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TRANS ATLANTIC DIALOGUE TRANSATLANTIQUE
CONSUMER DIALOGUE DES CONSOMMATEURS

Ambassador Ron Kirk
United States Trade Representative
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508
c/o Cecelia.Jones-Davis@ustr.eop.gov and [Katherine R. Kalutkiewicz@ustr.eop.gov](mailto:Katherine.R.Kalutkiewicz@ustr.eop.gov)

Commissioner Karel De Gucht
Member of the European Commission
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5 March 2013

EU and US consumer groups' initial reaction to the announcement of a Transatlantic Trade and Investment Partnership

Dear Ambassador Kirk and Commissioner De Gucht,

The Transatlantic Consumer Dialogue (TACD) is a long-established forum of consumer organisations which develops joint consumer policy recommendations to the United States government and the European Union (EU), in order to promote the consumer interest in their policy making. We are supportive of close EU-US economic and regulatory cooperation as a means to address common challenges and to deliver a fairer, safer and more vibrant marketplace for consumers.

The United States and the European Union have recently announced plans to begin negotiations of a trade and investment agreement. In their announcements both parties noted that trade tariffs in the United States and European Union are already low, and that the proposed Transatlantic Trade and Investment Partnership (TTIP) will focus in particular on "*regulatory issues and non-tariff trade barriers*".

Not relevant

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Not relevant

Investor-State Dispute Resolution: The agreement should not include investor-state dispute resolution. Investors should not be empowered to sue governments to enforce the agreement in secretive private tribunals, and to skirt the well-functioning domestic court systems and robust property rights protections in the United States and European Union. Experience elsewhere shows how powerful interests from tobacco companies to corporate polluters have used investor-state dispute resolution provisions to challenge and undermine consumer and environmental protections. Investors must not be empowered to sue governments directly for compensation before foreign investor tribunals over regulatory policy (including "indirect" expropriation), contract disputes, nor guarantee a Minimum Standard of Treatment for foreign investors.

Not relevant

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Not relevant

With talks now slated for a fully-fledged Transatlantic trade agreement, it is vital that governmental negotiators reform their engagement with consumer organisations and civil society. We must have a fully **open process**. Citizens in Europe and the United States will not accept a closed, secret process, with the results revealed only when negotiations are concluded for an up or down vote.

Nothing is more important to an open process than **publication of negotiating texts** as they are developed. Publication should be supplemented with structured and regular opportunity for **public comment**. We also urge the EU and the US to create a formal TTIP **consumer advisory committee** that is briefed on a regular basis and provided an opportunity to offer input on the negotiations.

Attached to this letter, please find our most recent policy paper on EU-US trade, *Consumers at the Heart of International Trade*. We look forward to working with you as negotiations proceed.

Yours sincerely,



Monique Goyens
Director General
European Consumers Association
EU Chair of TACD



Ed Mierzwinski
Consumer Program Director
US Public Interest Research Group
US Chair of TACD

On behalf of the TACD Steering Committee:

Benedicte Federspiel, Chief Counsel
Forbrugerrådet (Danish Consumer Council)
Breda Kutin, President
ZPS (Slovene Consumers Association)
Conchy Martin Rey, International Relations Director
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Susan Grant, Director of Consumer Protection
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Rhoda Karpatkin, President Emeritus
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Robert Weissman, President
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Cc:

Dan Mullaney, Assistant USTR for Europe and Middle East
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