

De werking van 'Regelgevende Samenwerking' tav bestaande en nieuwe wet- en regelgeving

Het Amerikaanse Institute for Agriculture and Trade Policy (IATP) publiceerde begin september een rapport over de verwachte effecten van het TPP-verdrag op het klimaat. Het TPP is een (nog niet geratificeerde) verdrag tussen de VS en een groot aantal andere landen aan de Pacifische Oceaan. Het TPP is vergelijkbaar is met TTIP en CETA.

Al deze verdragen bevatten vergelijkbare mechanismen voor 'regelgevende samenwerking en afstemming'. Die mechanismen zullen ertoe leiden dat nieuwe en bestaande wet- en regelgeving wordt aangepast aan het streven van grote ondernemingen om (meer) winst te maken zonder rekening te houden met de belangen van mens, milieu en natuur.

In bovengenoemd IATP-rapport wordt uitgelegd hoe het mechanisme van de 'Regulatory Coherence' onder het TPP zal functioneren. Hieronder een relevant stukje uit het rapport:

>> *Regulatory Coherence (TPP)*

The TPP is the first U.S. free trade agreement to include a Regulatory Coherence chapter.

The chapter's ostensible objective is to promote best practices in regulation, avoid duplication, assess alternatives and expand opportunities for stakeholder input. While these goals may sound reasonable, the policy implications are anything but. The chapter, which emanated from corporate lobbyists, creates what amounts to an early warning system for the formation of regulations in all TPP countries, including state regulations.

TPP countries will be required to fully report publicly on regulations under consideration for the following year, and provide justification and pre-implementation impact assessments. Regulations will be periodically reviewed to determine whether they are still necessary. The Chapter includes provisions for a Committee on Regulatory Coherence where regulations in development can be directly challenged.

Because TPP regulatory cooperation requirements will apply to sub-federal regulations, U.S. state regulatory processes, now the most innovative in terms of climate related policies, will also come under review. The TPP will require the federal government to give advance notice of state-level proposals for "new technical regulations and conformity assessment procedures" where those proposals "may have a significant impact on trade." The federal government will be obligated to hold "technical discussions" upon

request of any other TPP country. Internal processes for how such requests would be generated are unstated. Though the intended outcome of technical discussions is to harmonize state, federal, and international regulations and standards, TPP provisions don't specify how—or if—state policymakers will be consulted.

TPPs Regulatory Coherence chapter is designed to provide a means by which corporate interests can head off proposed regulations, even if such measures are designed specifically to meet climate goals.<<

Bron:

"The Climate Cost of Free Trade - How TPP and trade agreements undermine the Paris climate agreement"

6 september 2016

http://www.iatp.org/files/2016_09_06_ClimateCostFreeTrade.pdf