



EUROPEAN PARLIAMENT

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*Plenary sitting*

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**A7-0060/2014**

28.1.2014

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## **RECOMMENDATION**

on the draft Council decision on the conclusion of an Agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws  
(12418/2012 – C7-0146/2013 – 2012/0127(NLE))

Committee on Economic and Monetary Affairs

Rapporteur: George Sabin Cutaş

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the draft Council decision on the conclusion of an Agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws**

**(12418/2012 – C7-0146/2013 – 2012/0127(NLE))**

**(Consent)**

*The European Parliament,*

- having regard to the draft Council decision (12418/2012),
  - having regard to the draft agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws (12513/2012),
  - having regard to the request for consent submitted by the Council in accordance with Articles 103 and 352, in conjunction with Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C7-0146/2013),
  - having regard to Rules 81 and 90(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Economic and Monetary Affairs and the opinion of the Committee on International Trade (A7-0060/2014),
1. Consents to conclusion of the agreement;
  2. Reminds the Council that, should it amend its draft decision, the consent of the European Parliament will have to be requested anew;
  3. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Swiss Confederation.

17.12.2013

## **OPINION OF THE COMMITTEE ON INTERNATIONAL TRADE**

for the Committee on Economic and Monetary Affairs

on the proposal for a Council decision on the conclusion of an Agreement between the European Union and the Swiss Confederation concerning cooperation on the application of their competition laws  
(12418/2012 – C7-0146/2013 – 2012/0127(NLE))

Rapporteur: Vital Moreira

### **SHORT JUSTIFICATION**

After concluding competition cooperation agreements with the US, Canada, Japan and South Korea, the Commission has now reached a "first second generation" agreement with Switzerland. Unlike its predecessors, this agreement also includes provisions on the exchange of evidence obtained by the competition authorities when they investigate the same case, which will contribute to more effective enforcement of competition law.

Your rapporteur welcomes this innovative EU/Switzerland agreement. Switzerland is the EU's third-largest economic partner and the second largest FDI recipient. The economies are closely integrated and many anti-competitive practices affect cross-border trade.

The implementation of the agreement will be facilitated by the similarity of rules of practices between the EU and Switzerland. The EU should learn from this experience and proceed with concluding other "second generation" agreements with other partners, however much this may be complicated by differences in rules and practices.

Your rapporteur is a strong advocate of international cooperation on the enforcement of competition rules. In a world of globalised companies and global value chains, anti-competitive behaviour, such as abuse of dominant market position or cartels, also constitute NTBs to trade. In this light, redoubled efforts to promote international cooperation to fight these anti-competitive practices are very important for the regulation of trade and foreign investment. The WTO rules on competition are insufficient. They do nonetheless recognise governments' rights to act against anti-competitive practices and to work together to limit these practices. Sooner rather than later the WTO will have to return to competition policy and use multilateral instruments to fight these practises with transborder consequences to create a level playing field.

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The Committee on International Trade calls on the Committee on Economic and Monetary Affairs, as the committee responsible, to propose that Parliament give its consent.

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	17.12.2013
<b>Result of final vote</b>	+: 27 -: 0 0: 0
<b>Members present for the final vote</b>	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, Maria Badia i Cutchet, Nora Berra, Daniel Caspary, María Auxiliadora Correa Zamora, Andrea Cozzolino, George Sabin Cutaş, Marielle de Sarnez, Christofer Fjellner, Yannick Jadot, Bernd Lange, David Martin, Vital Moreira, Paul Murphy, Cristiana Muscardini, Niccolò Rinaldi, Helmut Scholz, Peter Šťastný, Robert Sturdy, Iuliu Winkler
<b>Substitute(s) present for the final vote</b>	Catherine Bearder, Derk Jan Eppink, Béla Glattfelder, Syed Kamall, Peter Skinner, Jarosław Leszek Wałęsa
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Reimer Böge



## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	22.1.2014
<b>Result of final vote</b>	+: 42 -: 0 0: 1
<b>Members present for the final vote</b>	Marino Baldini, Elena Băsescu, Jean-Paul Besset, Sharon Bowles, Udo Bullmann, Nikolaos Chountis, George Sabin Cutaş, Leonardo Domenici, Derk Jan Eppink, Diogo Feio, Elisa Ferreira, Ildikó Gáll-Pelcz, Sven Giegold, Liem Hoang Ngoc, Othmar Karas, Wolf Klinz, Jürgen Klute, Rodi Kratsa-Tsagaropoulou, Philippe Lamberts, Werner Langen, Astrid Lulling, Hans-Peter Martin, Arlene McCarthy, Marlene Mizzi, Ivari Padar, Anni Podimata, Antolín Sánchez Presedo, Peter Simon, Theodor Dumitru Stolojan, Ivo Strejček, Kay Swinburne, Sampo Terho, Marianne Thyssen, Corien Wortmann-Kool, Pablo Zalba Bidegain
<b>Substitute(s) present for the final vote</b>	Jean-Pierre Audy, Herbert Dorfmann, Sari Essayah, Ashley Fox, Enrique Guerrero Salom, Sophia in 't Veld
<b>Substitute(s) under Rule 187(2) present for the final vote</b>	Jürgen Creutzmann, Marian Harkin