

26 May 2015

Mr Séan Kelly
Fine Gael
European Parliament
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**Transatlantic Trade & Investment Partnership: vote in the
International Trade Committee on 28 May**

Dear MEP

On behalf of the Irish Congress of Trade Unions, I would like to set out for you our main concerns about the Transatlantic Trade and Investment Partnership (TTIP) currently being considered by the European Parliament. As you are the only Irish member of the INTA committee that is considering its report on the Transatlantic Trade and Investment Partnership on 28 May, I would urge you to press them to take the right decisions in committee as well as subsequently in plenary for Europe's workers and citizens.

First, Congress is very concerned about the introduction of rights for companies to launch a suit for financial compensation if a Government introduces rules that could have an impact on the company profits. We are also strongly opposed to the inclusion in TTIP – or indeed any trade agreement – of Investor-State Dispute Settlement (ISDS) and we would want to see the Parliament send a clear and unequivocal message that it should be removed. This proposal is an affront to democracy insofar as it allows investors to sue governments in secret courts composed of corporate lawyers, at which other people have not representation, for compensation over national laws or rules that affect their activities. This quasi-legal process is not subject to judicial review. An increasing number of cases of this type are already in train and TTIP will give investors a clear and certain privilege over citizens. We believe that it is unacceptable in principle for foreign investors to have privileged access to a separate dispute resolution system from everyone else, and we believe that existing court systems in Europe and the USA are perfectly adequate.

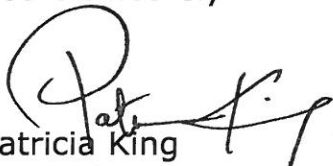
Second, we believe that to protect public services, and protect the right for democratically-elected governments to determine where the boundary lies between the public and private sector now and in the future, a 'positive list' approach to market access is needed, setting out in TTIP the services open to competition, but providing no blank cheques.

Thirdly, regulatory co-operation should respect the principles of democratic scrutiny and control, equal engagement of all stakeholders and transparency. Regulatory co-operation should not lead to a downward harmonisation of existing regulations and should not undermine the fundamental right of governments to regulate in the public interest.

And finally, we believe that adherence to the fundamental human rights set out by the UN's tripartite body for work issues, the 8 core conventions of the International Labour Organisation (ILO) setting out standards and conditions at work, should not only be a key part of the Sustainable Development chapter of TTIP, but should apply to all elements of the agreement and that adherence to the Sustainable Development chapter should be binding and enforceable. Our fear is that Multinational Companies may be able to challenge collective agreements as 'barriers' to trade and investment thereby accelerating a race to the bottom in employment standards. The public procurement chapter in the agreement must protect and promote the provisions of the new European Union procurement directives including specific reference to the social employment and environmental protection provisions and the right of public authorities to decide how they deliver works and services including the legitimate right to provide them through in-house provision or public-public cooperation.

We believe that these are the key issues that will be debated in INTA and perhaps in the plenary next month and I hope you will support them in the forthcoming debate. If you have any questions about these or other matters to do with TTIP, please do get in touch.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Patricia King', written over a large, stylized circular flourish.

Patricia King
General Secretary

pk/nf