

PRESS RELEASE

Investor-State Dispute Resolution should remain an integral part of TTIP

*European Commission consultation an opportunity to create an innovative ISDS model to
promote and safeguard investment*

Brussels, 28 March 2014 – The American Chamber of Commerce to the European Union (AmCham EU) welcomes the European Commission consultation on the inclusion of investment protection and investor-state dispute settlement (ISDS) in the Transatlantic Trade and Partnership (TTIP) agreement. The consultation will provide the public with an opportunity to comment on what should be an appropriate ISDS mechanism for transatlantic investors and the EU and US.

Dispute settlement provisions in bilateral investment treaties provide guarantees for investors to protect their investments and ensure they will be treated fairly and on an equal footing to national investments. They help facilitate investments that generate economic growth and new jobs.

TTIP will have a considerable impact on rulemaking worldwide. The EU and US should seize the opportunity to set the standard and should agree on a state of the art investment chapter.

Hendrik Bourgeois, Chair of AmCham EU stated, ‘We think the advantages of an ISDS mechanism as part of TTIP far outweigh any potential disadvantages. EU Member States already have thousands of bilateral treaties with ISDS, and these have proven important in promoting investor confidence, and have not, in all these years, prevented governments from regulating in the public interest. The consultation now gives us an opportunity to review the system, find ways to improve it and set the standard for trade and investment rulemaking worldwide’.

Investment agreements are a long-standing and essential part of the system of checks and balances contributing to confidence for investors to invest in other countries than their home country. An ISDS mechanism is definitely not an instrument to prevent regulation that promotes public interests, but only a safeguard against arbitrary expropriation and discrimination.

AmCham EU speaks for American business committed to Europe on trade investment and competitiveness issues. It aims to ensure a growth orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and play a role in creating better understanding of EU & US positions on business matters.

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