

# The DEREGULATION agenda, TTIP and the LibDem manifesto

[www.bit.ly/deregulationTTIP](http://www.bit.ly/deregulationTTIP)

Briefing statement aimed at Tim Farron MP and LibDems by Dr Henry Adams May 2015,  
based on a review of publications by NGO's and people with research expertise.

The **deregulation agenda** is the direction of travel in the **UK and EU**, and also applies to **TTIP** and **CETA**. It is maximised to implausible extent in the “**ambitious**” scenario for “£10 billion” benefit advertised in the LibDem manifesto, yet in the next sentence the manifesto wants key regulations protected.

- Have your cake and eat it?

## SUMMARY on one page

**The DEREGULATION BILL is now ACT** - it is not unrelated to TTIP:

It shares **key features in common** with **EU's REFIT programme** (Regulatory FITness – to suit business demands), EU's regulatory Impact Assessment Board (note: impact on business costs not costs to us and our environment), Vice-President **Timmermans'** proposed **REGULATORY SCRUTINY BOARD** (an even more pro-business version of the IAB), and also **TTIP**, such as TTIP's proposed '**Regulatory Co-operation Council**' – which was put forward by the big business lobbying entities Business Europe and the US Chamber of Commerce.

These key features include:

1. They result from strong lobbying from big business entities, for:
2. The removal or dilution of regulations “**burdensome to business**” (note commonality of jargon and aims). Their narrow focus on costs (“impact”) to business gives primacy to business interest above public interest. This can externalize costs for us to bear (e.g. carbon costs).
3. Affected regulations include those designed to protect us, our environment, and/or wildlife.
4. Much big business stakeholder input, with comparatively minimal democratic input at least initially, more extendedly so with TTIP, negligible with CETA, and minimized openness to public interest group involvement.
5. “Harmonisation” of regulations with the US happening now – [before TTIP has been democratically agreed to](#).
6. A consequent threat to democracy. This is massively increased by TTIP and CETA.

The threat to public interest and democracy is especially dangerous in the case of TTIP's '**Regulatory Co-operation Council**' – because it gives US trans-national stakeholders an early say on any new EU regulations (before us), and also on existing regulations. This TTIP proposal thus **subverts democracy and UK sovereignty**. When coupled with the **ISDS** in CETA and TTIP, which also gives primacy to business costs, and the **20 year lock-in clause** to prevent future democratic influence, such subversion is even more dangerous and **irreversible**.

## The contradiction within LibDem's manifesto on TTIP

Tim you often quote with your endorsement to your constituents the following LibDem mantra on TTIP, ignoring the major contradiction within it, between the first and second sentences:

“We will support negotiations at the World Trade Organisation as well as an ambitious Transatlantic Trade and Investment Partnership (TTIP) between the EU and the USA, which could bring benefits of up to £10 billion a year to the British economy. We will only support an agreement that upholds EU standards of consumer, employee and environmental protection, and allows us to determine how NHS services are provided.”

Firstly, the “10 billion a year” comes from page 1 of [the CEPR report on TTIP for Department of BIS](#), and equates to their model's prediction at the end of a decade of TTIP (c.2027) if TTIP is implemented with the most “ambitious” removal of Non-Tariff Barriers (NTB's). NTB's comprise DEREGULATION and the opening up of public services to foreign and transnational businesses. And the “ambitious” scenario modelled thus corresponds to **maximising deregulation** to such a big extent that even NGO's campaigning against TTIP such as War on Want say it is beyond “[highly implausible](#)” as it “[is beyond anything contemplated in the current TTIP negotiations](#)”.

If you promote the financial benefits [which are to shareholders and directors/CEO's of TNC's, not us] of the maximal deregulation scenario, how can you expect us to find credible your promise in your second sentence!!! I strongly advise you change this stance – or risk open criticism as being complicit in ... I'll let you work that out!

**Thus it is clear that LibDem MPs are ignoring the deregulation agenda behind TTIP and CETA, which is driven by and for the benefit of trans-national corporations (TNC's).**

Instead those at the top of the LibDem Party are advertising the “ambitious” “£10 billion” benefit like “dodgy car salesmen”, hiding the maximal deregulation that comes with it. They are hiding the fact that this figure is an extremely tentative modelling prediction of a possibility that a decade of TTIP might eventually produce, based on implausible and unlikely conditions of removal of Non-Tariff Barriers.

Furthermore they also ignore the fact that the model used by CEPR is based on no change in overall levels of employment, despite the fact that both CEPR London and the EU Commission admit that there will be **major job-losses** (also hidden by the LibDem MPs), making the model assumptions, and thus its prediction, invalid! Furthermore, the now 20 year old NAFTA (North American Free Trade Agreement) resulted in major job losses to the USA. FTA's facilitate the shifting of the source of labour to whichever country has the lowest pay and working conditions, and thus facilitate a “race to the bottom” in not just regulations but also the treatment of labour. The UN model used by Jeronim Capaldo of Tufts University is not constrained by an unrealistic fixed level of employment and its projection not only comes up with the likely major job losses but also financial losses to our economy, not gains ([source link](#)).

There are also economic losses to consider that could total billions, such as losses to the taxpayer that LSE calculated that could result from the ISDS, and health costs from delaying or diluting regulations on pesticides such as endocrine disruptors, as pointed out in Glyn Moody's article linked to below. Also, UK's attempts to weaken EU air pollution regulations could cost “tens of billions of pounds”, on top of the huge loss of lives...

LibDem supporters, including LD canvassers and Councillors (pers.comm. in confidence) can see the threats of TTIP better than their MPs, and a number are against TTIP. They should be listened to.

**The purpose of this document** is to brief LibDem MPs, now they are freed up from the coalition government, and LibDem members and supporters, so that LibDem policy can conform with the evidence-based reality of TTIP, not to dodgy propaganda. The next section providing the evidence thus has to be large, though a tip of the iceberg. However, there is a [short concise article by Glyn Moody that brilliantly shows how the impact of TTIP and CETA has already taken place](#), and it is marked by a triple red star \*\*\* and linked to in the present sentence. The final section is headed “IMPLICATIONS OF THE ABOVE” – such as for Tim Farron and other LibDem MPs.

### **N.B. DEREGULATION is one of the central aims of TTIP and CETA**

(but the reverse applies to regulations that protect corporate interests from us, e.g. IP and internet issues)

DEREGULATION is also the direction of travel happening now in the UK and EU, pushed for by big business lobbying. It would be naïve to ignore this, especially with regards TTIP and CETA. To further support this:

## **THE EVIDENCE AND SOURCES (a selection)**

*Rather than re-write text myself with links to source references I am here collating a selection of key sources and quoting from them to provide summaries in their words and ‘teasers’ to encourage you to read at least some of the sources – as they are written by people with more expertise and writing skills than myself:*

### **1. The connections between UK and EU and TTIP/CETA deregulation agenda**

**Corporate Europe Observatory:** ‘[Cameron and the European Commission doing the business of business](#)’ “As the UK goes to the polls, CEO reflects upon the similarities between the UK and EU's 'better regulation'”

[euphemism for DEREGULATION] agendas. No one likes the thought of bureaucracy, 'red tape', over-regulation, and excessive 'administrative burdens'. But what about rules to ensure safety at work, to protect our environment, and to ensure we know where our food comes from? In fact, these are two sides of the same coin and right now a war is being fought in London and [in Brussels](#) against the latter, but under the disguise of attacking the former." Corporate Europe Observatory, 6may15. <http://corporateeurope.org/power-lobbies/2015/05/cameron-and-european-commission-doing-business-business>

**Linda Kaucher** of StopTTIPuk: '[The EU's giant and secretive deregulation blitz](#)' 14jan15, openDemocracy <https://www.opendemocracy.net/ourkingdom/linda-kaucher/eu%27s-giant-and-secretive-deregulation-blitz>

Linda Kaucher has many years of research experience focused on "trade and investment" agreements. She here covers e.g. UK's Deregulation Bill – now Act, Cameron's / Business Task Force's 'Cut EU Red Tape' report, EU's REFIT program, TTIP and related agreements lined up, and how they are connected, sharing features in common.

"It is not just TTIP, across the board the EU is bowing to business pressure to do away with 'burdensome' regulation - regulation that tends to save lives, protect consumers and ensure standards."

"Regulations on health and safety, on labour rights and on environmental protection are better developed in the EU than in most of the rest of the world. They are in place to protect us and are often the result of hard-fought campaigns. However, because these regulations hamper the profit-making of big business, a program of deregulation is in process within the EU, in EU member states, notably the UK, and via the EU's international trade agreements." ...

## 2. DEREGULATION agenda in the UK

At least in the UK there is more honesty in the name of the Act: **Deregulation Act**

[New Economics Foundation \(NEF\) response to the Regulatory Reform Committee Inquiry](#) (pdf):

"The Better Regulation agenda has lost the plot and now creates significant social and environmental risks. Instead of focusing on applying its own principles of good regulation<sup>1</sup> the current approach aims only to reduce the 'volume'<sup>2</sup> of regulation and systematically undervalues social and environmental risks, costs and benefits."

[http://b3cdn.net/nefoundation/0f9fb1749fb7e6976d\\_45m6i21r2.pdf](http://b3cdn.net/nefoundation/0f9fb1749fb7e6976d_45m6i21r2.pdf)

Shows "better regulation" is a euphemism for deregulation.

## 3. DEREGULATION within EU

**EU's REFIT programme:** The documents by CEO and Linda Kaucher in section 1 above describe EU's REFIT programme (Regulatory FITness and Performance) which assesses EU regulations according to their cost "impact" on business, or in other words – whether they are "burdensome" to business profits.

Even EU's excellent **Birds and Habitats Directives**, which have been mainstays for wildlife protection, are being subject to REFIT, under which their costs to business are assessed, such as whether they are bureaucratically "burdensome". This is being fought by 100 British conservation groups including the RSPB:

['100 British conservation groups oppose review of EU wildlife laws'](#) Arthur Neslen, 12may15, The Guardian <http://www.theguardian.com/environment/2015/may/12/100-british-conservation-groups-oppose-review-of-eu-wildlife-laws> "Changes to EU birds and habitat directives 'single biggest threat' to biodiversity and species, say groups as they launch their campaign to block the move" This is happening at a time when ["A third of Europe's birds under threat, says most comprehensive study yet"](#) - the EU State of Nature report.

['The RSPB News 100 organisations unite to fight threat to European nature laws'](#) RSPB – 12may15 <http://www.rspb.org.uk/news/400014-europes-nature-laws-under-threat> & [EurActiv summarizes both sides.](#)

**FoE: ‘The crusade against ‘red tape’’** 31oct14, Friends of the Earth Europe: “Following a decade of deregulatory initiatives under the outgoing European Commission President, José Manuel Barroso, the new President, Jean-Claude Juncker, looks set to oversee another five years of weakening of legislation and scrapping of rules, especially environmental and social protections. This briefing, from Friends of the Earth Europe and Corporate Europe Observatory, explains how initiatives are misleadingly branded as “tackling red tape” or “safeguarding competitiveness” when in reality they are about reducing standards that protect people and the environment. It warns that the structure of the new Commission indicates no end to the crusade for big business-friendly deregulation. ” Refers to this briefing pdf: [http://www.foeeurope.org/sites/default/files/publications/crusade\\_against\\_red\\_tape\\_oct2014.pdf](http://www.foeeurope.org/sites/default/files/publications/crusade_against_red_tape_oct2014.pdf)

**EU Commission Vice-President Frans Timmermans’ remit is “better regulation” = deregulation**

**Timmermans’ REGULATORY SCRUTINY BOARD proposals for “Better regulation” to suit business interests:**

**‘Recipe for disaster: a pro-business Scrutiny Board to prevent laws that hurt corporate profit’** Corporate Europe Observatory, 7may15. Based on a leak of Timmerman’s proposal.

<http://www.corporateeurope.org/power-lobbies/2015/05/recipe-disaster-pro-business-scrutiny-board-prevent-laws-hurt-corporate-profit>

**‘NGOs launch watchdog to keep an eye on the Commission's 'Better Regulation'’** 18-19may15, EurActiv.

More than 50 civil society organisations have joined forces to create a watchdog to protect the rights of citizens, workers and consumers. The network was launched on Monday (18 May) and is concerned that the Better Regulation agenda will “weaken or undermine essential regulations and subordinate the public good to corporate interests”.

**NB: TTIP is already resulting in deregulation – even before implementation:**

I have already described in previous documents how deregulation to level-down EU regulations towards those of the US in the lead up to TTIP has already been happening, so as to make “harmonisation” of EU and US regulations easier, and probably to help the pretence that TTIP will not mean deregulation on implementation (as it has already been partly achieved beforehand). For example:

- The important **climate legislation** in EU’s **Fuel Quality Directive (FQD)** has been diluted to ineffectiveness during TTIP and CETA negotiations, with “free trade” principles such as “discrimination” against the tar sands industry and Canada, and its extra carbon accounting procedures being too “burdensome” to the oil industry. My submission to the UK Parliamentary **Environmental Audit Committee** describes this [here](#). So too does the [submission by FoE](#) UK, which also covers other environmental threats of TTIP.

- The Europe-wide restriction on [GM/GMO](#)’s has been relaxed to allow separate member-states to decide. The UK government is especially keen to allow import and use of GM/GMO’s, despite the UK public being against it.

More examples are described below:

If you want a concise brief insight I strongly recommend the article by Glyn Moody marked **\*\*\*** below.

**EXAMPLES of public interest matters under threat from the deregulation agenda**

Our protection against GMOs and pesticides, endocrine disrupting chemicals, fracking, cosmetic chemicals...  
Our desire for a circular economy, climate legislation...

[“A new analysis of the EU's proposed air quality standards](#) has found them to be so weak that their implementation may cost tens of thousands of premature lives and tens of billions of pounds.” – quote from EnergyDesk. And [“How the UK tried to further weaken European air pollution regulations”](#) 31may15.

**On endocrine disrupting chemicals (EDC’s):** Regulations to protect the public from health impacts of EDC’s have been delayed by both EU Commission and US, under pressure also from chemical industry lobbying -

probably so they can co-operate together to ensure bigbiz-friendly “regulatory harmonisation” with increased bigbiz influence – thus dodging the precautionary principle and incorporating more bigbiz stakeholder input. Sources:

*An excellent concise summary by Glyn Moody, which also refers to impact of CETA on EU FQD climate legislation:*

\*\*\* **‘EU dropped plans for safer pesticides because of TTIP and pressure from US - Despite repeated promises that the US trade agreement would not lower EU standards.’** Glyn Moody, 26may15, Ars Technica UK.

**‘TTIP controversy EU drops pesticide laws because US says it should’** 22may14 The Independent, with FoE quote.

**‘EU dropped pesticide laws due to US pressure over TTIP, documents reveal’** Arthur Neslen, 22may15 in Brussels, The Guardian. “US trade officials pushed EU to shelve action on endocrine-disrupting chemicals linked to cancer and male infertility to facilitate TTIP free trade deal”.

**‘European Union slammed for dropping plan to ban toxic pesticide linked to deadly illnesses’** Daily Express, 22may15

**‘A TOXIC AFFAIR: HOW THE CHEMICAL LOBBY BLOCKED ACTION ON HORMONE DISRUPTING CHEMICALS’** (pdf)

Stephane Horel for Corporate Europe Observatory, May 2015. And in response to this report:

**‘Commission, chemicals lobby deny delaying tactics over hormone disruptors’** 21may15 EurActiv.

<http://www.corporateeurope.org/international-trade/2015/04/regulatory-cooperation-ttip-united-deregulation>

**‘Suppressed’ EU report could have banned pesticides worth billions - Arthur Neslen 3feb15** EurActiv.html

<http://www.euractiv.com/sections/climate-environment/suppressed-eu-report-could-have-banned-pesticides-worth-billions-311757>

**Cosmetic substances:** Glyn Moody, who examines regulatory aspects of TTIP, tweeted this link to a relevant reference, unfortunately not in English:

@glynmoody Feb 14 .@EU\_Commission official admits #TTIP will allow US cosmetics with banned substances to be sold in EU - [eldiario.es/economia/TTIP-\\_\\_\\_\\_\\_...#standards](http://eldiario.es/economia/TTIP-_____...#standards)

**Circular Economy package of waste, recycling and incineration laws is ditched by Frans Timmermans**

**‘Vella told Timmermans not to axe Circular Economy package’** – Euractiv, Spring 2015

<http://www.euractiv.com/sections/sustainable-dev/vella-told-timmermans-not-axe-circular-economy-package-314132>

“Frans Timmermans, the Commission First Vice-President in charge of Better Regulation, ignored Environment Commissioner Karmenu Vella's advice not to ditch the Circular Economy package of waste, recycling and incineration laws, it has emerged.” ... “On 16 December, Timmermans announced that the package would be withdrawn as part of the Commission’s push to cut red tape. That was later confirmed by the College of Commissioners in March.” [“Better Regulation” is a euphemism for deregulation]

## 4. DEREGULATION more specifically in TTIP

[War on Want write](#) that “**The main goal of TTIP is**, by their own admission [EU and US], **to remove regulatory ‘barriers’** which restrict the potential profits to be made by transnational corporations on both sides of the Atlantic. Yet these ‘barriers’ are in reality some of our most prized **social standards** and **environmental regulations**, such as **labour rights**, **food safety rules** (including restrictions on GMOs), regulations on the use of **toxic chemicals**, **digital privacy laws** and even new **banking safeguards** introduced to prevent a repeat of the 2008 financial crisis.”

“As is now widely recognized, TTIP is not a traditional trade agreement aimed at reducing border tariffs, which are already at minimal levels between the EU and USA.” [REF](#)

[The Environmental Audit Committee recently conducted an inquiry into the potential environmental impacts of TTIP](#) and warned that “it is important to avoid a ‘race to the bottom’ on regulations”. One must bear in mind that only one MP on the committee was a member of a Party against TTIP, so the report’s conclusions are not as strongly worded as I would have preferred, but nonetheless the EAC recognised some of the threats: “A TTIP agreement, currently being negotiated by the European Union and the US, could weaken European and UK environmental and public health regulations if laxer US regulations are ‘mutually accepted’ in the deal”, and



“TTIP could also risks producing a chill effect on future environmental regulations, particularly if its proposed investment dispute settlement system — Investor-State Dispute Settlement or ‘ISDS’ — presents US companies with an opportunity to sue European states for introducing new regulations which make it more difficult for them to sell to us.” [sic: note that someone has diluted the statement by adding “could” before “also risks”!], and the Chair Joanne Walley writes that TTIP “must not be at the expense of throwing away hard-won environmental and public-health protections”.

The submission by [Friends of the Earth \(FoE\)](#) is worth reading. [My submission focused on climate.](#)

The Scottish Parliament’s European committee echoed the EAC when it told the Scottish government to take a stronger position on TTIP, including preventing a regulatory race to the bottom.

I’ve already described some of the pre-implementation deregulation evidence in section 3 above. Here are some of the deregulatory (and anti-democratic) impacts of TTIP on and after implementation. (NB it is also meta-legislation that provides a wedge for further associated legislation later on).

## The ‘Regulatory Co-operation Body or Council’ for TTIP

TTIP’s proposed ‘**Regulatory Co-operation Body or Council**’ was put forward by the bigbiz lobbying entities Business Europe and the US Chamber of Commerce, who have been pushing hard for deregulation that will harm protection of health and safety, our environment and its wildlife. Sources:

<http://www.corporateeurope.org/trade/2013/12/regulation-none-our-business> and:

‘[Regulatory cooperation in TTIP united in deregulation](#)’ - Corporate Europe Observatory

<http://www.corporateeurope.org/international-trade/2015/04/regulatory-cooperation-ttip-united-deregulation>

Any new regulations will be assessed as to whether they will be a “barrier to trade”, assessed using same logic as ISDS tribunals. Existing regulations will also be so-assessed. Big business “stakeholders” will have early influence on any new regulations (formalizing lobbying), without democratic influence. Imagine Chevron having an even bigger say on climate regulations: they would be “killed at birth”. The proposal has been described as a “graveyard” for regulatory ideas for protecting us, wildlife and our environment/climate.

CEO state that ‘The draft “regulatory cooperation” proposal was described by the head of European consumer group BEUC as a “[surreal institutionalization of lobbying](#)”’ as it’s driven by “stakeholder” input i.e. bigbiz lobbying! This clearly **undermines democracy**, especially as bigbiz input occurs before new regulatory proposals reach any democratic involvement. Corporate lobbyists want to co-write regulation. Impact assessments of regulations as to whether “burdensome” to business – will be given primacy and public concerns effectively ignored, thus profits put above people’s interests.

**“TTIP: Regulatory cooperation is the ultimate tool to prevent or weaken future public interest standards for citizens, workers, consumers, and the environment”** - letter signed by **170** civil society groups who ‘denounce “regulatory cooperation” in the TTIP negotiations as a threat to democracy and an attempt to put the interests of big business before the protection of citizens, workers, and the environment’. *Well worth reading the letter:* [February 2015 - Statement by 170 civil society organisations on regulatory cooperation in TTIP](#)

Link that gives link to video on Regulatory Cooperation Council: <https://stop-ttip.org/regcoop>

### Comment on TTIP by BEUC – the European umbrella group for consumer organisations:

<http://www.beuc.eu/blog/regulatory-cooperation-perhaps-boring-but-the-ttip-storm-on-the-horizon/>

"the latest leaked version of the Commission’s proposal on regulatory cooperation, to be submitted to the US for this week’s round of negotiations, just confirms that regulatory cooperation is the coming storm on the horizon." ... "increase avenues for foreign corporate lobbies to make their concerns on regulation heard via the institutional channels provided by TTIP". Increased influence by corporate interests leads to less balanced stakeholder engagement in EU decision making. This is exactly the type of development the European Ombudsman has just criticised in her opinion on Expert Groups (‘Ombudsman: How to make the Commission’s expert groups more balanced and transparent’)."

Comments on the proposed Regulatory Co-operation Body by 2 lecturers at University of Manchester: ['Beyond the headlines on TTIP Beware the fine print'](http://blog.policy.manchester.ac.uk/posts/2015/06/beyond-the-headlines-on-ttip-beware-the-fine-print/) Gabriel Siles-Brügge and Nicolette Butler, 1 May 15. <http://blog.policy.manchester.ac.uk/posts/2015/06/beyond-the-headlines-on-ttip-beware-the-fine-print/> From which I quote: “Gabriel Siles-Brügge and Nicolette Butler argue that this overlooks one of its [TTIP’s] central purposes: a series of provisions that could make it more difficult for governments to regulate in the public interest for the sake of promoting ‘regulatory convergence’ between the EU and the US.” ... “Our focus here is on the potential deregulatory effect that regulatory convergence might have.”...

### **EU’s PRECAUTIONARY PRINCIPLE is under threat with TTIP**

The US – both government and big business, especially the chemicals industry, are strongly against the EU’s **precautionary principle** and are insisting it is removed. The precautionary principle requires companies to show that their products are safe (with results of scientific testing), *before* they are approved for release onto the market, whereas in the US this is not so: instead the product can be freely released onto the market unless government can provide proof that it is unsafe. But because the US government does not provide the full resources for all potentially risky products to be fully tested (and there is a ‘revolving door’ between business and regulators), the public and environment can instead become the guinea pigs to show up any issues on safety, with the market then having an influence [inadequate]. Hardly surprising that regulatory control of chemicals is weaker in the US than the EU with regards the number of chemicals disallowed on the market there as compared with here [There is data supporting that].

### **The ISDS – the Investor-State Dispute Settlement**

DEREGULATION and the ISDS are stated by John Hilary to be two of the main “pillars” of TTIP and CETA. The ISDS provides trans-national corporations with immense international legal powers to straightjacket our democratic and sovereign ability to regulate for the public interest.

In relation to regulations, the ISDS is also much favoured by trans-national corporations as a means by which they can gain huge financial “compensation” for any future profits they might lose if any new regulations might affect their activities. The ISDS thus provides a big deterrent for countries to make regulatory changes that might impact on business profits. Together with the proposed Regulatory Co-operation Council, UK sovereignty and our democracy will be straight-jacketed from introducing new regulations to protect us and our environment. My separate [briefing document for Tim Farron prior to his meeting with Dept BIS in 2014](#) describes the intrinsic threats of ISDS (and TTIP, CETA), and uses climate change as an important example: [www.bit.ly/FTAbriefTimFarron](http://www.bit.ly/FTAbriefTimFarron) These threats have not been adequately addressed by the Department of BIS.

The ISDS is already within CETA, in a version only slightly amended by the EU (the same version heavily criticized by the European public and NGOs in the consultation in Spring 2014). The main CETA negotiations between EU and Canada were completed last year and the text is now undergoing a “legal scrubbing” process prior to ratification (or the legal scrubbing may now be complete?).

**Cecilia Malmström**, the EU Trade Commissioner responsible for TTIP, has put forward a new compromise version of ISDS, but whether it is labelled “ISDS” or not, it is still a separate legal system for TNC’s and foreign companies (with its intrinsic threats) however it is modified or re-named. There is no evidence of need for any such separate system to domestic courts in the EU or the US, thus there is no valid case for a compromise. But many politicians such as MEPs are susceptible to giving way to compromises and ignore the public interest: Almost 2 million European citizens already say they do not want a separate legal system, nor TTIP itself.

I must conclude this section on deregulation and TTIP by summarizing the impact of TTIP and CETA on one of the most important issues this century – if not *the* most important issue:

## CLIMATE CHANGE

**TACKLING CLIMATE CHANGE** requires concerted international effort, and the EU provides a useful potential vehicle for this when untied to the US government which is so strongly influenced by the fossil fuel industry (as shown by [the enormous subsidies they provide to the industry](#)). European regulations are an important part of our armoury for tackling climate change, so we cannot allow TTIP and CETA to straightjacket our democratic space in the ways I've described, nor to enable a deregulatory drive as warned by the EAC and NGOs, nor to give legal primacy to free trade principles over and above our need to urgently tackle climate change. Such threats are already part of TTIP and CETA, and the dilution of proposed climate legislation has already started (such as of EU's FQD).

I have shown I hope clearly in [my submission to the EAC](#) that TTIP and CETA would be disastrous for tackling climate change.

Tim Farron is right to agree that free trade principles should not be given primacy over tackling climate change. However, because TTIP and CETA both put free trade principles above tackling climate change, this means that **supporting TTIP and CETA is incompatible with prioritizing action on climate change.**

## IMPLICATIONS of the ABOVE

So there is ample evidence to show that it would be naïve to believe Lord Livingston's "assurance" that TTIP's impact on regulations will simply be to remove or change those that are bureaucratic aberrations without affecting public interest. You only have to look at the above "direction of travel", the demands of the bigbiz lobbyists and the successes they've already had on EU policy changes and proposals to see that.

Thus Tim – you cannot any longer, with any credibility, continue to hold out that TTIP is likely to manifest your personal idealistic "free trade" ideology dreams for a levelling up of US-EU regulations that protect us and our environment. That is not what big business lobbyists are pushing for in TTIP – and they are in the driving seat, not MPs and MEPs – such is the huge democratic deficit. You seem to disregard the immense power of transnational corporations and their lobbyists, and that they want that power to not just be via big money but also to be set in irreversible and inescapable international law.

Nor can you continue with any credibility your insistence on waiting until the TTIP and CETA documents are complete – because if you think you will have any influence then to make any changes you are mistaken. The best you *may* have is a vote for or against the lot – warts and all, and even that has not been guaranteed. Have you insisted on it? And if there is such a vote – knowing LibDem MPs voting record – they will turn a blind eye to all the warts and imagine the hollow public benefits.

Online urls for this document, shortened url and full url: [www.bit.ly/deregulationTTIP](http://www.bit.ly/deregulationTTIP)

<http://www.dragonfly1.plus.com/DEREGULATIONagenda,TTIPandLDmanifesto.pdf>



*A summary of this document for Tim Farron that follows on from our discussions during surgery meetings on the deregulation agenda.*

**So TTIP is for DEREGULATION (except regulations that protect corporate interests from us)**

In our discussions on TTIP you appeared not to be aware that it is being negotiated within a big-business-driven direction of travel for DEREGULATION, both in the UK and EU, and you were trying to argue that we could not be certain until the TTIP text is complete whether it is for deregulation or for levelling up of regulations. You held out hopes that a levelling up of regulations is possible, and said that your reading of the US Republican dislike of TTIP having the more tougher EU regulations implied that a levelling-up is on the cards, though such an argument can also apply to regulations ending up midway between US and EU – thus de-regulation for EU. This was at the same time as you promoted in your emails to constituents the "up to £10 billion" benefit for the UK - which corresponds to the "most ambitious" scenario in CEPR's projection for Dept BIS, which means MAXIMISING DEREGULATION!

Which do you and the LibDems want: the "ambitious" scenario which involves maximising deregulation, or the no levelling down of any regulations scenario - which is not an available option unless you and the LibDems say NO to TTIP, or NO unless red lines are not crossed?

You can't have your cake and eat it - which is what the LibDem manifesto amounts to in its 2 consecutive sentences that mutually contradict each other.

The latter is the case not just due to the present political climate for deregulation, but also because here in the EU and UK - "**fast track**" is the default standard for trade and investment agreements (unlike in the US), so you will be lucky if you even get a vote on TTIP, and if so that will be just a yes or no to the lot - warts and all, and even luckier still if your wishes are fulfilled by having any impact on the UK member state position on TTIP - unless you put out a strong NO position to TTIP, or a strong NO unless "red line" conditions are explicitly stated within TTIP.

Tariff barriers between EU and US, and even more so, the UK and US, are already very low (averaging less than 3%), so the main thrust of TTIP is to remove "non-tariff barriers" (NTB's) that are "burdensome" to business profits, and that's where CEPR reckon most of the financial benefits will come from. These NTB's up for potential removal include regulations designed to protect us, wildlife and environment, and any restrictions of access of foreign companies and TNC's to public services procurement. TTIP is about DEREGULATION, and it is naïve to assume otherwise as that is not what big business, who are in the driving seat, are lobbying for – except for those regulations that protect TNC's from us (e.g. IP/patents).