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TTIP's regulatory cooperation framework and its democratic implications

February 8, 2015

by Marija Bartl



One of the issues on the agenda of the forthcoming workshop *'Why TTIP? On its rationale, institutions and substantive areas'*, taking place at the UVA on the 17th February 2015, are *the democratic implications of TTIP's regulatory cooperation framework*. Alberto Alemmano, a visiting scholar of [Access Europe](#) and one of the most outspoken commentators on the topic,

will present his ideas on regulatory cooperation (see, for instance, [here](#)), followed by rejoinders by several commentators (see [programme](#) and [presentations](#)).

Even if the TTIP would not have a set of institutions *directly* making law and thereby interfering with the regulatory process of the state parties (see Alemmano's recent [blog](#)), two more indirect avenues are envisaged for shaping the respective domestic regulatory process. On the one hand, the TTIP will juridify certain 'better regulation' principles, such as transparency, consultation or impact assessment, thereby opening the regulatory process to the gaze and input of the other state party and, more importantly, their stakeholders. On the other hand, the TTIP will put in place a set of formal institutions (such as a Regulatory Council and sectorial committees, see [here](#)). Here regulators, experts and eventually trade officials will come together and, with the input of stakeholders, propose, first, a yearly (de)regulatory agenda for eliminating 'behind the borders obstacles to trade' and, second, socialize into using similar regulatory techniques and methodologies.

The question that we aim to answer in this workshop is the following. If the purpose of the agreement is to change the 'mindset' of regulators (rather than produce formal law), what are the possible democratic implications thereof? In other words, what will be the broader discursive impact of the TTIP's 'light' institutional structure on the democratic debate in both the EU and the US?

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