

To: SCHLEGELMILCH Rupert (TRADE); [Art. 4.1(b)]
 [Art. 4.1(b)] (TRADE); MUNGENGOVA Jolana (CAB-MALMSTROM);
 [Art. 4.1(b)] (TRADE)
 Cc: [Art. 4.1(b)] (TRADE)

Subject: Report: Meeting with Social Platform / EPHA on 24 July 2015

[Art.

4.1(b)] and I met with Social Platform and their Member European Public Health Alliance (EPHA) on Friday, 24 July. This meeting was a follow-up to the second exchange of letters between Social Platform and Commissioner Malmström on public services and trade agreements. Social Platform sought clarification on some of the responses of the Commissioner and asked for responses to the questions raised in Annex C of their letter.

Summary:

Social Platform listened with interest and seemed to accept COM's explanations that many of the problems identified in their letter are not caused by TTIP, but are a consequence of political decisions regarding the liberalisation of markets. Social Platform expressed concerns that due to TTIP, more pressure will be exerted on the provision of services such as health, education etc., with consequences on quality and affordability.

More details on questions raised by Social Platform:

- Why is it not useful to have a definition of the public utilities reservation or of the "publicly funded" criterion in EU reservations on education, health and social services? *[response: deliberately broad, "state support in any form" leaves sufficient leeway for interpretation, avoid a contrario readings of previous trade agreements]*
- What about services that are 100% privately funded such as CARITAS, Wohlfahrtsverband etc. *[response: these usually receive state support in the form of tax reductions]*
- Is a public mandate enough to qualify for state support? *[response: questionable, there needs to be a specific element of state support]*
- Why then not "public" instead of "publicly funded" to make it more vague? *[response: historical reasons since the GATS]*
- [Out of scope]
- What about private schools? *[response: some Member States have commitments for private schools – however public schools remain untouched, and quality standards can be maintained also for private schools.]*

Social Platform may get back to us after summer regarding procurement and investment.