



## Conference Proceedings

### TTIP – Increased Trade for Better Living?

**European policy conference bringing together civil society organisations,  
negotiators and decision makers**



**15 – 16 June 2015**

**European Economic and Social Committee,**

**Brussels**



## **Abstract**

This report summarises the presentations and discussions on the Conference “TTIP- Increased Trade for Better Living?” held at the European Economic and Social Committee in Brussels on 15-16 June 2015. The aim of the conference was to discuss the main challenges of TTIP and its possible impacts on food, farming and health systems. During and after the conference, the conference conclusions were produced in close collaboration with participants, containing a list of recommendations for decision makers and they were sent to the Commission and distributed to participants. The conference was hosted by Demeter International and the European Public Health Alliance (EPHA) under the umbrella of the Agriculture and Rural Convention (ARC2020) and the European Economic and Social Committee (EESC). The conference aims were supported by 15 European and national NGOs.

TTIP – Increased Trade for Better Living? European policy conference bringing together civil society organisations, negotiators and decision makers

July 2015

Prepared by


Demeter International &

EPHA

## **Organised by:**

DEMETER International e.V in collaboration with EPHA (European Public Health Alliance)

## **About DEMETER International e.V**

 Demeter-International e.V. is a non-profit association for organic food and farming. Its member organisations work together in the spirit of an international confederation firmly grounded in democratic principles. In Brussels, we play an active role supporting social and environmental advocacy work from the perspective of food and agriculture. We are committed to support and promote biodynamic agriculture, sustainable farming and environmental protection by creating awareness among stakeholders and decision-makers concerning these issues. Demeter International is a member of ARC2020. <http://www.demeter.net>

## **About EPHA**



EPHA is a change agent – Europe’s leading NGO advocating for better health. We are a dynamic member-led organisation, made up of public health NGOs, patient groups, health professionals, and disease groups working together to improve health and strengthen the voice of public health in Europe. <http://www.eph.org>

## Contents

Executive Summary .....	4
Conference Proceedings.....	6
Introduction and Welcome .....	6
Plenary panel 1: TTIP negotiations and civil society concerns .....	8
Plenary panel 2: TTIP impact on food and farming .....	12
Plenary panel 3: TTIP impact on health systems.....	16
Workshops .....	20
Quotes from workshop leaders and participants .....	21
Conference Conclusions and Recommendations .....	23
Annex 1: Concept note.....	25
Annex 2: Conference program.....	27
Annex 3: Supporters .....	30

## Executive Summary

To intensify the dialogue among civil society organizations, TTIP negotiators and political decision makers, Demeter International in cooperation with the European Public Health Alliance (EPHA) organized the European policy conference “TTIP - Increased Trade for Better Living?” The event took place on 15-16th June 2015 under the umbrella of the Agricultural and Rural Convention (ARC 2020) and was hosted by the European Economic and Social Committee (EESC) in Brussels. The conference aims were supported by 15 European and national NGOs. The two days conference gathered more than 150 participants and focused on TTIP and future EU trade agreements, examining their impact on sustainable food, agriculture and public health.

The aim of the conference was to produce a list of recommendations for decision makers on how to construct better and fairer international trade relations for the benefit of societies and the environment. On the first day, the plenary sessions focused on key areas of concern (current state of the TTIP negotiations, impact of TTIP on food and farming, on health systems and services). On the second day different working groups allowed in-depth discussions. In the final plenary session, conference conclusions were drafted based on the plenary discussions and the workshop debates in an interactive and inclusive way.

The conference conclusions were sent to the European Commission and to political decision makers in Brussels ahead for the 'European Trade Policy Day' on 23 June 2015.

Issues raised during the conference:

- Civil society organizations, mainly in Europe, but also in the US, are very much concerned that TTIP will undermine our democratic rights and legislation. The most prominent example is the planned Investors to State Dispute Settlement (ISDS) which enables foreign companies to take the hosting state to unofficial courts behind closed doors without any transparency. ISDS undermines democratic policy development and the sovereignty of societies and it discriminates against local companies. There are few economic arguments in favour of ISDS between economies with developed legal systems (especially OECD countries) and there is no evidence of systematic discrimination against foreign investors by domestic courts in the EU and US.

- The other big concern of civil society is TTIP's aims regarding regulations and standards. The EU and the US have different regulation on food and farming but also on health products (pharmaceuticals, medical devices). The sector of Complementary and Alternative Medicines (CAM) is not adequately regulated at EU level therefore it requires specific attention.
- European legislation in the food sector is heavily based on the "precautionary principle" as part of the risk management. However, in the US it is not included to the policy making. Genetically modified crops or hormone treated meat from the US are prominent examples. As the EU is currently not willing to give up the precautionary principle there should be no negotiations regarding this type of foodstuff.
- TTIP might also have an impact on future legislation and has the potential to undermine the right to regulate both at EU and Member States level. It could happen that due to the agreement the EU could not introduce stricter rules concerning the use of pesticides anymore which might become necessary in the future. There are many more examples in the field of regulations which are problematic and should not be subject to trade facilitating aspects only.
- Member States have different traditions of organising their healthcare systems. The subsidiarity principle and the subsequent responsibility of Member States for Healthcare services must not be undermined by any trade negotiations. Therefore, trade agreements must not force privatisation in the health sector, as there is no evidence that privatisation guarantees better health outcomes.
- There is a risk that regulatory cooperation (in particular a proposed horizontal chapter in TTIP) may induce regulatory chill in the area of health if it is largely based on the assessment that regulations are irritants to trade. A clear distinction should be made between technical cooperation on the setting of standards and attempts to influence public interest policymaking.

## Conference Proceedings

### Introduction and Welcome



**Robert Pederson, Food policy expert, Agriculture and Rural Convention (ARC2020) and Aalborg University** and conference chairman, explained that the mission of ARC 2020 is to provide a vision of the future of food and farming and this conference was part of that reflection process.

This conference was a big step for the continuation of the dialogue on TTIP among different EU stakeholders. Robert highlighted that after the in depth discussions and workshops policy makers would be provided with concrete recommendations on TTIP from the perspective of civil society.

**Dilyana Slavova, President of the Agriculture, Rural Development and the Environment (NAT) Section in the European Economic and Social Committee (EESC)** pointed out that the EESC supports full transparency of TTIP negotiations, and she stressed that consultation with the EESC and other civil society stakeholders was essential to secure broad public support.



*“The EESC considers that full transparency and consultation with the EESC and other civil society stakeholders is essential if any agreement is to command broad-based public support”*

**Andreas Biesantz, Head of Brussel’s Office of Demeter International**, stressed that in the past, there was no possibility for civil society to discuss in detail their concerns on TTIP. Moreover, he underlined that experts from the European institutions would bring their views during the debate, making this a great occasion to ask questions to them.

“Our vision as Demeter is in the long term to establish that what we call an associative economy” stated Biesantz. In this idea, he explained that all the parties of the production chain would sit down



together and try to find a fair price so everyone can benefit. According to him, economy should be based on fraternity and not only on elbow competition. He added that it is Demeter’s hope to advance to that direction.



**Nina Renshaw, Secretary General of EPHA**, stressed that trade is not an aim itself – as the World Trade Organisation (WTO) Preamble makes it clear – but it is a means to improve quality of life, wellbeing and stability. Unfortunately there are well founded fears that this is not given proper consideration in the current trade negotiations and those fears were reflected in the unprecedented mobilisation of people to the ISDS public consultation – which cannot be dismissed. She also

reminded participants that despite the legalistic jargon used by the EC for the Consultation, yet 150,000 people took the time and effort to register their concerns. She criticised that public health was overlooked during the ongoing negotiation, and health was merely considered as safety at workplace.

’There are limits to free trade’ said the Secretary General of the largest European public health NGO in Europe. Tobacco, pesticides or alcohol are good examples to show that more and cheaper is not better.

She said that Europe’s pride is to be a high quality goods producer in the global scale, and this should be used to make the difference regarding competition and thus maintain our standards.



## Plenary panel 1: TTIP negotiations and civil society concerns

**Andreas Biesantz**, Head of Office, Demeter International explained that the objective of the first panel was to give a general overview of the current state of the TTIP negotiations and the concerns of civil society on TTIP.



**James J. Higgiston**, US Department of Agriculture, Foreign Agricultural Services, was invited to explain the audience the perspective of the American side. He illuminated that not only the European citizens have concerns about TTIP but Americans too.

In some areas US standards are even stricter than in the EU like the prohibition to produce non-pasteurized cheese. TTIP is for Higgiston the opportunity to regulate trade and to benefit also in the future from this bilateral relation. It will offer the possibility to exchange information.

Regional trade agreements are catalysts and not substitutes of multilateral trade

agreements. Still there is a major lack of understanding on both sides.

Higgiston believed that TTIP would benefit especially small and medium sized enterprises (SMEs) as they are the backbone of the industry and job creators. The concerns awakened by an evaluation of the USA Mexico free trade agreement (NAFTA) like the shifting of low skilled jobs from the USA to Mexico, was answered by Higgiston that this is the way of business. Such things happen even without free trade agreements.

Agriculture is historically a really sensitive issue but this will also be discussed with extra effort in the following negotiation rounds. The goal and projective is to build a comprehensive agreement. It should not only include reducing tariffs and nontariff barriers (NTBs) but also a regulatory framework to discuss and address new issues which may emerge in the future.

The greatest challenge is the tight schedule, said Higgiston with the presidential elections in mind. However a President does not get elected by trade issues in the USA even though trade is important in the US. So he expects the USA to put great effort in the upcoming negotiation round.



**Lutz Güllner, European Commission, DG Trade** challenged the audience by asking “Is TTIP really so revolutionary?”. The EU has experiences with trade agreements as there are already in place agreements and boundaries like the Sanitary and Phytosanitary (SPS) agreement or the WTO rules. So TTIP is not so revolutionary, said Güllner, because it is built on the practice of our current trade policy which works since 60 years. TTIP is also not as revolutionary as it is not about everything. Still the debate on

TTIP is good but the concerns are more about globalisation itself and not about bilateral trade. He thinks TTIP will help to set standards and will not lower them. Often EU and USA have different approaches but the same regulatory objectives. The regulatory cooperation body of TTIP will help to recognise these similarities and to diminish the regulatory differences. TTIP needs such an instrument but the body will not make actual decisions and it will address mostly technical regulations. Last but not least Güllner stated that TTIP was the most transparent trade agreement of the EU as the negotiated issues and the positions of the EU are public. In the end he invited the civil society to give more input in this process by confirming the European Commission’s open door on policy issues. In terms of public services, Güllner said that they are a sensitive and important issue and each side should be able to do what they think necessary.



**Jürgen Maier, Forum Umwelt und Entwicklung, Germany** mentioned the

past successful actions of the transatlantic anti TTIP and anti Comprehensive Economic and Trade Agreement (CETA) movement like collecting 2 million signatures, postponing the vote about the draft report of the INTA Committee in the European Parliament as Martin Schulz could no longer control the outcome. Another important development was that Obama lost his battle in the House of Representatives about the Trade Promotion Authority (TPA) recently. Due to this anti

TTIP alliance broad citizens opposition, Maier thought that TTIP was unrealistic. TTIP was from the beginning at odds with the public due to no opportunity for the civil society to give input to the trade mandate right from the beginning. Maier complained that the mandate is often the opposite of what the people really want. For example there are movements which only promote regional food production and not transatlantic trade of food. TTIP is more a corporate wish list which fits perfectly, so Maier, to the wish of the

European Commission to deregulate. This gap between the wish of the officials and the civil society is the reason for the secrecy of the negotiations. Maier even proclaimed that TTIP would damage the European integration as TTIP negotiations embody for the people many negative aspects of the EU and so only confirm them that the EU is an unaccountable apparatus that follows only its neoliberal economic agenda. But the public does not want especially this agenda anymore so TTIP is seen as an undemocratic project.

*“TTIP is a project that becomes more unrealistic by every day and this is not a surprise.”*



**Gerald Häfner, Publicist and Founder of Democracy International,** explained that democratic aspects were put at risk by TTIP. His question was: “Do we want the people under control of economy or economy under the control of the people?” Through privatization of jurisdiction, rights and laws in TTIP the

freedom of people gets heavily undermined.

He was highly concerned about Investor-to-State Dispute settlement (ISDS) and the regulatory cooperation body as it has the possibility to undermine public policy. The rights of transparency, democracy and sovereignty, which Europeans had been fighting for decades and centuries are heavily disregarded by ISDS. This is only possible due to the predominance of the economy of the 21st century over government, parliament and the civil society. Normally the citizens and the elected parliament should set the rules for economy. But now economy wants to control the people and the rules. TTIP is

the latest outcry of this putsch. ISDS has the power to hinder elected parliaments to make necessary regulations due to the fear of paying billions as a sentence set by a private and closed ISDS court. ISDS has become a real business nowadays as law firms act aggressively and internationally.

Even the costs of such proceedings are so immense that small countries cannot afford them. So how will it be possible for future governments to generate new regulations if they need to have fear to be taken to court and pay abundant punitive damages for serving the people or the environment?

*“Out of the point of view of freedom and democracy we are in favour of fair trade agreements which regulate technical standards and adaption of norms. But we are firmly against this degradation of the state under the law and the democracy, against this putsch against the freedom of the civilians to decide about their own political future and laying it in the hands of enterprises and private courts.”*

**Michaela Glöckler, President of Alliance ELIANT, Switzerland** focused on her proposal to integrate Non-Governmental Organisations (NGOs) and the civil society from the very beginning into a new system of international trade courts. She thought that most likely the aim of the EU and the USA was to find good solutions and the involvement of the society is necessary as trade is all about consumers who need freedom to choose what they want to consume. Therefore, consumers need to be integrated in such a positive constructive proposal.



*“Civil society can be a part of that new model of a court. Negotiating not only the need of economics, of finances, of politics which is business as usual [...] But that we integrate for the first time as an European initiative the civil society, means the consumers, into this suggested court.”*

## Plenary panel 2: TTIP impact on food and farming



**Bart Staes, Rapporteur of the opinion of the Health, Environment and Food Safety (ENVI) Committee of the European Parliament (EP) on TTIP**, as moderator of panel 2, explained that the objective of the second panel was to discuss in depth the possible challenges of the TTIP negotiations with regard to food and farming in the EU and the US.

Staes informed participants about the status of discussion in the European Parliament on TTIP. October last year the EP drafted a report on TTIP, led by the International Trade (INTA) Committee and 14 other EP Committees worked on opinion papers from their perspective. The general approach in the Commission and the EP were that not lowering standards is a red line, and the precautionary principle should be maintained.

**Raimondo Serra, Deputy Head of Unit "The Americas" in DG Agriculture and Rural Development** pointed out that the US and the EU are the largest entities of agricultural trade in the world. He described the situation for trade based on statistical data. The U.S. are EU's top destination with around 13% of all EU agricultural exports (in 2013). Around 50% of EU exports enter the U.S. duty free (e.g. spirits, beer and around 40% of U.S. exports enter the EU duty free (e.g. soya beans, whisky, rum, oilcakes). The trade balance is favourable to the EU (around € 6 billion surplus, mainly thanks to alcoholic beverages). Regarding tariffs, they are two times lower in the U.S. than in the EU (overall 1.5% for imports from the EU).



However, beef, pork, poultry and maize have limited access to the EU market due to different regulation between the two continents and the US has interest to export in the EU meat and dairy products. For those products there are non-tariff barriers to the exports, but sanitary and phyto-sanitary (SPS) regulation.

Another interest of the US is to export to the EU products which contain genetically modified organisms (GMOs) claiming that based on the US science-based approach on GMOs there are no food safety or socioeconomic constraints.



**Karen Hansen-Kuhn, Institute for Agriculture and Trade Policy, Minneapolis, Minnesota,** highlighted the concerns in the US on TTIP which are mainly around ISDS, on regulatory and transparency issues.

She expressed the opinion that we do not need TTIP to improve standards, the EU and the US could find other ways.

There is pressure from the GMO industry in the US but also from the EU to open the market for genetic modified products, but there are a lot of concerns in the US regarding the GM topic.

Americans' attitude has changed toward this issue as 90 % of the Americans are in favour of GMO labelling; people want to know what they eat.

There are campaigns in many states: three US states already have legislation to require GMO labelling laws and 20 states are considering legislation requiring labelling foods that contain GMOs.

There are also campaigns to ban toxic chemicals in our food system. Neonicotinoids are a group of pesticides associated with bee colony collapse. There are already restrictions in place in New York, Minnesota and Oregon. There are local restrictions on Endocrine Disruptors in 12 states and in each of these cases local and state regulation are the building blocks to work towards broader policy change at federal level.

In her conclusion, she expressed her concerns about ISDS. She said that we should learn from previous experiences; like the organic equivalency between the US and the EU which came into force 2012.



**Dorota Metera, IFOAM-EU Group, Poland**, focused on the potential impact on food and farming of TTIP from the perspective of Central Europe. Dorota described the situation in 28 EU Member States and reiterated that there are different agricultural models among the countries. In the EU the average size of farm is 14 ha, the half of the farms is smaller than 2 ha, most small farms are in Poland, Romania, Greece, Italy and Portugal and those countries could be affected by TTIP because of the competition as small scale farmers might not be able to continue their production.

Regarding the situation in the organic sector, on 15 February 2012, the EU and the USA agreed on mutual recognition of standards in organic production.

To ensure animal welfare, the EU regulation allows using antibiotics in case when the animal is sick, under the responsibility of a veterinarian and with double withdrawal period, max. once a year or two times a year, depending on the length of the life cycle of the animal. USA

(according to the National Organic program - NOP) banned the use of antibiotics, with the exception of the control of the invasion of fire blight in organic apples and pears orchards. In practise, in case of import from the EU to the USA – special certificate is needed confirming that no antibiotics were used. But in case of import from USA to the EU there are no requirements needed.

Ahead for the TTIP, the integrity of organic production is at risk. There are concerns of GMO contamination of the imported American products but also risk of imported GMO seeds that might contaminate European seeds and pollute biodiversity. Additionally, the risk of import to the EU processed products containing vitamins and enzymes that are GMO or are produced by the use of genetic engineering. Therefore, farmers' and consumers' confidence to organic production and quality will be endangered.



**Mute Schimpf, Friends of the Earth Europe (FoEE)** highlighted that FoEE had been very active on TTIP and food safety issues for two years. Our system is in crisis from social, environmental and consumer confidence perspective with regard to food safety. By the current model of agriculture in the EU the environment is highly harmed.

FoEE is critical to the TTIP negotiations especially in the food and farming sector. In the EU, Bovine Spongiform Encephalopathy (BSE), a fatal threat 15 years ago changed how we treat food safety in the EU nowadays.

The US has a different system; the risk assessment and risk management are done by the same authority, but this is not the case in the EU.

Schimpf wondered for whom TTIP would be beneficial. She continued talking about the impact of TTIP on different farming sectors in the different EU Member States. She expressed fears that in the EU the number of farmers might decrease.

She highlighted that food regulation and labelling were not barriers to trade but an outcome that reflected the needs of the society.

In her conclusion, she pointed out that the EU does not need more trade in agricultural products but what it does need is to boost local markets.



## Plenary panel 3: TTIP impact on health systems



**Zoltán Massay-Kosubek** (EPHA) stressed that the objective of panel 3 was to give an overview of the TTIP negotiations and their possible impact on health products and health systems.

**Ivone Kaizeler, European Commission, DG Trade** explained what the European Commission were doing with regards to the regulatory part of health products such as pharmaceuticals and medical devices. She considered TTIP to be an ambitious but balanced agreement which would lead to strengthened economic partnership, grow and job creation, positively influencing the development of regulations and standards.

She made it clear that the Commission was negotiating following a mandate which was given by Member States, and she added that the Directorate General responsible for health (DG SANTÉ) and for industry (DG GROW) were working together. She confirmed that the Commission always relied on inputs given by stakeholders during the negotiations, accompanied by constant collaboration with civil society, public consultations, information given by the Commission website, including publishing position papers.



Regarding the content of the negotiations, she explained that only issues published in the position papers were being negotiated, and since the Commission was just exchanging information, there was no legal text available yet.

She continued by assuring the audience that the right to regulate would remain in the hands of regulators, and that health in TTIP is a priority for the EU. However, she asked for compression due to the fact that different negotiating areas could have impact on health and therefore, health could appear in different arrows.

In the area of pharmaceuticals, Kaizeler explained that the Commission was focusing specially on the recognition of good manufacturing practice's inspections in order to optimise the resources of health authorities) and on the collaboration on innovative areas (e.g. biosimilar and generics), on increased access to medicines; and on increased exchange of confidential information between regulators.

She spoke about medical devices, announcing that the Commission negotiated with the US the quality management system audits, the unique device identification (convergence of rules and systems for identification and traceability of medical devices) and the regulated product submission (convergent model for data submission).

She finished by saying that complementary and alternative medicines (CAM) were not being discussed with the US because nobody requested a discussion around this from any of the parties.



**Ulrike Neuhauser, CEEP.** Ulrike reminded participants that public authorities are free to decide on how to provide public services to their citizens, and that according to the Lisbon Treaty, Services of General (Economic) Interest in

Europe and their special role are recognised as common constitutional EU values (Art. 14 TFEU and Protocol 26). She was concerned that the negative list approach does not offer the same level of protection. Negative lists cannot possibly include all existing public services and also not new forms of healthcare provisions. Therefore CEEP wants a positive list approach. The Commission's approach so far has not been satisfactory, as the Commission presented its services offer by using a hybrid list approach.

She argued that trade agreements are not the right place to define the standards of public services. The currently used "public utilities clause" in international trade agreements (since the GATS) does not provide enough legal certainty and a guarantee for the exclusion of all Services of General (Economic) Interests (SG(E)Is)

– the term “public utilities” is not equivalent to the term SGEIs used under EU law. Furthermore, there is no legally sound definition of the term “public utilities”, neither at international nor at EU level. And the understanding of “public services” totally differs in the United States and in the EU. In this context, she said, CEEP strongly advocates a positive-list approach, as this is the legally safest solution to ensure the protection of public services.

Exclusion of all public services, a negative-list approach would include de facto all new forms of public services; think about all the technological advance in healthcare! (e. g. in the use of ICT). As there was a lot of discussion about the binding nature of trade agreements, the agreement commits future governments as well as existing ones for all the areas not explicitly excluded. That’s why it is important that Services of General (Economic) Interest are explicitly outside the scope of the agreement, so that future Member State governments have the right to change policies – e.g. public health legislation on alcohol, tobacco etc.

Trade agreements are not appropriate to regulate health. In her opinion, the Commission was not aware of what this means. The Commission need to take into account the Acquis and give related guarantees. Currently we have never seen in any trade agreement an explicit exemption of public services – therefore we need a positive list.

She explained that if there is no explicit She added that CEEP does not question the goodwill of the Commission to safeguard public services, but they are concerned with the current position of the European Commission on the list-approach.

Finally she said CEEP fears a bit that negotiations will have an indirect impact on the new public procurement rules, especially in-house could be charged as ‘uncompetitive’. She concluded by reiterating a clear position that the definition of SG(E)Is are a prerogative of public authorities at national, regional and local level and must therefore be kept open at EU and international level.



**Penny Clarke, European Federation of Public Service Unions (EPSU).**

Clarke based her intervention around the following 5 points:

1. Trade agreements must not be at the expense of public services, workers’ rights and consumer protection - e.g., CETA, TTIP and Trade in Services (TiSA).
2. The EU should strengthen solidarity - based public services rather than seek to lock - in liberalisation at supra – national levels (example healthcare – DG SANTÉ patients’ mobility, DG EMPL social protection, DG Justice fundamental rights); EU has agreed on common objectives for healthcare (Principles in EU health Systems ) and long term care (LTC)
3. A carve out of public services from trade agreements – not just market access, certainly also from ISDS and domestic regulation. Positive listing of commitments is clearer, but General Agreement on Trade and Services (GATS) which also

used positive listing had led to problems for health.

4. There will be a review of EU trade policy in autumn 2015 without public consultation. We must make sure that our views are taken into account and that the EU makes a U turn on its current policy of negotiating complex, far - reaching and contradictory agreements.
5. A recent leaked paper on healthcare in TiSA fuels concerns about the risks to public services. The recent EU – US statement on safeguarding public services in TTIP and other Free Trade Agreements (FTAs) recognises public concerns but does not offer a solution;

She underlined that one of the problems is that each agreement takes a different approach regarding health. She wondered if we really want to go further in public liberalisation, because if we do, in the future there will be no chance to go back. She considered protecting future generations an important priority, and insisted on the importance of prevention, stating that trade is also about promoting our social model.

Clarke criticized that DG TRADE and SANTÉ are liberalising citizens’ health, and ended by saying that “all people should have access to healthcare, and we want the EU to promote health as its objective”.

## Workshops

On the second day, Tuesday 16<sup>th</sup> June, four different workshops took place to trigger in-depth discussions covering different sectors of the TTIP negotiations. During the workshops participants expressed their opinion actively and contributed with constructive remarks and recommendations. (see conference conclusions and recommendations, page 23- 24)

During the final plenary session, conference conclusions were drafted based on the plenary discussions and the workshop debates in an interactive and inclusive way.

The following workshops took place during the second day of the conference:

**Workshop 1: “TTIP and its effect on food and farming systems”**

**Workshop 2: “TTIP and its effects on organic agriculture, seeds and animal welfare”**

**Workshop 3: “TTIP and its effects on health systems”**

**Workshop 4: “Developing structures of societal sound and fair free trade agreements”**



## Quotes from workshop leaders and participants

*“The majority of participants in workshops 1 and 2 recommended eliminating the sector of food and agriculture from the TTIP negotiations. In spite of contrary promises from negotiators and decision makers, civil society stakeholders concluded that food standards would be lowered and small-scale farmers and enterprises displaced from markets.”*

**Andreas Biesantz, Demeter International, Office Brussels**

*“Our food and farming system is already resource inefficient and damaging to the environment, animals and our health. TTIP supports the industrial direction prevalent in EU and US agriculture and will accelerate further the ongoing intensification of the sector. It will undermine existing and future EU legislation on animal welfare, driving production away from a humane, healthy and sustainable agriculture model.”*

**Olga Kikou, Compassion in World Farming (workshop 2)**

*“While there might be potential beneficial aspects to regulatory cooperation in some areas this should further analysed before any negotiations on such issues are concluded.”*

**Gabriel Siles-Brügge, University of Manchester (workshop 3)**

*“A fair TTIP would start from the defining challenges of our time – climate change, inequality – and built a partnership around tackling those”*

**Ferdi de Ville, University of Ghent (workshop 4)**

*“The sectors of food and agriculture must not be necessarily taken out of the TTIP negotiations. However, we need more transparency and a fair competition for our farmers.”*

**Peter Jahr, Member of the European Parliament**

*“Dairy industry will profit from TTIP, but dairy farmers will be the losers. This perspective is unacceptable for European dairy farmers.”*

**Sieta van Keimpema, vice-president, European Milk Board**

*“TTIP could serve as a Trojan horse for the entrance of GMOs and other prohibited substances to the EU. We should not discard the precautionary principle”*

**Andreas Georgakakis, BIOHELLAS**

## Conference Conclusions and Recommendations

**Participants of the conference agreed that the momentum on TTIP should be seized to promote a fairer and more sustainable EU trade policy. The ultimate aim should be to draft an alternative, fairer and more sustainable trade agreement template. Trade agreements should help - rather than hinder - fair and sustainable policy choices. More detailed conclusions from workshops and plenary are listed here:**

- There is no excuse for secrecy in the negotiations of new generation trade agreements in a democratic society. Citizens and their elected parliamentarians should be more informed and educated about the conduct and consequences of such negotiations and agreements.
- There is a need for a specific ‘sector by sector’ impact assessment on how TTIP will affect them.
- Instead of abandoning the sovereignty we hold over our product standards, we should improve and protect our process standards, providing good examples and best practice advice to trade partners (e.g. the farm to fork approach).
- Civil society discussions and initiatives such as the Alternative Trade Mandate have delivered good sets of aims for trade, in the future we need to turn them into more concrete proposals.

**Agriculture should be excluded from TTIP, instead the following aims must be implemented in all trade relations:**

- Emphasis should be placed on developing local and regional markets and food economies. Agricultural products are part of our culture. We should protect and support local and regional product identities, supporting the cultural differences across the EU.
- Trade agreements must enable trade partners to make sovereign decisions on the authorisation of imports of certain products based on the precautionary principle. Independent science must be used to assess chances and risks. Other relevant socio-economic and environmental impacts on agricultural production must be taken into account when making decisions.
- To ensure access to a wide range of open pollinated and traditional plant varieties and GMO free food for consumers, effective measures to avoid GMO contamination in imported goods must put in place
- There are substantial differences between the US and the EU in production systems and legislation which may result in unfair competition and may potentially lower standards. Increasing pressure from agribusiness may result in further intensification of animal farming, thereby potentially lowering existing animal welfare standards and threatening future improvements and adjustments of animal welfare law (‘regulatory chill’).

**Healthcare services are not ordinary services: the fundamental principle of universal healthcare in Europe is not negotiable. There is a need for an explicit carve-out of both publicly and privately funded health services from TTIP.**

- Good intentions and political statements are not legally binding categories: if health



services are included in the TTIP text, exact definitions are needed to avoid ambiguities. A positive list should offer clarity as to which services have been included in the list of committed sectors.

- TFEU article 168 which requires that health should be included in all EU policies should fully apply to the whole TTIP negotiations.
- Member States have different traditions of organising their healthcare systems. The subsidiarity principle and the subsequent responsibility of Member States for Healthcare services must not be undermined by any trade negotiations. Article 14 TFEU and protocol 26 TFEU recognise the special role of Services of General Economic Interest and the freedom of organisation of public authorities when providing Services of General Interest.
- Trade agreements must not force privatisation in the health sector, as there is no evidence that privatisation guarantees better health outcomes.

**There is a risk that regulatory cooperation (in particular a proposed horizontal chapter in TTIP) may induce regulatory chill in the area of health if it is largely based on the assessment that regulations are irritants to trade. A clear distinction should be made between technical cooperation on the setting of standards and attempts to influence public interest policymaking.**

- While there might be potential beneficial aspects to regulatory cooperation in some areas, the benefits cannot be based purely on the assumption that greater regulatory liberalisation is universally beneficial.
- It is questionable whether TTIP is needed to achieve technical cooperation as this already occurs independently in other international fora. The role of these European committees with established procedures for transparent consultation with all interested stakeholders has to be clarified in the context of regulatory cooperation within TTIP.
- The potential impacts of regulatory cooperation on quality insurance in health, medical devices, pharmaceuticals, complementary and alternative medicines (CAM) and antimicrobial resistance (AMR) as well as health related issues outside the health systems (health insurance under financial services, e-health/m-health services under ICT) should be further investigated before any legally binding agreements are made

**ISDS undermines democratic policy development and therewith the sovereignty of societies; moreover it discriminates against local companies and should be excluded from TTIP. There are few economic arguments in favour of ISDS between economies with developed legal systems (especially OECD countries) and there is no evidence of systematic discrimination against foreign investors by domestic courts in the EU and US.**

## Annex 1: Concept note

Inspired by the Preamble of the World Trade Organisation (WTO) agreement,<sup>1</sup> trade and investment are not goals in themselves but constitute a mean to raise standards of living, improve well-being as well as protect and promote public health, ensure full employment while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment, including through sustainable agricultural practices. Trade should serve human society; therefore international trade agreements should be based on the principles of fairness and transparency and trade relations must take place within the limits that are set by democratic decisions.

The planned free trade agreements between the EU and the US and Canada, the Transatlantic Trade and Investment Partnership (TTIP) and the Comprehensive Economic and Trade Agreement (CETA), have stirred heated debates among civil society organisations, which question whether these agreements can achieve their stated aims whilst protecting health. TTIP supporters and negotiators continue to reassure civil society that TTIP would not affect the Member States' sovereign right to regulate and would not lower European public health, agricultural or food safety standards. However, there are legitimate concerns about risks for standard setting and maintenance in the fields of sustainable food, agriculture, health systems, safe labour and animal welfare. Mistrust prevails towards the final outcome of the agreements, since negotiations have taken place behind closed doors and only with civil society pressure have small positive steps towards more transparency been made. Proposed instruments such as regulatory cooperation or the Investor-to-State Dispute Settlement (ISDS) threaten to undermine the right to regulate and the democratic development of legislation.

At the heart of international trade is the belief that it will have a positive economic benefit. Historically, economic growth has led to improved population health. Yet this link is now weakening, and attention is being focused on assessing the effect of Free Trade Agreements (FTAs) on health and the ability of governments to mitigate against negative impact.<sup>2</sup> TTIP is negotiated in the context of the high and growing burden of chronic diet-related, non-communicable diseases (NCDs) such as cardiovascular disease, diabetes, certain cancers, as well as obesity. There is strong evidence linking increased globalisation, free trade agreements and nutritional transition to over-consumption and a shift towards Western-style diets which are characterised by increased volumes of cheap, energy-dense, nutritionally-poor and ultra-processed foods which are high in (saturated) fats, salt and added sugars (HFSS). Such behavior is also accompanied by under-consumption of products high in fibre such as fruit, vegetables and wholegrains.

### CONFERENCE AIM

**The aim of the conference** was to produce a list of concrete recommendations for decision makers on how to construct better and fairer international trade relations for the benefit of societies and the environment. The outcomes are compiled in this conference report –

---

<sup>1</sup> [http://www.wto.org/english/docs\\_e/legal\\_e/04-wto.pdf](http://www.wto.org/english/docs_e/legal_e/04-wto.pdf)

<sup>2</sup> Khan, U., Pallot, R., Taylor, D. and Kanavos, P. (2015) 'The Transatlantic Trade and Investment Partnership: international trade law, health systems and public health' London School of Economics and Political Science and Modus Europe report. – Available at [www.who.org/6278](http://www.who.org/6278)

including concrete recommendations around the key questions. This report and the recommendations will be communicated to social media and decision-makers.

### **CONFERENCE FORMAT AND PREPARATION**

The conference sought answers to the following key questions:

- ✓ What practical changes would TTIP in its current form impose on EU sustainable agricultural production and (local) food processing?
- ✓ What implications could free trade agreements have on European health systems?
- ✓ What impact could mechanisms like regulatory cooperation or ISDS have on the quality of democratic legislative processes?
- ✓ What model and structures could be used to mitigate the risks free trade agreements pose for sustainable agriculture, food and public health?
- ✓ What standards and rules should be included into the new 5-year EU strategy on trade to make international trade fair, democratic and supportive of sustainable economies?

## Annex 2: Conference program

**Monday 15/06/2015**

**European Economic and Social Committee, Rue Van Maerlant 2, 1040 Bruxelles**

**13:30 Registration**

**14:00 Opening and Welcoming** by **Robert Pederson**, Food policy expert, ARC2020 and Aalborg University (Conference chairman)

**Dilyana Slavova**, President; Specialized Section for Agriculture, Rural Development and the Environment, European and Economic Social Committee

**Robert Pederson**, ARC 2020

**Andreas Biesantz**, Head of Office, Demeter International, Brussels

**Nina Renshaw**, Secretary General, EPHA

**14:20 Plenary panel 1: TTIP negotiations and civil society concerns**

**James J. Higgiston**, US Department of Agriculture, Foreign Agricultural Services

**Lutz Guellner**, European Commission, DG Trade

**Juergen Maier**, Forum Umwelt und Entwicklung, Germany

**Gerald Haefner**, Publicist and Founder of Democracy International

**Michaela Gloeckler**, ELIANT, Switzerland

Moderator: **Andreas Biesantz**, Demeter International

**15:20 Plenary panel 2: TTIP impact on food and farming**

**Raimondo Serra**, Deputy Head of Unit "The Americas" in DG Agriculture and Rural Development

**Karen Hansen-Kuhn**, Institute for Agriculture and Trade Policy, Minneapolis, Minnesota

**Dorota Metera**, IFOAM-EU Group, Poland

**Mute Schimpf**, Friends of the Earth Europe

Moderator: **Bart Staes**, Rapporteur of the ENVI Committee on TTIP, European Parliament

**16:20 Coffee Break**

**16:40 Plenary panel 3: TTIP impact on health systems**

**Ivone Kaizeler**, European Commission, DG Trade

**Ulrike Neuhauser**, CEEP, Vice Secretary General of HOSPEEM, Vienna Association of Hospitals  
- Directorate General

**Penny Clarke**, European Federation of Public Service Unions (EPSU)

Moderator: **Zoltán Massay-Kosubek**, EPHA

**17:40 Presenting the 4 workshops for the next day's morning session**

**18:00 End of the plenary session**

**18:30 Network reception at Rudolf Steiner Institute (IARS)**  
**(rue du Trône 194, 1050 Brussels)**

**Tuesday 16/06/2015**

**Residence Palace - International Press Centre, Rue de la Loi 155, 1040 Bruxelles**

**09:00 Registration**  
**09:30-11:00 Workshops discussions**  
**11:00-11:15 Coffee Break**  
**11:15-12:15 Workshop Conclusions**

**Workshop 1: 'TTIP and its effect on food and farming systems'**

Workshop leaders:

**Robert Pederson** (Food policy expert, ARC2020 and Aalborg University)

**Andreas Biesantz** (Demeter International)

Input from **Kakha Nadiradze** (Association for Farmers Rights Defense, Georgia)

**Workshop 2: 'TTIP and its effects on organic agriculture, seeds and animal welfare'**

Workshop leaders:

**Olga Kikou** (Compassion in World farming)

**Dorota Metera** (IFOAM – EU Group),

**Dominic Watkins** (DWF, UK)

**Workshop 3: “TTIP and its effects on health systems”**

Workshop leaders:

**Gabriel Siles-Brügge** (University of Manchester)

**Zoltán Massay-Kosubek** (EPHA)

**Workshop 4: “Developing structures of societal sound and fair free trade agreements”**

Workshop leaders:

**Ferdi de Ville** (Centre for EU Studies, University of Ghent)

**Antje Koelling** (Demeter Germany)

**12:15-13:15 Lunch (Venue: Residence Palace)**

**European Economic and Social Committee, Rue Van Maerlant 2, 1040 Bruxelles**

**13:30 Plenary: Presentation of working group results with conclusions**

**14:30 Final discussion and conclusions**

**15:30 Closing the conference: EESC, ARC 2020 and Demeter International**

**16:00 End of conference**

## Annex 3: Supporters

