



**2015/2233(INI)**

21.10.2015

# **AMENDMENTS**

## **1 - 65**

**Draft opinion**

**Monika Vana**

(PE569.478v01-00)

Recommendations to the European Commission on the negotiations for the  
Trade in Services Agreement (TiSA)  
(2015/2233(INI))



**Amendment 1**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

*Amendment*

***-1a. Recognizes the value of services in the EU and worldwide;***

Or. en

**Amendment 2**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

*Amendment*

***-1b. Believes that liberalization of trade in services can improve efficiency in the EU private sector and promote regional growth;***

Or. en

**Amendment 3**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

*Amendment*

***-1c. Considers that this liberalization should respect the EU political, social and cultural model and the fundamental principles enshrined in the EU treaties;***

**Amendment 4**

**Daniel Buda**

**Draft opinion**

**Paragraph 1**

*Draft opinion*

1. Urges the Commission and the Member States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

*Amendment*

1. Urges the Commission and the Member States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA); ***calls on the Commission to give local and regional authorities the opportunity to regulate the terms of the TiSA Agreement;***

Or. ro

**Amendment 5**

**Ramón Luis Valcárcel Siso**

**Draft opinion**

**Paragraph 1**

*Draft opinion*

1. ***Urges*** the Commission and the Member States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

*Amendment*

1. ***Calls*** the Commission and the Member States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

Or. en

**Amendment 6**

**Steeve Briois**

**Draft opinion  
Paragraph 1**

*Draft opinion*

1. Urges the Commission **and the Member States** to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU **in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA)**;

*Amendment*

1. Urges the Commission to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU, **together with the economic interests of sovereign Member States**;

Or. fr

**Amendment 7  
Tonino Picula**

**Draft opinion  
Paragraph 1**

*Draft opinion*

1. Urges the Commission and the Member States to **fully respect and pursue** the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

*Amendment*

1. **Acknowledges the need for an update of outdated existing GATS-discipline and for facilitation of trade in new services; at the same** urges the Commission and the Member States to **defend** the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

Or. en

**Amendment 8  
Andrew Lewer, Remo Sernagiotto**

**Draft opinion  
Paragraph 1**

*Draft opinion*

1. Urges the Commission and the Member

*Amendment*

1. **Welcomes the continued negotiations**

States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);

*for the Trade in Services Agreement (TiSA), which should focus not only on providing EU businesses and consumers with new market access opportunities, but also on creating new and enhanced regulatory disciplines, while remaining WTO compatible and open to multilateralisation; notes that employment growth in the EU from 2015 to 2025 will be driven by service sector jobs, with 90 per cent of new jobs in the EU in service sectors, especially in higher-skilled such as professional services, business services and computing; notes also that services make up around 70 per cent of the EU economy, underlining the crucial relevance of finding new market access opportunities for service exports in third countries; urges the Commission and the Member States to fully respect and pursue the objectives of economic, social and territorial cohesion as set out in Article 174 of the TFEU in the context of the ongoing negotiations on the Trade in Services Agreement (TiSA);*

Or. en

## **Amendment 9**

**Matthijs van Miltenburg, Petras Auštrevičius, Hannu Takkula**

### **Draft opinion**

#### **Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

*Ia. Supports the negotiations on the Trade in Services Agreement, noting that services are increasingly important to the EU's economy and that while the European market is already very open, these negotiations present an important opportunity to achieve reciprocity with other markets which are more closed and thereby stimulate jobs and growth in the EU;*

**Amendment 10**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

*1a. Stresses the importance of the EU acknowledging Protocol No 26 TFEU on Services of General Interest;*

Or. de

**Amendment 11**  
**Daniel Buda**

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

*Draft opinion*

*Amendment*

2. Calls on the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

2. Calls on the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments; ***calls on the Commission to take into account, in the context of the TiSA negotiations, the priorities of the local and regional authorities regarding services;***

Or. ro

**Amendment 12**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

2. ***Calls on*** the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; ***urges*** the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

*Amendment*

2. ***Invites*** the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; ***suggest*** the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

Or. en

**Amendment 13**  
**Viorica Dăncilă**

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

*Draft opinion*

2. Calls on the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

*Amendment*

2. Calls on the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments ***in order to ensure access to the goods and services market, to make trade faster and cheaper and increase investment opportunities at local and regional level;***

Or. ro

**Amendment 14**  
**Steeve Briois**

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

*Draft opinion*

2. Calls on the Commission to investigate and analyse the impact of TiSA on

*Amendment*

2. Calls on the Commission to investigate and analyse the impact of TiSA on ***the***

cohesion **and local and regional governance in the EU**; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

**economic and social** cohesion of **Member States**; urges the Commission to collect and make available comprehensive and comparable data and to include territorial impact assessments;

Or. fr

## Amendment 15 Tonino Picula

### Draft opinion Paragraph 2

#### *Draft opinion*

2. Calls on the Commission to **investigate and analyse the** impact of TiSA on cohesion and local and regional governance in the EU; **urges the Commission to collect and make available comprehensive and comparable data and to include** territorial impact assessments;

#### *Amendment*

2. Calls on the Commission to **monitor the possible** impact of TiSA on cohesion and local and regional governance in the EU **throughout the negotiating process by including** territorial impact assessments;

Or. en

## Amendment 16 Matthijs van Miltenburg, Petras Auštrevičius, Hannu Takkula

### Draft opinion Paragraph 2

#### *Draft opinion*

2. Calls on the Commission to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges **the Commission** to collect and make available comprehensive and comparable data and to include territorial impact assessments;

#### *Amendment*

2. Calls on the Commission **and especially the member state governments, which have given the Commission the mandate to negotiate**, to investigate and analyse the impact of TiSA on cohesion and local and regional governance in the EU; urges **them** to collect and make available comprehensive and comparable data and to include territorial impact assessments;

Or. en

**Amendment 17**

**Matthijs van Miltenburg, Petras Auštrevičius, Hannu Takkula**

**Draft opinion**

**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Stresses that the TiSA negotiations are a key opportunity to strengthen worldwide rules-based trade, which is essential for the EU's economy, as it is heavily dependent on trade;***

Or. en

**Amendment 18**

**Ramón Luis Valcárcel Siso**

**Draft opinion**

**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Urges the Commission and the Member States to achieve an agreement that will be open and transparent, will respect EU standards, particularly regarding data protection, and will increase reciprocity in market access.***

Or. en

**Amendment 19**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

**Draft opinion**

**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2a. Calls for legal disputes affecting compliance with this agreement to be***

*referred to the public courts at the place of the defendant's registered office, and for proceedings to be conducted in the defendant's language and governed by the laws in force in the defendant's country; underlines that the right of appeal must be safeguarded;*

Or. en

**Amendment 20**  
**Monika Vana**

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

*Draft opinion*

*Amendment*

*2a. Opposes the classification of municipal and regional provisions on land use and regional development or land-use plans as non-tariff barriers to trade;*

Or. en

**Amendment 21**  
**Steeve Briois**

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

*Draft opinion*

*Amendment*

*2a. In the absence of any territorial impact investigations and democratic debate, calls for the ongoing negotiations on the Trade in Services Agreement (TiSA) to be immediately suspended;*

Or. fr

**Amendment 22**  
**Ramón Luis Valcárcel Siso**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Recalls that the EU's cohesion policy is its main investment tool not only for achieving the objectives of the Europe 2020 strategy, but also for addressing urgent socio-economic needs; ***is of the strong opinion*** that its underlying principles and standards ***must not be weakened*** in the context of future trade agreements negotiated by the EU;

*Amendment*

3. Recalls that the EU's cohesion policy is its main investment tool not only for achieving the objectives of the Europe 2020 strategy, but also for addressing urgent socio-economic needs; ***believes*** that its underlying principles and standards ***should be respected and taken into account*** in the context of future trade agreements negotiated by the EU;

Or. en

**Amendment 23**  
**Tonino Picula**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Recalls that the EU's cohesion policy is its main investment tool ***not only*** for achieving the objectives of the Europe 2020 strategy, ***but also for addressing urgent socio-economic needs***; is of the strong opinion that its underlying principles and standards must ***not be weakened*** in the context of future trade agreements negotiated by the EU;

*Amendment*

3. Recalls that the EU's cohesion policy is its main investment tool for achieving the objectives of the Europe 2020 strategy; is of the strong opinion that its underlying principles and standards must ***be upheld*** in the context of ***TiSA and*** future trade agreements negotiated by the EU;

Or. en

**Amendment 24**  
**Steeve Briois**

**Draft opinion**  
**Paragraph 3**

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*Draft opinion*

3. Recalls that the EU's cohesion policy is *its main investment tool not only for achieving the objectives of the Europe 2020 strategy, but also* for addressing urgent socio-economic needs; is of the strong opinion that *its underlying* principles and standards must not be weakened in the context of future trade agreements negotiated by the EU;

*Amendment*

3. Recalls that the EU's cohesion policy is *only one of the investment tools, among others, used by Member States* for addressing urgent socio-economic needs; is of the strong opinion that *the* principles and standards *established by Member States* must not be weakened in the context of future trade agreements negotiated by the EU;

Or. fr

**Amendment 25**

**Andrew Lewer, Remo Sernagiotto, Tomasz Piotr Poręba**

**Draft opinion  
Paragraph 3**

*Draft opinion*

3. Recalls that the EU's cohesion policy is its main investment tool not only for achieving the objectives of the Europe 2020 strategy, but also for addressing urgent socio-economic needs; is of the strong opinion that its underlying principles and standards must *not be weakened in the context of future trade agreements negotiated by the EU*;

*Amendment*

3. Recalls that the EU's cohesion policy is its main investment tool not only for achieving the objectives of the Europe 2020 strategy, but also for addressing urgent socio-economic needs; is of the strong opinion that its underlying principles and standards must *therefore be strengthened by the negotiation of balanced deep and comprehensive FTAs*;

Or. en

**Amendment 26**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

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

*Draft opinion*

*Amendment*

*3a. Considers that the drafts proposals from the Commission, such as the*

*horizontal reservation for a wide range of public services, the exclusion of sensitive sectors from EU liberalisation commitments, and also member states' right to regulate how services have to be supplied, are not able to adequately protect public services, since in some member states, many social, health and education services which are of general interest are privately funded or supported by a hybrid of public and private funding';*

Or. en

**Amendment 27**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

**Draft opinion**

**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

*3b. Regrets that the terminology concerning public services used in the different trade agreements currently being negotiated by the EU (CETA, TTIP and TiSA) is not consistent;*

Or. en

**Amendment 28**

**Ramón Luis Valcárcel Siso**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

*Amendment*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the

territory, *will* be limited by TiSA, *thus reducing their ability to foster local and regional development and to protect the general interest of their citizens*;

territory, *should not* be limited by TiSA, *as the EU and its member states should have the right to regulate service delivery and introduce new regulations in their territories to achieve their public policy objectives*;

Or. en

**Amendment 29**  
**Martina Michels**

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

*Draft opinion*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, will be limited by TiSA, thus reducing their ability to foster local and regional development and to protect the general interest of their citizens;

*Amendment*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, will be limited by TiSA, thus reducing their ability to foster local and regional development, *to guarantee the provision of high-quality universal services in urban areas as well as in remote regions* and to protect the general interest of their citizens;

Or. de

**Amendment 30**  
**Aldo Patriciello**

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

*Draft opinion*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion

*Amendment*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion

policy and are also actively involved in the delivery of key public services across the territory, will be limited by TiSA, thus reducing their ability to foster local and regional development and to protect the general interest of their citizens;

policy and are also actively involved in the delivery of key public services across the territory, will be limited by TiSA, thus reducing their ability to foster local and regional development and to protect the general interest of their citizens; ***therefore hopes that these limitations will be taken into account during negotiations, and that every possible legislative variation will be considered that will guarantee full implementation of the EU's cohesion policy and will ensure that local and regional authorities are free to act to protect the interests of their citizens, in accordance with the competences reserved for them by the EU Treaties.***

Or. it

**Amendment 31**  
**Tonino Picula**

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

*Draft opinion*

4. Is ***concerned*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***will be limited*** by TiSA, ***thus reducing*** their ability to foster local and regional development and to protect the general interest of their citizens;

*Amendment*

4. Is ***of opinion*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***should not be hampered*** by TiSA, ***as this would reduce*** their ability to foster local and regional development and to protect the general interest of their citizens;

Or. en

**Amendment 32**  
**Steeve Briois**

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

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*Draft opinion*

4. Is concerned that the competences of local and regional authorities (LRAs), which are responsible for *a large share of* public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, will be *limited* by TiSA, *thus reducing their ability to foster local and regional development and to protect the general interest of their citizens*;

*Amendment*

4. Is concerned that the competences of ***Member States and of*** local and regional authorities (LRAs), which are responsible for public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, will be ***threatened*** by TiSA;

Or. fr

**Amendment 33**

**Andrew Lewer, Remo Sernagiotto**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

4. ***Is concerned*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***will be limited by TiSA, thus reducing their ability to foster local and regional development and to protect the general interest of their citizens***;

*Amendment*

4. ***Reminds*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***must remain unaffected by EU trade agreements, as is already the case with agreements concluded with South Korea, Central America and the Andean Countries***;

Or. en

**Amendment 34**

**Matthijs van Miltenburg, Petras Auštrevičius, Hannu Takkula**

**Draft opinion**

**Paragraph 4**

*Draft opinion*

4. ***Is concerned*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***will*** be limited by TiSA, ***thus reducing*** their ability to foster local and regional development and to protect the general interest of their citizens;

*Amendment*

4. ***Stresses*** that the competences of local and regional authorities (LRAs), which are responsible for a large share of public investment under the EU's cohesion policy and are also actively involved in the delivery of key public services across the territory, ***should not*** be limited by TiSA, ***and should not reduce*** their ability to foster local and regional development and to protect the general interest of their citizens;

Or. en

**Amendment 35**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

**Draft opinion**

**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4a. Calls for the introduction of an unequivocal 'gold standard' clause, which could be included in all trade agreements and would clarify that the public utilities clause applies to all modes of supply and to any services considered as public services by European, national or regional authorities;***

Or. en

**Amendment 36**

**Monika Vana**

**Draft opinion**

**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4a. Stresses that the special character of***

*services in the water sector, such as production, distribution, treatment and wastewater disposal, makes it imperative that they remain under the responsibility of public authorities in the Member States and must not be impacted by external factors; urges the Commission to grant a legally binding guarantee that water services are solely bound to the Union acquis and not trade-able, in particular if EU funds are involved; urges the Commission to take the follow up to the European citizens' initiative Right2Water seriously and to take actions on the expressed concerns;*

Or. en

**Amendment 37**  
**Monika Vana**

**Draft opinion**  
**Paragraph 4 b (new)**

*Draft opinion*

*Amendment*

*4b. Acknowledges with concern that the liberalisation of environmental services such as in the water sector can have negative impacts on economic, social and territorial cohesion; Considers crucial that TiSA includes a clause that enables countries to reverse the liberalisation of services;*

Or. en

**Amendment 38**  
**Daniel Buda**

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

*Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

*Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3; ***insists on the establishment of clear rules regarding the impacts of the agreement at cross-border level and on worker mobility;***

Or. ro

**Amendment 39**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

***5. Opposes any encroachment on the discretionary power of LRAs*** with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to ***fully exclude public*** services, ***both publicly and privately funded,*** from the ***TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;***

*Amendment*

***5. Stresses the importance of public services and the need to respect the LRAs powers*** with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to ***exclude current and future Services of General Interest as well as Services of General Economic Interest*** from the ***scope of application of TiSA, to ensure that national and if applicable local authorities retain the full right to introduce, adopt, maintain or repeal any***

*measures with regards to the  
commissioning, organization, funding  
and provision of public services as  
provided in the Treaties;*

Or. en

**Amendment 40**  
**Martina Michels**

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

*Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

*Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, ***'regulatory cooperation'***, standstill, ***safeguard*** and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

Or. de

**Amendment 41**  
**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

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

*Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU,

*Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU,

especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement, ***in order to protect the right to create new public services in the future***; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

Or. en

**Amendment 42**  
**Steeve Briois**

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

*Draft opinion*

***5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;***

*Amendment*

***5. Calls*** on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations;

Or. fr

**Amendment 43**  
**Tonino Picula**

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

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*Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, ***as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU***, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

*Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; calls, therefore, on the Commission to fully exclude public services, both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;

Or. en

**Amendment 44**  
**Andrew Lewer, Remo Sernagiotto**

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

*Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, ***especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement***; calls, ***therefore***, on the Commission to ***fully exclude*** public services, ***both publicly and privately funded, from the TiSA negotiations and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3***;

*Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, ***in particular on Services of General Interest***, calls on the Commission to ***include reservations concerning*** public services, ***allowing Member States and local authorities to continue to manage***;

Or. en

## Amendment 45

Matthijs van Miltenburg, Petras Auštrevičius, Hannu Takkula

### Draft opinion

#### Paragraph 5

##### *Draft opinion*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; ***calls***, therefore, ***on*** the Commission ***to fully*** exclude public services, both publicly and privately funded, from the TiSA negotiations ***and to further strengthen flexibilities on the enforcement of commitments at local level, as laid down in GATS Article 1.3;***

##### *Amendment*

5. Opposes any encroachment on the discretionary power of LRAs with regard to services, as laid down in Article 14 of the TFEU and Protocol N°26 of the TFEU, especially through provisions on domestic regulation, standstill and ratchet clauses, as well as provisions on public procurement; ***welcomes***, therefore, ***the fact that*** the Commission ***has stated publically and repeatedly that it will*** exclude public services, both publicly and privately funded, from the TiSA negotiations ***including those provided at the*** local level;

Or. en

## Amendment 46

Monika Vana

### Draft opinion

#### Paragraph 5 a (new)

##### *Draft opinion*

##### *Amendment*

***5a. Reiterates that the provision of services in the EU is based on the principles of universal access, quality, safety, affordability and equal treatment to be guaranteed at all times; demands that these characteristics must not be superimposed by divergent concepts;***

Or. en

## Amendment 47

Martina Michels

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

*Draft opinion*

*Amendment*

***5a. Calls for the establishment of a 'positive list' of those services and service sectors to be covered by the TiSA, instead of a 'negative list' of spheres excluded from the agreement;***

Or. de

**Amendment 48**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

***5b. Considers that the TiSA should impose only minimum standards and that the right to adopt and implement better standards should not be restricted, and calls for the country of destination principle to be upheld where standards for the provision of services differ;***

Or. de

**Amendment 49**  
**Monika Vana**

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

*Draft opinion*

*Amendment*

***5b. Stresses that the agreement has to fully preserve the capacity of local, regional, national and European authorities to decide and regulate in the public interest; is concerned in regard to***

*the envisaged "enhanced regulatory disciplines" and domestic regulation provisions of the agreement; demands that any provision of the agreement must not diminish the policy space of democratic bodies to maintain, apply and extend regulations in the public interest such as high standards for the protection of labour, environmental, consumer rights as well as universal service obligations; highlights that it has to be ensured that these standards cannot be deemed as unnecessary burdens to trade;*

Or. en

**Amendment 50**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

*5c. opposes any encroachment on the sovereignty of the Member States and their local and regional authorities in the spheres of, inter alia, education, culture, theatre, libraries, museums, urban planning and landscaping, labour protection, environmental protection, data protection, social welfare and public health care, water supply, waste disposal, consumer standards, public procurement provisions and licensing;*

Or. de

**Amendment 51**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

***5d. Welcomes the explicit exclusion of audiovisual services from the negotiations, and calls for cultural services to be excluded likewise, in particular in the public and not-for-profit sectors, and advocates protection of cultural and linguistic diversity, paying particular attention to the interests of minorities, on the basis of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;***

Or. de

**Amendment 52  
Martina Michels**

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

*Draft opinion*

*Amendment*

***5e. Points out that it is not feasible to apply the principle of reciprocal market access for companies run by municipalities or regional authorities owing to their embeddedness in their own locality;***

Or. de

**Amendment 53  
Martina Michels**

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

*Draft opinion*

*Amendment*

***5f. Opposes restrictions to cross-subsidisation of undertakings or services***

*under the same local authority where they exceed the restrictions existing under EU and national law;*

Or. de

**Amendment 54**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

*5g. Rejects necessity tests and the inclusion of vague legal concepts such as ‘unnecessary’ and ‘inappropriate’;*

Or. de

**Amendment 55**  
**Martina Michels**

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

*Draft opinion*

*Amendment*

*5h. Calls for a revision clause to be included in the agreement, so that decisions on liberalisation of a service can be reversed at any time;*

Or. de

**Amendment 56**  
**Ramón Luis Valcárcel Siso**

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

*Draft opinion*

6. **Urges** the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected.

*Amendment*

6. **Invites** the Commission **to launch a public consultation in order** to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected.

Or. en

**Amendment 57**  
**Martina Michels**

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

*Draft opinion*

6. Urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected.

*Amendment*

6. **Recalls that not only is the obligation to provide consistent, high-quality public services an integral part of the European social model, but so is the right of citizens to exercise democratic control over said services, and thus** urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected.

Or. de

**Amendment 58**  
**Tonino Picula**

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

*Draft opinion*

6. **Urges the** Commission to **involve and consult** LRAs – alongside economic and social partners and civil society

*Amendment*

6. **Acknowledges the progress in level of transparency of TiSA negotiations and calls on** Commission to **continue with its**

organisations – in the *context of the TiSA negotiations as they will be the ones most affected*.

*efforts to achieve greater level of transparency of the negotiating process; reiterates the importance for LRAs – alongside economic and social partners and civil society organisations – to be consulted and included in the negotiating directives given their crucial role in regulation and delivery of public services;*

Or. en

**Amendment 59**  
**Viorica Dăncilă**

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

*Draft opinion*

6. Urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected.

*Amendment*

6. Urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations as they will be the ones most affected, *but also in order to guarantee economic growth and jobs for all concerned;*

Or. ro

**Amendment 60**  
**Steeve Briois**

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

*Draft opinion*

6. *Urges* the Commission to *involve and consult LRAs – alongside economic and social partners and civil society organisations* – in the context of the *TiSA negotiations as they will be the ones most affected*.

*Amendment*

6. *Calls on* the Commission to *send all the necessary information to the national authorities of each Member State*, in the context of the negotiations.

Or. fr

## **Amendment 61**

**Andrew Lewer, Remo Sernagiotto, Tomasz Piotr Poreba**

### **Draft opinion**

#### **Paragraph 6**

##### *Draft opinion*

6. Urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations *as they will be the ones most affected*.

##### *Amendment*

6. Urges the Commission to involve and consult LRAs – alongside economic and social partners and civil society organisations – in the context of the TiSA negotiations *so as to ensure their participation in ongoing negotiations; in this vein, welcomes the establishment by the Commission of Civil Society Dialogue meetings and ongoing efforts to make the EU's position in the TiSA talks as transparent as possible*.

Or. en

## **Amendment 62**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

### **Draft opinion**

#### **Paragraph 6 a (new)**

##### *Draft opinion*

##### *Amendment*

*6a. Proposes that, instead of a "negative list" of spheres excluded from the agreement, a "positive list" of policy areas to be covered by the TiSA should be presented, in order to enhance transparency and accountability.*

Or. en

## **Amendment 63**

**Monika Vana**

### **Draft opinion**

#### **Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

***6a. Calls for continuing and stepping up, in line with the recommendations of the European Ombudsman on TTIP, on-going efforts to increase transparency in the negotiations by the immediate publication of all documents relevant to TiSA, including negotiation proposals, especially consolidated negotiation texts.***

Or. en

**Amendment 64**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

**Draft opinion**

**Paragraph 6 b (new)**

*Draft opinion*

*Amendment*

***6b. Considers, that in the Domestic Annex regulation, the concept of 'discriminating regulation' may reduce the scope of action of the National and Regional legislator and calls thus for a clear definition of the terms 'objective' and 'not more burdensome than necessary' when referred to the measures of general application affecting trade in services.***

Or. en

**Amendment 65**

**Rosa D'Amato, Isabella Adinolfi, Marco Zullo**

**Draft opinion**

**Paragraph 6 c (new)**

*Draft opinion*

*Amendment*

***6c. Calls for the exclusion of the Domestic Regulation Annex from TiSa.***

