

8th March 2016

Dear Constituents,

Thank you for contacting me about the Transatlantic Trade and Investment Partnership (TTIP) and the NHS.

I note your comment that Mr Bowsher was commissioned by the trade union Unite to provide his advice. However I have to say it goes over the same ground that has been clarified on many occasions throughout the TTIP process. Assurances have been given that current, existing and future trade policy will not affect how the UK runs its public services.

Negotiators from the United States and the European Union have repeatedly made it clear that it will continue to be for EU member states to make decisions about whether and to what extent they involve the private sector in the provision of public services. The EU's chief negotiator on TTIP has also reinforced that EU countries will continue to be free to decide how they run their public health systems.

The NHS is already protected by an "annex II" exemption in all EU trade deals, which is known as the "public utilities clause" and exempts any public services from the commitments under the Free Trade Agreement. This is the case in our agreements with Korea, Canada, Central America, Columbia and Peru, and with Singapore as it will be with TTIP. You can find a brief outline as to these exclusions on the European Commission's website, as well as links to open letters from Commissioner Malmström at the following address:
<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1115>

The addition of a repeated annex II exemption for the NHS would consequently be unnecessary given the general exclusion.

Ultimately, there are no examples whereby the NHS has been adversely affected by a trade deal. Even concerning investment protection provisions, the UK has around 90 agreements, with a consecutive running time of over 2,000 years, and none have adversely affected the NHS.

Thank you again for taking the time to contact me.

Yours sincerely,



Alok Sharma MP