

16sep15: EU Commission announces its proposals for a “replacement” for ISDS - re-badged as ICS – Investment Court System. Links to responses:

The Commission proposals on 16sep15 on their website:

'Commission proposes new Investment Court System for TTIP and other EU trade and investment negotiations' <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1364>

16sep15 Malmström pitches new TTIP court – POLITICO <http://www.politico.eu/article/commission-pitches-new-ttip-court-investor-malmstrom/>

Responses by NGO's, political parties, business lobbying groups etc:

Updates:

15oct15 Glyn Moody **'Business Whines That Even EU's Mild, Unsatisfactory Reform Of Corporate Sovereignty Goes Too Far'** Techdirt. <https://www.techdirt.com/articles/20151014/09380132532/business-whines-that-even-eus-mild-unsatisfactory-reform-corporate-sovereignty-goes-too-far.shtml> - excellent article, and links to EC's publication (!!!) of its proposals for ICS:

http://trade.ec.europa.eu/doclib/docs/2015/september/tradoc_153807.pdf

Moody writes: “To its credit, the European Commission has published its **proposed text for TAFTA/TTIP's investment chapter** (pdf) in full. Here's the key passage limiting claims for indirect expropriation:

For greater certainty, except in the rare circumstance when the impact of a measure or series of measures is so severe in light of its purpose that it appears manifestly excessive, non-discriminatory measures of a Party that are designed and applied to protect legitimate public welfare objectives, such as the protection of public health, safety, environment or public morals, social or consumer protection or promotion and protection of cultural diversity do not constitute indirect expropriations.

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NGO responses:

T&E – Transport & Environment:

'New' Investment Court System still privileges foreign investors under EU-US trade deal

<http://www.transportenvironment.org/press/'new'-investment-court-system-still-privileges-foreign-investors-under-eu-us-trade-deal>

Greenpeace:

Commission TTIP plan retains privileged corporate justice system | Greenpeace EU Unit

<http://www.greenpeace.org/eu-unit/en/News/2015/Commission-TTIP-plan-retains-privileged-corporate-justice-system-Greenpeace/>

FoE Europe:

EU 'Post-ISDS' proposal more of same | Friends of the Earth Europe

<http://www.foeeurope.org/EU-Post-ISDS-proposal-more-of-same-091615>

Global Justice Now:

Commission tries to “put lipstick on a pig” with alternative corporate court system

<http://www.globaljustice.org.uk/news/2015/sep/16/commission-tries-“put-lipstick-pig”-alternative-corporate-court-system>

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Party responses:

The Greens / European Free Alliance:

Cosmetic investment court proposal fails to address core problems with ISDS EU trade policy - Content - The Greens | European Free Alliance

<http://www.greens-efa.eu/eu-trade-policy-14494.html>

Includes comments on the proposal by Greens/EFA vice-president and international investment spokesperson **Ska Keller**, and Greens/EFA trade spokesperson **Yannick Jadot**.

And see: <http://ttip2015.eu/blog-detail/blog/ISDS%20reform%20proposal.html>

ALDE: *next page >>*

ALDE – Alliance of Liberals and Democrats for Europe group:

TTIP: new proposals show EU Commission is listening

<http://www.alde.eu/nc/press/press-and-release-news/press-release/article/ttip-new-proposals-show-eu-commission-is-listening-45796/>

As expected, ALDE gives a “business friendly” uncritical welcome to the proposals, ignoring its blindingly obvious flaws and giving weak ?pretence? of “concerns” for impacts on us.

Includes comments by **Guy Verhofstadt, President of the Alliance of Liberals and Democrats for Europe**, and **Marietje Schaake (D66, the Netherlands), ALDE INTA coordinator**.

GV states “*Today’s announcement shows the Commission is responding to the legitimate concerns of the European Parliament and European citizens.*” – The last 3 words are misleading, as European citizens said NO to any alternative court system in last year’s consultation. We obviously cannot trust ALDE – who clearly put business first before us when it comes to “Free Trade” matters. This is disappointing, as ALDE MEPs such as Caroline Bearder can sometimes work to protect us and our environment, but when it comes to TTIP and CETA such aims are subjugated.

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Reaction from US Chamber of Commerce: (via Linda Kaucher of StopTTIPuk)

Note: This powerful US lobbying group will be having a very strong influence on the US position in TTIP negotiations. It teams up with the UK Chamber of Commerce to make up the British American Business (BAB) lobbying group which is promoting TTIP.

Statement from the U.S. Chamber of Commerce's Vice President for European Affairs, Marjorie Chorlins:

U.S. Chamber Statement on European Commissions Investment Court System

WASHINGTON, D.C. U.S. Chamber of Commerce Vice President for European Affairs Marjorie Chorlins issued the following statement on today’s announcement by the European Commission on their intent to adopt the Investment Court System, a new approach to the investor-state dispute settlement system:

While we recognize the EU has a political problem relating to future investment treaties, the U.S. business community cannot in any way endorse today's EU proposal as a model for the Transatlantic Trade and Investment Partnership (TTIP). The recent European debate around investment treaties, the obligations governments accept in them and the methods they provide for dispute settlement is not grounded in the facts, and the distortions in this debate cannot be allowed to trump sound policy.

If the EU still regards the TTIP as a serious objective, today's proposal is deeply flawed. Tough negotiations lie ahead, and the reforms the United States has undertaken in recent years in its own investment agreements represent a far superior starting point for these important deliberations.

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