

C(x) Transatlantic Trade and Investment Partnership (TTIP)

Congress is extremely concerned about the proposed Transatlantic Trade and Investment Partnership (TTIP) free trade treaty, a wide-ranging trade deal giving unprecedented power and influence to transnational corporations that would become the benchmark for all future trade agreements, currently being negotiated between the EU and the USA and recognises the threat posed. While there may be economic benefits in reducing trade tariffs and reviewing regulation for certain industrial sectors, Congress believes that the primary purpose of TTIP is to extend corporate investor rights.

A key element of the TTIP is the introduction of the Investor-State Dispute Settlement (ISDS) clause, which would act as a tribunal/arbitration. The ISDS could see millions of pounds paid out to those big private sector corporations should NHS services be brought back into the public sector in the future.

As with all trade agreements, TTIP is being negotiated mainly in secret. The current negotiations lack transparency and proper democratic oversight.

TTIP would:

- a) allow corporations to sue sovereign states, elected governments and other authorities legislating in the public interest where this curtails their ability to maximise their profits, by recourse to an Investor-State Dispute Settlement mechanism;
- b) threaten the future of our NHS and other key public services;
- c) risk job losses, despite unsubstantiated claims to the contrary;
- d) potentially undermine labour standards, pay, conditions and trade union rights as the US refuses to ratify core ILO conventions and operates anti-union "right to work" policies in half of its states;
- e) reverse years of European progress on environmental standards, food safety and control of dangerous chemicals, given US refusal to accept stricter EU regulation of substances long banned in the EU; and
- f) deprive EU member states of billions of pounds in lost tariff revenue.

Key concerns are:

- i) the threat to our National Health Service and sections of the public sector that may be opened up to the private sector leaving a future Labour government with no legal right to take back into public ownership (including previously publicly owned transport and utilities) and that could lead to a far more widespread fragmentation of NHS services, putting them into the hands of big private sector corporations;
- ii) the quasi-judicial process on the Investor-State Dispute Settlement under which multinational corporations may sue, in secret courts, nation states whose laws or actions are deemed incompatible with free trade;

- iii) opening up European markets to US Frankenstein foods – hormone enriched beef, chlorinated poultry and genetically modified cereals and salmon;
- iv) the mutual recognition of regulatory standards which will lead to a race to the bottom and the creation of a Transatlantic Regulatory Council which will give privileged access to multinational corporations; and
- v) the impact on creators' intellectual property rights.

Congress notes that free trade agreements rarely, if ever, benefit working people and are pushed by corporations who use them as a means to maximise profits and further their own interests.

The idea of transatlantic trade may well be supported by those that would profit from it, but for our health services based on values, principles and sustainability it could be a financial disaster, adding another nail in the NHS coffin. The TUC and a number of other organisations have been campaigning to exempt the NHS from the negotiations and Congress now calls on the General Council to keep the pressure on and raise the profile of the calamitous affects the TTIP could have on the NHS.

Congress remains unconvinced by official claims of job creation arising out of TTIP, and considers that the dangers to public services, workers' rights and environmental standards outweigh any potential benefits. Congress remains unconvinced about the likelihood of a binding labour rights chapter based on ILO Core Conventions.

Congress has similar concerns over current negotiations for the proposed Trade in Services Agreement (TISA) and the Comprehensive Economic Trade Agreement (CETA).

Congress believes that on the current path we will be presented with a fait accompli in the form of an inadequate, unacceptable agreement that we have had no chance of influencing or amending and where time will make it difficult to mobilise opposition.

Congress resolves that the TUC should:

- 1) oppose Investor-State Dispute Settlement (ISDS) mechanisms and a ratchet clause;
- 2) call for the exclusion of all public services, including education and health, public procurement, public utilities and public transport (whether in public or private ownership) from the negotiations;
- 3) demand no levelling down in relation to consumer, worker or environmental protection;
- 4) insist on genuine consultation with civil society organisations, including trade unions;
- 5) work with like-minded organisations, including the ETUC, in opposing all detrimental aspects of TTIP and in campaigning for alternative EU trade and investment policies; and

6) welcome the decision of the EU Foreign Affairs Council on Trade to exclude the audio-visual sector from the initial TTIP agenda, and lobby the UK government to oppose its future inclusion, in order to preserve the European Cultural Exception and the unique national nature of arts and entertainment activity within Europe.

Congress therefore resolves that the trade union movement should now call for the TTIP negotiations to be halted and adopt a clear position of outright opposition to TTIP, and the other trade agreements currently being negotiated, whilst continuing to monitor progress and press for improvements to promote decent jobs and growth and safeguard labour, consumer, environmental and health and safety standards through lobbying, campaigning and negotiating, in alliance with the ETUC and AFLCIO.

Congress agrees that all pending and future trade agreements entered into by the EU should be subject to a vigorous and transparent regime of scrutiny and consultation, ensuring that they are of benefit and acceptable to the millions of people affected by their content, in all countries covered by the agreement.

Proposed by Unite

Seconded by GMB

Supported by UCU

HCSA

Unison

MU

BECTU