



EUROPEAN COMMISSION

Directorate-General for Trade

Directorate E - Neighbouring countries, USA and Canada
USA and Canada

Brussels,
 USA and Canada

Meeting Report

Report on the Scottish Parliament EERC Committee session on TTIP– 15 January 2015

Dear all,

Here's a quick note of today's EERC (European and External Relations Committee) session in the Scottish Parliament on TTIP, at which Art. 4.1b gave evidence. Please pass on as needed.

Unfortunately we had technical trouble with the video connection, so the Committee is likely to come back for clarification in writing on some points once it has finished gathering evidence next month. It will next be meeting John Swinney, Scottish health minister (5 Feb), and Lord Livingston, UK trade minister (19 Feb) – these sessions are likely to be much more political.

Summary: A useful session despite the technical issues, offering opportunities to clearly rebut some of the well-known concerns (NHS, food standards). Positive feedback received by MSPs. Further explanations in writing might be helpful on economic evidence and NHS, if requested.

Detail:

- The Convener, Christina McKelvie (SNP), opened with a question about the results of **CETA** and the lessons that might be learned for TTIP. Art. 4.1b set out the example of the ISDS provisions in CETA being, from the EU perspective, a very high standard but that does not mean that improvements cannot be found for TTIP.
- Roderick Campbell (SNP) asked for more detail about how exactly the Commission intended to move forward on **ISDS**. Art. 4.1b described the upcoming process of consultation with the Council, Parliament and stakeholders. Campbell specifically asked whether (in relation to the point on interaction of ISDS with national court systems in the report) **representatives of the Scottish judicial system** would be asked for their views, alongside those of other MS – Hiddo indicated yes.
- Jamie McGrigor (Con) asked whether there would be a **role for national Parliaments** in ratifying TTIP, and also for Hiddo to confirm that governments could continue to set policy without fear of litigation via TTIP. Art. 4.1b gave a clear explanation of the situation on mixity, noting that at the political level it had already been stated that TTIP is very likely to be a mixed agreement (if it achieves the desired ambition), and explained why TTIP will not affect the **right to regulate**.

- McGrigor followed up with a question about the media coverage on **TTIP and the NHS**, asking for confirmation that the NHS would be excluded. Art. 4.1b explained that public services are protected in EU trade agreements. Later in the session, William Coffey (SNP) asked Hiddo how US companies could gain access to the NHS, and upon hearing that the choice of whether to open contracts to the market would be up to the Scottish Government, asked for confirmation that the UK (Westminster) could not override this. He appeared surprised to learn not, at least not according to our understanding that health policy is a devolved power. Hiddo clarified that no matter how this power was divided in the UK, TTIP could not in any way affect the choice of governments to open up publicly funded services to the market.
- Adam Ingram (SNP) inquired about the **economic evidence** and possible **winners and losers** from TTIP. Art. 4.1b explained the case for free trade and acknowledged that there would be a small number of losers – but overall, the benefits far outweigh these according to the evidence. Ingram followed up by suggesting that NAFTA has caused capital flows to Mexico, a low wage economy, and wondered whether an accidental result of TTIP might be that richer EU economies see less US **investment**. Hiddo countered this by describing the broad and deep nature of the EU-US investment relationship.
- Hanzala Malik (Lab) asked about **education** and TTIP, in particular whether there could be impacts on the rights of students to continue working in Scotland after receiving their degrees. Art. 4.1b explained the potential results of TTIP in **mutual recognition of professional qualifications** and also touched on **Mode 4** elements.
- Anne McTaggart (Lab) asked about agricultural and food standards. Art. 4.1b explained the aims on **SPS** and was very clear that TTIP would not lower standards in this area – cooperation could only lead upwards, this is not about a tit-for-tat negotiation but about mutual benefit.
- Jamie McGrigor (Con) asked a final question about the "Cornish pasty" / "German sausage" debacle. Art. 4.1b explained that the EU's aims on **geographical indications** relate to gaining stronger protection for EU products in the US, rather than reducing the existing protection in the EU.

Background:

Members of the [European and External Relations Committee](#), and its [future business on TTIP](#)

[Written evidence received from Scottish MEPs](#) including David Martin

Past sessions on TTIP:

- On [20 November 2014](#), the Committee took evidence from five of the Scottish MEPs, including David Martin MEP who is on the EP Trade Committee. There are a few comments in the OR from that meeting relating to TTIP.
- On [27 November 2014](#), the Committee took evidence from a range of third sector organisations on TTIP.
- On [11 December 2014](#), the Committee took evidence from businesses and representatives of business organisations on TTIP.