

PRESENTATION

Speech
Economics
EU

Investor-State Dispute Settlement and TTIP - Threat or Opportunity?

TimeLoc
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Brüssel
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[Max Grünig](#) [1]



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On 3 June 2014, Max Grünig, Senior Fellow at Ecologic Institute, contributed to a policy dialogue by the European Policy Centre (EPC) in Brussels on the potential impacts of Investor-State Dispute Settlement (ISDS) under a Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US on the environment. Max Grünig presented evidence from past ISDS proceedings, focussing on cases with a direct link to the environment.

He suggested that under the well established rule of law in both the EU and the US, ISDS is not a necessity and should not be introduced as a parallel legal strand.

Max Grünig found that differentiated treatments between different nations was a common practice and hence not including ISDS under TTIP shall not be linked to future discussions with China or other trade partners.

However, if ISDS cannot be avoided, he urged to push reform as far as possible. He noted that granting investors ISDS-rights needs to be balanced by investors offering something in return. No right shall be given away for free or else the right will be perceived as for free. Rather, he urged to seize the opportunity to make a grand bargain and include wide-ranging environmental and social liability to the negotiations as 'payment' for ISDS.

Further discussants - with very diverging views - included:

- Rupert Schlegelmilch, Director, Services and Investment, Intellectual Property and Public Procurement, DG Trade, European Commission
- David Graukrodger, Senior Legal Adviser, OECD Investment Division
- Luisa Santos, Director, International Relations, BUSINESSEUROPE

The event was moderated by Fabian Zuleeg, Chief Executive, European Policy Centre. The dialogue was supported by the Mission

of New Zealand to the EU.

Max Grünigs's slides are available for download.

Source URL (modified on 07/14/2014 - 17:30): <https://www.ecologic.eu/10808>

Links

[1] <https://www.ecologic.eu/2027>

[2] <https://www.ecologic.eu/sites/files/presentation/2014/screen-ttip-gruenig-03062014.jpg>