



28.1.2019

# **AMENDMENTS**

## **1 - 38**

**Draft opinion**

**Tiziana Beghin**

(PE630.624v01-00)

Recommendation to the Council, the Commission and the Vice President of Commission/High Representative of the Union for Foreign Affairs and Security Policy on the Institutional Framework Agreement between the European Union and the Swiss Confederation  
(2018/2262(INI))



**Amendment 1**  
**Christophe Hansen**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Notes that the EU is Switzerland's main trading partner, accounting for 52 % of its exports, **and** Switzerland is the EU's third-largest trading partner, accounting for 7 % of its trade;

*Amendment*

1. Notes that the EU is Switzerland's main trading partner, accounting for 52 % of its exports **and over 71% of its imports, and that the trade in goods under the current bilateral trade agreements amounts to no less than 1 billion CHF per day<sup>1a</sup>, and "that Switzerland earns one in every 3 francs through trade with the EU"<sup>2a</sup>, whereas** Switzerland is the EU's third-largest trading partner, accounting for 7 % of its trade;

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*1a*

***[https://www.eda.admin.ch/dam/dea/en/documents/abkommen/InstA-Wichtigste-in-Kuerze\\_en.pdf](https://www.eda.admin.ch/dam/dea/en/documents/abkommen/InstA-Wichtigste-in-Kuerze_en.pdf)***

*2a*

***[https://www.eda.admin.ch/dam/dea/en/documents/abkommen/InstA-Wichtigste-in-Kuerze\\_en.pdf](https://www.eda.admin.ch/dam/dea/en/documents/abkommen/InstA-Wichtigste-in-Kuerze_en.pdf)***

Or. en

**Amendment 2**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. Notes that the EU is Switzerland's main trading partner, accounting for 52 % of its exports, and Switzerland is the EU's third-largest trading partner, accounting for 7 % of its trade;

*Amendment*

1. ***Takes note that a EU-Switzerland agreement has been initialled on 7 December 2018. Calls on the Commission to send the document agreed to Parliament without delay.*** Notes that the EU is Switzerland's main trading partner, accounting for 52 % of its exports, and Switzerland is the EU's third-largest

trading partner, accounting for 7 % of its trade;

Or. en

**Amendment 3**  
**Christophe Hansen**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1 a. Welcomes the conclusion of the negotiations on the Institutional Framework Agreement (IFA) between the EU and the Swiss Confederation in December 2018 and calls for a swift stakeholder consultation, as called for by the Federal Council on 7 December 2018, and to proceed without delay with the ratification to urgently modernize and further expand the EU-Switzerland relationship, to increase legal certainty and guarantee continued access for Swiss companies to the Single Market as well as to permit the continuation and facilitation of ongoing sectoral negotiations;***

Or. en

**Amendment 4**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1 a. Stresses the need for European negotiators to understand and to firmly take into account, while negotiating and even after any agreement has been struck, that arrogance, threats and ultimatums will always lead to the opposite of the goals initially looked for »***

**Amendment 5**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 b (new)**

*Draft opinion*

*Amendment*

***1 b. Notices that the Swiss Federal Council did not officially approve the so-called« Institutionnal Framework Agreement » and that it has decided, before any approval by the Swiss Parliament or the Swiss people themselves, to submit the draft agreement to national stakeholders, consistent with Swiss democratic traditions and constitutionnal principles***

Or. en

**Amendment 6**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 c (new)**

*Draft opinion*

*Amendment*

***1 c. Protests vigorously against the lack of respect normally due to Members of the European Parliament by the Commission, which has not transmitted the draft agreement to the Committee for Foreign Affairs and to the Committee for International Trade, even though the document is finalized for more than two months***

Or. en

**Amendment 7**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 d (new)**

*Draft opinion*

*Amendment*

***1 d. Understands completely Swiss preventions against any attempt to undermine its social legislation, particularly Swiss laws known as « flanking measures », and calls for a very cautious examination on this issue from both parties, in order to reach a real « win-win » agreement,***

Or. en

**Amendment 8**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 e (new)**

*Draft opinion*

*Amendment*

***1 e. Notes that Switzerland is among the oldest European nations, known for long for its constant wish to preserve its independence, freedom and sovereignty, which has never prevented its people to trade with other countries and to share common values, especially with its neighbours;***

Or. en

**Amendment 9**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 f (new)**

*Draft opinion*

*Amendment*

***1 f. considers that no ratification of a framework agreement is possible only if Switzerland takes tough measures to be***

*removed from the list of "non cooperative countries on fiscal issues";*

Or. en

**Amendment 10**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 1 g (new)**

*Draft opinion*

*Amendment*

*1 g. considers that the EU should not request the application of the rule of free and undistorted competency and the prohibition of necessary subsidies;*

Or. en

**Amendment 11**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Acknowledges the need for an Institutional Framework Agreement, as the EU-Switzerland relationship is based on a complex system of 120 sector-specific agreements;

2. Acknowledges the need for an Institutional Framework Agreement, as the EU-Switzerland relationship is based on a complex system of 120 sector-specific agreements, *but that this agreement should not include the dismantling of the necessary social protections for Swiss and foreign workers, among others regarding the postponement of the age of retirement, the wages, or the reduction of the social security;*

Or. en

**Amendment 12**  
**Christophe Hansen**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Acknowledges the need for an Institutional Framework Agreement, as the EU-Switzerland relationship is based on a complex system of 120 sector-specific agreements;

*Amendment*

2. Acknowledges the need for an Institutional Framework Agreement, as the EU-Switzerland relationship is based on a complex system of 120 sector-specific agreements, ***and additional coherence and legal certainty would benefit all parties;***

Or. en

**Amendment 13**  
**Klaus Buchner**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2 a. Asks the Commission to immediately grant access to the negotiated text of the EU-Switzerland Framework Agreement, as finalized in December 2018, so that INTA and AFET can produce an informed opinion and report on the basis of facts;***

Or. en

**Amendment 14**  
**Klaus Buchner**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 b (new)**

*Draft opinion*

*Amendment*

***2 b. Asks the Commission and the Council to withhold the ratification procedure of the EU-Switzerland Framework Agreement, until the consultation of the Swiss population is***



*concluded.*

Or. en

**Amendment 15**

**Klaus Buchner**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 3**

*Draft opinion*

*Amendment*

**3. Calls for the trading relationship to be modernised and for it to include areas such as services, Intellectual Property Rights (IPR) and trade facilitation;**

**deleted**

Or. en

**Amendment 16**

**Christophe Hansen**

**Draft opinion**

**Paragraph 3**

*Draft opinion*

*Amendment*

**3. Calls for the trading relationship to be modernised and for it to include areas such as services, Intellectual Property Rights (IPR) and trade facilitation;**

**3. Welcomes the political declaration of intent to modernize the 1972 EU-Switzerland FTA, which lacks an adequate dispute settlement system and does not cover services, and welcomes its ambition for a revised trade partnership to include areas such as services (*including digital*), Intellectual Property Rights (IPR), trade facilitation, *mutual recognition of conformity assessments, and public procurement as well as a chapter on trade and sustainable development;***

Or. en

**Amendment 17**

**Nicola Danti**

**Draft opinion  
Paragraph 3**

*Draft opinion*

3. Calls for the trading relationship to be modernised and for it to include areas such as services, Intellectual Property Rights (IPR) and trade facilitation;

*Amendment*

3. Calls for the trading relationship to be modernised and for it to include areas such as services, Intellectual Property Rights (IPR) and trade facilitation, ***as well as to continue cooperating to improve the protection of Geographical Indications;***

Or. en

**Amendment 18  
Christophe Hansen**

**Draft opinion  
Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

***3 a. Welcomes the inclusion of a modern Dispute Settlement system in the draft IFA, which could apply to the future updated trade relationship;***

Or. en

**Amendment 19  
Klaus Buchner**  
on behalf of the Verts/ALE Group

**Draft opinion  
Paragraph 4**

*Draft opinion*

*Amendment*

***4. Is aware that there is no comprehensive services agreement in place between the EU and Switzerland and that services are only partially covered through the Agreement on the Free Movement of Persons (AFMP), showing that there is potential for further***

***deleted***

*development;*

Or. en

**Amendment 20**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Is aware that there is no comprehensive services agreement in place between the EU and Switzerland and that services are only partially covered through the Agreement on the Free Movement of Persons (AFMP), *showing that there is potential for further development;*

*Amendment*

4. Is aware that there is no comprehensive services agreement in place between the EU and Switzerland and that services are only partially covered through the Agreement on the Free Movement of Persons (AFMP) *and that the framework agreement initialled that has been leaked is not covering this gap; considers that the EU should not sign an agreement if Switzerland is not improving its treatment for migrants originated in the EU and putting an end to its national preference policy;*

Or. en

**Amendment 21**  
**Klaus Buchner**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. *Notes that Switzerland takes in the highest percentage of cross-border workers from the EU and calls on the EU and the Swiss Government to improve measures under the AFMP by including a 'charter for cross-border workers' that sets out binding provisions covering, inter alia, basic employment rights, working and commuting conditions, transfer of unemployment benefits and double*

*deleted*

*Amendment*

*taxation issues;*

Or. en

**Amendment 22**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Notes that Switzerland takes in the highest percentage of cross-border workers from the EU and calls on the EU and the Swiss Government to improve measures under the AFMP by including a ‘charter for cross-border workers’ that sets out binding provisions covering, inter alia, basic employment rights, working and commuting conditions, transfer of unemployment benefits and double taxation issues;

*Amendment*

5. Notes that Switzerland takes in the highest percentage of cross-border workers from the EU and calls on the EU and the Swiss Government to improve measures under the AFMP by including a ‘charter for cross-border workers’ that sets out binding provisions covering, inter alia, basic employment rights, working and commuting conditions, transfer of unemployment benefits and double taxation issues; ***deplores that according to the leaks documents the new agreement would reduce from 8 to 4 the delay for the announcement of posted workers, what is making impossible the surveillance of their working conditions, and would have a negative impact on the structure of the job market, and on salaries;***

Or. en

**Amendment 23**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

***5 a. calls on the parties to organize as soon as possible an interparliamentary meeting of legislators of both the EU and Switzerland parties in order to discuss all matters related to this agreement;***

*Amendment*

**Amendment 24**  
**Klaus Buchner**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

*Amendment*

6. *Welcomes the new legislation on preferential tax regimes and practices, and hopes for a positive outcome from the upcoming popular vote in Switzerland;*

*deleted*

**Amendment 25**  
**Nicola Danti**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

*Amendment*

6. Welcomes the new legislation *on* preferential tax regimes and practices, and hopes for a positive outcome from the upcoming popular vote in Switzerland;

6. Welcomes the new *tax* legislation ***that will restrict*** preferential tax regimes and ***bring*** practices ***closer to international standards***, and hopes for a positive outcome from the upcoming popular vote in Switzerland; ***underlines the need to continue improving cooperation in order to fight tax avoidance and increase tax justice.***

**Amendment 26**  
**Christophe Hansen**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

*Amendment*

7. *Recognises the close integration of EU and Swiss companies in the steel sector and notes that the current EU safeguard measures have a negative impact on the sector; requests a review of the measures that seek to offer protection from the trade diversion produced by the hikes in US tariffs, while taking into consideration the different quotas for countries that participate in our value chains;* *deleted*

Or. en

**Amendment 27**

**Klaus Buchner**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 7**

*Draft opinion*

*Amendment*

7. *Recognises the close integration of EU and Swiss companies in the steel sector and notes that the current EU safeguard measures have a negative impact on the sector; requests a review of the measures that seek to offer protection from the trade diversion produced by the hikes in US tariffs, while taking into consideration the different quotas for countries that participate in our value chains;* *deleted*

Or. en

**Amendment 28**

**Klaus Buchner**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 8**

*Draft opinion*

*Amendment*

8. *Calls on Switzerland to continue* *deleted*

*its work on the Digital Switzerland strategy, aiming to have it align with the EU Digital Single Market;*

Or. en

**Amendment 29**

**Klaus Buchner**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 9**

*Draft opinion*

*Amendment*

**9. Recalls that the bilateral trade relationship lacks a reliable State-to-State dispute-settlement mechanism.**

*deleted*

Or. en

**Amendment 30**

**Christophe Hansen**

**Draft opinion**

**Paragraph 9**

*Draft opinion*

*Amendment*

**9. Recalls that the bilateral trade relationship lacks a reliable State-to-State dispute-settlement mechanism.**

*deleted*

Or. en

**Amendment 31**

**Nicola Danti**

**Draft opinion**

**Paragraph 9**

*Draft opinion*

*Amendment*

9. Recalls that the bilateral trade relationship lacks a reliable State-to-State

9. Recalls that the bilateral trade relationship lacks a reliable State-to-State

dispute-settlement mechanism.

dispute-settlement mechanism, *that would efficiently resolve trade irritants between the parties.*

Or. en

**Amendment 32**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

**9 a.** . *Understands that the new set of rules known as « dynamic update », which do not comply Switzerland to an « automatic update » of its legislation on matters addressed by the agreement, are nevertheless a serious move towards a jurisdictionnal integration of Swiss law into European law »*

Or. en

**Amendment 33**  
**Nicola Danti**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

**9 a.** *Strongly welcomes the political declaration of intent issued by the two parties, expressing the willingness to enter into negotiations to bring the Agreement on Government Procurement and the Free Trade Agreement (FTA) of 1972 up to date.*

Or. en

**Amendment 34**  
**Nicola Danti**

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**Draft opinion**  
**Paragraph 9 b (new)**

*Draft opinion*

*Amendment*

**9 b. Takes note of the revised law on public procurement adopted in 2017 in the canton of Ticino, which shall be compliant with the WTO Agreement on Government Procurement and the relevant EU-Switzerland sectoral agreement, in force since 2002; strongly encourages contracting authorities to treat EU suppliers and service providers in a non-discriminatory way, even in cases of procurement contracts below the threshold;**

Or. en

**Amendment 35**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 9 b (new)**

*Draft opinion*

*Amendment*

**9 b. Acknowledges the right included in the agreement for Switzerland to participate to the « decision shaping », without the right to participate to the « decision making », only granted to EU members.**

Or. en

**Amendment 36**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 9 c (new)**

*Draft opinion*

*Amendment*

**9 c. Expects that Switzerland, in case**

*of a ratification of this agreement, will have to take tough and painful measures in order to deeply reform its State subsidies system »*

Or. en

**Amendment 37**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 9 d (new)**

*Draft opinion*

*Amendment*

*9 d. Hopes that Switzerland is fully aware that by accepting such an important reform of its State subsidies for matters addressed by the agreement, it won't have no other choice than progressively give them all up (except those allowed by European law) in the next moves made under the institutionnal framework »*

Or. en

**Amendment 38**  
**Emmanuel Maurel**

**Draft opinion**  
**Paragraph 9 e (new)**

*Draft opinion*

*Amendment*

*9 e. Calls the European Council and the Commission to keep Switzerland part of the 2021-2027 Program for Research and Innovation, even in the case of a refusal to approve the agreement within the end of spring »*

Or. en