Recommendations to the European Commission on the negotiations for the Trade in Services Agreement (TiSA) (2015/2233(INI))
Amendment 1
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point a - point -i a (new)

Draft opinion

-ia. to continue and complete negotiations for the Trade in Services Agreement delivering considerable systemic benefits while harmonising the trade rules applicable to 70% of global trade in services; specifically the Commission should focus not only on securing existing levels of liberalisation among the parties but also on providing EU businesses and consumers with new market access opportunities while creating new and enhanced regulatory disciplines which are both WTO compatible and open to multilateralisation;

Or. en

Amendment 2
Dita Charanzová, Kaja Kallas, Antanas Guoga

Draft opinion
Paragraph 2 - point a - point -i a (new)

Draft opinion

- ia. to ensure that the main outcome of the negotiations be an ambitious and comprehensive agreement that goes beyond the current GATS agreement, bringing a significant market opening for EU companies, including SMEs, while ensuring that the agreement is in line with WTO rules;

Or. en
Amendment 3
Dita Charanzová, Kaja Kallas, Antanas Guoga

Draft opinion
Paragraph 2 - point a - point -i b (new)

Draft opinion

- ib. to have high ambitions for TiSA, especially regarding telecommunications, e-commerce, professional qualifications and movement of natural persons; to ensure it is a tool for growth and jobs and lowering unemployment;

Or. en

Amendment 4
Dita Charanzová, Antanas Guoga

Draft opinion
Paragraph 2 - point a - point -i c (new)

Draft opinion

- ic. to use TiSA negotiations as a tool to move forward the current Doha Round of multilateral trade talks in services and as a negotiating position for opening of service markets between the Union and global trade partners, including in developing countries;

Or. en

Amendment 5
Dita Charanzová, Antanas Guoga

Draft opinion
Paragraph 2 - point a - point -i d (new)

Draft opinion

-id. to accept the request by China to join the negotiations which could mean the
agreement allows for the further opening of services in China to EU businesses;

Amendment 6
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access, where appropriate, to relevant documents and by organising a consultation with Parliament, citizens, businesses, and other relevant stakeholders;

Or. en

Amendment 7
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, in particular by ensuring free access to text proposals, negotiation reports and consolidated negotiation results, and by submitting regular reports to the competent committees of the European Parliament and organising a consultation with Parliament and civil society;

Or. de
Draft opinion

Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, including by allowing access to documents that do not undermine the EU's or other Parties' negotiating positions, as well as continuing organising the consultation of the Parliament and civil society;

Or. en

Amendment 9
Jean-Paul Denanot

Draft opinion

Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society in the three working languages of the European Union;

Or. fr

Amendment 10
Mylène Troszczynski, Joëlle Mélín, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion

Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of

Amendment

i. to ensure the highest level of
transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with national parliaments and civil society, including by means of a referendum;

Amendment 11
Ildikó Gáll-Pelcz, Andreas Schwab, Eva Paunova, Anna Maria Corazza Bildt, Philippe Juvin

Draft opinion
Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and relevant stakeholders throughout the process;

Or. fr

Amendment 12
Nicola Danti

Draft opinion
Paragraph 2 - point a - point i

Draft opinion

i. to ensure the highest level of transparency in the negotiations, in particular by allowing access to documents and by organising a consultation with Parliament and civil society;

Amendment

i. to ensure the highest level of transparency in the negotiations, in particular by increasing access to documents and by organising a consultation with Parliament and civil society;

Or. en
Amendment 13
Anna Maria Corazza Bildt, Cristian-Silviu Busăoi, Mihai Ţurcanu, Lara Comi, Antonio López-Istúriz White

Draft opinion
Paragraph 2 - point a - point ii

Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure that the agreement will be as comprehensive as possible and has as main objective to open up the market and remove obstacles to free trade in services;

Or. en

Amendment 14
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point a - point ii

Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure that the agreement first and foremost delivers on its potential to create high quality well paid jobs in the European Union, by ensuring that high standards and disciplines are further reinforced and improved, with a view to establishing them more firmly at the multilateral level; considers this objective perfectly compatible with maintaining the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU) and existing Consumer acquis;

Or. en
Draft opinion
Paragraph 2 - point a - point ii

Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure the agreement seeks to create a level playing field in the services sector, and has as its main objective to further liberalise global access to services and in particular, to open new markets to EU service providers;

Or. en

Amendment 16
Ildikó Gáll-Pelcz, Eva Paunova, Philippe Juvin

Draft opinion
Paragraph 2 - point a - point ii

Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to promote and safeguard the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU) while preserving a highly competitive social market economy;

Or. en

Amendment 17
Marc Tarabella

Draft opinion
Paragraph 2 - point a - point ii

**Draft opinion**

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

**Amendment**

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU); *to ensure that these conditions are applied in the context of both the offline market and the digital market;*

Or. fr

**Amendment 18**

Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

**Draft opinion**

Paragraph 2 - point a - point ii

**Draft opinion**

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field *in the services sector,* and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment *enshrined in the Treaty on the Functioning of the European Union (TFEU);*

**Amendment**

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field *and fair competition,* and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment;

Or. fr

**Amendment 19**

Jean-Paul Denanot

**Draft opinion**

Paragraph 2 - point a - point ii
Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, without reducing the possibility of introducing legislation, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Or. fr

Amendment 20
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point a - point ii

Draft opinion

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Amendment

ii. to ensure that before considering the removal of barriers, the agreement seeks to create a level playing field in the services sector, and has as its main objective to highlight and maintain the existing and future high level of protection of consumers, workers and the environment enshrined in the Treaty on the Functioning of the European Union (TFEU);

Or. en

Amendment 21
Marc Tarabella

Draft opinion
Paragraph 2 - point a - point ii a (new)

Draft opinion

iia. to ensure that the TiSA will not

Amendment

iia. to ensure that the TiSA will not
prejudice the right to privacy and will not include any provisions on personal data flows until complete and up-to-date legislation has been introduced in the EU;

Or. fr

Amendment 22
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point a - point ii a (new)

Draft opinion

Amendment

ii.a. demands that the main outcome of the negotiations be an agreement which protects, respects and enforces the European model of the social market economy as provided for by the EU Treaties, leading to a significant improvement for citizens, consumers and employees, and bringing with it a market opening for EU companies, particularly SMEs;

Or. de

Amendment 23
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion

Amendment

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

points out, with regard to market access, that in the long term the TiSA must be transferred to the World Trade Organisation framework, and that in this context it must also safeguard and
accomplish the fair and sustainable integration of developing countries into global value chains in services;

Or. de

Amendment 24
Anna Maria Corazza Bildt, Cristian-Silviu Bușoi, Mihai Țurcanu, Andreas Schwab, Antonio López-Istúriz White

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Amendment

iii. to ensure that the TiSA respects the right of countries to adopt regulations which are justified on public policy grounds;

Or. en

Amendment 25
Dita Charanzová, Kaja Kallas, Antanas Guoga

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Amendment

iii. to ensure while the TiSA provides reciprocal market access, a lack of reciprocity should not be used as a grounds for closing already open service markets in Europe;

Or. en

Amendment 26
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Amendment

iii. to ensure that the TiSA guarantees increased market access, and is without prejudice to the right of countries to adopt regulations that are duly justified by the public interest, notably with the inclusion of horizontal provisions, general principles and an explicit recognition of the right to regulate, as is already the case with GATS Article XIV, which in no way has prevented the EU or its Member States from adopting legitimate public policy objectives;

Or. en

Amendment 27
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Amendment

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds; to ensure that the combination of domestic regulation and transparency annexes will not lead to a regulatory chill effect; to oppose any proposals calling for the mandatory submission of legislative proposals to third parties prior to their publication;

Or. en

Amendment 28
Ildikó Gáll-Pelcz

Draft opinion
iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

iii. to ensure that the TiSA offers in the different areas reciprocal and equally ambitious approach reflecting both parties’ expectations, to underline that the different proposals for those areas must be balanced, notwithstanding the right of the countries to adopt regulations which are duly justified on public policy grounds;

Or. en

Amendment 29
Nicola Danti

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion
Amendment

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

iii. to ensure that the TiSA guarantees reciprocal market access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Or. en

Amendment 30
Dennis de Jong, Jiří Maštálka

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion
Amendment

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds; therefore calls on the Commission to oppose any type of standstill or ratchet
clauses affecting public services and services of general interest;

Amendment 31
Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion
Paragraph 2 - point a - point iii

Draft opinion
iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy grounds;

Amendment
iii. to ensure that the TiSA provides reciprocal access, notwithstanding the right of countries to adopt regulations which are duly justified on public policy and strategic grounds;

Amendment 32
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point a - point iii a (new)

Draft opinion
iiia. the primacy of political decision-making within the European Union must on no account be called into question, whereby the European Union's particular, multilevel institutional structure must be respected; furthermore, this must not be achieved through so-called 'ratchet' or 'standstill' clauses, which pose the risk that it may not be possible subsequently to reverse liberalisation measures;

Amendment
Or. de
Amendment 33
Virginie Rozière

Draft opinion
Paragraph 2 - point a - point iii a (new)

Draft opinion

Amendment

iiia. to ensure that the negotiations result in new market access opportunities for European companies, especially SMEs, thereby benefiting citizens, consumers and workers while preserving the European model of a social economy market;

Or. fr

Amendment 34
Virginie Rozière

Draft opinion
Paragraph 2 - point a - point iii b (new)

Draft opinion

Amendment

iiib. to ensure that the agreement contributes to social progress and decent work and meets minimum ILO social standards;

Or. fr

Amendment 35
Virginie Rozière

Draft opinion
Paragraph 2 - point a - point iii c (new)

Draft opinion

Amendment

iiic. to promote an ambitious agenda for the EU’s offensive interests, in particular as regards business services, ICT services, financial and legal services, e-commerce,
maritime and air transport services, environmental services, tourism and construction;

Amendment 36
Virginie Rozière, Jean-Paul Denanot, Marc Tarabella

Draft opinion
Paragraph 2 - point a - point iii d (new)

Draft opinion
Amendment

iidi. to remove the ratchet and standstill clauses, which imply that any liberalisation defines a new irreversible threshold and that more stringent rules cannot be adopted after the agreements have been signed;

Amendment 37
Virginie Rozière

Draft opinion
Paragraph 2 - point a - point iii e (new)

Draft opinion
Amendment

iiei. to ensure that no special court of justice is created;

Amendment 38
Mylène Troszcynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion
Paragraph 2 - point a - point iii a (new)
Draft opinion

Amendment

iiia. to oppose, therefore, any attempt to establish a mechanism for settling disputes between private investors and states;

Or. fr

Amendment 39
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point a - point iii a (new)

Draft opinion

Amendment

iiia. as regards consumer protection to ensure that the TiSA agreement follows the principle that no consumer has less protection nor less information online than offline

Or. en

Amendment 40
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point b

Draft opinion

Amendment

b) regarding the protection of public services and services of general interest

b) regarding the protection of public services

Or. en

Amendment 41
Anna Maria Corazza Bildt, Cristian-Silviu Buşoi, Mihai Țurcanu

Draft opinion
Paragraph 2 - point b

Draft opinion

b) regarding the protection of public services and services of general interest

Amendment

b) regarding the protection of services of general interest

Or. en

Amendment 42
Dita Charanzová, Kaja Kallas, Antanas Guoga

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to insist, while supporting the continued exclusion of public services from negotiations, that EU service providers should have full market access to liberalised services in TiSA countries; to ensure that the final agreement includes a clause guaranteeing the non-discriminatory treatment of European service providers;

Or. en

Amendment 43
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to ensure that the EU withdraws from the TISA negotiations if there is no clear and explicit undertaking by the parties to exclude all current and future services of general interest as well as services of general economic interest, including but not limited to water production, distribution and treatment, health
services, social services, social security systems, educational, cultural and audio-visual services;

Or. en

Amendment 44
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union and the particular culture of those services, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Or. de

Amendment 45
Emma McClarkin, Daniel Dalton, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services in the European Union, which provide an essential safety net for citizens and contribute to public health, social cohesion, growth and employment, requests therefore that the Turkish desire to include portability of healthcare be firmly rejected by the Commission;

Or. en
Amendment 46
Anna Maria Corazza Bildt, Cristian-Silviu Buşoi, Mihai Ţurcanu, Lara Comi

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to ensure that the negotiations consider the fundamental role played by public services and services of general interest in the European Union;

Or. en

Amendment 47
Ildikó Gáll-Pelcz, Anna Maria Corazza Bildt

Draft opinion
Paragraph 2 - point b - point i

Draft opinion

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment

i. to ensure that the negotiations do not undermine the fundamental role of services of general interest in the European Union;

Or. en

Amendment 48
Jean-Paul Denanot

Draft opinion
Paragraph 2 - point b - point i
i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment;

Amendment 49
Dennis de Jong, Jiří Maštálka

Draft opinion
Paragraph 2 - point b - point i

i. to ensure that the negotiations maintain and strengthen the fundamental role played by public services and services of general interest in the European Union, which provide an essential safety net for citizens and contribute to social cohesion, growth and employment; safeguards for public services and services of general interest should be part of the agreement;

Or. fr

Amendment 50
Ildikó Gáll-Pelcz, Andreas Schwab, Eva Paunova, Anna Maria Corazza Bildt, Philippe Juvin

Draft opinion
Paragraph 2 - point b - point i a (new)

i. to facilitate more active participation of EU businesses, including SMEs, in

Or. en
public procurement globally, as this can contribute to stimulating private-sector innovation and to the emergence of new, high-growth, innovative companies and sectors; to stress that this possibility must not undermine the capacity of EU governments to maintain their public services;

Or. en

Amendment 51
Igor Šoltes, Julia Reda, Pascal Durand
Draft opinion
Paragraph 2 - point b - point ii

Draft opinion

ii. to maintain the Member States’ freedom to regulate those services at all levels and to provide, commission and fund public services in compliance with the Treaties;

Amendment

ii. to ensure that European, national, regional and local authorities retain the full right to regulate those services and to introduce, adopt, maintain or repeal any measures with regard to the commissioning, organisation, funding and provision of public services; to apply this exclusion irrespective of how the public services are provided and funded;

Or. en

Amendment 52
Anna Maria Corazza Bildt, Cristian-Silviu Buşoi, Mihai Țurcanu, Antonio López-Istúriz White
Draft opinion
Paragraph 2 - point b - point ii

Draft opinion

ii. to maintain the Member States’ freedom to regulate those services at all levels and to provide, commission and fund public services in compliance with the Treaties;

Amendment

ii. to maintain the Member States’ freedom to regulate services of general interest in compliance with the Treaties;
Draft opinion
Paragraph 2 - point b - point ii

ii. to maintain the Member States' freedom to regulate those services at all levels and to provide, commission and fund public services in compliance with the Treaties;

Amendment

ii. to maintain the Member States' freedom to regulate those services at all territorial levels (local, regional and national) and to organise, provide, commission and fund public services in compliance with the Treaties and with the principle of subsidiarity;

Amendment 54
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point b - point ii

Draft opinion

ii. to maintain the Member States’ freedom to regulate those services at all levels and to provide, commission and fund public services in compliance with the Treaties;

Amendment

ii. to maintain the Member States’ freedom to regulate those services at all levels and to provide, commission and fund public services, as is the case with EU FTAs already negotiated with the Andean Countries, Central America, South Korea, Canada and Singapore; this can be done using known reservations and exemptions which have functioned without issue;

Amendment 55
Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr
Draft opinion
Paragraph 2 - point b - point ii

Draft opinion
ii. to maintain the Member States' freedom to regulate those services at all levels and to provide, commission and fund public services in compliance with the Treaties;

Amendment
ii. to maintain the Member States’ freedom to regulate those services at all levels and to provide, commission and fund public services;

Or. fr

Amendment 56
Ildikó Gáll-Pelcz, Andreas Schwab, Anna Maria Corazza Bildt, Philippe Juvin

Draft opinion
Paragraph 2 - point b - point ii a (new)

Draft opinion

Amendment
iia. to underline that the public procurement must be part of any final comprehensive agreement given that it represents a substantial part of the EU’s and other trading partners’ economies and therefore is a key economic interest for the EU;

Or. en

Amendment 57
Marc Tarabella

Draft opinion
Paragraph 2 - point b - point ii a (new)

Draft opinion

Amendment
iia. to oppose the inclusion of standstill and ratchet clauses, which would in future prevent a State from reversing the liberalisation of services;

Or. fr
Amendment 58
Jean-Paul Denanot

Draft opinion
Paragraph 2 - point b - point ii a (new)

Draft opinion

Amendment

iia. to guarantee that TiSA protects against a liberalisation of public services and services of general interest which would be synonymous with job losses and threats to working conditions, the quality of services and access to them;

Or. fr

Amendment 59
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point c

Draft opinion

Amendment

c) regarding the services included
c) regarding the scope of the agreement and dispute settlement

Or. en

Amendment 60
Dita Charanzová, Antanas Guoga

Draft opinion
Paragraph 2 - point c - point i

Draft opinion

Amendment

i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

i. to increase market access for services according to a "hybrid list approach", using for market access "positive lists", whereby services that are to be opened up to foreign companies are explicitly mentioned and new services are excluded
and using "negative list approach" for national treatment;

Amendment 61
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point c - point i

Draft opinion

i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

Amendment

i. to ensure the widest possible inclusion of service sectors in the agreement, in particular the digital service sector, based on the mandate from the Member States, given that services make up around 70% of the EU economy and account for 90% of new job creation, underlining the crucial relevance of finding new market access opportunities for service exports in third countries;

Amendment 62
Ildikó Gáll-Pelcz, Andreas Schwab

Draft opinion
Paragraph 2 - point c - point i

Draft opinion

i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

Amendment

i. to ensure that the TiSA does not endanger the high quality of services and to support the current proposal for increasing market access for services according to a "hybrid list approach" and, in accordance with the EU's decision, not to take any market access or national treatment commitments on publicly-funded health and social services, publicly-funded education, water collection, purification, distribution and
management services, film, TV and other audio-visual services; to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition, whereby services that are to be opened up to foreign companies are explicitly mentioned while ensuring that possible stand-still clause only applies to non-discrimination provisions and allow for enough flexibility to bring services of general economic interest back into public control as well as to take into account the emergence of new and innovative services and using "negative list" for national treatment;

Or. en

Amendment 63
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point c - point i

Draft opinion

i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

Amendment

i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition; under no circumstances should this list include public services – this applies in particular to services of general economic interest such as water, energy, transport and the post office;

Or. de

Amendment 64
Igor Šoltes, Julia Reda, Pascal Durand
i. to ensure that a positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

Or. en

Amendment 65
Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

i. to ensure that an exhaustive positive list of services ready to be placed on the market is presented by the Union in order to protect those services not explicitly referred to from being opened up to competition;

Or. fr

Amendment 66
Virginie Rozière

ia. to ensure that public contracts, which represent a by no means negligible share of the economies of the European Union and other trading partners, are covered by the agreement in order to ensure reciprocity of access to public contracts.
between the parties;

Amendment 67
Jean-Paul Denanot

Draft opinion
Paragraph 2 - point c - point i a (new)

Draft opinion
Amendment

ia. to delete the annex on the ‘public utility clause’, as public services and services of general interest should be excluded from the scope of the TiSA negotiations;

Amendment 68
Dita Charanzová, Antanas Guoga

Draft opinion
Paragraph 2 - point c - point ii

Draft opinion
Amendment

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions and SME access;

ii. to ensure that European goods, services and economic operators, including SMEs, are not discriminated against in all TiSA public procurement markets for services, at any level of government, and to ensure transparent access at a level equal to that applying to TiSA companies have today in Europe under the new EU public procurement and concessions rules;

Amendment 69
Evelyne Gebhardt
Draft opinion
Paragraph 2 - point c - point ii

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions and SME access;

Amendment

ii. Given the legislation on public procurement in the EU which came into force in 2016 and possible reciprocal open market access for public procurement, calls for the achievements of the new directive on public procurement to be put into practice; points out that the fundamental principles for public in-house consultations, public-public cooperation and public-private partnership management systems should always be clearly defined and exempted from the Public Procurement Directive, in both the general economy and public utilities (water, energy, transport and the post office); also points out that the MEAT criteria applied in the legislation enable social, labour-law, quality and environmental points to be used as award criteria in public procurement procedures and are therefore particularly significant and should take priority over decision-making based purely on cost;

Amendment 70
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point c - point ii

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions and SME access;

Amendment

ii. to ensure that the negotiations guarantee that the final agreement respects existing EU law and meets the requirements of the new directives on public procurement and concessions, including the relevant definitions contained therein;
Draft opinion
Paragraph 2 - point c - point ii

**Draft opinion**

ii. to ensure that the negotiations **comply with the new directives on public procurement and concessions**, in particular as regards the definition of public-public cooperation, exclusions and SME access;

**Amendment**

ii. to ensure that **the new public procurement and concession directives are complied with in the negotiations**, in particular as regards the definition of public-public cooperation, exclusions, SMEs access and the award criteria on best value rather than lowest price, the possibility for contracting authorities to cooperate and form intercommunalities, and the thresholds below which the procurement is not subject to EU or international rules;

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**Amendment 72**
Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion
Paragraph 2 - point c - point ii

**Draft opinion**

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions and SME access;

**Amendment**

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, **on an absolutely reciprocal basis**, in particular as regards the definition of public-public cooperation, exclusions and SME access;
Amendment 73
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point c - point ii

Draft opinion

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions and SME access;

Amendment

ii. to ensure that the negotiations comply with the new directives on public procurement and concessions, in particular as regards the definition of public-public cooperation, exclusions, sustainability criteria and SME access, as well as with the thresholds below which these directives do not apply:

Or. en

Amendment 74
Mylène Troszczyński, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion
Paragraph 2 - point c - point iii

Draft opinion

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, and that mobility is promoted by making it easier for professionals in the sectors covered by the agreement to obtain visas;

Amendment

deleted

Or. fr

Amendment 75
Dita Charanzová, Antanas Guoga

Draft opinion
Paragraph 2 - point c - point iii
iii. to ensure reciprocity of mutual recognition of professional qualifications, including through the creation of a legal framework and promotion of mobility by facilitating the visa for professionals in the sectors covered by the Agreement;

Amendment

iii. to promote mobility of professionals including through ambitious provisions on movement on natural persons (Mode 4) in relation to trade in services as well as encouraging cooperation on mutual recognition of professional qualifications;

Or. en

Amendment 76
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Draft opinion
Paragraph 2 - point c - point iii

Draft opinion

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, and that mobility is promoted by making it easier for professionals in the sectors covered by the agreement to obtain visas;

Amendment

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, that mobility is promoted by making it easier for professionals in the sectors covered by the agreement to seek visas, recognising the varying sensitivities around different sectoral labour mobility, and that these considerations be taken into account in negotiations;

Or. en

Amendment 77
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point c - point iii

Draft opinion

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, and that mobility is promoted

Amendment

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, and that mobility is promoted
by making it easier for professionals in the sectors covered by the agreement to obtain visas;

Or. en

Amendment 78
Nicola Danti

Draft opinion
Paragraph 2 - point c - point iii

Draft opinion

iii. to ensure reciprocity in the mutual recognition of professional qualifications, in particular by establishing a legal framework, and that mobility is promoted by making it easier for professionals in the sectors covered by the agreement to obtain visas;

Amendment

iii. to promote mobility of professionals including through reciprocal and mutual recognition of professional qualifications and provisions on movement of natural persons in relation to trade in services;

Or. en

Amendment 79
Ildikó Gáll-Pelcz

Draft opinion
Paragraph 2 - point c - point iii a (new)

Draft opinion

iiiia. to observe that, in the field of public procurement, relevant criteria and their possible extension must not be called into question;

Amendment

Or. en

Amendment 80
Igor Šoltes, Julia Reda, Pascal Durand
Draft opinion
Paragraph 2 - point c - point iv

Draft opinion
iv. to ensure that transparent and effective
measures are put in place to protect
consumers against fraudulent online
commercial practices;

Amendment
iv. to ensure that transparent and effective
measures in line with the Charter of
Fundamental Rights are put in place to
protect consumers against fraudulent
online commercial practices; to make sure
that consumers will be protected at home,
when they travel, when they shop
online, and that they will benefit from
easy access to dispute resolution
mechanisms and effective resolution
dispute;

Or. en

Amendment 81
Ildikó Gáll-Pelcz, Anna Maria Corazza Bildt, Philippe Juvin

Draft opinion
Paragraph 2 - point c - point iv

Draft opinion
iv. to ensure that transparent and effective
measures are put in place to protect
consumers against fraudulent online
commercial practices;

Amendment
iv. to ensure that transparent and effective
measures are put in place to protect
consumers against fraudulent online
commercial practices; most importantly, to
ensure that consumers will be protected at
home, when they travel, when they shop
online and will benefit from easy access to
dispute resolution mechanisms and
effective resolution of dispute;

Or. en

Amendment 82
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point c - point iv
Draft opinion

iv. to ensure that transparent and effective measures are put in place to protect consumers against fraudulent online commercial practices;

Amendment

iv. to ensure that transparent and effective measures are put in place to protect consumers against fraudulent online commercial practices; *in particular by involving European consumer protection organisations in the negotiations in order to achieve the best possible levels of consumer protection;*

Or. de

Amendment 83
Evelyne Gebhardt

Draft opinion
Paragraph 2 - point c - point iv a (new)

Draft opinion

*IVA. Calls for strict compliance with the Services Directive in the provision of services and calls in this context for Article 16 to be heeded and implemented, as only on this basis are comprehensive consumer, employee and environmental protection and security of implementation for providers possible;*

Amendment

Or. de

Amendment 84
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point c - point iv a (new)

Draft opinion

*IVA. to ensure that the agreement promotes interoperability of eGovernment services within and between signatory countries and access for all citizens to*
such services;

Draft opinion
Paragraph 2 - point c - point iv b (new)

Draft opinion
ivb. to ensure that the agreement allows consumers to use any terminal equipment and firmware of their choice, and that consumers can modify that equipment and any firmware installed on such equipment; to ensure also that services are provided in a technologically neutral manner;

Amendment 85
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point c - point iv a (new)

Draft opinion
iva. to ensure the inclusion of a strong dispute settlement mechanism which should aim at ensuring the continued commitment of the parties to respecting and observing mutually agreed rules and openings;

Amendment 86
Emma McClarkin, Daniel Dalton, Vicky Ford, Anneleen Van Bossuyt

Amendment 87
Dita Charanzová, Kaja Kallas, Antanas Guoga
Draft opinion
Paragraph 2 - point c - point iv a (new)

Draft opinion

Amendment

Iva. to seek an ambition chapter ensuring the free flow of data - without compromising data protection - in order to support growth in the Digital Single Market;

Or. en

Amendment 88
Dennis de Jong, Jiří Maštálka

Draft opinion
Paragraph 2 - point c - point iv a (new)

Draft opinion

Amendment

Iva. to ensure that all signatories of the TiSA agreement have ratified the core labour standards from the ILO which include freedom of association and the right to collective bargaining; the effective abolition of child labour; the elimination of all forms of forced or compulsory labour and the elimination of discrimination in respect of employment and occupation;

Or. en

Amendment 89
Dennis de Jong, Jiří Maštálka

Draft opinion
Paragraph 2 - point c - point iv b (new)

Draft opinion

Amendment

Ivb. to ensure protection of EU small and medium sized service providers from unfair trading practices from services
providers from outside the EU, for example by an article ensuring strict supervisory authorities and competition authorities which should at least contain the GATS Art. IX on 'Business practices';

Draft opinion

Amendment 90
Emma McClarkin, Daniel Dalton, Anneleen Van Bossuyt

Paragraph 2 - point d - point i

Draft opinion

Amendment

i. to ensure that the regulated professions are excluded from the agreement;

deleted

Draft opinion

Amendment

i. to ensure that the regulated professions are excluded from the agreement;

deleted

Draft opinion

Amendment

i. to ensure that certain regulated professions are

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excluded from the agreement; professions are excluded from commitments;
Amendment 96  
Mylène Troszczynski, Joëlle Mélin, Mario Borghezio, Georg Mayer, Franz Obermayr

Draft opinion  
Paragraph 2 - point d - point ii

ii. to maintain the exclusion of audiovisual and cultural services;

Amendment

ii. to maintain the exclusion of audiovisual, cultural, energy, transport, education and health services and of all aspects of public services in general;

Or. fr

Amendment 97  
Marc Tarabella

Draft opinion  
Paragraph 2 - point d - point ii a (new)

Draft opinion

ii.a. public services and services of general and economic interest, irrespective of the way in which they are financed;

Amendment

ii.a. to prohibit commitments and rules regarding financial services that would

Or. fr

Amendment 98  
Virginie Rozière

Draft opinion  
Paragraph 2 - point d - point ii a (new)

Draft opinion

Amendment

ii.a. to prohibit commitments and rules regarding financial services that would
contradict recent measures to regulate financial markets and products;

Or. fr

Amendment 99
Virginie Rozière

Draft opinion
Paragraph 2 - point d - point ii b (new)

Draft opinion

iib. to ensure that any liberalisation of data flows is wholly consistent with the acquis of the Union in relation to privacy and data protection;

Or. fr

Amendment 100
Virginie Rozière

Draft opinion
Paragraph 2 - point d - point ii c (new)

Draft opinion

iic. to adopt a prudent approach to offers exchanged in Mode 4, and to ensure that the temporary movement of natural persons with a view to providing services in Mode 4 respects national labour and social rights agreements and collective agreements;

Or. fr

Amendment 101
Jean-Paul Denanot

Draft opinion
Paragraph 2 - point d - point ii a (new)
Draft opinion

Amendment

iia. to ensure the exclusion of public services and services of general interest from the scope of the TiSA negotiations, in order not to promote their liberalisation ‘by default’;

Or. fr

Amendment 102
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point d a (new)

Draft opinion

Amendment

da) as regards network information security
i. to ensure that high levels of network information security are maintained, inter alia the promotion of prevention and hardening of IT security measures, including end-to-end encryption and ensuring liability for software manufacturers for not repairing and disclosing security vulnerabilities or for not exercising due diligence when creating their software;

Or. en

Amendment 103
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point d b (new)

Draft opinion

Amendment

db) as regards open software
i. to ensure that signatory countries can require transfer of or access to open
source software code and that they can initiate public procurement tenders with free of charge and open source software as a prerequisite;

Or. en

Amendment 104
Igor Šoltes, Julia Reda, Pascal Durand

Draft opinion
Paragraph 2 - point d c (new)

Draft opinion
Amendment
dc) as regards telecom services
i. to ensure that there are no additional requirements that would constitute exceptions from the users right to terminals of their choice, irrespective of the end-user’s or provider’s location or the location, origin or destination of the service, information or content, via their internet access service;

Or. en