

Mr. Martin Schulz, President of the European Parliament
European Parliament
Bât. Paul-Henri Spaak, 09B011
60, rue Wiertz
B-1047 Bruxelles

7 July 2016

Dear Mr. Schulz,

In anticipation of the 14th round of negotiations between the EU and US for the Trans-Atlantic Trade and Investment Partnership (TTIP) planned to start on 11 July in Brussels, we are writing to you on behalf of over 65 organisations representing consumers, farmers, not-for-profit health insurers, environmental and general public interest groups to express our serious concerns that the European Commission is failing to respect the European Parliament's 2015 Resolution on TTIP.¹

Today, we released new analysis, which demonstrates that the European Commission continues to ignore critical aspects of the European Parliament's Resolution on TTIP, in particular regarding recommendations related to protecting public health, the environment, and democracy.

1. Negotiating on and affecting EU chemicals and pesticides rules

The European Parliament has called on the European Commission not to negotiate on issues "where the EU and the US have very different rules" and not to allow regulatory cooperation to affect future standards in such areas. However, the European Commission has continued to negotiate on issues that will affect legislation on chemicals, pesticides, and cosmetic products, whether directly or through regulatory cooperation. This is particularly worrying because the European Commission is already lowering current EU standards of protection (such as on limits to pesticide residues in food) in order to remove barriers to trade.

2. Respect for the EU regulatory system

The European Parliament has called on the European Commission "to fully respect the established regulatory systems on both sides of the Atlantic". Nonetheless, the European Commission is proposing granting the US Government early access to draft EU measures and enabling it to make

¹ European Parliament (July 2015) European Parliament resolution of 8 July 2015 containing the European Parliament's recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) (2014/2228(INI)) <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0252+0+DOC+XML+V0//EN>

proposals regarding regulatory compatibility through, among other things, harmonisation of legislation or mutual recognition. Moreover, the European Commission is proposing to codify regulatory tools in TTIP that have already led to delays in introducing legislation that would protect human health. As it stands, TTIP also lacks a guarantee to ensure that Member States can legislate their own social and environmental policies, which is also explicitly recommended by the European Parliament's resolution.

3. The Investment Court System (ICS)

Finally, the European Parliament has called on the European Commission to meaningfully reform the Investor State Dispute Settlement (ISDS) mechanism. While the European Commission has proposed replacing ISDS with an Investment Court System (ICS), this proposal falls far short of the European Parliament's demands. In particular, ICS fails to respect the jurisdiction of EU and Member States' courts, fails to ensure that independent judges preside over the potential cases, and fails to ensure that private interests cannot undermine public policy objectives.

As the next round of TTIP negotiations begins next week, we strongly urge you to use your influence to ensure that the European Commission complies with the European Parliament's recommendations on TTIP.

Please find, in attachment to this open letter and online, a preliminary detailed analysis into the above concerns. Thank you for your efforts to protect democracy, health, and the environment.

Sincerely,

Carroll Muffett, President and CEO, Center for International Environmental Law (CIEL)

Karla Hill, Director of Programmes, ClientEarth

Génon K. Jensen, Executive Director, Health and Environment Alliance (HEAL)

Center for International Environmental Law (CIEL) – Founded in 1989, CIEL uses the power of law to protect the environment, promote human rights, and ensure a just and sustainable society. CIEL is dedicated to advocacy in the global public interest through legal counsel, policy research, analysis, education, training, and capacity building.

ClientEarth is a non-profit environmental law organisation based in London, Brussels and Warsaw. We are activist lawyers working at the interface of law, science and policy. Using the power of the law, we develop legal strategies and tools to address major environmental issues.

The Health and Environment Alliance is a leading European not-for-profit organisation addressing how the environment affects health in the European Union (EU). We demonstrate how policy changes can help protect health and enhance people's quality of life.

ON BEHALF OF:

1. AAA — Action group of workers and academics
2. Action for Breast Cancer Foundation
3. Africa Europe Faith & Justice Network
4. Alliance for Cancer Prevention
5. Alliance for Childhood European Network
6. Altroconsumo
7. Association Belges des consommateurs Test-Achats / Belgische verbruikersunie Test-Aankoop
8. BEUC, the European Consumer Organization
9. Bond Beter Leefmilieu Vlaanderen vzw
10. Breast Cancer UK
11. Campagna Stop TTIP Italia
12. The Cancer Prevention and Education Society
13. Center for International Environmental Law (CIEL)
14. Center for Environment (Centar za zivotnu sredinu)
15. Change Partnership
16. Christelijke Mutualiteiten / Mutualités chrétiennes
17. CHEM Trust
18. ClientEarth
19. Comité pour le Développement Durable en Santé (C2DS)
20. Community Hygiene Concern
21. Corporate Europe Observatory
22. Danish Ecological Council (Det Økologiske Råd)
23. The Danish Society for Nature Conservation (Danmarks Naturfredningsforening)
24. Ecobaby Foundation
25. ECOCITY
26. Ecologistas en Acción
27. EKPIZO
28. European Environmental Bureau
29. European Public Health Alliance (EPHA)
30. Fairwatch
31. FÍS NUA
32. Foundation for Ecodevelopment (Mondiaal Alternatief)
33. Fracking Free Ireland
34. Friends of the Earth Europe
35. Friends of the Landless — Finland (Maattomien ystävät ry)
36. Fundación Alborada
37. Gezinsbond
38. Générations Futures
39. GLOBAL 2000
40. Greenpeace
41. Health and Environment Alliance

42. Health and Trade Network
43. Health Care Without Harm
44. HEJSupport
45. International Society of Doctors for the Environment — Italy
46. IPEN
47. Kom op tegen Kanker
48. Mutualités Libérales / Liberale Mutualiteiten
49. Les Mutualités Neutres / De Neutrale ziekenfondsen
50. Naturfreunde Internationale / Naturefriends International / Internationale des Amis de la Nature
51. Onafhankelijke Ziekenfondsen / Mutualités Libres
52. Pesticide Action Network (PAN) Europe
53. Pesticide Action Network (PAN) Germany
54. Réseau Santé Environnement (RES)
55. Solidarity Bulgaria
56. Socialistische Mutualiteiten – Solidaris
57. Spanish Association of Environmental Education (Asociación Española de Educación Ambiental)
58. Spanish Society of Public Health and Health Administration (SESPAS)
59. Slow Food
60. SumOfUs
61. TTIP and Agriculture Coalition — The Netherlands
62. Traidcraft
63. Transnational Institute — TNI
64. Wemos
65. Women in Development Europe (WIDE+)
66. Women in Europe for a Common Future (WECF)
67. Zero — Association for the Sustainability of the Earth System



CC: MEP Bernd Lange (Germany, S&D, INTA Chair, Rapporteur of the TTIP Resolution), MEP Godelieve Quisthoudt-Rowohl (Germany, EPP, Shadow Rapporteur of the TTIP Resolution), MEP Emma McClarkin (UK, ECR INTA Coordinator, Shadow Rapporteur of the TTIP Resolution), MEP Marietje Schaake (the Netherlands, ALDE INTA Coordinator, Shadow Rapporteur of the TTIP Resolution), MEP Helmut Scholz (Germany, GUE/NGL, Shadow Rapporteur of the TTIP Resolution), MEP Yannick Jadot (France, Greens/EFA INTA Coordinator, Shadow Rapporteur of the TTIP Resolution), MEP Tiziana Beghin (Italy, EFDD, Shadow Rapporteur of the TTIP Resolution), MEP Bart Staes (Germany, Greens/EFA, Rapporteur of ENVI Opinion on TTIP Resolution), MEP Dita Charanzová (Czech Republic, ALDE IMCO Coordinator, Rapporteur of IMCO Opinion on TTIP Resolution), MEP Paolo De Castro (Italy, S&D AGRI Coordinator, Rapporteur of AGRI Opinion on TTIP Resolution), MEP James Nicholson (UK, ECR, Rapporteur of AGRI Opinion on TTIP Resolution), MEP Dietmar Köster (Germany, S&D, Rapporteur of JURI Opinion on TTIP Resolution), MEP Esteban González Pons (Spain, EPP, Rapporteur of AFCO Opinion on TTIP Resolution), MEP Jan Philipp Albrecht (Germany, Greens/EFA, Rapporteur of LIBE Opinion on TTIP Resolution), MEP Jarosław Wałęsa (Poland, EPP, Rapporteur of PETI Opinion on TTIP Resolution), MEP Daniel Caspary (Germany, EPP INTA Coordinator), MEP David Martin (UK, S&D INTA Coordinator), MEP Giovanni La Via (Italy, EPP, ENVI Chair), MEP Peter Liese (Germany, EPP ENVI Coordinator), MEP Matthias Groote (Germany, S&D ENVI Coordinator), MEP Gerben Jan Gerbrandy (Netherlands, ALDE ENVI Coordinator), MEP Bas Eickhout (Netherlands, Greens/EFA ENVI Coordinator), MEP Tadeusz Zwiefka (Poland, EPP JURI Coordinator), MEP Evelyn Regner (Austria, S&D JURI Coordinator), MEP Jean-Marie Cavada (France, ALDE JURI Coordinator), MEP Heidi Hautala (Finland, Greens/EFA JURI Coordinator), MEP Andreas Schwab (Germany, EPP IMCO Coordinator), MEP Evelyne Gebhardt (Germany, S&D IMCO Coordinator), MEP Julia Reda (Germany, Greens/EFA IMCO Coordinator), MEP Albert Dess (Germany, EPP AGRI Coordinator), MEP Martin Häusling (Germany, Greens/EFA AGRI Coordinator), MEP Jens Rohde (Denmark, ALDE AGRI Coordinator), MEP György Schöpflin (Hungary, EPP AFCO Coordinator), MEP Mercedes Bresso (Italy, S&D AFCO Coordinator), MEP Pascal Durand (France, Greens/EFA AFCO Coordinator), MEP Maite Pagazaurtundúa (Spain, ALDE AFCO Coordinator)