



**BritishAmericanBusiness**

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Roger Godsiff MP  
House of Commons  
Westminster  
London  
SW1A 0AA

Wednesday 18<sup>th</sup> June 2014

Dear Mr Godsiff,

**Re: Statement of 2<sup>nd</sup> May 2014 on the Transatlantic Trade and Investment Partnership**

I am writing to you on behalf of BritishAmerican Business (BAB) to engage with you following your statement of 2<sup>nd</sup> May 2014 on the Transatlantic Trade and Investment Partnership (TTIP).

BritishAmerican Business is the leading transatlantic business organization, bringing together many of the world's leading multinational and middle-market companies across sectors and geographies: more than 100 of the world's most successful CEOs support its work through their participation in its Advisory Board. It incorporates the American Chamber of Commerce (UK) and the British-American Chamber of Commerce (NYC/London), which merged in 2000 to create a single, pre-eminent transatlantic organization. BritishAmerican Business is a member of, and provides the Secretariat for, the British-American Business Council (BABC), the largest transatlantic business network.

BritishAmerican Business is at the forefront of promoting awareness of the TTIP negotiations in the UK. Through our road shows around the country, our communications platforms, our policy forums and role as secretariat for the All-Party Parliamentary Group on EU-US Trade & Investment, we are working to increase awareness about the potential benefits that could come from potentially the biggest trade and investment deal ever to have been negotiated. We are strong supporters of an ambitious and comprehensive agreement. We welcome debate on the

negotiations and we hope to contribute to providing the best possible information for a broadly based conversation amongst all elements of civil society.

We see the negotiations potentially providing a significant boost to both jobs and growth on both sides of the Atlantic, benefiting consumers, workers and business alike. The negotiations also have positive strategic implications and can contribute to enhancing the international rules based trading system and thus to raising global prosperity. The UK is the largest investor in the US and the US is the largest investor in the UK, both contributing directly to around 2 million jobs, so it matters that we get as much as we can from an agreement that in many ways plays to mutual strengths.

You refer to existing trade barriers between the EU and the US as being small, but their elimination has at times been estimated cumulatively to be worth 1-3% of each side's GDP. Even if an as yet undetermined part of that came to be attained, that would be a good thing, in our view. Moreover, you don't value sufficiently the importance of facilitating trade for small and medium sized enterprises involved in transatlantic trade. On both sides of the Atlantic there is recognition that it is small and medium sized businesses that provide innovation and jobs – and are the companies that will benefit the most from a transatlantic agreement.

You state that TTIP will “level the differences between the EU and the US regulations to promote trade”. “Levelling of differences” is not a goal of the negotiations so far as we are aware, not at least according to any statement of any British, European or American official involved in TTIP that we have seen. To the contrary, both the EU and the US have underlined that harmonization or levelling regulations is not a goal – both sides, from President Obama down have stressed that the outcome of the negotiations should in no case reduce the level of protection for consumers, workers or the environment.

What the TTIP negotiations are about in their regulatory dimension is, in our view, avoiding duplication and double testing and certification in cases where the EU and the US have equivalent standards currently achieved through different means. The aim is to spare companies the added cost of having to comply with regulations that provide the same protection, twice. We support that aim. There is no aim to “drag regulation down to the lowest standard”, nor is there an aim of “de-regulation”. In practice, transatlantic business in many cases “levels up” in actual business behaviour where it can. Both sides appear to recognize that regulations serve important purposes in protecting consumer health and safety, and protecting labour and the environment. We are in favour of effective, proportionate, aligned regulation, and with TTIP, for a high quality benchmark agreement which helps secure high standards globally by good example.

You are concerned that the trade negotiations will undermine British providers of public services, but with respect this is misinformed. The provision of public services is recognized as an important public function on both sides of the Atlantic and there is no goal to undermine such services, nor to negotiate more alignment.

With respect, you are also misinformed about investor-state dispute settlement (ISDS) in the TTIP negotiations. No such mechanism has as yet been agreed. To the contrary, the public debate around ISDS both in the UK and in other EU member states

has led to the European Commission launching a public consultation on ISDS which is still on-going. Negotiations on such a mechanism have been halted. Information about the ISDS mechanism is openly available – and the mechanisms do not include enabling corporations to stop legislation.

We are in favour of ISDS content for TTIP. As the debate on this issue unfolds, our view is that investment protection plays a strong role in building the confidence that underpins international investments and the trade that depends on them, benefiting producers and consumers alike and supporting international investment, job creation and growth. Since 1975 the UK has negotiated 94 Bilateral Investment Treaties (BITs) almost all of which include ISDS provisions, and no ISDS challenge has ever succeeded against the UK.

You conclude by asserting that the negotiations are being conducted in secret, and are undemocratic. The negotiations are in fact taking place under a mandate approved by the British Government and the other 27 member states of the European Union. There is a vast amount of information publicly available on the European Commission's website – including negotiating positions in a number of areas and the full reports from each negotiating round. As far as we are concerned, the ongoing TTIP negotiations are admirably transparent and open to public comment and input. Numerous public, open and well attended stakeholder meetings have taken place in Brussels, in Washington D.C., and across European member states. We are seeking to supplement that transparency with a national TTIP road show across the UK in major regional cities, and we are involved in discussions to replicate these in the US and Europe.

You are right in pointing to the lack of knowledge and awareness among the British public on TTIP; we would invite you join us in our efforts to contribute to an informed and balanced debate in the public domain.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'J. Briginshaw', with a stylized flourish at the end.

Jeffries Briginshaw  
Managing Director/London  
BritishAmerican Business