



Transatlantic Trade and Investment Partnership (TTIP) and the spill overs effects Nadia Naim, University of Hertfordshire

The EU and the US are negotiating the Transatlantic Trade and Investment Partnership (TTIP), a trade agreement that aims to remove trade barriers across different economic sectors to increase trade between the EU and the US^[1]. The TTIP will have spill over effects on the MENA region, the GCC, Australia and the Asian sub-continent as it raises key questions for intellectual property and international trade agreements^[2]. For instance, will the US and EU be on an equal footing or will one triumph over the other, will third party countries like the GCC states be expected to adopt new standards as a result of the partnership and will this be compatible with the religious laws followed? The EU have included investor to state dispute settlement (ISDS) in the TTIP. ISDS enables foreign investors to circumvent domestic legal processes and hold governments in foreign states to account in arbitration tribunals, without having to go through WTO, in effect creating a corporate sovereignty^[3]. Sovereignty is itself a contentious issue, as different states and regions have very different political structures, resulting in individual sovereignty issues. ISDS poses a series of sovereignty threats as it puts investors on par with nations giving them authority to seek compensation directly from states with some draconian measures such as powers to seize state assets^[4].

Research Purpose

For the purpose of this paper, the key objectives are to analyse:

- The benefits/pitfalls of the TTIP on intellectual property and international trade
- The impact of ISDS at a constitutional level
- What corporate sovereignty means for the international community given different regions follow different political structures

[1] See http://trade.ec.europa.eu/doclib/docs/2013/march/tradoc_150737.pdf. Accessed on 20.04.2015.

[2] See Pratap, J. (2013), Proposed US-EU trade deal may impact business in GCC: report. Available at <http://www.bilaterals.org/?proposed-us-eu-trade-deal-may#sthash.aXZVR17g.dpuf>. Accessed on 21.04.2015.

[3] Friends of the Earth Europe, (2013), The TTIP of the anti-democracy iceberg. Available at http://www.foeeurope.org/sites/default/files/foee_factsheet_isds_oct13.pdf. Accessed on 10.04.2015.

[4] United Nations Conference On Trade And Development, World Investment Report, 2013, Global Value Chains: Investment and Trade for Development, Chapter 3, page 110. Available at http://unctad.org/en/publicationslibrary/wir2013_en.pdf. Accessed on 13.04.2015.