

Parliament's draft recommendations on TTIP talks

The Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the EU and the US as a comprehensive and ambitious trade agreement aiming to liberalise trade and investment as well as foster regulatory cooperation. Citizens in some EU Member States raise fears related to investor-state dispute settlement (ISDS) clauses in TTIP and, more generally, the impact of the future agreement on states' regulatory freedom in the areas of the environment, consumer and labour law and data protection. In light of the number of amendments submitted on Parliament's draft recommendations for the negotiations, the plenary discussion and vote was postponed in June. But after a brief return to Committee they are now due to be discussed in the July plenary.

The May draft recommendations voted in INTA

The [draft recommendations](#) were adopted in the International Trade Committee (INTA) on 28 May, after lengthy negotiations to find compromise between the political groups. They reaffirm the desire for **an ambitious and comprehensive** trade and investment agreement aiming at ambitious market access in trade, services, investment and procurement markets, reduction of non-tariff barriers and enhanced regulatory compatibility across the Atlantic. At the same time, they call for a **balanced approach**, with a list of sensitive products subject to transitional periods, quotas or even exclusion. The hybrid liberalisation approach to trade in services, [adopted by negotiators](#), is taken on board, specifying however that a positive approach should be used for market access, with new services excluded, while a negative approach could be envisaged for national treatment. The draft recommendations require the full respect of established regulatory systems when devising the [Regulatory Cooperation Body](#), stipulating that any direct implementation of the recommendations of such a body would be considered a breach of the EU Treaties. They further ask for the agreement to set a clear **rule-based** framework for trade and investment: calling for compliance with domestic data-protection, environmental, labour and consumer laws, and full recognition and enforcement of Geographical Indications. They call to build further on the compromises achieved: asking for the clear enunciation of states' right to regulate public services in line with the [negotiators' joint statement](#) and an approach to ISDS, based on the [Commission's concept paper](#), with a view to creating a permanent resolution mechanism. One amendment still suggests that EP consent to TTIP could be endangered if the US mass surveillance programme is not abandoned and privacy rights ensured for EU citizens. Finally the text calls for '**engaged dialogue**' on TTIP with Member States and US counterparts, reaffirming the need for **transparency**.

The June plenary and the ISDS issue

The draft recommendations on the TTIP negotiations should have been discussed in plenary in June. Following the large number of amendments tabled for the June session (116 amendments), [President Martin Schulz](#) decided, on the basis of [rule 175 of the Rules of Procedure](#), to send the amendments back to the Committee for consideration. The amendments focus mainly on regulatory issues and on ISDS provisions. On the latter, support for the compromise adopted in INTA had appeared to collapse. The INTA Committee voted on 29 June to confirm the amendments and the voting list and resubmit them for the July plenary session. In the meantime, the political groups are discussing a new compromise on the ISDS issue. Reportedly, an emerging compromise would ask the Commission to replace the ISDS system with a new system for resolving disputes between investors and states; a new system subject to democratic principles and scrutiny where potential cases are treated in a transparent manner by publicly appointed, independent professional judges in public hearings and which includes an appellate mechanism, where consistency of judicial decisions is ensured, the jurisdiction of courts of the EU and of the Member States is respected and where private interests cannot undermine public policy objectives.

This updates our ['At a Glance' note](#) from June. See also our ['survey of current issues'](#) in the TTIP negotiations.