

31 October 2014

Emily O'Reilly
European Ombudsman
1 Avenue du Président Robert Schuman
CS 30403
F-67001 Strasbourg Cedex
France

Re: Public consultation in relation to the transparency of TTIP negotiations

Dear Ms. O'Reilly,

The American Chamber of Commerce to the European Union (AmCham EU) welcomes the opportunity to respond to the European Ombudsman public consultation in relation to the transparency of the Transatlantic Trade and Investment Partnership (TTIP) negotiations. AmCham EU believes that a comprehensive and ambitious EU-US trade and investment agreement will benefit business, employment and citizens on both sides of the Atlantic. It will ensure that consumers have access to more innovative goods and services that are price competitive and delivered more efficiently. In addition, it will enhance a growth-oriented investment climate in Europe and the United States, without putting protections for European consumers, workers or the environment at risk.

The public interest in the TTIP agreement has been exceptional and is unlike any previous agreement negotiated by the European Union. The European Commission, as well as the United States Trade Representative, has responded to this interest by engaging with public stakeholders on a regular basis and achieving an unprecedented level of transparency. The Commission has published documents detailing their initial position regarding different aspects of the negotiations (regulatory, TBT, food, public procurement, etc.). Furthermore, there are public consultations before, during and after negotiating rounds and the Commission has consulted on the TTIP mandate as well as on investor state dispute resolution. We recognize that the European Commission briefs the Council of the European Union and the European Parliament on a regular basis. There are also regular debriefings and roundtables held with civil society groups, which are open to all stakeholders. The European Commission has even formed an Expert Panel of Civil Society representatives to consult with throughout the negotiation process. The recent decision of the Council to release the negotiating mandate was a positive step. With all this, the negotiators have shown good faith in wanting to create an open and transparent process. It is hard to imagine what more could be done to enhance transparency without undermining the ability of the EU and US officials to discuss and negotiate.

AmCham EU believes that the European Commission and the United States Trade Representative should be commended for their efforts to increase the level of transparency in these negotiations. Both sides have gone to unprecedented lengths to maintain as transparent a process as possible. We believe that the measures taken in these negotiations to ensure transparency – publication of the background documents, stakeholder sessions with the negotiators before, during and after each round, etc. - could indeed be replicated by the Commission in other trade agreements it is negotiating.

With the conclusion of the negotiations, the European Parliament and the EU Member States will be required to ratify the agreement. Thus, the democratically elected officials will have the opportunity to scrutinize the agreement and ensure that its contents are in their constituent's best interests. Democratic accountability is a powerful tool that will help ensure negotiators work to achieve an outcome that is in the best interest of their citizen. TTIP has the potential to increase economic growth

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and boost employment without sacrificing European values and fundamental protections. With this in mind it is important for national governments to make every possible effort to raise the awareness of TTIP with their citizens and engage with those in civil society.

Best regards,



Hendrik Bourgeois

Chair
TTIP Task Force
American Chamber of Commerce to the European Union