



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Constitutional Affairs

2014/2228(INI)

6.3.2015

AMENDMENTS

1 - 53

Draft opinion
Esteban González Pons
(PE549.176v01-00)

Recommendations to the European Commission on the negotiations for the
Transatlantic Trade and Investment Partnership (TTIP)
(2014/2228(INI))

AM_Com_NonLegOpinion

Amendment 1

Pascal Durand

on behalf of the Verts/ALE Group

Draft opinion

Citation (new)

Draft opinion

Amendment

– *Having regard to the case-law of the Court of Justice of the European Union (CJEU), in particular Case C-350/12¹ and Opinions 2/13² and 1/09³;*

Or. fr

Amendment 2

Esteban González Pons

Draft opinion

Recital A

Draft opinion

Amendment

A. whereas the Lisbon Treaty extended the scope of the Common Commercial Policy to include foreign direct investment, and whereas it gave Parliament *new powers* in the field of international trade agreements by strengthening its right to regular information, and *by giving it a decisive role in the definition of the Union's trade policy, as its consent is now required for the implementation of international trade agreements;*

A. whereas the Lisbon Treaty extended the scope of the Common Commercial Policy to include foreign direct investment, and whereas it gave Parliament *a significant increase of powers in* the field of international trade agreements by strengthening its right to regular information, and *by enhancing its decision making competence through its power of consent required at the end of negotiations, thus providing for direct representation of the citizens in adoption of the international trade agreements;*

¹ Case C-350/12 Council of the European Union v Sophie in't Veld.

² Opinion 2/13 Accession of the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms - Compatibility of the draft agreement with the EU and FEU Treaties.

³ Opinion 1/09 Draft agreement - Creation of a unified patent litigation system - European and Community Patents Court - Compatibility of the draft agreement with the Treaties.

Amendment 3
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Recital A - Point a (new)

Draft opinion

Amendment

Aa. whereas in its Opinion 1/09 the CJEU stated that the creation of dispute-resolution mechanisms outside of the European Union's institutional and judicial framework which would deprive courts of Member States of their powers in relation to the interpretation and application of European Union law and the Court of its powers to reply, by preliminary ruling, to questions referred by those courts and would alter the essential character of the powers which the Treaties confer on the institutions of the European Union and on the Member States and which are indispensable to the preservation of the very nature of European Union law, and would thus be incompatible with the Treaties;

Or. fr

Amendment 4
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Recital A - Point b (new)

Draft opinion

Amendment

Ab. whereas in its Opinion 2/13 the CJEU stated that the competence of the EU in the field of international relations and its

capacity to conclude international agreements necessarily entail the power to submit to the decisions of a court which is created or designated by such agreements as regards the interpretation and application of their provisions; whereas the Court nevertheless also declared that an international agreement may affect its own powers only if the indispensable conditions for safeguarding the essential character of those powers are satisfied and, consequently, there is no adverse effect on the autonomy of the EU legal order.

Or. fr

Amendment 5
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Recital A - Point c (new)

Draft opinion

Amendment

Ac. whereas on 10 September 2014 the Commission refused to register the CEI Stop TTIP, considering it to fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties; whereas a 'Stop TTIP' initiative has since been launched outside of the procedure laid down in Regulation 211/2011 and has already gathered more than one million signatures;

Or. fr

Amendment 6
Pedro Silva Pereira, Mercedes Bresso, Ramón Jáuregui Atondo, Jo Leinen, Sylvia-Yvonne Kaufmann,

Draft opinion

Paragraph 1 - point (d) - Subpoint (i.(new) - (precedes point i)

Draft opinion

Amendment

i. to evaluate the implications of TTIP in order to ensure policy coherence, namely the consistency between the different areas of EU's external action and between these and its other policies;

Or. en

Amendment 7

Helmut Scholz, Barbara Spinelli

Draft opinion

Paragraph 1. - Point (d) - Subpoint (i.)

Draft opinion

Amendment

i) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

(i.). takes the view that the Commission's proposal of more extensive regulatory cooperation, which would grant the trade and investment partner and undertakings in the pre-legislative or legislative phase of the EU legislation procedures, the Member States and the local and regional territorial entities a privileged right to be heard or the possibility of delaying or stopping legislation procedures through demands for impact analyses of legislation on trade and investment, would imply an inadmissible circumvention of the law-making procedures laid down in the Treaties;

Or. de

Amendment 8

Elmar Brok

Draft opinion

Paragraph 1. - Point (d) -Subpoint (i.)

Draft opinion

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

Amendment

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties; ***As TTIP is expected to be a 'living agreement', to which additional sectoral annexes may be added in the future, it is appropriate to ensure that this mechanism will guarantee the possibility for parliamentary oversight so as to ensure that the EP and the US Congress are informed, and that they can initiate and shape the regulatory dialogue foreseen by TTIP, respecting the legislative parliamentary rights.***

Or. en

Amendment 9

Pedro Silva Pereira, Mercedes Bresso, Ramón Jáuregui Atondo, Jo Leinen, Sylvia-Yvonne Kaufmann, Pervenche Berès

Draft opinion

Paragraph 1. - Point (d) - Subpoint (i.)

Draft opinion

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

Amendment

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that ***the regulatory cooperation should respect the EU current constitutional and institutional framework, the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and that*** any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the

Treaties;

Or. en

Amendment 10
Isabella Adinolfi,

Draft opinion
Paragraph 1.- Point (d) - Subpoint (i.)

Draft opinion

i.) to specify the role and the legal quality of the Regulatory Cooperation **Council's** findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

Amendment

i.) to specify the role and the legal quality of the Regulatory Cooperation **Council, its powers and its** findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties **therefore undermining the democratic process as well as the European public interest;**

Or. en

Amendment 11
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1. - Point (d) - Subpoint (i.)

Draft opinion

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

Amendment

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties; **and of the subsidiarity principle in case of any direct application of its recommendations for the national and local authorities of the**

Member States;

Or. en

Amendment 12

Maite Pagazaurtundúa Ruiz, Sylvie Goulard, Charles Goerens
on behalf of the ALDE Group

Draft opinion

Paragraph 1. - Point (d) - Subpoint (i.)

Draft opinion

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties;

Amendment

i.) to specify the role and the legal quality of the Regulatory Cooperation Council's findings, taking into consideration that any direct application of its recommendations for the relevant EU instances would imply a breach of the law-making procedures laid down in the Treaties, ***and to ensure that no standards are lowered inside the European legal framework;***

Or. en

Amendment 13

Helmut Scholz, Barbara Spinelli

Draft opinion

Paragraph 1. - Point (d) - Subpoint(i.) a (new)

Draft opinion

i.)a. confirms that all important questions of detail of the TTIP agreement should be negotiated, and there may generally be no subsequent transfer of regulatory questions to expert committees set up specifically for that purpose;

Amendment

Or. de

Amendment 14
Helmut Scholz, Barbara Spinelli

Draft opinion
Paragraph 1. - Point (d) - Subpoint (i.) b (new)

Draft opinion

Amendment

i.)b. demands the inclusion of a revision clause in the agreement, in order to be able to examine the impact of the agreements reached and make amendments where appropriate, and also to be able to terminate the agreement;

Or. de

Amendment 15
Helmut Scholz, Barbara Spinelli

Draft opinion
Paragraph 1. - Point (d) - Subpoint (i.) c (new)

Draft opinion

Amendment

i.)c. considers the very high level of protective measures and standards which exist and were democratically agreed in the European Union to be an achievement which is worthy of protection to the highest degree and demands that the legal standards which exist in the EU and its Member States, for example in respect of product safety, health, social, environmental, climate, foodstuff and animal protection and consumer and data protection rights, may in no way be lowered and corresponding rules are to be established for this purpose in the TTIP; emphasises the necessity of instead guaranteeing an improvement of current standards for both partners of the TTIP, and corresponding democratic participation on both sides of the Atlantic;

Or. de

Amendment 16
Pervenche Berès

Draft opinion
Paragraph 1.- Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) To oppose the inclusion of an ISDS mechanism in TTIP given the EU's and the US' developed legal systems and that a state-to-state dispute settlement system, and the use of national courts are the most appropriate tools to address investment disputes;

Or. en

Amendment 17
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1.- Point(d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States

Amendment

ii.) not to support the inclusion of any kind of investor-state dispute settlement (ISDS), and thus maintain the EU's institutional and juridical framework; to work towards producing a permanent solution for resolving disputes between investors and states under trade agreements, for example the creation of a permanent multilateral court;

Amendment 18

Maite Pagazaurtundúa Ruiz, Sylvie Goulard, Charles Goerens
on behalf of the ALDE Group

Draft opinion

Paragraph 1.- Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) while recognising that investment protection is necessary, to explore viable, transparent alternatives to investor-state dispute settlement mechanisms (ISDS), inspired, for example, by the dispute settlement mechanism in place within the WTO;

Amendment 19

Helmut Scholz, Barbara Spinelli

Draft opinion

Paragraph 1. - Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) emphasises that the continued existence of European legislation and the capacity of European, national and local authorities to legislate their own policies may not be undermined by the TTIP and is to be observed in legal action issues before national or European courts of law; firmly rejects any form of investment protection regulations and dispute settlement mechanisms in the investor and state relationship between the EU and the

USA (ISDS) which bypass ordinary jurisdiction and underlines that democratically legitimised and constitutionally created political and administrative measures, in particular with regard to subsequent compensation claims, may not be called into question by courts of arbitration;

Or. de

Amendment 20
Fabio Massimo Castaldo

Draft opinion
Article 1.- Point (d) - Subpoint (ii.)

Draft opinion

ii.) *while* the investor-state dispute settlement (ISDS) is an appropriate tool to protect *investors and assure that investments are treated in a fair and non-discriminatory way, to oversee* that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) *to modify* the investor-state dispute settlement (ISDS), *since granting jurisdiction to a private arbitration tribunal is not* an appropriate tool to protect *citizens, the Member States and investors, as the independence and impartiality of the judge cannot be guaranteed – elements which are inalienable rights enshrined in the constitutional traditions common to the Member States and in Article 47 of the Charter of Fundamental Rights of the European Union, to propose the creation of a permanent, joint US-EU tribunal composed of members with demonstrated experience, who fulfil the aforesaid criteria and are proven to have no conflicts of interest, nominated by the respective legislative assemblies on a three-year mandate which may be renewed only once (based on the system employed by the International Criminal Court), and to guarantee that this settlement* does not undermine *in any way* the capacity of European, national and local authorities to legislate their own policies, in particular social, *health, food*

and environmental policies, and therefore respect the constitutional framework of the Member States;

Or. it

Amendment 21
Isabella Adinolfi

Draft opinion
Paragraph 1.-Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) *is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way*, to oversee that *it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;*

Amendment

ii.) while the investor-state dispute settlement (ISDS) *is a very critical tool that could pose threats to the Member States' sovereignty and their democratic capacity*, to oversee that *it is not included in the agreement bearing also in mind that full protection is provided for by the current legal systems and procedures of the parties to the agreement;*

Or. en

Amendment 22
Richard Corbett

Draft opinion
Paragraph 1.- Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) *is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and*

Amendment

ii.) while *a reformed* investor-state dispute settlement (ISDS) *may be* an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way *in trade agreements with jurisdictions at risk of political interference in the judiciary and denial of justice to foreign investors, the absence of such risks*

environmental policies, and therefore respect the constitutional framework of the Member States;

in the USA and the EU suggest that ISDS is not necessary in TTIP;

Or. en

Amendment 23
Marcus Pretzell

Draft opinion
Paragraph 1. - Point (d) - Subpoint (ii.)

Draft opinion

ii.) *while the* investor-state dispute settlement (ISDS) *is* an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) *in this respect, an* investor-state dispute settlement (ISDS) *can only be regarded as* an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, *if potential cases would be transparently treated by professional judges in public trials also allowing to lodge at least one appeal, it is further necessary* to oversee that it does not undermine the capacity of European, national and local authorities to legislate their own policies, in particular social and environmental policies *as well as consumers' protection* and therefore respect the constitutional framework of the Member States;

Or. en

Amendment 24
Pedro Silva Pereira, Mercedes Bresso, Ramón Jáuregui Atondo,

Draft opinion
Paragraph 1.- Point (d) - Subpoint (ii.)

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) *is an appropriate tool to protect investors and assure that*

Amendment

ii.) while *there is no decision on the inclusion of the* investor-state dispute settlement (ISDS) *in TTIP*, to oversee that,

investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine *the capacity* of European, national and local authorities *to legislate their own policies*, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

in the event of its inclusion, it does not undermine the *right to regulate in the public interest* of European, national and local authorities, *regarding* in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

Or. en

Amendment 25 **Paulo Rangel**

Draft opinion **Paragraph 1.- Point (d) - Subpoint (ii.)**

Draft opinion

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity *of European*, national and local authorities to legislate their own policies, in particular social *and* environmental policies, and therefore respect the constitutional framework of the Member States;

Amendment

ii.) while the investor-state dispute settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity *of the European Union and* national, *regional and* local authorities to legislate their own policies, in particular social, environmental, *health and consumer protection* policies, and therefore respect the constitutional framework of the Member States;

Or. pt

Amendment 26 **Elmar Brok**

Draft opinion **Paragraph 1. - Point (d) - Subpoint (ii.)**

Draft opinion

ii.) while the investor-state dispute

Amendment

ii.) while the investor-state dispute

settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local *authorities* to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States;

settlement (ISDS) is an appropriate tool to protect investors and assure that investments are treated in a fair and non-discriminatory way, to oversee that it does not undermine the capacity of European, national and local *parliaments* to legislate their own policies, in particular social and environmental policies, and therefore respect the constitutional framework of the Member States *and the EU*;

Or. en

Amendment 27
Paulo Rangel

Draft opinion
Paragraph 1. - Point (d) - Subpoint (ii.) a (novo)

Draft opinion

Amendment

(ii.)a Establish a transparent dispute settlement mechanism between investors and the State, to ensure the independence and impartiality of arbitrators, and the consistency of the decisions taken, in particular by the introduction of a binding code of conduct for arbitrators, which includes rules to prevent conflicts of interest, the establishment of a permanent arbitration tribunal and the provision of an appeals mechanism for arbitration decisions;

Or. pt

Amendment 28
Helmut Scholz, Barbara Spinelli

Draft opinion
Paragraph 1. - Point (d) - Subpoint (ii.) b (new)

Draft opinion

Amendment

ii.)b Requests the Commission to note the

responses to the public consultation which it conducted on ISDS, which clearly showed overwhelming opposition to ISDS; refers to the extraordinary success of the European citizens' initiative 'Stop TTIP', which has gathered 2 million signatures despite being rejected by the Commission;

Or. de

Amendment 29

Pascal Durand

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 1. - Point (d) - Subpoint (ii.) c (new)

Draft opinion

Amendment

ii.)c to refer the matter to the CJEU for its opinion on the compatibility of the TTIP with Union law before submitting it for approval pursuant to Article 218(11) TFEU;

Or. fr

Amendment 30

Maite Pagazaurtundúa Ruiz, Sylvie Goulard, Charles Goerens

on behalf of the ALDE Group

Pascal Durand

Draft opinion

Paragraph 1. - Point (d) - Subpoint (ii.) d (new)

Draft opinion

Amendment

ii.)d to ensure the ECJ's exclusive jurisdiction over the definitive interpretation of European Union law, enforcing the general principles of the legal framework of the EU;

Or. en

Amendment 31
Helmut Scholz, Barbara Spinelli

Draft opinion
Paragraph 1. - Point (e) - Subpoint (iii.)

Draft opinion

iii.) *while a certain extent of confidentiality is necessary for effective negotiations on a trade agreement of such high economic and political importance, to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;*

Amendment

iii.) *acknowledges the effort made by the Commission to render the negotiations more transparent, but, in view of the high importance of the ongoing negotiations, considers this to be insufficient for comprehensively informing the populations of the EU Member States; requests the Commission to take significant steps towards improved public access to negotiation documents;*

Or. de

Amendment 32
Fabio Massimo Castaldo

Draft opinion
Article 1. -Point (e) - Subpoint (iii.)

Draft opinion

iii) *while a certain extent of confidentiality is necessary for effective negotiations on a trade agreement of such high economic and political importance, to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;*

Amendment

iii.) to continue its effort to render TTIP negotiations **truly** transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency, **and thus request, as a precondition for continuing negotiations and so that these are conducted on mutually reciprocal basis, that the United States follow the example of the European Union and make its position papers public;**

Or. it

Amendment 33
Isabella Adinolfi

Draft opinion
Paragraph 1.- Point (e) - Subpoint (iii.)

Draft opinion

iii) while a *certain* extent of confidentiality *is necessary for effective negotiations on a trade agreement of such high economic and political importance, to continue its effort to render* TTIP negotiations *more* transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Amendment

iii.) while a *well-defined* extent of confidentiality *should be deemed* necessary *in the negotiation process of a trade agreement, to ensure* that TTIP negotiations *will always be* transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Or. en

Amendment 34
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Article 1. - Point (e) - Subpoint (iii.)

Draft opinion

iii.) while a certain extent of confidentiality is *necessary for effective* negotiations on a trade agreement of such high economic and political importance, to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Amendment

iii.) while a certain extent of confidentiality is *admissible during* negotiations on a trade agreement of such high economic and political importance, to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Or. fr

Amendment 35
Pedro Silva Pereira, Mercedes Bresso, Ramón Jáuregui Atondo, Jo Leinen, Sylvia-Yvonne Kaufmann, Pervenche Berès

Draft opinion

Paragraph 1.- Point (e) - Subpoint (iii.)

Draft opinion

iii.) *while a certain extent of confidentiality is necessary for effective negotiations on a trade agreement of such high economic and political importance,* to continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Amendment

iii.) to continue **and strengthen** its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Or. en

Amendment 36
Marcus Pretzell

Draft opinion
Paragraph 1. - Point (e) - Subpoint (iii.)

Draft opinion

iii.) *while* a certain extent of confidentiality *is necessary* for *effective* negotiations on a trade agreement of such high economic and political importance, *to* continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Amendment

iii.) **although** a certain extent of confidentiality **may be comprehensible** for negotiations on a trade agreement of such high economic and political importance, **national parliaments of the Member States should be included as negotiating partners, whereas the EU should simultaneously** continue its effort to render TTIP negotiations more transparent and accessible to the public, as European institutions should be at the forefront of promoting transparency;

Or. en

Amendment 37
Fabio Massimo Castaldo

Draft opinion
Article 1.- Point (e) - Subpoint (iii.) a (new)

Draft opinion

Amendment

iii) a. to make documents relating to the outcome of negotiations fully accessible to the public at the end of every round;

Or. it

Amendment 38

Pascal Durand

on behalf of the Verts/ALE Group

Draft opinion

Article 1.- Point (e) - Subpoint (iii.) b (new)

Draft opinion

Amendment

iii.)b to inform the European Parliament immediately and fully of all steps in the procedure, in accordance with CJEU judgment in Case C-358/11; to ensure all MEPs have access to all restricted documents and include the consolidated texts in the list of documents consultable by MEPs;

Or. fr

Amendment 39

Elmar Brok

Draft opinion

Paragraph 1- Point (e) -subpoint (iv.)

Draft opinion

Amendment

to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available relevant documents on its website more

iv) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available relevant documents on its website more

proactively and comprehensively, and by ensuring more balanced and transparent public participation;

proactively and comprehensively, and by ensuring more balanced and transparent public participation *by their national parliaments*;

Or. en

Amendment 40

Maite Pagazaurtundúa Ruiz, Sylvie Goulard, Charles Goerens

on behalf of the ALDE Group

Draft opinion

Paragraph 1.- Point (e) - Subpoint (iv.)

Draft opinion

iv) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available relevant documents its website more proactively and comprehensively, and by ensuring more balanced and transparent public participation;

Amendment

iv.) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available relevant documents *in all the official languages of the EU on* its website more proactively and comprehensively, and by ensuring more balanced and transparent public participation;

Or. en

Amendment 41

Marcus Pretzell

Draft opinion

Paragraph 1.- Point (e) -subpoint (iv.)

Draft opinion

iv) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available

Amendment

iv) to implement the recommendations of the European Ombudsman from 6 January 2015 to further enhance the legitimacy and transparency of the negotiating process by fully complying with the rules on public access to documents, by making available

relevant documents on its website *more* proactively and comprehensively, and by ensuring *more* balanced and transparent public participation;

relevant documents on its website proactively and comprehensively and by ensuring balanced and transparent public participation;

Or. en

Amendment 42

Maite Pagazaurtundúa Ruiz, Sylvie Goulard, Charles Goerens
on behalf of the ALDE Group

Draft opinion

Paragraph 1.- Point (e) -subpoint (iv.) - a (new)

Draft opinion

Amendment

iv.)a - calls, therefore, on the Commission to support and continue negotiations with the Council to unblock the amendment to Regulation (EC) N° 1049/2001 regarding public access to documents;

Or. en

Amendment 43

Elmar Brok

Draft opinion

Paragraph 1.- Point (e) -subpoint (iv.) - b (new)

Draft opinion

Amendment

iv)b - to check legally what a mixed-type agreement is and what it means politically

Or. en

Amendment 44

Marcus Pretzell

Draft opinion

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24/29

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Paragraph 1.- Point (e) -subpoint (v.)

Draft opinion

v) to fully involve national parliaments in the debate on the specifics of TTIP and keep them regularly informed on the course of negotiations, especially since this agreement *should* be considered a ‘mixed-type’ agreement *and would thus require a ratification at national level*;

Amendment

v) to fully involve national parliaments in the debate on the specifics of TTIP and keep them regularly informed on the course of negotiations *paying attention of their feedback*, especially since this agreement *must* be considered a ‘mixed-type’ agreement *thus requiring ratification by national parliaments*;

Or. en

Amendment 45

Kazimierz Michał Ujazdowski

Draft opinion

Paragraph 1.- Point (e) -subpoint (v.)

Draft opinion

v) to fully involve national parliaments in the debate on the specifics of TTIP and keep them regularly informed on the course of negotiations, especially since this agreement should be considered a ‘mixed-type’ agreement and would thus require a ratification at national level;

Amendment

v) to fully involve national parliaments in the debate on the specifics of TTIP and keep them regularly informed *at least each month* on the course of negotiations, especially since this agreement should be considered a ‘mixed-type’ agreement and would thus require a ratification at national level;

Or. en

Amendment 46

Marcus Pretzell

Draft opinion

Paragraph 1.- Point (e) -subpoint (vi.)

Draft opinion

vi) to create a mandatory transparency register to be used by all European

Amendment

vi) to create a mandatory transparency register *of all participants involved with*

institutions in order to have a full overview on the lobbying activities associated with the TTIP negotiations.

the negotiations on each side of the partners-to-be to be used by all European institutions in order to have a full overview on the lobbying activities associated with the TTIP negotiations.

Or. en

Amendment 47
Isabella Adinolfi

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.)

Draft opinion

vi.) to create a mandatory transparency register to be used by all European institutions in order to have a full overview on the lobbying activities associated with the TTIP negotiations.

Amendment

vi.) to *swiftly* create a mandatory transparency register to be used by all European institutions in order to have a full overview on the lobbying activities associated with the TTIP negotiations;

Or. en

Amendment 48
Gerolf Annemans

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.) -a- (new)

Draft opinion

Amendment

vi) a - regardless of the outcome of the TTIP negotiations, to broaden public support in the EU Member States and additionally to safeguard the cultural and linguistic diversity of the Member States, which has until now been guaranteed by well-defined national legislation in different Member States, given that national legislation which relates to cultural and linguistic issues inevitably affects the sort of economic and social

relations which form the subject of TTIP, all the more so because any TTIP will be a treaty of a 'mixed' nature.

Or. nl

Amendment 49
Fabio Massimo Castaldo

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.) -b- (new)

Draft opinion

Amendment

vi)b . in accordance with the principle of sincere cooperation between the European institutions, enshrined in Article 13 (2) of the TEU, to undertake to present the objectives of negotiations to the appropriate parliamentary committee prior to each individual round;

Or. it

Amendment 50
Isabella Adinolfi

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.) -c- (new)

Draft opinion

Amendment

vii.)c- to involve more citizens, NGOs, trade unions, associations, SMEs, local authorities in TTIP negotiation process and keep them regularly and fully informed on the state of negotiations;

Or. en

Amendment 51
Isabella Adinolfi

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.) -d- (new)

Draft opinion

Amendment

vi.)d - to undertake, together with the relevant national authorities, all the necessary steps to have an informed and widespread public debate on TTIP and its implication for European and non-European citizens, with particular regard to developing countries.

Or. en

Amendment 52
Pascal Durand
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1.- Point (e) -subpoint (vi.) -e- (new)

Draft opinion

Amendment

vi)e – to engage in political dialogue on the TTIP with EU citizens, in particular by treating the Stop TTIP initiative as an official CEI, i.e. by receiving the organisers at an appropriate level, publishing its political and legal conclusions on the subject and working with the European Parliament to ensure that a public hearing is arranged;

Or. fr

Amendment 53
Helmut Scholz, Barbara Spinelli

Draft opinion
Paragraph 1. - Point (e) - subpoint (vi.) -f- (new)

Draft opinion

Amendment

vi)f - demands that the ongoing TTIP

negotiations be suspended and requests the Commission to carry out a public consultation with regard to the objectives and content of the TTIP negotiations, in a similar manner to the procedure for ISDS;

Or. de