



2018/2102(INI)

5.11.2018

AMENDMENTS

1 - 221

Draft report
Michel Reimon
(PE628.570v01-00)

on the Annual Report on Competition Policy
(2018/2102(INI))

Amendment 1
Tibor Szanyi

Motion for a resolution
Citation 1

Motion for a resolution

– having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Articles 7, 8, 9, 11,12, 39, 42 and 101 to 109 thereof,

Amendment

– having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Articles 7, 8, 9, 11,12, 39, 42 and 101 to 109 *as well as Article 174* thereof,

Or. en

Amendment 2
Tibor Szanyi

Motion for a resolution
Citation 3 a (new)

Motion for a resolution

Amendment

– *having regard to Commission Regulation (EU) No 651/2014 of 17.06.2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the TFEU,*

Or. en

Amendment 3
Barbara Kappel

Motion for a resolution
Citation 3 a (new)

Motion for a resolution

Amendment

– *having regard of the 2017 Annual Report of DG Competition, published on 28 March 2018,*

Amendment 4
Tibor Szanyi

Motion for a resolution
Citation 3 b (new)

Motion for a resolution

Amendment

- *having regard to Council Regulation (EC) No 139/2004 of 20.1.2004 on the control of concentration between the undertakings,*

Or. en

Amendment 5
Roberts Zile, Sander Loones

Motion for a resolution
Citation 5 a (new)

Motion for a resolution

Amendment

- *having regard to the Commission Notice of 19 July 2016 on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union,*

Or. en

Amendment 6
Markus Ferber

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

Amendment

- *having regard to the study ‘Competition issues in the Area of*

*Financial Technology (Fin Tech)^{1a},
commissioned by the Competition
Working Group of the Committee on
Economic and Monetary Affairs,*

1a

[http://www.europarl.europa.eu/RegData/etudes/STUD/2018/619027/IPOL_STU\(2018\)619027_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2018/619027/IPOL_STU(2018)619027_EN.pdf)

Or. de

Amendment 7
Barbara Kappel

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

Amendment

– *having regard of Commission Regulation (EU) 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure,*

Or. en

Amendment 8
Tibor Szanyi

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

Amendment

– *having regard to the Commission's answers given to the E-000344/2016, E-002666/2016 and E-002112/2016 written questions,*

Or. en

Amendment 9
Paloma López Bermejo

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

Amendment

– *having regard to the relevant report of the Economic and Social Committee,*

Or. es

Amendment 10
Barbara Kappel

Motion for a resolution
Citation 10 b (new)

Motion for a resolution

Amendment

– *having regard of the Final Report on the e-commerce sector inquiry, published on 10 May 2017,*

Or. en

Amendment 11
Barbara Kappel

Motion for a resolution
Citation 10 c (new)

Motion for a resolution

Amendment

– *having regard of the judgement in case C-411/15P Timab of 12 January 2017,*

Or. en

Amendment 12
Tibor Szanyi

Motion for a resolution
Recital A (new)

Motion for a resolution

Amendment

A. *whereas competition policy needs to take particular account of the objectives of social cohesion and sustainable development;*

Or. en

Amendment 13
Tibor Szanyi

Motion for a resolution
Recital B (new)

Motion for a resolution

Amendment

B. *whereas competition policy has now been in place for over sixty years and a strong and effective EU competition policy has always been a cornerstone of the European project;*

Or. en

Amendment 14
Tibor Szanyi

Motion for a resolution
Recital C (new)

Motion for a resolution

Amendment

C. *whereas tax evasion and tax avoidance create unfair competition, especially affecting small and medium-sized enterprises;*

Or. en

Amendment 15
Tibor Szanyi

Motion for a resolution
Recital D (new)

Motion for a resolution

Amendment

D. whereas money laundering, tax avoidance and tax evasion undermine the fair distribution of tax revenues in the Member States, and therefore distort competition in the internal market;

Or. en

Amendment 16
Tibor Szanyi

Motion for a resolution
Recital E (new)

Motion for a resolution

Amendment

E. whereas massive tax avoidance by high net worth individuals and enterprises not only penalises ordinary taxpayers, public finances and social spending, but also threatens good governance, macroeconomic stability, social cohesion and public trust in Union and Member States' institutions;

Or. en

Amendment 17
Tibor Szanyi

Motion for a resolution
Recital F (new)

Motion for a resolution

Amendment

F. whereas certain governments and jurisdictions, including in the EU, have specialised or engaged in creating preferential tax regimes which distort competition to the benefit of multinational companies and high net worth individuals, who do not in fact have economic substance within these jurisdictions but are merely represented by shell companies;

Or. en

Amendment 18
Andreas Schwab

Motion for a resolution
Paragraph 1

Motion for a resolution

Amendment

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union; ***welcomes again, in this context, the Commission's proposal for a Directive to empower the national competition authorities (ECN+ Directive) and the political agreement reached by European Parliament and Council; believes that the Directive will significantly improve the effective and consistent application of EU competition law across Union by ensuring that NCAs have the tools, adequate resources and safeguards for independence to impose dissuasive fines for competition infringements; appreciates the Commission's early assistance provided to the Member States in relation to implementation of this Directive;***

Or. en

Amendment 19
Paloma López Bermejo

Motion for a resolution
Paragraph 1

Motion for a resolution

1. **Welcomes** the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1. **Notes** the Commission's activities and efforts to ensure the effective application of competition rules in the Union; **considers it necessary, however, to articulate more effective policies to ensure the wellbeing of the European public that go beyond the scope of competition policy;**

Or. es

Amendment 20
Sander Loones

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1. **Considers that a competition policy aimed at ensuring a level playing field in all sectors is a cornerstone of the European social market economy, and a key factor in guaranteeing the proper functioning of the internal market;** Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Or. en

Amendment 21
Tibor Szanyi

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union; ***reminds that unfair competition is still one of the main challenges identified by European SMEs;***

Or. en

Amendment 22
Alfred Sant

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union ***for the benefit of all EU citizens, especially those in a weak consumer position;***

Or. en

Amendment 23
Barbara Kappel

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the ***Commission's activities and efforts to ensure the effective application of competition rules in the Union;***

Amendment

1. Welcomes the ***2017 Report on Competition Policy (COM(2018) 482) of 18 June 2018, which can help restore a sufficient level of investment and innovation by creating a fair competitive environment;***

Or. en

Amendment 24
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1. Welcomes ***the Commission Report on Competition Policy 2017 and*** the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Or. en

Amendment 25
Gunnar Hökmark

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

1. Welcomes the Commission's activities and efforts to ensure the effective application of competition rules in the Union;

Amendment

1a. Welcomes and further encourages the efforts of the Commission to maintain, in addition to the structured dialogue with the Commissioner for Competition, Margrethe Vestager, regular contact with the members of Parliament's competent committee and its Working Group on Competition Policy; is convinced that the Commission's Annual Report on Competition Policy is a key exercise in terms of democratic scrutiny, and welcomes the Commission's feedback on all the specific requests adopted by Parliament;

Or. en

Amendment 26
Jonás Fernández, Ramón Jáuregui Atondo

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Recalls that competition policy is in itself a means of safeguarding European democracy, in that it prevents the overconcentration of economic and financial power in the hands of a few, which would undermine the ability of Europe's political authorities to act independently of major industrial and banking groups;

Or. en

Amendment 27
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Appreciates the efforts made by the Commission and Commissioner Vestager to ensure proper information sharing and regular exchanges with the Parliament concerning competition policy; calls on the Commission to maintain a close cooperation with the members of the Parliament's competent committee;

Or. en

Amendment 28
Barbara Kappel

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Notes that, as a rule, the European Parliament is only involved in competition law through the consultation procedure and its influence therefore remains very limited;

Or. en

Amendment 29
Markus Ferber

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Stresses that it is the consumer who chiefly benefits from effective competition in the European single market;

Or. de

Amendment 30
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. Calls on the Commission to continue monitoring the implementation of directives linked to the completion of the single market and to ensure the full enforcement of EU competition rules in order to avoid uneven application thereof in the Member States;

Or. en

Amendment 31
Barbara Kappel

Motion for a resolution
Paragraph 1 b (new)

Motion for a resolution

Amendment

1b. Stresses that Parliament should also be given co-decision powers in competition policy and regrets that this area of Union policy;

Or. en

Amendment 32
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 1 c (new)

Motion for a resolution

Amendment

1c. Notes that most decisions concerning antitrust issues and State aid are taken at national level; believes therefore that the Commission should monitor and take measures to ensure consistent policy measures within the internal market

Or. en

Amendment 33
Nils Torvalds

Motion for a resolution
Paragraph 1 d (new)

Motion for a resolution

Amendment

1d. Welcomes the truck cartel investigation; takes positive note of the fact that the Commission did not only look at the impact of the cartel between big

truck makers on prices of trucks but also sanctioned the fact that they worked together to delay the introduction of cleaner trucks;

Or. en

Amendment 34
Tibor Szanyi

Motion for a resolution
Paragraph 1 g (new)

Motion for a resolution

Amendment

1g. Stresses the reinforcement of the Single Market through a fiscal union; calls for the treaties to be amended accordingly;

Or. en

Amendment 35
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 2

Motion for a resolution

Amendment

2. Considers that the treaty-based competition rules must be *interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU*; takes the view, therefore, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be

2. Considers that the treaty-based competition rules must be *fully complied with*;

explicitly taken into account when assessing treaty-based competition provisions;

Or. en

Amendment 36

Roberts Zile, Sander Loones

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Considers that the treaty-based competition rules must be *interpreted in the light* of the *wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU*; takes the view, therefore, that *activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions*;

Amendment

2. Considers that the treaty-based competition rules must be *applied in consistency with the other policies and activities of the European Union, as enshrined in article 7 TFEU*; *notes furthermore that article 9 TFEU states that 'in defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health'*; *draws attention to article 36 of the Charter of Fundamental Rights, demanding the respect for access to services of general economic interest as provided for in national laws and practices, in order to promote the social and territorial cohesion of the Union*; takes the view, therefore, that social and environmental benefits should be explicitly taken into account when *interpreting the EU competition rules*;

Or. en

Amendment 37

Gunnar Hökmark

Motion for a resolution
Paragraph 2

Motion for a resolution

2. ***Considers that the treaty-based competition rules must be interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU;*** takes the view, ***therefore***, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;

Amendment

2. Takes the view that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;

Or. en

Amendment 38
Markus Ferber

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Considers that the treaty-based competition rules must be interpreted in the light of the wider European values underpinning the Union's social market economy, ***notably environmental and social protection, equality considerations, consumer protection and public health***, as mandated by Article 7 TFEU; takes the view, ***therefore***, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law ***while, conversely, activities which bring social or***

Amendment

2. Considers that the treaty-based competition rules must be interpreted in the light of the wider European values underpinning the Union's social market economy, as mandated by Article 7 TFEU; takes the view, ***therefore***, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law;

environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;

Or. de

Amendment 39
Andreas Schwab

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Considers that the treaty-based competition rules **must** be interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU; takes the view, therefore, that **activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;**

Amendment

2. Considers that the treaty-based competition rules **should** be interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU; takes the view, therefore, that **these values** need to be taken into account **in the application of EU competition law;**

Or. en

Amendment 40
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Considers that the treaty-based competition rules must be interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU; takes the view, therefore, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;

Amendment

2. Considers that the treaty-based competition rules must be interpreted in the light of the wider European values underpinning the Union's social market economy, notably environmental and social protection, equality considerations, consumer protection and public health, as mandated by Article 7 TFEU **and the COP-21 Paris Agreement**; takes the view, therefore, that activities which cause negative social and environmental externalities create market distortions that need to be addressed by means of competition law while, conversely, activities which bring social or environmental benefits should be explicitly taken into account when assessing treaty-based competition provisions;

Or. en

Amendment 41

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 2 a (new)

Motion for a resolution

2a. Considers that the normative foundations of EU competition law in the TFEU are still fit for purpose but its enforcement requires to carefully incorporate non-economic parameters that are essential for the realisation of Europe's social market economy; stresses, in particular, the need to assess to what extent EU competition law is capable to address social and environmental concerns stemming from the increasing concentration of markets across sectors;

Or. en

Amendment 42
Paloma López Bermejo

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Believes that competition policy should act as a catalyst to help promote energy transition across the EU, stimulate economic and social integration in Europe, encourage ecologically sustainable farming activities and limit the ability of large power companies to raise the price of energy supplies;

Or. es

Amendment 43
Nils Torvalds, Gunnar Hökmark

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Recalls that taxation is a national competence; notes however that the taxation instrument can be used to grant implicit State aid to companies, which can create an un-level playing field on the internal market;

Or. en

Amendment 44
Jonás Fernández, Ramón Jáuregui Atondo

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2a. Takes the view that current and savings accounts should not incur commissions for users unless they are linked to specific services;

Or. en

Amendment 45
Markus Ferber

Motion for a resolution
Paragraph 3

Motion for a resolution

Amendment

3. Points out that even when products or services are supplied for free, consumers may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; calls therefore, for the purposes of the cases under consideration, for the formulation of a 'theory of harm', which should transcend price-centric approaches and account for broader considerations such as the impact on citizens' privacy;

deleted

Or. de

Amendment 46
Paloma López Bermejo

Motion for a resolution
Paragraph 3

Motion for a resolution

Amendment

3. Points out that even when products or services are supplied for free, consumers may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; calls therefore, for the

3. Points out that even when products or services are supplied for free, consumers may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; calls therefore, for the

purposes of the cases under consideration, for the formulation of a 'theory of harm', which should transcend price-centric approaches and account for broader considerations such as the impact on citizens' privacy;

purposes of the cases under consideration, for the formulation of a 'theory of harm', which should transcend price-centric approaches and account for broader considerations such as the impact on citizens' privacy; ***believes that a broader interpretation of competition policy might promote more ecologically sustainable economic and business practices and more cohesive and less unequal societies;***

Or. es

Amendment 47
Andreas Schwab

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Points out that even when products or services are supplied for free, consumers may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; calls therefore, ***for the purposes of the cases under consideration, for the formulation of a 'theory of harm', which should transcend price-centric approaches and account for broader considerations such as the impact on citizens' privacy;***

Amendment

3. Points out that even when products or services are supplied for free, consumers may still have to endure unjust behaviour, such as a degradation in quality, ***choice and innovation*** or extortive practices; calls therefore ***for competition law enforcement to take into consideration for more aspects going beyond price effects***, which ***could negatively*** impact on ***the consumer;***

Or. en

Amendment 48
Roberts Zile, Sander Loones

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Points out that even when products or services are supplied for free, consumers

Amendment

3. Points out that even when products or services are supplied for free, ***most***

may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; *calls therefore, for the purposes of the cases under consideration, for the formulation of a 'theory of harm', which* should transcend price-centric approaches and account for broader considerations such as the *impact on* citizens' privacy;

notably in the digital economy, consumers may still have to endure unjust behaviour, such as a degradation in quality or extortive practices; *takes the view that EU competition rules* should transcend price-centric approaches and account for broader considerations such as the *quality of products or services also in view of* citizens' privacy;

Or. en

Amendment 49
Tibor Szanyi

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. *Stresses that, within the internal market, new entrants and firms, including SMEs, that do not use aggressive tax practices are not equal in the competition and therefore penalised as compared with MNCs, which are able to shift profits or implement other forms of aggressive tax planning through a variety of decisions and instruments, available to them only by virtue of their size and their ability to arrange business internationally; points out that this distortion of a level playing field in favour of multinationals contradicts the fundamental principle of the single market;*

Or. en

Amendment 50
Tibor Szanyi

Motion for a resolution
Paragraph 3 b (new)

Motion for a resolution

Amendment

3b. Emphasises again that corruption in public procurement has serious market-distorting effects on European competitiveness; reiterates that public procurement is one of the government activities most vulnerable to corruption; highlights that in certain Member States, EU-funded procurement carries higher corruption risks than nationally funded procurement; recalls that tailor-made invitations to tender are widely used to limit market competition; calls on the Commission to continue its effort to prevent the misuse of EU funds and stimulate accountability in public procurement; also welcomes the establishment of the European Public Prosecutor's Office;

Or. en

Amendment 51
Tibor Szanyi

Motion for a resolution
Paragraph 3 c (new)

Motion for a resolution

Amendment

3c. Welcomes the enforcement of the national competition authorities as an essential tool and prerequisite in ensuring that such authorities (NCAs) become effective enforcers of EU law; underlines again that NCAs have to be sufficiently equipped in terms of financial and human resources as well as that the election or nomination of the leadership has to be fully transparent without any political influence, in order to guarantee their independence;

Or. en

Amendment 52
Tibor Szanyi

Motion for a resolution
Paragraph 3 d (new)

Motion for a resolution

Amendment

3d. Emphasises again the crucial role of competition policy in the further development of the Digital Single Market; underlines in particular issues of unfair competition conditions imposed by certain dominant on-line platforms on suppliers;

Or. en

Amendment 53
Barbara Kappel

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

4. Welcomes that in 2017, competition policy and enforcement actions continued to contribute to the implementation of the Digital Single Market Strategy; stresses that a digital single market could create hundreds of thousands of new jobs and generate € 415 billion per year; notes at the same time that traditional market models of competition policy are often inadequate for the digital single market; calls therefore, for greater attention to be paid to the new business models of digital companies and the adoption of new criteria for the assessment of digital companies; calls for greater attention to be paid to the specific market structures in the digital economy; notes in particular that digital platforms, in processing and storing data flows, generate considerable

network externalities and economies of scale, **which could** ultimately, by excessive concentration **on the relevant market** and abusive market power, **distort competition**;

Or. en

Amendment 54
Andreas Schwab

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, **by dint of** excessive concentration, rent extraction and abusive market power, bring about market failures;

Amendment

4. **Points out the enormous changes in markets resulting from continuing technological development, which brings both opportunities and challenges to competition**; underlines, **in particular**, the urgent need for an effective framework tailored to the challenges of the data-driven **and algorithm** economy; notes in particular that digital platforms, in **accessing and** controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, **through** excessive **market** concentration, **acquiring a gatekeeper function**, rent extraction and abusive market power, **can** bring about market failures;

Or. en

Amendment 55
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the

Amendment

4. Underlines the urgent need for an effective framework tailored to the

challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows; ***users are not aware to the extent their data is being used and passed on to third parties for marketing or commercial purposes and certainly didn't give explicit consent for such utilisation^{1a}***; generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

^{1a} <https://ig.ft.com/mobile-app-data-trackers/>

Or. en

Amendment 56 **Markus Ferber**

Motion for a resolution **Paragraph 4**

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

Amendment

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures; ***calls on the Commission to undertake a thorough review of existing competition law instruments and strategies in order to determine whether they meet the needs of the digital age;***

Or. de

Amendment 57
Gunnar Hökmark

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the ***urgent need for an effective framework tailored to the challenges of*** the data-driven economy; notes ***in particular*** that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, ***and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;***

Amendment

4. Underlines the ***advantages of data innovation and*** the data-driven economy; notes ***at the same time*** that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale; ***underlines therefore the need to open up for new business models and competition which can enable new and smaller actors as well as broader services provided by big actors; stresses that this could offer new services to consumers and thereby also requires rules for fair competition;***

Or. en

Amendment 58
Tibor Szanyi

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, ***bring about market failures;***

Amendment

4. ***Recalls that the data economy is an important part of the digital economy;*** underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, ***pose a serious threat to the market principles we abide for;***

Or. en

Amendment 59
Roberts Zile, Sander Loones

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

Amendment

4. ***Calls on the Commission to take ambitious steps to eliminate illegitimate obstacles to online competition;*** underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

Or. en

Amendment 60
Nils Torvalds

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

Amendment

4. ***Takes positive note of the potential of innovation in the data-driven economy;*** underlines ***however*** the urgent need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, in controlling ever-increasing data flows, generate considerable network externalities and economies of scale, and ultimately, by dint of excessive concentration, rent extraction and abusive market power, bring about market failures;

Or. en

Amendment 61
Roberts Zile

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Underlines the **urgent** need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that digital platforms, **in** controlling ever-increasing data flows, generate **considerable network externalities and** economies of scale, **and ultimately, by dint of** excessive concentration, rent extraction and abusive market power, **bring about market failures**;

Amendment

4. Underlines the need for an effective framework tailored to the challenges of the data-driven economy; notes in particular that **certain types of** digital platforms **with an ability of** controlling ever-increasing data flows **can** generate economies of scale **which may result in** excessive concentration, **leading to** rent extraction and abusive market power;

Or. en

Amendment 62
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

4a. Recalls that the EU has established comprehensive rules to protect the privacy and data protection of individuals in the EU; Individuals whose personal data are processed benefit from the rights provided under the General Data Protection Regulation GDPR^{1a} including a right to object to processing and to withdraw consent. The GDPR requires amongst others that processing be lawful, fair and transparent, and that personal data be collected for specified, explicit and legitimate purposes.

In addition, Directive 2002/58/EC (the ePrivacy Directive)^{1b} complements and

particularises the GDPR as regards the processing of personal data in the electronic communications sector. Notably, Article 5(3) provides that the storing of information or the gaining of access to the information already stored in the terminal equipment is only allowed when the subscriber or user concerned has given his or her consent; such storage or access is necessary to transmit the communication; or it is necessary to provide an information society service explicitly requested by a subscriber or user;

^{1a} <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679&from=EN>

^{1b} <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002L0058&from=EN>

Or. en

Amendment 63
Paloma López Bermejo

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Welcomes the Commission's initiative to provide a channel for complaints regarding agreements between businesses designed to control prices, prevent access for new competitors or facilitate other illegal practices detrimental to consumers' interests; welcomes the satisfactory functioning of the new complaints channel initiated in 2017; believes, moreover, that it is extremely useful for the Commission to be able to report in Parliament on the results of the 'Leniency Programme';

Amendment 64
Andreas Schwab

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Welcomes in this context the appointment of special advisers to the Commissioner focusing on future challenges of digitalisation for competition policy and awaits with interest their findings and recommendations for action; calls on the Commission to follow closely the discussions and recommendations of expert groups established at national level as regards possible revisions of EU competition policy in light of the digital economy; underlines that ultimately a common EU-wide approach on these questions will be necessary;

Or. en

Amendment 65
Nils Torvalds

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Points out that the personal data some online platforms have access to can increase the risk of abuse of a dominant position; calls on the Commission to take this imbalance and access to personal data into account when interpreting the possible abuse of dominant position of online platforms;

Amendment 66
Gunnar Hökmark, Nils Torvalds

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. *Notes that there is no trade-off between competition and innovation, nor between competition and investments and that effective competition is the best way to foster investments while ensuring innovation and high quality services for end-users at affordable prices;*

Or. en

Amendment 67
Barbara Kappel

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. *Welcomes that as a follow-up to the e-commerce sector inquiry finalised in 2017, DG Competition will continue in 2018 to investigate anticompetitive agreements and practices in the e-commerce sector that are detrimental to a Digital Single Market;*

Or. en

Amendment 68
Tibor Szanyi

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. *Welcomes the Commission's diligence in addressing market failures from a competition standpoint, by fining the companies in breach of the European legal framework;*

Or. en

Amendment 69
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. *Calls the European Commission to organise a hearing with tech companies inviting the CEOs of Google, Facebook and Apple in order to discuss in particular how consumers' personal data is harvested and used by third countries. In fact, users, regulators and sometimes even the app developers and advertisers are unaware of the extent to which data flow from smartphones to digital advertising groups and other third parties. Data collected by third parties through smartphone apps can include anything from profile information such as age and gender to location details, including data about nearby cell phone towers or Wi-Fi routers, and information about every other app on a phone. The EU should empower individuals to understand the monopoly and concentration issues surrounding these tracking companies;*

Or. en

Amendment 70
Barbara Kappel

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Welcomes that in 2017 the Commission continued its work on one of the key actions of the second pillar of the Digital Single Market strategy, i.e. the review of the telecoms regulatory framework, which has been designed to take into account changes in markets, consumer trends and technology, including measures to stimulate investment in and take-up of very high capacity networks in the European Union, new spectrum rules for mobile connectivity and 5G, as well as changes to governance, the universal service regime, end-user protection rules, and numbering and emergency communication rules;

Or. en

Amendment 71
Gunnar Hökmark, Nils Torvalds

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Calls on the Commission to take more ambitious steps to eliminate illegitimate obstacles to online competition, in order to ensure barrier-free online shopping for EU consumers purchasing from sellers who are based in another Member State, while at the same time not creating new barriers caused by existing variations in consumer law;

Or. en

Amendment 72
Tibor Szanyi

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. *Reiterates that competition in the telecommunication sector is essential to driving innovation and investment in networks and encourages affordable prices and choice of services for consumers;*

Or. en

Amendment 73
Gunnar Hökmark

Motion for a resolution
Paragraph 4 c (new)

Motion for a resolution

Amendment

4c. *Considers that the steps towards ending consumer charges for roaming in the EU is, in the long term perspective, not sufficient if the single market is to be further deepened, and that incentives for intra-EU calls to be on the same level as local calls must be created by facilitating investments in fully European or shared network;*

Or. en

Amendment 74
Tibor Szanyi

Motion for a resolution
Paragraph 4 c (new)

Motion for a resolution

Amendment

4c. *Believes that intra-EU calls still represent a great burden for the businesses and customers and encourages to remove such burdens of the Single Market;*

Or. en

Amendment 75
Gunnar Hökmark

Motion for a resolution
Paragraph 4 d (new)

Motion for a resolution

Amendment

4d. *Calls on Commission to consult network operators and relevant stakeholders on how to bring down charges for intra-EU calls to the level of local calls in the most efficient way;*

Or. en

Amendment 76
Gunnar Hökmark

Motion for a resolution
Paragraph 4 e (new)

Motion for a resolution

Amendment

4e. *Underlines at the same time that Commission must encourages investments and secure global competitiveness and innovation;*

Or. en

Amendment 77
Gunnar Hökmark

Motion for a resolution
Paragraph 4 f (new)

Motion for a resolution

Amendment

4f. *Is of the view that the policies should favour efficient investments in new networks and take into account the impact on consumers and by that also prevent new digital divides between high and low income households;*

Or. en

Amendment 78
Gunnar Hökmark

Motion for a resolution
Paragraph 4 g (new)

Motion for a resolution

Amendment

4g. *Agrees with Commission that very high capacity networks, 5G Internet connections and coverage are preconditions for digital development and innovation;*

Or. en

Amendment 79
Gunnar Hökmark

Motion for a resolution
Paragraph 4 h (new)

Motion for a resolution

Amendment

4h. *Calls on Commission to encourage broadband rollout by promoting a high level of competition and to ensure a high level of connectivity in the EU and a rapid*

deployment of 5G across the Union in order to secure the Union's global competitiveness and attract investments;

Or. en

Amendment 80
Gunnar Hökmark

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to require interoperability between online platforms and social network providers; requests that the Commission provide a dedicated chapter on these issues in its next annual report on competition policy, *including case studies on price caps in sectors such as online platforms for accommodation and tourism;*

Amendment

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to require interoperability between online platforms and social network providers; requests that the Commission provide a dedicated chapter on these issues in its next annual report on competition policy;

Or. en

Amendment 81
Nils Torvalds

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to

Amendment

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to

require interoperability between online platforms and social network providers; requests that the Commission *provide a dedicated chapter on* these issues in its next annual report on competition policy, *including case studies on price caps in sectors such as online platforms for accommodation and tourism*;

require interoperability between online platforms and social network providers; requests that the Commission *take* these issues *into account* in its next annual report on competition policy;

Or. en

Amendment 82
Roberts Zile, Sander Loones

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to require interoperability between online platforms and social network providers; requests that the Commission provide a dedicated chapter on these issues in its next annual report on competition policy, *including case studies on* price caps in sectors such as online platforms for accommodation and tourism;

Amendment

5. Calls on the Commission, in this regard, to adjudge the control of data necessary for the creation and provision of services as a proxy for the existence of market power, including when issuing its guidance on Article 102 TFEU, and to require interoperability between online platforms and social network providers; requests that the Commission provide a dedicated chapter on these issues in its next annual report on competition policy, *and monitor* price caps in sectors such as online platforms for accommodation and tourism;

Or. en

Amendment 83
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. In line with EU comprehensive

rules to protect the privacy and data protection GDPR of individuals in the EU; Requests big technological companies such as Google, Facebook and Apple to process and collect personal data for specified, explicit and legitimate purposes. This processing shall be lawful, fair and transparent.

Calls on the EU, in line with Article 5(3) of the Directive 2002/58/EC (the ePrivacy Directive) to force digital companies to exploit personal data only after the subscriber or user concerned has given his explicit consent. Without this consent, data cannot be transferred to third parties with which the company or platform has an agreement with;

Or. en

Amendment 84
Barbara Kappel

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Welcomes the adoption in 2017 of the Commission's final report of the e-commerce sector inquiry, which gathered market information in order to better understand the nature, prevalence and effects of barriers to online trade erected by companies, and to assess them in light of EU Competition rules; underlines that the report confirms that the growth of e-commerce over the last decade and, in particular, increased online price transparency and price competition, had a significant impact on companies' distribution strategies and consumer behaviour;

Or. en

Amendment 85
Paloma López Bermejo

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Welcomes the action taken by the Commission to monitor the use of fiscal policy to gain an unfair competitive advantage within the EU; notes that, in this connection, the fine imposed on Apple may serve as an example; calls on EU Member States to abandon unfair competition practices based on unjustified tax incentives;

Or. es

Amendment 86
Andreas Schwab

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Points in this context to the evolution of self-learning algorithms and artificial intelligence, in particular when provided to companies by third parties, and its impact on the nature of cartel activity; calls on the Commission to examine in how far the current competition law tools are adequate to detect and deal with more effective cartel behaviour through algorithms and artificial intelligence;

Or. en

Amendment 87
Paloma López Bermejo

Motion for a resolution
Paragraph 5 b (new)

Motion for a resolution

Amendment

5b. Considers it essential to adopt more detailed and precise provisions regarding the economic significance of data from users in the digital economy; notes that, as recognised by the industry itself, data are the raw material of the new economy; believes that dataflow should be considered a relevant factor in assessing the potentially monopolistic practices of an undertaking or association of undertakings;

Or. es

Amendment 88
Paloma López Bermejo

Motion for a resolution
Paragraph 5 c (new)

Motion for a resolution

Amendment

5c. Calls on the Commission to provide, in the shortest possible time, information regarding ongoing investigations into whether certain online sales practices are depriving consumers of freedom of choice across borders and preventing them from purchasing consumer electronics, video games and hotel stays at competitive prices;

Or. es

Amendment 89
Paloma López Bermejo

Motion for a resolution
Paragraph 5 d (new)

Motion for a resolution

Amendment

5d. *Considers it important to ensure the proper functioning of Union collective redress mechanisms designed to secure adequate compensation for consumers affected by anti-competitive practices;*

Or. es

Amendment 90
Paloma López Bermejo

Motion for a resolution
Paragraph 5 e (new)

Motion for a resolution

Amendment

5e. *Calls on the Commission to use its powers to limit the impact of the asymmetric distribution of the tax burden between the traditional economy on the one hand and new digitally-based economic practices on the other; notes that this glaring inequality is severely disrupting the normal functioning of the economic system and will do so even more in future, while at the same time making it considerably harder for Member States to raise funds;*

Or. es

Amendment 91
Paloma López Bermejo

Motion for a resolution
Paragraph 5 f (new)

Motion for a resolution

Amendment

5f. *Considers it necessary to*

guarantee the right to cross-border portability to prevent existing limitations to this right becoming entrenched as legitimate market practices; considers it important also to remove abusive and unjustified restrictions imposed on geographical grounds that provide inconsistent levels of supposed protection for intellectual property rights;

Or. es

Amendment 92
Paloma López Bermejo

Motion for a resolution
Paragraph 5 g (new)

Motion for a resolution

Amendment

5g. *Believes it important for competition policy to take into account the specificities of broadband deployment in rural areas in order to serve the greater good and reverse the trend towards increasing technological disparities between rural and urban areas regarding access;*

Or. es

Amendment 93
Barbara Kappel

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. *Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the turnovers of the target and acquiring entities, are not appropriate for the digital economy, in which value is often, for*

6. *Takes note that the EU rules do not establish large time frames for antitrust investigations as is the case for formal merger review deadlines and the common practice of many national competition authorities; notes that this implies that*

advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

decisions are sometimes not made within due time;

Or. en

Amendment 94
Alfred Sant

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the turnovers of the target and acquiring entities, are not appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

Amendment

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the turnovers of the target and acquiring entities, are not appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers, *the possibility of competitors to enter and/or compete in a given market*, and the value of the related transactions;

Or. en

Amendment 95
Roberts Zile

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the

Amendment

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the

turnovers of the target and acquiring entities, **are not** appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

turnovers of the target and acquiring entities, **may not always be** appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

Or. en

Amendment 96
Nils Torvalds

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the turnovers of the target and acquiring entities, are not appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

Amendment

6. Considers that the jurisdictional thresholds setting the starting point for an EU merger review, which are based on the turnovers of the target and acquiring entities, are not **always** appropriate for the digital economy, in which value is often, for advertising purposes, represented by the number of visitors to a website; suggests that these thresholds **could** be revised and adapted to the number of consumers impacted by mergers and the value of the related transactions;

Or. en

Amendment 97
Barbara Kappel

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Calls on the Commission to adopt guidelines to optimize the duration of

antitrust investigations, in order to avoid uncertainty or excessive burden for businesses and shape a competitive landscape which is not detrimental for consumers;

Or. en

Amendment 98
Paloma López Bermejo

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; ***notes that the digital economy is, inter alia, governed by zero-sum rules with the winner taking all, which means that any attempt to perpetuate, condone or trivialise the impact of monopolistic practices or cartels will irrevocably affect the entire economic system;*** affirms, in this regard, that the Commission should ***therefore*** make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. es

Amendment 99
Barbara Kappel

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to

Amendment

7. Underlines the fact that barriers to

entry in the digital *economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;*

entry in the digital *single market still generate anti-competitive risks;*

Or. en

Amendment 100
Markus Ferber

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation; *calls on the Commission to issue guidelines on the duration of procedures used for purposes of merger control and of investigating abuses of dominant market positions;*

Or. de

Amendment 101
Andreas Schwab

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation; **welcomes the commitment of the Commission to undertake an analysis of whether there are means to simplify the adoption of interim measures within the European Competition Network;**

Or. en

Amendment 102
Alfred Sant

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should **make** effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should **act in accordance with the speed of the market when making** effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. en

Amendment 103
Roberts Zile

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the ***fact that*** barriers to entry in the digital economy ***are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects***; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the ***existence of*** barriers to entry in the digital economy; affirms, in this regard, that the Commission should, ***where appropriate***, make effective ***yet proportional*** use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. en

Amendment 104
Gunnar Hökmark

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the ***fact that*** barriers to entry in the digital economy ***are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects***; affirms, in this regard, that the Commission ***should*** make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the ***benefits of the digital economy for consumers and the society at large; recognizes at the same time that the*** barriers to entry in the digital economy ***must not become insurmountable***; affirms, in this regard, that ***breaches of European competition law should be perpetuated and that*** the Commission make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. en

Amendment 105
Sander Loones

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the ***fact that*** barriers to entry in the digital economy ***are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms***, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the ***existence of*** barriers to entry in the digital economy; ***considers*** in this regard ***that interim measures can be a useful tool for competition authorities to ensure that competition is not harmed while an investigation is on-going; affirms, therefore***, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. en

Amendment 106
Nils Torvalds

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Underlines the fact that barriers to entry in the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Amendment

7. Underlines the fact that barriers to entry in ***some areas of*** the digital economy are becoming increasingly insurmountable, as the more that unjust behaviour is perpetuated, the harder it gets to revert to anti-competitive effects; affirms, in this regard, that the Commission should make effective use of interim measures, while ensuring due process and the right of defence of undertakings under investigation;

Or. en

Amendment 107
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Welcomes the EC Antitrust decision fining Google €4.34 billion for illegal practices regarding Android mobile devices to strengthen dominance of Google's search engine;

calls on the Commission to conclude in 2019 the Google Shopping antitrust case that was launched in November 2010, 8 years ago. Reminds the Commission to conclude the investigation of Google's treatment in its search results of other specialised Google search services, including the issues related to local search that Yelp raised in its recent complaint;

recommends to the Directorate-General for Competition to reflect on the length of digital antitrust cases and to reflect on the most appropriate tool for addressing those; notably asks the Commission to consider the possibility of setting deadlines for antitrust cases such as in merger cases;

Or. en

Amendment 108
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Considers that digital markets need to be assessed from a multi-disciplinary perspective; recalls that an

anti-competitive behaviour can entail a breach of other areas of law such as data protection and consumer laws; stresses that an appropriate enforcement response would require that different competent authorities work together, in particular the competition, consumer and data protection authorities as suggested by the European Data Protection Supervisor initiative for a Clearing House;

Or. en

Amendment 109

Jonás Fernández, Ramón Jáuregui Atondo

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Welcomes the Commission's proposal on laying down rules on the taxation of the digital economy; stresses that the global nature of the digital economy, reflects the importance of finding international solutions and common tax rules to the taxation of the digital economy; calls on the Commission to continue its efforts within international fora, namely with the OECD, to find such an agreement;

Or. en

Amendment 110

Sander Loones

Motion for a resolution

Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Welcomes the Commission's commitment that it will undertake an

analysis of whether there are means to simplify the adoption of interim measures within the European Competition Network within two years from the date of transposition of the ECN+ Directive; recommends in this regard that the Commission learns from best practices in other jurisdictions;

Or. en

Amendment 111
Pervenche Berès

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Welcomes the Commission's proposal on the digital services tax as a crucial measure to ensure that the digital sector pays its fair share of taxes until a permanent solution is adopted that will allow profits to be taxed where value is created;

Or. en

Amendment 112
Markus Ferber

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Stresses that the Commission must also look at ways of denying access to relevant technical interfaces as a potential abuse of a dominant position;

Or. de

Amendment 113
Tibor Szanyi

Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Believes that tax policy and competition policy should be seen as two sides of the same coin in the internal market;

Or. en

Amendment 114
Tibor Szanyi

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Welcome the fact that the Task force on state aid in the form of a tax advantage becomes permanent body; calls for the team to be sufficiently equipped in human resources and investigation tools; calls for a clear state of play in the investigations on state aid concerning tax advantages, including the number of cases being investigated;

Or. en

Amendment 115
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Recommends that the European

Commission carries out a sector inquiry into the advertising market to be able to understand the dynamics of the online advertising market and identify anti-competitive practices that need to be addressed under competition law enforcement as done by some national authorities;

Or. en

Amendment 116
Pervenche Berès

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Calls for the Council to adopt the proposal on a common consolidated corporate tax base (CCCTB) in order to eliminate distortions of competition in the field of taxation and push back against the downward trend in corporate tax rates in Member States;

Or. en

Amendment 117
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. Reiterates the need for the Commission to also consider the full structural unbundling of digital tech monopolies as a possible solution to restore competition and a level playing field within the European digital market;

Or. en

Amendment 118
Roberts Zile, Sander Loones

Motion for a resolution
Paragraph 7 b (new)

Motion for a resolution

Amendment

7b. *Considers that it is a priority to ensure that State aid rules are strictly and impartially adhered to when dealing with future banking crises, so that taxpayers are protected against the burden of bank rescues;*

Or. en

Amendment 119
Tibor Szanyi

Motion for a resolution
Paragraph 7 c (new)

Motion for a resolution

Amendment

7c. *Regrets that under EU state aid rules, unpaid taxes recovered from beneficiaries of illegal tax aid are returned to the country that granted the aid, rather than to the countries that have suffered an erosion of their tax bases as a result of distortive tax schemes; calls on the Commission, to this end, to develop appropriate methodologies for quantifying the revenue loss for the Member States affected and adequate recovery procedures for ensuring that unpaid taxes are distributed to the Member States in which the economic activity actually took place;*

Or. en

Amendment 120

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 7 c (new)

Motion for a resolution

Amendment

7c. Highlights that the effectiveness of competition law enforcement depends on the appropriate design and testing of remedies; stresses that consumer-facing remedies are important to restore competitiveness in a market by helping consumers to make informed decisions and address status quo biases; is of the opinion that the European Commission when designing behavioural remedies shall incorporate behavioural economics as a supporting discipline as some national authorities have done in the recent years;

Or. en

Amendment 121

Pervenche Berès

Motion for a resolution

Paragraph 7 c (new)

Motion for a resolution

Amendment

7c. Takes note of the closure of the Commission's investigation into McDonald's tax practices; regrets that the current European legislation is unfit to effectively combat double non-taxation; urges the Member States to adopt public country-by-country reporting to ensure transparency as to where companies create value, and to agree on a minimum corporate tax rate to put an end to the race to the bottom;

Or. en

Amendment 122
Tibor Szanyi

Motion for a resolution
Paragraph 7 d (new)

Motion for a resolution

Amendment

7d. Notes that the President of the Commission has committed to put forward proposals to enhance greater tax cooperation between Member States through an obligation to answer group requests in tax matters, so that one Member State can provide all information necessary to others to prosecute cross-border tax evaders, and also to make tax reform proposals under Article 116 TFEU, involving co-decision between the Council and the European Parliament, in order to eliminate distortion of the conditions of competition in the internal market;

Or. en

Amendment 123
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 7 d (new)

Motion for a resolution

Amendment

7d. Reiterates that all market players should pay their fair share of tax; strongly welcomes the Commission's in-depth investigations into anti-competitive practices such as selective tax advantages and excess profit ruling systems;

Or. en

Amendment 124
Tibor Szanyi

Motion for a resolution
Paragraph 7 e (new)

Motion for a resolution

Amendment

7e. Takes the view raises serious concerns with regards fair competition in Europe, especially if the UK will not be bound to respect State aid rules and, upon leaving the EU, agrees to grant tax rulings to companies; stresses that negotiations should include the respect of fair competition and a guarantee that the UK should not be able to grant state aid in the form of sweetheart deals; calls on the Member States and the EU institutions to ensure, in the post-Brexit scenario, full compliance with European competition laws to further strengthen the Single Market;

Or. en

Amendment 125
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 7 e (new)

Motion for a resolution

Amendment

7e. Reiterates that all market players should pay their fair share of tax; strongly welcomes the Commission's in-depth investigations into anti-competitive practices such as selective tax advantages and excess profit ruling systems;

Or. en

Amendment 126
Tibor Szanyi

Motion for a resolution
Paragraph 7 f (new)

Motion for a resolution

Amendment

7f. Welcomes the guidance provided in the Commission notice on the notion of state aid covering tax rulings specifically;

Or. en

Amendment 127
Tibor Szanyi

Motion for a resolution
Paragraph 7 g (new)

Motion for a resolution

Amendment

7g. Recalls that a common consolidated corporate tax base (CCCTB) is vital to eliminate distortions of competition, race to the bottom and reduce the appeal of concluding opaque tax agreements between certain multinationals and Member States;

Or. en

Amendment 128
Tibor Szanyi

Motion for a resolution
Paragraph 7 h (new)

Motion for a resolution

Amendment

7h. Acknowledges that the Commission concluded that Luxembourg granted undue tax benefits to Engie of around €120 million, and that the recovery procedure is still ongoing;

regrets that the Luxembourg Government has decided to appeal the decision of the European Commission;

Or. en

Amendment 129
Tibor Szanyi

Motion for a resolution
Paragraph 7 i (new)

Motion for a resolution

Amendment

7i. Takes notes of the decision of the Commissioner for Competition, Margrethe Vestager, on the investigation concerning state aid to McDonalds, which stated that the non-taxation of certain McDonald's profits in Luxembourg do not constitute an illegal state aid; takes the view that current EU-regulation is unfit to effectively combat double non-taxation and to stop the race to the bottom on corporate tax levels;

Or. en

Amendment 130
Jonás Fernández, Ramón Jáuregui Atondo

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest,

8. Points out that rules for precautionary recapitalization need to be clarified; urges the Commission, therefore, to consider review the relevant state aid rules and BRRD provisions to ensure consistency;

the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest; urges the Commission, therefore, to *reconsider its interpretation of the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid*;

Or. en

Amendment 131
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest; urges the Commission, therefore, to reconsider its interpretation of the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid;

Amendment

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); ***underlines the lack of harmonisation between the BRRD and the 2013 Banking Communication, especially as regards to the business reorganisation plan established by the BRRD and the restructuring plan established by the 2013 Banking Communication, in some specific resolutions where the Fund would be used as liquidation aid***; points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest ***and that the SRB could not rely on proper information issued by its independent expert***, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest; urges the Commission, therefore, to reconsider its interpretation of

the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid;

Or. en

Amendment 132

Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution

Paragraph 8

Motion for a resolution

8. *Points to the* discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); *points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest;* urges the Commission, *therefore, to reconsider* its interpretation of the relevant state aid rules in *a manner consistent with* the BRRD *and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid;*

Amendment

8. *Calls on Commission to examine possible* discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); *urges the Commission to come forward with a transparent presentation of* its interpretation of the relevant state aid rules *in relation to* the BRRD;

Or. en

Amendment 133

Danuta Maria Hübner

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); ***points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest; urges the Commission, therefore, to reconsider its interpretation of the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid;***

Amendment

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); ***believes that this asymmetry should be corrected once legacy issues are solved, in order to ensure common rules and a level playing field for all banks, investors and creditors in the Banking Union;***

Or. en

Amendment 134

Paloma López Bermejo

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest;

Amendment

8. Points to the discrepancies between the rules on state aid in the area of liquidation aid and the resolution regime under the Bank Recovery and Resolution Directive (BRRD); points out that in two recent cases, in spite of the Single Resolution Board's (SRB) conclusions that resolution could not be justified on the grounds of public interest, the Commission approved state aid on the basis that it would mitigate economic disturbance at a regional level, thereby demonstrating two distinct interpretations of public interest;

urges the Commission, therefore, to reconsider its interpretation of the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid;

urges the Commission, therefore, to reconsider its interpretation of the relevant state aid rules in a manner consistent with the BRRD and to revise its 2013 Banking Communication accordingly, including the area of liquidation aid; regrets, *on the other hand, that aid to the banking sector since the beginning of the financial crisis has been insufficiently scrutinised and that current rules have not been effective in protecting taxpayers or in guaranteeing a level playing field in the banking sector;*

Or. es

Amendment 135
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Recalls that the definition of “failing or likely to fail” was labelled by the SRB in its annual conference of 15 October 2018 as raising extremely difficult questions; underlines the necessity to revise this definition in order to ease future resolution procedures, also when liquidation aid might be involved; recalls that the first European resolution ever made to a bank, Spain’s Banco Popular, has been controversial and is still a matter of denunciation by its shareholders, who also wish their voice heard in this Parliament;

Or. en

Amendment 136
Michel Reimon
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. *Observes that a number of studies^{1a} have demonstrated the hidden social cost and reduced product competition corresponding to higher levels of horizontal ownership concentration; calls therefore, the European Commission to consider revising the Merger regulation in this sense and provide guidelines on the use of Article 101 and 102 TFEU in such cases;*

^{1a} *Common Ownership by Institutional Investors and its Impact on Competition, OECD, 5-6 December 2017*

Or. en

Amendment 137
Gunnar Hökmark

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. *Stresses that temporary state aid to the financial sector for the stabilisation of the global financial system was necessary but that it nevertheless must be scrutinised and quickly reduced or totally removed;*

Or. en

Amendment 138
Gunnar Hökmark

Motion for a resolution
Paragraph 8 b (new)

Motion for a resolution

Amendment

8b. *Stresses in this perspective the importance of a restrictive approach to state aid;*

Or. en

Amendment 139
Gunnar Hökmark

Motion for a resolution
Paragraph 8 c (new)

Motion for a resolution

Amendment

8c. *Calls on Commission to launch a roadmap for less but better targeted state aid, with the aim to reduce it;*

Or. en

Amendment 140
Paloma López Bermejo

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a qualitative answer;

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a qualitative answer; ***calls on the***

Commission to present, within six months, a study on this subject for discussion by the European Parliament;

notes that such government aid for banks has significantly reduced public funding for universal services such as education and health; points out that it has, as a result, substantially undermined the related public and private economic sectors;

Or. es

Amendment 141
Nils Torvalds

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; *recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a qualitative answer;*

Amendment

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks;

Or. en

Amendment 142
Sander Loones

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a qualitative answer;

Amendment

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a qualitative answer; ***emphasises in this regard that the notion of selectivity in State aid is an essential criterion that needs to be investigated thoroughly; further points in this regard to Article 4(3) TEU which contains the so-called principle of loyalty;***

Or. en

Amendment 143
Barbara Kappel

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate Sector Purchase Programme and to report back with a

Amendment

9. Reiterates its request for the Commission to examine whether banking institutions have, since the onset of the crisis, benefited from implicit subsidies and state aid through the provision of liquidity support from central banks; recalls the commitment made by Commissioner Vestager at the structured dialogue with Parliament's ECON committee in November 2017 to reflect on possible distortions of competition arising from the ECB's Corporate ***and Public*** Sector Purchase Programme and to report

qualitative answer;

back with a qualitative answer;

Or. en

Amendment 144

Sander Loones

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Welcomes the constant efforts of the Commission to clarify the different aspects of the definition of state aid, as demonstrated in its Notice on the notion of State aid as referred to in Article 107(1) of the TFEU; notes in particular the efforts to clarify the notions of 'undertaking' and 'economic activity'; points out that nature conservation activities, accessible to the general public free of charge or for which a monetary contribution is paid that only covers a fraction of the true costs, fulfil a purely social and cultural purpose which is non-economic in nature; observes nonetheless that it remains difficult, especially in the field of social affairs, to draw the line between economic and non-economic activities; further points out that it is the role of the European Court of Justice to ensure the proper interpretation of the Treaty;

Or. en

Amendment 145

Tibor Szanyi

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. *Calls for common EU minimum effective corporate tax rate to stop aggressive tax competition and the current race to the bottom which deprives Member States of crucial public resources and disproportionately benefits large multinationals in detriment of SMEs; Welcome in that regard, the FR and DE declaration to support global discussion on minimum effective tax rate in the forthcoming G7 meeting;*

Or. en

Amendment 146

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. *Welcomes the introduction by the European Commission of an anonymous whistle-blower tool, enabling the reporting of cartels, or other types of illegal anti-competitive practices, thus increasing the likelihood of their detection and prosecution; notes the positive figures after the first months of use;*

Or. en

Amendment 147

Jonás Fernández, Ramón Jáuregui Atondo

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. *Expresses its concern that growing concentration in the financial sector may reduce the degree of competition in the sector, and is also concerned at the lack of a genuine internal banking market and continuing fragmentation into national markets;*

Or. en

Amendment 148
Gunnar Hökmark

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. *Underlines that when applying state aid in order to promote services of general interest the aim should be to benefit the consumers and citizens, rather than strengthening old structures, individual companies or public entities;*

Or. en

Amendment 149
Nils Torvalds

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. *Underlines the distortive effect State aid can have on the functioning of the internal market; recalls the strict requirements for the application of Article 107(3)(b) of the Treaty on the Functioning of the European Union (TFEU)*

Amendment 150

Tibor Szanyi

Motion for a resolution

Paragraph 9 b (new)

Motion for a resolution

Amendment

9b. Stresses that Europe needs a strong harmonised framework on reporting and corporate taxation for multinational companies, with public country-by-country reporting a common corporate consolidated tax base; recalls that, in addition to cost reductions for both firms and the tax administrations of Member States, the adoption of these measures would solve the issue of transfer pricing and ensure fairer competition within the single market;

Or. en

Amendment 151

Roberts Zile, Sander Loones

Motion for a resolution

Paragraph 9 b (new)

Motion for a resolution

Amendment

9b. Underlines that the application of competition rules to mergers must be evaluated from the perspective of the entire internal market;

Or. en

Amendment 152

Tibor Szanyi

Motion for a resolution
Paragraph 9 c (new)

Motion for a resolution

Amendment

9c. *Calls on the Commission to continue evaluating harmful tax measures in the Member States in the European Semester, and fully assess the distortions of competition and spill-over effects on other jurisdictions;*

Or. en

Amendment 153
Tibor Szanyi

Motion for a resolution
Paragraph 9 d (new)

Motion for a resolution

Amendment

9d. *Calls on the Commission to use the procedure laid down in Article 116 TFEU on taxation matters, so as to circumvent the unanimity requirement in cases where the Commission finds that a difference between the provisions laid down by law, regulation or administrative action in Member States is distorting the conditions of competition in the internal market;*

Or. en

Amendment 154
Tibor Szanyi

Motion for a resolution
Paragraph 9 e (new)

Motion for a resolution

Amendment

9e. *Calls on the Commission to continue and even expand its efforts as*

regards to investigations on the abuse of dominant market positions towards consumers in the EU; Requests that, simultaneously, the Commission monitors existing government monopolies and the lawfulness of concession tenders in order to prevent any excessive distortion of competition;

Or. en

Amendment 155

Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution

Paragraph 10

Motion for a resolution

10. *Is deeply alarmed at the far-reaching concentration of the food supply chain, whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the detriment of consumers, farmers, the environment and biodiversity alike; points out that such an oligopoly will make farmers even more technologically and economically dependent on a few globally integrated one-stop-shop platforms, produce limited seed diversity, re-direct trends in innovation away from the adoption of a production model which is respectful of the environment and biodiversity and ultimately, as a result of reduced competition, generate less innovation;*

Amendment

10. *Takes note of the concentration of the food supply chain; stresses in this regard the need for fair competition and more innovation;*

Or. en

Amendment 156

Markus Ferber

Motion for a resolution

Paragraph 10

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Motion for a resolution

10. Is *deeply* alarmed at the far-reaching concentration of the food supply chain, *whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the detriment of consumers, farmers, the environment and biodiversity alike*; points out that *such an oligopoly* will make farmers *even* more technologically and economically dependent on a few globally integrated one-stop-shop platforms, *produce limited seed diversity, re-direct trends in innovation away from the adoption of a production model which is respectful of the environment and biodiversity and ultimately, as a result of reduced competition, generate less innovation*;

Amendment

10. is alarmed at the far-reaching concentration of the food supply chain; points out that *concentration of the food supply chain* will make farmers more technologically and economically dependent on a few globally integrated one-stop-shop platforms; *calls on the Commission to analyse concentration in the food supply chain with particular reference to monopsonies*;

Or. de

Amendment 157

Alfred Sant

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Is deeply alarmed at the far-reaching concentration of the food supply chain, whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the detriment of consumers, farmers, the environment and biodiversity alike; points out that such an oligopoly will make farmers even more technologically and economically dependent on a few globally integrated one-stop-shop platforms, produce limited seed diversity, re-direct trends in innovation away from the adoption of a production model which is respectful of the

Amendment

10. Is deeply alarmed at the far-reaching concentration of the food supply chain, whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the detriment of consumers, farmers, the environment and biodiversity alike; points out that such an oligopoly will make farmers *and consumers* even more technologically and economically dependent on a few globally integrated one-stop-shop platforms, produce limited seed diversity, re-direct trends in innovation away from the adoption of a production model which is

environment and biodiversity and ultimately, as a result of reduced competition, generate less innovation;

respectful of the environment and biodiversity and ultimately, as a result of reduced competition, generate less innovation *and a lower quality of end products; notes that small-scale farmers are those most negatively affected through a concentrated food market structure;*

Or. en

Amendment 158

Roberts Zile, Sander Loones

Motion for a resolution

Paragraph 10

Motion for a resolution

10. *Is deeply alarmed at the far-reaching concentration of the food supply chain, whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the detriment of consumers, farmers, the environment and biodiversity alike; points out that such an oligopoly will make farmers even more technologically and economically dependent on a few globally integrated one-stop-shop platforms, produce limited seed diversity, re-direct trends in innovation away from the adoption of a production model which is respectful of the environment and biodiversity and ultimately, as a result of reduced competition, generate less innovation;*

Amendment

10. *Notes the concentration of the food supply chain, whereby four companies, all with close financial ties, own and sell up to 60 % of the global seed market and 75 % of global pesticides, to the potential detriment of consumers, farmers, the environment and biodiversity alike; urges the Commission to remain vigilant and strictly enforce article 102 prohibiting the abuse of a dominant position as well as its merger control procedures, enshrined in Regulation (EC) No 139/2004 on the control of concentrations between undertakings;*

Or. en

Amendment 159

Ramon Tremosa i Balcells

Motion for a resolution

Paragraph 10 a (new)

10a. *Welcomes the Commission decision to open an in-depth investigation to assess whether the 900 million bridge loan given to Italian airline Alitalia constitutes state aid and whether it complies with EU rules for aid to companies in difficulty; Notes that Italian authorities have been asked to provide clarifications about several issues, such as the acquisition of new uniforms, the building of a new lounge and whether interest has been paid to the State on the EUR 900 million loan. Calls the Commission to be strict with Italian authorities in particular with regards Point 55 of the EC Rescue and restructuring rules.^{1a} The Commission must set the standards in order to avoid other companies imitating this kind of behaviour and wasting taxpayers money;*

^{1a} [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004XC1001\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004XC1001(01)&from=EN)

Or. en

Amendment 160
Paloma López Bermejo

Motion for a resolution
Paragraph 10 a (new)

10a. *Regards it as essential for the Commission to monitor more closely the use of patents in agriculture; notes that abuse of this practice forces farmers to strive for production targets that limit their market choices, impoverishing crop biodiversity, distorting competition and limiting innovation; notes that the*

recommended measures will encourage the development of an agro-industrial model fostering transition towards organic and ecologically sustainable farming;

Or. es

Amendment 161
Pervenche Berès

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Recognises the potential of blockchain technology for financial services; warns however that the use of this technology for fundraising must be regulated to avoid excessive dumping vis-à-vis regulated financial markets, risks for investors as well as money laundering risks; in this regard, calls on the Commission to propose a regulatory framework for initial coin offerings (ICOs);

Or. en

Amendment 162
Tibor Szanyi

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. Welcomes initiatives such as the Smart Villages framework which stimulates settlements to become more agile, make better use of their resources and take part more actively in the competition of the Single Market as well as improve their attractiveness and the

quality of life of rural residents;

Or. en

Amendment 163

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. *Expresses concern about the recent approval of the Bayer and Monsanto merger by the European Commission and its acknowledgement that it disregarded in its decision goals enshrined in the TFEU, notably food safety, protection of consumers, the environment and the climate;*

Or. en

Amendment 164

Nils Torvalds

Motion for a resolution

Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. *Welcomes the approach taken by the Commission when they are assessing horizontal mergers to increasingly focus on innovation competition, particularly in mergers involving R&D intensive markets*

Or. en

Amendment 165

Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. *Asks the Commission to analyse carefully the significant potential harmful impact of the proposed Siemens / Alstom merger on the competitiveness of the European rail market and its adverse effects on rail users; who would be faced with higher prices, less choice and lower levels of service, quality, and innovation. The proposed merger will probably harm the market for high-speed rolling stock, for mainline and metro trains, as well as the entire rail infrastructure by creating a dominant position in signalling in the EU, and specifically in Member States such as Belgium, Denmark, the Netherlands, Romania, Spain and the United Kingdom;*

Or. en

Amendment 166
Paloma López Bermejo

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. *Calls on the Commission, in view of diminished farm incomes affecting small farmers in particular, to channel its efforts towards ensuring decent earnings for farmers, especially small and medium-sized farmers; believes it important to this end to take action against companies engaged in the marketing and distribution sectors of the agricultural production chain that distort the agricultural market to the detriment of farm incomes and consumer prices;*

Or. es

Amendment 167
Paloma López Bermejo

Motion for a resolution
Paragraph 10 c (new)

Motion for a resolution

Amendment

10c. *Believes that, for the sake of food security, the consolidation of local short-circuit economies, the provision of organic and sustainable production incentives and the payment of decent incomes to farmers, competition policy must go beyond considerations of price reduction; notes that closer attention to the role of intermediary companies in price inflation would be of great social benefit; notes that, in the pursuit of these objectives, professional organisations in the sector, as well as cooperative and other non-monopolistic partnership structures are playing an important role that must be encouraged; considers it important to earmark adequate funding for this purpose;*

Or. es

Amendment 168
Markus Ferber

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. *Asks the Commission to come forward with a revision of the EU Merger Regulation, so that it may be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights,*

deleted

including environmental protection;

Or. de

Amendment 169

Roberts Zile, Sander Loones

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Asks the Commission to come forward with a revision of the EU Merger Regulation, *so that it may be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights, including environmental protection;*

Amendment

11. Asks the Commission *to examine the viability in the digital era of existing competition law instruments and concepts, particularly in the field of mergers, and* to come forward with a revision of the EU Merger Regulation;

Or. en

Amendment 170

Barbara Kappel

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Asks the Commission to come forward with a revision of the EU Merger Regulation, *so that it may be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights, including environmental protection;*

Amendment

11. Asks the Commission to come forward with a revision of the EU Merger Regulation, *welcomes the summary of the submissions received during the public consultation: looks forward to the publication of the Staff Working Document;*

Or. en

Amendment 171
Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Asks the Commission to come forward with a **revision** of the EU Merger Regulation, **so that it may** be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights, including environmental protection;

Amendment

11. Asks the Commission to come forward with a **review** of the EU Merger Regulation **and analyse whether it should** be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights, including environmental protection;

Or. en

Amendment 172
Andreas Schwab

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Asks the Commission to **come forward with** a revision of the EU Merger Regulation, **so that it may be vested with the powers, much as a number of Member States are at present, to adopt measures to protect the European public order and the rights and principles of the TFEU and EU Charter of Fundamental Rights, including environmental protection;**

Amendment

11. Asks the Commission to **examine in how far** a revision of the EU Merger Regulation **might be necessary in order to allow for public interest considerations beyond the economic aspects of competition law to be taken into account;**

Or. en

Amendment 173
Paul Tang

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. *Reiterates the Commission's preliminary conclusion that Google has abused its market dominance as a search engine by giving an illegal advantage to its products; stresses that a full-blown structural separation between the company's general and specialised search services is needed to end this abuse.*

Or. en

Amendment 174

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. *Underlines that TFEU Article 101 has increasingly been considered an obstacle to the collaboration of smaller market players for the adoption of higher environmental and social standards than those required by national and European authorities;*

Or. en

Amendment 175

Nils Torvalds

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. *Reminds the Commission to safeguard the competitiveness of the*

*entire EU industry, including SMEs,
when looking at industrial mergers*

Or. en

Amendment 176
Markus Ferber

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. *Calls for Article 101(3) TFEU to be interpreted, including in the Commission's horizontal guidelines, in a way that does not focus on narrow, price-centric consumer welfare but that considers the need for social and environmental efficiency, by encouraging horizontal coordination in order to improve the environmental and social sustainability of the supply chain; points out that the efficiencies generated by such agreement in a relevant market must be sufficient to outweigh the anti-competitive effects that they produce in either the same or an unrelated geographical market;* **deleted**

Or. de

Amendment 177
Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. *Calls for Article 101(3) TFEU to be interpreted, including in the Commission's horizontal guidelines, in a way that does not focus on narrow, price-centric consumer welfare but that* **deleted**

considers the need for social and environmental efficiency, by encouraging horizontal coordination in order to improve the environmental and social sustainability of the supply chain; points out that the efficiencies generated by such agreement in a relevant market must be sufficient to outweigh the anti-competitive effects that they produce in either the same or an unrelated geographical market;

Or. en

Amendment 178
Tibor Szanyi

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Calls for Article 101(3) TFEU to be interpreted, including in the Commission's horizontal guidelines, in a way that does not focus on narrow, price-centric consumer welfare but that considers the need for social and environmental efficiency, by encouraging horizontal coordination in order to improve the environmental and social sustainability of the supply chain; points out that the efficiencies generated by such agreement in a relevant market must be sufficient to outweigh the anti-competitive effects that they produce in *either* the same *or an unrelated* geographical market;

Amendment

12. Calls for Article 101(3) TFEU to be interpreted, including in the Commission's horizontal guidelines, in a way that does not *only* focus on narrow, price-centric consumer welfare but that considers the need for social and environmental efficiency, by encouraging horizontal coordination in order to improve the environmental and social sustainability of the supply chain; points out that the efficiencies generated by such agreement in a relevant market must be sufficient to outweigh the anti-competitive effects that they produce in the same geographical market; *also underlines that this new focus should not prevent producing lower-priced goods especially regarding sectors where consumers are more price-sensitive;*

Or. en

Amendment 179
Sander Loones

Motion for a resolution
Paragraph 12

Motion for a resolution

12. *Calls for Article 101(3) TFEU to be interpreted, including in the Commission's horizontal guidelines, in a way that does not focus on narrow, price-centric consumer welfare but that considers the need for social and environmental efficiency, by encouraging horizontal coordination in order to improve the environmental and social sustainability of the supply chain; points out that the efficiencies generated by such agreement in a relevant market must be sufficient to outweigh the anti-competitive effects that they produce in either the same or an unrelated geographical market;*

Amendment

12. *Notes that the European Court of Justice interprets article 101 TFEU taking into account the different aims of the Treaties; points in particular to the Wouters judgment (C-309/99) in which the general interest was predominant and therefore limitations of competition were considered to be justified; welcomes and encourages that EU competition practice does not solely focus on price-centric consumer welfare; stresses the importance of the proportionality principle, meaning that limitation of competition cannot go beyond what is necessary to achieve the general interest;*

Or. en

Amendment 180
Alfred Sant, Costas Mavrides, Tonino Picula, Renato Soru

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

12a. *Calls on the Commission to continue giving particular attention to the delivery of services of general economic interest (SGEI) including energy, transport and telecommunication, when applying EU state aid rules, especially in the context of state support dedicated to isolated, remote or peripheral regions in the Union;*

Amendment

Or. en

Amendment 181
Markus Ferber

Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Recognises that the legally binding commitments undertaken by the Member States as part of the Paris Climate Agreement will not be realised without concrete state measures to promote and finance the production and use of renewable energy; takes note of the forthcoming revision of the guidelines on state aid and energy, which will no longer exclude two of the sectors that benefit the most from state subsidies, nuclear energy and fossil fuel extraction, and which provide for greater flexibility for consumer-generated renewable energy; *deleted*

Or. de

Amendment 182
Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Recognises that the legally binding commitments undertaken by the Member States as part of the Paris Climate Agreement will not be realised without concrete state measures to promote *and finance* the production and use of renewable energy; takes note of the forthcoming revision of the guidelines on state aid and energy, *which will no longer exclude two of the sectors that benefit the most from state subsidies, nuclear energy and fossil fuel extraction, and which*

13. Recognises that the legally binding commitments undertaken by the Member States as part of the Paris Climate Agreement will not be realised without concrete state measures to promote, *enable and create incentives for* the production and use of renewable energy; takes note of the forthcoming revision of the guidelines on state aid and energy;

provide for greater flexibility for consumer-generated renewable energy;

Or. en

Amendment 183
Sander Loones

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Recognises that the legally binding commitments undertaken by the Member States as part of the Paris Climate Agreement will not be realised without concrete state measures to promote and finance the production and use of renewable energy; *takes note of the forthcoming revision of the guidelines on state aid and energy, which will no longer exclude two of the sectors that benefit the most from state subsidies, nuclear energy and fossil fuel extraction, and which provide for greater flexibility for consumer-generated renewable energy;*

Amendment

13. Recognises that the legally binding commitments undertaken by the Member States as part of the Paris Climate Agreement will not be realised without concrete state measures to promote and finance the production and use of renewable energy; *notes that the definition of the energy mix of Member States remains a national competence; considers that the high diversification of energy mixes across the EU contributes to the EU's energy security;*

Or. en

Amendment 184
Paloma López Bermejo

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

13a. Regards as totally unjustified the unprecedented surge in energy prices in certain countries, which is placing a severe financial strain on families and increasing the number of people affected by energy poverty; notes that this is indicative of electricity pricing

Amendment

mechanisms that are unfavourable to consumers, giving rise to inadmissible social problems with regard to an essential public utility; notes, on the other hand, that threats inherent to climate change and unforeseen changes and fluctuations in energy demand are being brandished by supplier companies as an excuse for unjustified price increases; asks the Commission to examine electricity pricing structures as soon as possible, to protect the interests of consumers and to safeguard power supplies for the entire population; urges it also to exercise its legal prerogatives and penalise companies guilty of such practices;

Or. es

Amendment 185
Paul Tang, Pervenche Berès

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Notes that the European Commission made a legislative proposal to create PEPP (Pan-European Personal Pension Product) this year, which will be a private pension fund; highlights that this legislative proposal was initially inspired by the US financial services corporate giant BlackRock, the world's largest asset fund manager that built some two-thirds of its \$6 trn empire on pensions, and proposed by the European Commission after significant lobbying efforts by BlackRock; sees also growing evidence that giant asset managers like Black Rock hamper competition in real markets and amongst corporates; requests the Commission to be particularly vigilant about the risks of dominant position in the*

market for private pension products;

Or. en

Amendment 186

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Underlines that capacity mechanisms often represent considerable costs for consumers and function as a “hidden subsidy”, supporting unprofitable and polluting power stations; emphasises that any state aid approval of such schemes shall ensure that they are not open to the most polluting assets and be subject to a strict necessity test by examining alternative measures such as storage, demand-side management, smart grids, variable renewable generation and notably more efficient use of existing interconnectors;

Or. en

Amendment 187

Barbara Kappel

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Stresses that the Commission has an important role to play in the circular economy; Welcomes that in 2017, the Commission adopted a decision, in the first cartel case in the circular economy, imposing a total fine of EUR 68 million on four European recycling companies

for having participated between 2009 and 2012 in a cartel to fix the purchase prices of scrap automotive batteries in Belgium, France, Germany and the Netherlands^{1a};

^{1a} *Case 40018 Car battery recycling, Commission decision of 8 February 2017.*

Or. en

Amendment 188
Roberts Zile

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Is of the view that diversified and thus competitive natural gas markets are key for contributing towards sustained economic growth at the national and the EU level; notes that the strategy of partitioning EU gas market and by extension potentially breaking of the EU antitrust rules by certain energy companies needs to be properly addressed;*

Or. en

Amendment 189
Pervenche Berès

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Encourages the Commission to be even more vocal on competition policies in international fora; believes that competition should be part of the negotiations between the EU and third*

countries and that the best way to improve competition rules and practices worldwide is to engage in fair and transparent discussions;

Or. en

Amendment 190
Alfred Sant

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Underlines the need for improved transparency when private public partnerships are being envisaged to undercut the possibility that these will be used by private sector partners to secure competitive advantages over their competitors;

Or. en

Amendment 191
Gunnar Hökmark, Roberts Zile

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Underlines the importance of boosting investments in new technologies and increase the competitiveness of the European energy markets;

Or. en

Amendment 192
Tibor Szanyi

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. *Welcomes the European Commission's investigation into pricing practices for life-saving medicines, particularly on the case involving Aspen;*

Or. en

Amendment 193
Paloma López Bermejo

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Notes that competition policy can be very useful in facilitating the energy transition, not only by combating monopolistic pricing practices but also by encouraging and facilitating the incorporation of other individual and collective stakeholders in the power generation and marketing sector; in this connection, 'prosumers', together with local communities and municipal governments, may have a very important role to play; points out that steps must be taken to limit the actions of established companies seeking to place obstacles and difficulties in the path of new entrants and stakeholders in the power generation market;*

Or. es

Amendment 194
Tibor Szanyi

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Stresses the importance of granting the same rights to all air carriers when flying to or from the EU; sadly acknowledges that this is not always the case for EU airlines operating outside the EU which are subject to unfair practices affecting competition; calls on the Commission to tackle anti-competitive practices undermining also the consumer protection legislation; also stresses again to ensure the fair competition between EU air carriers and third country air carriers;*

Or. en

Amendment 195

Michel Reimon

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Is concerned about the approval by the European Commission of capacity mechanisms in six Member States, in the course of ongoing inter-institutional negotiations, whereby the European Parliament has a strong mandate to limit the deployment of such schemes; stresses, in this context, that future EU-wide rules shall have a strong retroactive effect and not be hampered by grandfathering clauses;*

Or. en

Amendment 196

Gunnar Hökmark, Roberts Zīle

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Highlights the importance of completing the Energy Union through integration of markets, notably by investing in interconnectors where needed and based on market conditions and commercial potential, and by increasing the tradable capacity in existing interconnections, as well as measures at European level aimed at removing obstacles to free price formation;*

Or. en

Amendment 197
Barbara Kappel

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Welcomes that by the end of October 2017, 24 Member States had joined the Transparency Award Module, and that approximately 15000 aid grants had been published by 22 Member States; hopes that the remaining Member States will join swiftly, in order to increase transparency and scrutiny of aid awards above EUR 500 000;*

Or. en

Amendment 198
Roberts Zile

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. *Stresses the importance of a competitive transport sector; notes that single market in transport remains to be complemented with rail sector being the most fragmented; welcomes the steps taken by the Commission in fostering completion and improved operation in internal market for the road passenger transport;*

Or. en

Amendment 199
Tibor Szanyi

Motion for a resolution
Paragraph 13 c (new)

Motion for a resolution

Amendment

13c. *Calls on the Commission to propose changes in the Regulation (EC) No 261/2004 to ensure the same protection for air travellers on flights from third country, regardless the fact that the carrier is EU or non-EU carrier;*

Or. en

Amendment 200
Gunnar Hökmark, Roberts Zīle

Motion for a resolution
Paragraph 13 c (new)

Motion for a resolution

Amendment

13c. *Highlights the commonly agreed aims and targets of the Energy Union and points specifically to the dimension Security, solidarity and trust;*

Amendment 201
Gunnar Hökmark, Roberts Zile

Motion for a resolution
Paragraph 13 d (new)

Motion for a resolution

Amendment

13d. Underlines the importance of securing that the European energy markets are built on rule of law, competition, diversity of energy sources and suppliers, predictability and transparency and to prevent any market operator, established in the union or in a third country, from leveraging a dominant position to the detriment for competitors and consumers; in this regard, calls for increased scrutiny of, and, where necessary, measures and imposed obligations against such market operators;

Or. en

Amendment 202
Gunnar Hökmark, Roberts Zile

Motion for a resolution
Paragraph 13 e (new)

Motion for a resolution

Amendment

13e. Reaffirms that new infrastructure projects, including those connecting a Member State to a third country, shall be the subject of European legislation, notably rules on unbundling and market price formation;

Or. en

Amendment 203
Barbara Kappel

Motion for a resolution
Paragraph 14

Motion for a resolution

14. *Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);*

Amendment

14. *Welcomes the advances made by DG Competition in continuing the analysis of its financial circuits in 2017 in order to assess the functioning of the internal control system and further improve the efficiency of its financial operations; regrets that the analysis was not finalized in 2017; urges DG Competition to finalize its review and present its findings before the competent committees in the European Parliament;*

Or. en

Amendment 204
Nils Torvalds

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Amendment

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; ***underlines the need for adequate financial and human resources in the Commission Directorate-General for Competition as well as in the national competent authorities***; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Or. en

Amendment 205
Andreas Schwab

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Amendment

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF); ***underlines in this context the importance of IT and of digital expertise necessary to address the challenges posed by data-driven and algorithm-based economy;***

Or. en

Amendment 206
Paloma López Bermejo

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Amendment

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; ***notes that the increased activity in terms of studies, surveillance, controls and sanctions requires appropriate resources;*** supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Or. es

Amendment 207
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Stresses the importance of endowing competition authorities with sufficient resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Amendment

14. Stresses the importance of endowing competition authorities with sufficient **human and financial** resources to carry out their work; supports, in this connection, the proposed competition strand of the single market programme under the 2021-2027 multiannual financial framework (MFF);

Or. en

Amendment 208
Barbara Kappel

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Takes note that most of the decisions concerning antitrust issues and State aid are taken at national level, and believes that the Commission should guarantee the global consistency and independence of competition policy measures within the internal market, with the support of the European Competition Network (ECN); without disregarding the competences of the National Competition Authorities (NCA);

Or. en

Amendment 209
Sander Loones

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. *Highlights that global cooperation on competition enforcement helps to avoid inconsistencies in remedies and outcomes of enforcement actions and helps businesses to reduce their costs of compliance; supports an active participation of the Commission, national and where applicable regional competition authorities in the International Competition Network;*

Or. en

Amendment 210
Markus Ferber

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. *Stresses that international cooperation is essential for the effective enforcement of competition-law principles in the era of globalisation; calls on the Commission, therefore, to vigorously promote international cooperation on competition-related issues;*

Or. de

Amendment 211
Tibor Szanyi

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. *Stresses that the European Parliament should also be given co-decision powers in competition policy and regrets that this area of Union policy has*

*not been strengthened in its democratic dimension in recent treaty amendments;
Calls for the treaties to be amended accordingly;*

Or. en

Amendment 212
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Insist on the need of regular and permanent structural dialogues between the European Commissioner for competition with the ECON committee and in particular with the Competition working Group of this Committee;

Or. en

Amendment 213
Gunnar Hökmark

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Underlines that Commission when making competition rulings must regard the internal market as one single market, not as a number of independent local or national markets;

Or. en

Amendment 214
Barbara Kappel

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. *Takes note of fact that the total number of merger notifications increased by 36% between 2013 and 2017, with 380 proposed mergers notified to the Commission in 2017, constituting the second highest in the history of EU merger control, and with 377 final decisions by the Commission in 2017; recognizes that this puts a strain on the resources of the DG, and that merger assessments are becoming increasingly complex and wider in reach; is concerned about the resource implications of dealing with an increasing number of merger notifications for DG Competition;*

Or. en

Amendment 215
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. *Stresses the importance for the European Commission in its regular exchanges with national competition authorities to insist on the importance of full independence of such authorities. In particular, the appointment of its Presidents and top management should not be political appointments. Sufficient and adequate financial and human resources are a prerequisite for an effective enforcement of competition rules;*

Or. en

Amendment 216
Gunnar Hökmark, Nils Torvalds, Roberts Zile

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Stresses the need to deepen the internal market, to open up for new competition and freedom of establishment in all sectors;

Or. en

Amendment 217
Roberts Zile, Sander Loones

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Reiterates its support for international trade and investment agreements to include strong competition sections;

Or. en

Amendment 218
Barbara Kappel

Motion for a resolution
Paragraph 14 c (new)

Motion for a resolution

Amendment

14c. Welcomes that the Commission signed a Memorandum of Understanding with China's National Development and Reform Commission in 2017, starting a dialogue with China on State aid control, which will promote fair global competition; asks the Commission to

regularly inform the Parliament about the progress of the dialogue;

Or. en

Amendment 219
Gunnar Hökmark

Motion for a resolution
Paragraph 14 c (new)

Motion for a resolution

Amendment

14c. Underlines that taxation is a national competence and that the choice of policy therefore depends on the political view and orientation of the respective national governments and parliaments; stresses in this perspective the need to ensure that national tax policies does not distort fair competition;

Or. en

Amendment 220
Barbara Kappel

Motion for a resolution
Paragraph 14 d (new)

Motion for a resolution

Amendment

14d. Welcomes the adoption by the Commission of the Internal Control Framework (IGF) based on international good practice, aimed to ensure the achievement of policy and operational objectives in December 2017;

Or. en

Amendment 221
Sander Loones

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments of the Member States.

Amendment

15. Instructs its President to forward this resolution to the Council, the Commission, ***the national and where applicable regional competition authorities***, and the national parliaments of the Member States.

Or. en