



On 4 July 2014, the CPME Executive Committee adopted the 'CPME response to the public consultation on investment protection and investor-to-state dispute settlement (ISDS) in the Transatlantic Trade and Partnership Agreement (TTIP)' (CPME 2014/060 FINAL)

CPME response to the public consultation on investment protection and investor-to-state dispute settlement (ISDS) in the Transatlantic Trade and Partnership Agreement (TTIP)

The Standing Committee of European Doctors (CPME) represents national medical associations across Europe. We are committed to contributing the medical profession's point of view to EU and European policy-making through pro-active cooperation on a wide range of health and healthcare related issues.¹

In the context of the public consultation on investment protection and investor-to-state dispute settlement (ISDS) in the Transatlantic Trade and Partnership Agreement (TTIP), CPME would like to express its grave concerns as to the agreement's implications for healthcare.

CPME believes that the proposed text does not provide sufficient safeguards for the protection of healthcare services and

- States its serious concern as to the lack of transparency of negotiations and insufficient access to information on their content and structure for the general public. CPME believes the widest possible public access to documents should be ensured, in accordance with Regulation 1049/2001, and the judgment of the European Court of Justice in Case C350/12 P. The agreement's importance warrants a public consultation of the draft final text once it has been negotiated.
- Calls for an exemption for the provision of healthcare services from the scope of application of the TTIP, equivalent to the carve-out in the TTIP for the audio-visual sector. EU Member States have an unimpeded right to regulate in the field of healthcare services provision. This may not be undermined by investors' challenging Member States as to the regulatory framework of the delivery of health services and medical care. Similarly the EU regulatory framework, e.g. the authorisation of medicinal products, the conduct of clinical trials, data protection, or measures taken in the public interest, e.g. relating to the manufacture, presentation and sale of tobacco and related products, must not be endangered.

¹CPME is registered in the Transparency Register with the ID number 9276943405-41. More information about CPME's activities can be found under www.cpme.eu



COMITÉ PERMANENT DES MÉDECINS EUROPÉENS
STANDING COMMITTEE OF EUROPEAN DOCTORS



We reaffirm that healthcare cannot be equated to services delivered in a purely commercial context. This distinction is acknowledged in national laws and is also in the context of EU legislation, as exemplified by the exemption of healthcare and pharmaceutical services from the scope of application of Directive 2006/123/EC on services in the internal market. Neither in national nor in EU policy may economic considerations take precedence over the objective of ensuring quality of care. Member States must safeguard patients' fundamental right to access to high quality healthcare. CPME therefore appeals to the Commission to secure a carve-out for the provision of healthcare services from the TTIP for the benefit of patients in Europe.