

US-EU Transatlantic Free Trade Agreement: More Secrecy and More Duplicity Revealed

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Region: [Europe](#), [USA](#)

Theme: [Global Economy](#)

Current bilateral free trade agreement negotiations are shrouded in secrecy and are closed to proper public scrutiny (1,2). This is because they effectively constitute part of the ongoing corporate hijack of democracy and the further restructuring of economies in favour of elite interests (3,4,5).

We need look no further than **Transatlantic Free Trade Agreement (TAFTA)** between the US and EU. European Commissioner De Gucht claims that “there is nothing secret” about the ongoing talks. In December 2013 in a letter published in The Guardian, he argued that “there is nothing secret about this EU trade deal” and that “our negotiations over the Transatlantic Trade and Investment Partnership are fully open to scrutiny” (6).

If that is the case, why then are notes of Commission meetings with business lobbyists released to Corporate Europe Observatory (CEO) under the EU’s freedom of information law heavily censored?

It appears that the public is not allowed to know the positions held by the EU (unlike business interests) in these talks, who is being given access to whom and who is lobbying for what on whose behalf. High-minded platitudes referring to protecting the integrity of industry and the sensitive nature of negotiations are being used in an attempt to subvert democracy, prevent public scrutiny and secure the continued privileged positions and influence that big business holds in these talks. The arguments being used to justify the secrecy are thinly veiled disguises to try to hoodwink us into accepting the legitimacy of these negotiations.

Documents recently received by CEO show that De Gucht’s officials invited industry to submit wishlists for ‘regulatory barriers’ they would like removed during the negotiations. However, there is no way for the public to know how the EU has incorporated this into its negotiating position as all references have been removed.

Last month CEO received 44 documents (7) about the European Commission’s meetings with industry lobbyists as part of preparations for the EU-US trade talks. Most of the documents, released as a result of a freedom of information (FOI) request, are meeting reports prepared by Commission officials.

The documents arrived almost a full ten months (!) after the FOI request was tabled and 39 of the 44 documents are heavily censored. The documents cover only a fraction of the more than 100 meetings (8) which De Gucht’s officials had with industry lobbyists in the run-up to the launch of the TTIP negotiations.

CEO asks were no notes taken during closed-door meetings with corporate lobbyists from,

for example, the US Chamber of Commerce, the German industry federation BDI, chemical lobby groups CEFIC and VCI, pharmaceutical industry coalition EFPIA, DigitalEurope, the Transatlantic Business Council, arms industry lobby ASD, the British Bankers Association and corporations like Lilly, Citi and BMW? It all seems like a rather cosy affair. It doesn't take a cynic to conclude that something is seriously amiss here.

In the 39 documents which were "partially released", large parts of text ("non releasable" or "not relevant") have been hidden. In some cases, every single word has been removed from the document.

Not only is the text of the EU's negotiating position secret, the public is even denied access to sentences in meeting reports that refer to the EU negotiating position. This is especially problematic as these are minutes from meetings with industry lobbyists who were clearly given information about the EU's negotiating position in the TTIP talks, unlike the public.

CEO rightly states that sharing information about the EU's negotiating position with industry while refusing civil society access to that same information is unacceptable discrimination.

In many cases parts of text are removed because they contain the views of industry lobby groups "on particular aspects of the EU/US trade negotiations." "Release of that information could have a negative impact on the position of the industry", the Commission argues. CEO argues that it is entirely unclear this means and why the views of the lobby groups should be hidden from public scrutiny.

The Commission has also removed all names of lobbyists from the 44 documents arguing that "disclosure would undermine the protection of [...] privacy and the integrity of the individual". Again CEO argues that this is an absurd line of argument as these are professional lobbyists who are not acting in an individual capacity. There is clear public interest in transparency around who is lobbying on whose behalf and who is getting access to EU decision-makers.

Despite being heavily censored, the documents show clearly that removing differences in EU and US regulations is the key issue in the TTIP talks, with 'regulatory barriers' coming up in a large majority of the meetings. For example, in a meeting with the European Services Forum in February 2013, a lobby group for global service players such as Deutsche Bank, IBM and Vodafone, the Commission suggested various options for regulatory cooperation such as 'compatibility', 'mutual recognition' and 'equivalence'.

In another meeting in February 2013, BusinessEurope (the most powerful business lobby in Brussels), stressed "its willingness to play an active role in the upcoming negotiations, in particular on the regulatory front". The Commission noted the importance of EU industry "submitting detailed 'Transatlantic' proposals to tackle regulatory barriers". In other words, a race to the bottom in setting the lowest barriers possible.

A leaked EU document (10) from the winter of 2013 shows the Commission proposing an EU-US Regulatory Cooperation Council, a permanent structure to be created as part of the TTIP deal. Existing and future EU regulation will then have to go through a series of investigations, dialogues and negotiations in this Council. This would move decisions on regulations into a technocratic sphere, away from democratic scrutiny. Is it not enough that EU member states could find domestic laws to protect the public interest quite useless

under proposed investor-state dispute settlement provisions (9)? Also, there would be compulsory impact assessments for proposed regulation, which will be checked for their potential impact on trade. What about whether they protect people's health or are good for the environment?

This would be ideal for big business lobbies: creating a firm brake on any new progressive regulation in the very first stage of decision-making.

CEO concludes on its website:

“Ending the secrecy around the negotiations is crucial for allowing citizens to assess what is being negotiated in their name. This transparency should include the EU's negotiating position, and also shed a clear light on the involvement of corporate lobbyists in preparing the negotiations.”

Take action, be informed: <http://corporateeurope.org/get-involved>

Much of the text for this article was sourced from the website of Corporate Europe Observatory, a research and campaign group working to expose and challenge the privileged access and influence enjoyed by corporations and their lobby groups in EU policy making.

Notes

1)

<http://www.globalresearch.ca/the-us-eu-transatlantic-free-trade-agreement-tafta-big-business-corporate-power-grab/5352885>

2)

<http://www.globalresearch.ca/the-eu-india-free-trade-agreement-corporate-driven-neocolonial-plunder/5338049>

3)

<http://www.globalresearch.ca/free-trade-agreements-the-bypassing-of-democracy-to-institute-economic-plunder/5354197>

4)

<http://www.globalresearch.ca/the-us-eu-transatlantic-free-trade-agreement-tafta-big-business-corporate-power-grab/5352885>

5)

<http://www.globalresearch.ca/the-eu-india-free-trade-agreement-india-up-for-sale-to-western-corporate-capital/5332214>

6) <http://www.theguardian.com/commentisfree/2013/dec/18/wrong-george-monbiot-nothing-secret-eu-trade-deal>

7) http://www.asktheeu.org/en/request/dg_trade_contacts_with_industry#incoming-3841

8) <http://www.corporateeurope.org/trade/2013/09/european-commission-preparing-eu-us-trade-talks-119-meetings-industry-lobbyists>

9) <http://www.citizen.org/documents/TAFTA-investor-state-factsheet.pdf>

10) <http://corporateurope.org/trade/2013/12/regulation-none-our-business>

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