Amendment 28
Lola Sánchez Caldentey, Stefan Eck, Matt Carthy, Marina Albiol Guzmán, Martina Anderson, Malin Björk, Lynn Boylan, Rina Ronja Kari, Merja Kyllönen, Curzio Maltese, Marisa Matias, Liadh Ní Riada, Neoklis Sylikiotis, Marie-Christine Vergiat on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point b – point i

Motion for a resolution
i. to exclude public services and audiovisual services from the scope of application of the agreement, and to take a cautious approach to cultural services without prejudice to the EU’s commitments in the GATS; to seek ambitious commitments across parties, sectors, and levels of government, in particular the further opening of foreign markets as regards public procurement, telecommunications, transport and financial and professional services;

Amendment
i. to exclude all public services and cultural services from the scope of application of the agreement;

Or. en
Amendment 29
Stelios Kouloglou, Helmut Scholz, Lola Sánchez Caldentey, Anne-Marie Mineur, Tania González Peñas, Rina Ronja Kari, Fabio De Masi, Malin Björk, Matt Carthy, Stefan Eck, Merja Kyllönen, Liadh Ní Riada
on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point b – point iv

*Motion for a resolution*
iv. to reject the application of standstill and ratchet clauses to market access commitments and to reject their application to sensitive sectors, such as public and cultural services, public procurement, Mode 4, transport, and financial services; to allow for enough flexibility to bring services of general economic interest back into public control; to maintain the right of the EU and Member States to modify their schedule of commitments in accordance with the GATS;

*Amendment*
iv. to reject the application of standstill and ratchet clauses on both market access commitments and national treatment commitments; to allow for enough flexibility to bring services of general economic interest back into public control; to maintain the right of the EU and Member States to modify their schedule of commitments in accordance with the GATS;

Or. en
Motion for a resolution
Paragraph 1 – point b – point vi

vi. to take an ambitious approach in Mode 3 by seeking the removal of third-country barriers to commercial presence and establishment, such as foreign equity caps and joint venture requirements, which is of crucial relevance in terms of increasing the growth of services delivered through Modes 1 and 4, while maintaining the current level of EU-wide reservations;

vi. to take a cautious approach in Mode 3, given that sectors such as education, care and other primary services should only be in public hands;

Or. en
Amendment 31
Marie-Christine Vergiat, Stefan Eck, Rina Ronja Kari, Merja Kyllönen, Sofia Sakorafa on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point b – point xii a (new)

Motion for a resolution
Amendment

xii.a. to support provisions limiting competition in public contracts or introducing discrimination in the award thereof, where designed to encourage local business activity, e.g. through use of quotas in respect of local production capacity, labour or services and materials, as is done by many negotiating parties;

Or. en
Amendment 32
Eleonora Forenza, Lola Sánchez Caldentey, Marisa Matias, Marina Albiol Guzmán, Martina Anderson, Malin Björk, Matt Carthy, Stefan Eck, Rina Ronja Kari, Merja Kyllönen, Liadh Ní Riada
on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point b – point xii b (new)

Motion for a resolution

Amendment

xiib. to ensure that the agreement does not limit the policy space available to respond to negative liberalisation experiences and to meet democratic demands for re-regulation (including re-municipalisation);

Or. en
Amendment 33
Stelios Kouloglou, Marisa Matias, Helmut Scholz, Liadh Ní Riada, Martina Anderson, Malin Björk, Stefan Eck, Merja Kyllönen, Matt Carthy
on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point c – point i

Motion for a resolution
i. to ensure cross-border data flows in compliance with the universal right to privacy;

Amendment
i. to ensure cross-border data flows only if they comply with the universal right to privacy;

Or. en
Amendment 34
Stelios Kouloglou, Martina Anderson, Merja Kyllönen, Matt Carthy, Liadh Ní Riada
on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point c – point vii

Motion for a resolution

vii. to recognise that digital innovation is a driver of economic growth and productivity in the entire economy; to recognise that data flows are a crucial driver of the services economy, an essential element of the global value chain of traditional manufacturing companies and critical for the development of the Digital Single Market; to seek, therefore, a comprehensive prohibition of forced data localisation requirements and to ensure that TiSA contains future-proof rules and prevents fragmentation of the digital world; to consider that forced localisation requirements, i.e. forcing service suppliers to use local infrastructure or establish a local presence as a condition of supplying services, deter foreign direct investment from and to a party; to strive, therefore, to curb such practices to the extent possible within and outside Europe, while accommodating necessary exemptions based on legitimate public purposes such as consumer protection and the protection of fundamental rights;

Amendment

vii. to recognise that digital innovation is a driver of economic growth and productivity in the entire economy; to consider that forced localisation requirements may, under certain circumstances, be necessary, based on legitimate public purposes such as consumer protection and the protection of fundamental rights;

Or. en
Amendment 35
Helmut Scholz, Paloma López Bermejo, Martina Michels, Marina Albiol Guzmán, Martina Anderson, Matt Carthy, Rina Ronja Kari, Merja Kyllönen, Marisa Matias, Liadh Ní Riada
on behalf of the GUE/NGL Group

Report
Viviane Reding
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2015/2233(INI)

Motion for a resolution
Paragraph 1 – point c – point viii a (new)

Motion for a resolution

Amendment

viiia. to oppose the concept of digital products and services in trade liberalisation and, instead, to reiterate that the ‘digital dimension’ of products and services must be negotiated in the context of their respective original classifications;

Or. en
Amendment 36
Thomas Händel, Lola Sánchez Caldentey, Anne-Marie Mineur, Helmut Scholz, Neoklis Sylikiotis, Rina Ronja Kari, Marina Albiol Guzmán, Malin Björk, Matt Carthy, Tania González Peñas, Merja Kyllönen, Marisa Matias, Liadh Ní Riada, Martina Anderson on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point d – point i

Motion for a resolution

i. to ensure that nothing will prevent the EU and its Member States from maintaining, improving and applying labour and social regulations, collective agreements and legislation on the entry of natural persons into, or temporary stay in, the EU’s or a Member State’s territory, including those measures necessary to ensure the orderly movements of natural persons across its borders such as, inter alia, admission or conditions for admission for entry; to guarantee, in line with Directive 96/71/EC on the posting of workers, that the minimum terms and conditions of employment of the host country are applicable to any service suppliers accessing the EU, today and in the future; to ensure that all workers coming into Europe, irrespective of their home country, enjoy the same labour rights as nationals in their host country and that the principle of equal pay for equal work is respected; to ensure that the eight fundamental International Labour Organisation (ILO) Conventions are respected by TiSA parties; to call on all parties to ratify and implement the principal ILO standards and to promote

Amendment

i. to ensure that nothing will prevent the EU and its Member States from maintaining, improving and applying labour and social regulations, collective agreements and legislation on the entry of natural persons into, or temporary stay in, the EU’s or a Member State’s territory, including those measures necessary to ensure the orderly movements of natural persons across its borders such as, inter alia, admission or conditions for admission for entry; to guarantee, in line with Directive 96/71/EC on the posting of workers, that the minimum terms and conditions of employment of the host country are applicable to any service suppliers accessing the EU, today and in the future; to ensure that all workers coming into Europe, irrespective of their home country, enjoy the same labour rights as nationals in their host country and that the principle of equal pay for equal work is respected; to ensure that the eight fundamental International Labour Organisation (ILO) Conventions are ratified and effectively implemented by TiSA parties; to call on all parties to ratify and implement the principal ILO standards
and to promote other relevant ILO Conventions and UN resolutions; to ensure that the EU’s and Member States’ labour laws and collective agreements are respected within the EU’s territory; to strengthen the EU monitoring and enforcement mechanism in order to deter infringements; to urge Member States to increase the resources available to labour inspectorates; to urgently collate and present detailed information on the number and type of service providers currently operating in the EU under Mode 4, including the duration of their stay; to ensure much more efficient cross-border access to data within the EU in the future; to include a safety clause preventing companies from circumventing or undermining the right to take industrial action through the use of workers from third countries during negotiations on collective agreements and labour disputes, and to allow TiSA participants to apply any necessary safeguards should pressure be put on domestic wages, should the right of domestic workers be endangered or should other agreed standards be infringed, in line with the limitations set out in Article X of the GATS; to urge all contracting parties to comply with OECD guidelines for multinationals;
Amendment 37
Lola Sánchez Caldentey, Helmut Scholz, Martina Anderson, Malin Björk, Matt Carthy, Tania González Peñas, Rina Ronja Kari, Merja Kylönen, Liadh Ní Riada, Sofia Sakorafa
on behalf of the GUE/NGL Group

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

Motion for a resolution
Paragraph 1 – point d – point iii

Motion for a resolution

iii. to recognise the annex on Mode 4 as an offensive interest for Europe, given that EU professionals are well-educated and mobile and that EU companies increasingly require the specific skills of foreign professionals inside Europe and their personnel outside Europe, in order to support the establishment of new business activities; to ensure that this mobility is advantageous not only for European companies but also for European workers;

Amendment

iii. to recognise the annex on Mode 4 as an offensive interest for Europe, given that EU professionals are well-educated and mobile and that EU companies increasingly require the specific skills of foreign professionals inside Europe and their personnel outside Europe, in order to support the establishment of new business activities; to ensure that this mobility is advantageous not only for European companies but also for European workers;

_to recognise that developing countries may need to be able to protect their skilled and well-educated professionals; to request, therefore, that no general prohibition be introduced on applying economic needs tests;_

Or. en