 million a year due to increased competition from the US."³⁰ The Irish Farmers' Association (IFA) has concluded that TTIP will have "very negative impacts for Ireland's vital beef sector".³¹



4 Business opposition to TTIP

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Rough Trade: The threat of TTIP to small businesses in the UK

Public opposition to TTIP has exploded across Europe over the past two years. Within the space of just 12 months, over 3.2 million people, including 500,000 from the UK, signed a European Citizens' Initiative calling for an immediate end to TTIP negotiations. This is far and away the highest number of signatures ever achieved by such a petition. Mass demonstrations, meetings and rallies have been held in towns and cities across the whole of Europe, including coordinated international days of action against TTIP. Hundreds of local councils and municipalities have now declared themselves to be TTIP-free zones.

SMEs across Europe are also raising their concerns in growing opposition to TTIP. Thousands of businesses in Austria and Germany have signed an 'SMEs Against TTIP' petition calling for an immediate end to the EU-US negotiations.³² A similar Dutch language platform has attracted many hundreds of business signatories in its first few months.³³ Individual companies have spoken out against the negative impact that TTIP will have if it is allowed to go through, with cosmetics company Lush hosting a two-week campaign against TTIP in stores across Europe during September 2015. The supermarket chain Spar has taken out full page newspaper ads in the Austrian press warning that TTIP will see an end to quality farming if it is allowed to go through, while internationally renowned chef Jamie Oliver has made public his concern at the threat posed by TTIP to food quality standards in the UK.³⁴

The SMEs which initiated the Austrian coalition against TTIP argue that: "We are firmly convinced that SMEs, which provide the major portion of the value added and employment in Austria, would suffer massively

due to the radical opening of the domestic market to multinational corporations. More than nine-tenths of Austrian business is not involved in transatlantic trade. Any reduction in intra-EU trade to favour trade with the USA would therefore have serious negative impacts on the backbone of the Austrian economy."³⁵

In France, business lobby group MEDEF raised these concerns directly with the EU's Trade Commissioner Cecilia Malmström at a private meeting in March 2015. MEDEF representatives asked what action the European Commission would be taking "to reassure the 19 million European SMEs that are not involved in exports and will suffer increased competition" as a result of TTIP. The minutes of the meeting, obtained under a Freedom of Information request, do not reveal what reassurance Malmström was able to give.³⁶

Thousands of businesses in Austria and Germany have signed the 'SMEs Against TTIP' petition calling for an immediate end to the EU-US negotiations.

In the UK, even business associations that have traditionally championed free trade are raising concerns over the potential impact of TTIP on small businesses. In their own private meeting with senior officials of the European Commission, the Confederation of British Industry (CBI) admitted that there is no evidence that SMEs will benefit from TTIP,

and that it is therefore difficult to produce positive case studies to bring small businesses on board.³⁷

Those responsible for the interests of small businesses are even more candid. Speaking at a public forum in Cardiff in June 2015 on the potential impact of TTIP on his members' interests, Iestyn Davies, Senior Head of External Affairs at the Federation of Small Businesses, stated bluntly: "Are we convinced this is going to be a good deal? No."

Recognition of the threat that TTIP poses led to the launch of the UK campaign Business Against TTIP in January 2016. Initiated by a number of high-profile businesspeople – including Entrepreneur of the Year for 2015, Titus Sharpe – the campaign calls for a halt to the TTIP negotiations and for the highest standards of regulation to be protected. The campaign is open to signatories from all UK-registered businesses and trade associations via the website businessagainsttip.org. Its founding statement is reproduced here.

Business Against TTIP

We UK-based businesses have come together to express our grave concerns about the secretly negotiated EU-US trade deal, the Transatlantic Trade and Investment Partnership (TTIP).

Together with thousands of our counterparts in other European countries, we are concerned that many European businesses risk being wiped out by unfair competition from US corporations if TTIP is allowed to go through.

TTIP will enable some of the world's biggest corporations to undermine EU social and environmental standards. Under its investor protection rules, TTIP will also give US firms unprecedented powers to sue the UK government when any new laws affect their profits.

It is unfair to give US businesses a competitive advantage in their dealings with Europe. Equally, we do not want to reduce the social and environmental standards we hold dear.

The overwhelming majority of British businesses do not export at all to the USA. TTIP has been designed by and for the largest corporations that trade and invest across the Atlantic, not the majority.

Worse still, the European Commission's official study predicts that the EU will suffer at least 680,000 job losses as a direct result of TTIP – putting our employees and our businesses at risk.

We call on the UK government and the European Commission to stop the TTIP negotiations, and to ensure instead that trade is regulated to the highest standards for people and the environment.

businessagainsttip.org



5 Take action

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Rough Trade: The threat of TTIP to small businesses in the UK

Small businesses across Europe are now waking up to the dangers of TTIP. The UK campaign Business Against TTIP was launched in January 2016 in order to provide a platform for British companies to register their opposition to the EU-US deal. The campaign is particularly important given that the UK government has been one of the principal cheerleaders for TTIP at the international level – even when other EU member states have raised serious doubts.

The public campaign against TTIP in the UK has already been hugely successful, bringing together local activists from across the country as well as a wide spectrum of public health, environmental and social justice groups. Sectoral campaigns have been formed such as Artists Against TTIP and Students Against TTIP, while the national No TTIP platform coordinates actions with the pan-European movement. The parliamentary debate held in the House of Commons on 10 December 2015 demonstrated that MPs have been well sensitised to the dangers of TTIP,

as the deal was roundly criticised from all sides of the House.

All readers of this report are encouraged to approach local shops and businesses and ask them to sign up to the Business Against TTIP campaign statement via the website: businessagainstttip.org. There are dedicated postcards which can be taken into local shops and businesses providing basic details of the campaign, and information of where to find out more. You can order bulk copies for free, as detailed below.

Public pressure works, as demonstrated when the European Parliament held its preliminary vote on TTIP in July 2015. Labour MEPs had previously stated that they would vote in favour of the pro-TTIP resolution, but a massive outcry from their constituents up and down the country persuaded them to change their minds. Public opinion is vital in convincing politicians that they should oppose TTIP, and we now need to show that businesses are equally concerned. We can defeat this dirty deal, but only if we keep up the pressure.

Act now:

1. **Contact your local businesses and ask them to sign up to the Business Against TTIP statement via the website: businessagainstttip.org**
2. **Order free materials from War on Want – we have specially made postcards which you can hand in to local businesses encouraging them to sign up to Business Against TTIP. You can order them online via waronwant.org/materials**
3. **Join the No TTIP campaign! If you haven't already signed the European Initiative against TTIP and the parallel EU-Canada deal CETA, you can do so now at waronwant.org/eci**
4. **Stay informed! Sign up to our regular updates for details of all forthcoming TTIP actions and events: waronwant.org/get-updates**

Notes

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- ³⁶ Minute of meeting between MEDEF and EU Trade Commissioner Cecilia Malmström, 26 March 2015; link available from 'Don't believe the hype – TTIP is not for small companies', Corporate Europe Observatory, 17 August 2015
- ³⁷ Minute of meeting between CBI and European Commission officials from the trade cabinet of Cecilia Malmström, 1 July 2015; link also available from 'Don't believe the hype – TTIP is not for small companies', Corporate Europe Observatory, 17 August 2015

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