



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on Culture and Education*

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**2014/2228(INI)**

10.3.2015

# **AMENDMENTS**

## **1 - 77**

**Draft opinion**  
**Helga Trüpel**  
(PE549.127v01-00)

Recommendations to the European Commission on the negotiations for the  
Transatlantic Trade and Investment Partnership (TTIP)  
(2014/2228(INI))

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PE551.876v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

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

*Draft opinion*

*Amendment*

*- having regard to Article 167 TFEU,*

Or. en

**Amendment 2**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

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

*Draft opinion*

*Amendment*

*- having regard to Rules 108(4) and 52 of  
its Rules of Procedure,*

Or. en

**Amendment 3**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

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

*Draft opinion*

*Amendment*

*- having regard to the EU directives for  
the negotiation on the Transatlantic  
Trade and Investment Partnership  
between the EU and the US adopted by  
Council on 14 June 2013, that were made  
public by the Council on 9 October 2014,*

Or. en

**Amendment 4**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Recital A**

*Draft opinion*

A. affirming the *EU's* commitment to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

*Amendment*

A. affirming the *EU's legal* commitment to the **2005** UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

Or. en

**Amendment 5**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Recital B**

*Draft opinion*

B. recalling that, under Article 167 of the TFEU, the Union *is required to* take cultural aspects into account under other provisions of the Treaties, *including those relating to* the common commercial policy;

*Amendment*

B. recalling that, under Article 167 of the TFEU, the Union *shall* take cultural aspects into account *in its action* under other provisions of the Treaties, *in order to respect and to promote diversity of cultures; recalling that these other provisions include* the Common Commercial Policy *as defined in Article 207 TFEU*;

Or. en

**Amendment 6**  
**Marlene Mizzi**

**Draft opinion**  
**Recital B a (new)**

*Draft opinion*

*Amendment*

*Ba. reaffirming that existing and future*

*provisions and policies in support of the cultural sector in particular in the digital world are out of the scope of the TTIP negotiations;*

Or. en

#### **Amendment 7**

**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

#### **Draft opinion**

#### **Recital C**

##### *Draft opinion*

C. recognising the special role of services of general interest – *in particular in education* – as defined in Article 14 TFEU and Protocol No 26 to the TFEU;

##### *Amendment*

C. recognising the special role of services of general interest as defined in Article 14 TFEU and Protocol No 26 to the TFEU;

Or. en

#### **Amendment 8**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

#### **Draft opinion**

#### **Recital D a (new)**

##### *Draft opinion*

##### *Amendment*

*Da. recognising that cultural diversity is a distinctive feature of the EU because of Europe's history, its rich variety of traditions and strong cultural and creative industries, and that the promotion of cultural diversity will remain a guiding principle, just as it has been in other EU trade agreements;*

Or. en

**Amendment 9**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Recital D b (new)**

*Draft opinion*

*Amendment*

***Db. recalling that cultural and creative industries contribute around 2.6% of EU GDP with a higher growth rate than the rest of the economy;***

Or. en

**Amendment 10**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Recital D c (new)**

*Draft opinion*

*Amendment*

***Dc. underlining that, with a decline in the EU's competitiveness in traditional industries, the development of trade in cultural and creative-industry goods and services will constitute an important driver of economic growth and job creation in Europe; observing that, according to estimates, world trade in cultural and creative goods and services has nearly doubled in the past ten years;***

Or. en

**Amendment 11**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Recital D d (new)**

*Draft opinion*

*Amendment*

***Dd. strongly believing that greater trade openness in the cultural and creative industries sector would greatly benefit both the European and US economies and could contribute to cultural richness and diversity of both - the US and Europe;***

Or. en

**Amendment 12**

**Zdzisław Krasnodebski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Recital D e (new)**

*Draft opinion*

*Amendment*

***De. recalling that the protection and enforcement of intellectual property rights is an issue central to securing the European cultural and creative industries while maintaining incentives for companies to develop new service and business models and for artists and creators to innovate;***

Or. en

**Amendment 13**

**Zdzisław Krasnodebski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Recital D f (new)**

*Draft opinion*

*Amendment*

***Df. maintaining that international cooperation is the only way to combat piracy, counterfeiting and the violation of IPRs.***

#### **Amendment 14**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

#### **Draft opinion**

##### **Paragraph 1 – point a**

###### *Draft opinion*

(a) ensure, *via a general clause in the agreement*, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, *that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;*

###### *Amendment*

(a) ensure, *that the TTIP agreement is* in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;

#### **Amendment 15**

**Norbert Erdős, Andrea Bocskor, György Hölvényi**

#### **Draft opinion**

##### **Paragraph 1 – point a**

###### *Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to

###### *Amendment*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to



adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, ***and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;***

adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom;

Or. en

## **Amendment 16**

**Martina Michels**

on behalf of the GUE/NGL Group

### **Draft opinion**

#### **Paragraph 1 – point a**

##### *Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the ***GATS and the*** UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

##### *Amendment*

(a) ensure, via a general clause in the agreement, in full compliance with the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions ***and fully respecting Member States' practices***, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

Or. en

**Amendment 17**  
**Sabine Verheyen, Hermann Winkler**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause *in the* agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

*Amendment*

(a) ensure, via a **legally binding** general clause **applicable to the complete** agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

Or. en

**Amendment 18**  
**Helga Trüpel**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or

*Amendment*

(a) ensure, via a **legally binding** general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with

promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

Or. en

**Amendment 19**  
**Ivan Jakovčić**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of *cultural and* linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

*Amendment*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of *multicultural, linguistic, and other forms of* diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

Or. hr

**Amendment 20**  
**Milan Zver**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause in the agreement, ***in full compliance with*** the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

*Amendment*

(a) ensure, via a general clause in the agreement, ***according to the values of*** the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

Or. en

**Amendment 21**  
**Mircea Diaconu**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with

*Amendment*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services, ***both online and***

democratic, social and cultural requirements;

*offline*, in line with democratic, social and cultural requirements;

Or. en

**Amendment 22**  
**Fernando Maura Barandiarán**

**Draft opinion**  
**Paragraph 1 – point a**

*Draft opinion*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;

*Amendment*

(a) ensure, via a general clause in the agreement, in full compliance with the GATS and the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, that the parties to the agreement reserve the right to adopt or maintain any measure (in particular of a regulatory and/or financial nature) with respect to the protection or promotion of cultural and linguistic diversity, media pluralism and media freedom, and to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services, ***both online and offline***, in line with democratic, social and cultural requirements;

Or. en

**Amendment 23**  
**Sabine Verheyen, Hermann Winkler**

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

*Draft opinion*

***(aa) ensure, that the exception of audiovisual services is future-proofed and may not be hampered by technological***

*Amendment*

*developments, e.g. the convergence of audio-visual-, telecommunications- and e-commerce-services;*

Or. en

**Amendment 24**  
**Sylvie Guillaume, Luigi Morgano**

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

*Draft opinion*

*Amendment*

*(aa) adhere fully to the negotiating mandate, in particular the exclusion of audiovisual services, including online services; the exclusion of audiovisual services shall not under any circumstances be called into question by any provision in the future agreement, including those on investment, telecommunications and e-commerce;*

Or. fr

**Amendment 25**  
**Marc Joulaud**

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

*Draft opinion*

*Amendment*

*(aa) adhere strictly to the negotiating mandate, in particular the exclusion of audiovisual services from the scope of the negotiations; this exclusion shall not be called into question by the provisions of the future agreement, including those on investment, telecommunications and e-commerce;*

Or. fr

**Amendment 26**

**Norbert Erdős, Andrea Bocskor, György Hölvényi**

**Draft opinion**

**Paragraph 1 – point a a (new)**

*Draft opinion*

*Amendment*

*(aa) reaffirm that audiovisual services should remain excluded from the scope of TTIP commitments on services and establishment, ensure the right to preserve or develop, in accordance with the principle of technological neutrality, a regime for audiovisual services in line with democratic, social and cultural requirements;*

Or. en

**Amendment 27**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Paragraph 1 – point a a (new)**

*Draft opinion*

*Amendment*

*(aa) look to establish in TTIP the right balance between the necessary protection and sustainability of creation with the need to foster the development of new services and business models;*

Or. en

**Amendment 28**

**Zdzisław Krasnodębski, Andrew Lewer, Angel Dzhambazki, Jadwiga Wiśniewska**

**Draft opinion**

**Paragraph 1 – point a b (new)**

*Draft opinion*

*Amendment*

***(ab) ensure that the EU cultural and creative sector maintains and enhances its ability to access a large market of 300m consumers with high purchasing power and that EU producers and creators are guaranteed, wherever possible, non-discriminatory market access or equivalent treatment to US producers;***

Or. en

**Amendment 29**

**Marlene Mizzi**

**Draft opinion**

**Paragraph 1 – point a (new)**

*Draft opinion*

*Amendment*

***(aa) continue the current efforts to increase transparency, promote an even closer engagement with the European Parliament, as well as full involvement of civil society and social partners given the potential impact TTIP will have on the lives of the European citizens;***

Or. en

**Amendment 30**

**Norbert Erdős, Andrea Bocskor, György Hölvényi**

**Draft opinion**

**Paragraph 1 – point b**

*Draft opinion*

*Amendment*

***(b) reaffirm that services with a strong cultural component will not be challenged by the TTIP agreement;***

***deleted***

Or. en



**Amendment 31**  
**Milan Zver**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) *reaffirm* that services with a strong cultural component will *not be challenged* by the TTIP agreement;

*Amendment*

(b) *ensure* that services with a strong cultural component will *be appropriately dealt with* by the TTIP agreement, *considering the value of the culture as a carrier of European identity and understanding as well as the potential of the TTIP for growth of the European cultural industries sector*;

Or. en

**Amendment 32**  
**Sabine Verheyen, Hermann Winkler**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) *reaffirm* that services with a strong cultural component will not be challenged by the TTIP agreement;

*Amendment*

(b) *ensure* that services with a strong cultural component will not be challenged by the TTIP agreement;

Or. en

**Amendment 33**  
**Ivan Jakovčić**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) *reaffirm* that services with a strong

*Amendment*

(b) *confirm* that services with a strong

cultural component will not be challenged by the TTIP agreement;

cultural component will not, *under any circumstances*, be challenged by the TTIP agreement;

Or. hr

**Amendment 34**  
**Ulrike Müller**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) reaffirm that services with a strong cultural component will not *be challenged by* the TTIP agreement;

*Amendment*

(b) reaffirm that services with a strong cultural component will not *suffer as a result of* the TTIP agreement;

Or. de

**Amendment 35**  
**Isabella Adinolfi**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) reaffirm that services with a *strong* cultural component will not be challenged by the TTIP agreement;

*Amendment*

(b) reaffirm that services with a cultural component will not be challenged by the TTIP agreement;

Or. en

**Amendment 36**  
**Helga Trüpel**

**Draft opinion**  
**Paragraph 1 – point b**

*Draft opinion*

(b) reaffirm that services with a strong cultural component will not be challenged by the TTIP agreement;

*Amendment*

(b) reaffirm that services with a strong cultural component will not be challenged by the TTIP agreement ***beyond the EU's commitments in existing agreements;***

Or. en

**Amendment 37**

**Helga Trüpel**

**Draft opinion**

**Paragraph 1 – point b**

*Draft opinion*

(b) reaffirm that services with a strong cultural component will not be challenged by the TTIP agreement;

*Amendment*

(b) reaffirm that services with a strong cultural component, ***such as libraries, archives or museums,*** will not be challenged by the TTIP agreement;

Or. en

**Amendment 38**

**Martina Michels**

on behalf of the GUE/NGL Group

**Draft opinion**

**Paragraph 1 – point b**

*Draft opinion*

(b) reaffirm that services with a ***strong*** cultural component will not be challenged by the TTIP agreement;

*Amendment*

(b) reaffirm that services with a cultural component will not be challenged by the TTIP agreement; ***remain concerned about the GATS being the basis of regulation for cultural aspects in the TTIP agreement as a lot of cultural services are covered by the commercial services provision;***

Or. en

**Amendment 39**  
**Martina Michels**  
on behalf of the GUE/NGL Group

**Draft opinion**  
**Paragraph 1 – point b a (new)**

*Draft opinion*

*Amendment*

*(ba) fully respect the negotiating mandate, understood as excluding audiovisual services, including those provided online and to not include these services in other provisions, including those concerning investment, telecommunications and e-commerce;*

Or. en

**Amendment 40**  
**Mircea Diaconu, Fernando Maura Barandiarán**

**Draft opinion**  
**Paragraph 1 – point b a (new)**

*Draft opinion*

*Amendment*

*(ba) maintain the exclusion of the digital products with a strong cultural content from the TTIP agreement;*

Or. en

**Amendment 41**  
**Martina Michels**  
on behalf of the GUE/NGL Group

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

*Draft opinion*

*Amendment*

***(bb) consider the preservation of the cultural diversity as a complement to the exclusion of audiovisual services and not as an alternative; as both concepts of "cultural exception" and "cultural diversity" do not grant enough judicial guarantee to protect culture and audiovisual services;***

Or. en

**Amendment 42**  
**Ivan Jakovčić**

**Draft opinion**  
**Paragraph 1 – point c**

*Draft opinion*

*Amendment*

(c) ***clarify*** that the fixed book price system will not be challenged by the obligations under the TTIP agreement;

(c) ***confirm*** that the fixed book price system will not be challenged by the obligations under the TTIP agreement;

Or. hr

**Amendment 43**  
**Helga Trüpel**

**Draft opinion**  
**Paragraph 1 – point c**

*Draft opinion*

*Amendment*

(c) clarify that the fixed book price system will not be challenged by the obligations under the TTIP agreement;

(c) clarify that the fixed book price system ***and the price fixing for newspapers and magazines*** will not be challenged by the obligations under the TTIP agreement;

Or. en

**Amendment 44**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point c**

*Draft opinion*

(c) clarify that *the* fixed book price *system* will not be challenged by the obligations under the TTIP agreement;

*Amendment*

(c) clarify that fixed book price *systems* will not be challenged by the obligations under the TTIP agreement;

Or. en

**Amendment 45**  
**Martina Michels**  
on behalf of the GUE/NGL Group

**Draft opinion**  
**Paragraph 1 – point c a (new)**

*Draft opinion*

*Amendment*

*(ca) ensure that the current reform of copyright and Intellectual Property right avoids reducing the freedom of access to cultural production for citizens. In this view, it should not fall into the scope of TTIP-negotiations. Copyright should protect authors and European creation - as well as it includes exceptions for individual and institutional users like libraries, schools, Universities and Institutions for non-formal art and educations (like fair use) - and not been subjected to any attempt of control by huge transnational companies;*

Or. en

**Amendment 46**  
**Martina Michels**  
on behalf of the GUE/NGL Group

**Draft opinion**  
**Paragraph 1 – point c b (new)**

*Draft opinion*

*Amendment*

***(cb) protect cultural production from being subject to secret trade implementation, considering that the implementation of trade secrets in the US is different and more extensive than the European one, where it exists;***

Or. en

**Amendment 47**  
**Ulrike Müller**

**Draft opinion**  
**Paragraph 1 – point d**

*Draft opinion*

*Amendment*

***(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;***

***(d) ensure that a TTIP agreement includes a comprehensive reservation against liberalisation for educational services in the Member States which receive public or mixed funding and that in the case of purely privately funded educational services the commitment levels with which EU Member States are currently required to comply under GATS are not increased;***

Or. de

**Amendment 48**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point d**

*Draft opinion*

*Amendment*

***(d) ensure with a general clause the right to adopt or maintain any measure with regard***

***(d) ensure with a general clause the right to adopt or maintain any measure with regard***

to the provision of *all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers*;

to the provision of *publically* funded educational services;

Or. en

#### **Amendment 49**

**Norbert Erdős, Andrea Bocskor**

#### **Draft opinion**

#### **Paragraph 1 – point d**

##### *Draft opinion*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

##### *Amendment*

(d) ensure with a general clause the right *for EU Member States* to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

Or. hu

#### **Amendment 50**

**György Hölvényi**

#### **Draft opinion**

#### **Paragraph 1 – point d**

##### *Draft opinion*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services *which receive public funding or state support in any form* and ensure that privately funded foreign providers *meet* the same quality and accreditation requirements as domestic providers;

##### *Amendment*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services and ensure that privately funded foreign providers *are subject to* the same *recognition, operation*, quality and accreditation requirements as domestic providers;



**Amendment 51**  
**Helga Trüpel**

**Draft opinion**  
**Paragraph 1 – point d**

*Draft opinion*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

*Amendment*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which ***work on a non-profit-basis and/or*** receive public funding ***to any degree*** or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

**Amendment 52**  
**Ivan Jakovčić**

**Draft opinion**  
**Paragraph 1 – point d**

*Draft opinion*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

*Amendment*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational ***and cultural*** services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

**Amendment 53**  
**Martina Michels**

**Draft opinion**  
**Paragraph 1 – point d**

*Draft opinion*

(d) ensure with a general clause the right to adopt or maintain any measure with regard to the provision of all educational services which receive public funding or state support in any form and ensure that privately funded foreign providers meet the same quality and accreditation requirements as domestic providers;

*Amendment*

(d) *Does not affect the English version.*

*(NB: This amendment applies only to the German version. The English version already makes it clear that not only schooling but also non-formal education is covered, whereas the German version suggests the opposite.)*

Or. de

**Amendment 54**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point e**

*Draft opinion*

(e) specify that nothing in the agreement ***applies*** to subsidies ***or government*** support ***with respect to*** cultural, educational and audiovisual services;

*Amendment*

(e) specify that nothing in the agreement ***shall affect the ability of the EU or EU Member States*** to subsidies ***and provide financial*** support ***to cultural industries as well as*** cultural, educational and audiovisual services;

*(Justification: The EU's standard practice in trade agreements is not to negotiate the circumstances in which public subsidies can be granted – in particular for services. TTIP is no exception: it will not affect the ability of the EU or EU Member States to*

*provide financial support to cultural industries. National authorities will remain free to subsidise any type of cultural activities, such as live performances, festivals, theatres, musicals and publishing.)*

Or. en

**Amendment 55**

**Helga Trüpel**

**Draft opinion**

**Paragraph 1 – point e**

*Draft opinion*

(e) specify that nothing in the agreement applies to subsidies or government support with respect to cultural, educational *and audiovisual* services;

*Amendment*

(e) specify that nothing in the agreement applies to subsidies or government support with respect to cultural, educational, *audiovisual and press* services;

Or. en

**Amendment 56**

**Marlene Mizzi**

**Draft opinion**

**Paragraph 1 – point e a (new)**

*Draft opinion*

*Amendment*

*(ea) guarantee the protection of Services of General Interest;*

Or. en

**Amendment 57**

**Sabine Verheyen**

**Draft opinion**

**Paragraph 1 – point f**

*Draft opinion*

*Amendment*

*(f) use the positive list approach in order to specify the sectors that fall within the scope of the agreement;*

*deleted*

Or. en

**Amendment 58**

**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**

**Paragraph 1 – point f**

*Draft opinion*

*Amendment*

(f) use the positive list approach in order to specify the sectors that fall within the scope of the agreement;

(f) use the positive list approach in order to specify the sectors that fall within the scope of the agreement; ***excluding from negotiations any sectors with a strong cultural component, such as libraries, archives or museums;***

*(Justification: As in other free trade agreements the EU has negotiated.)*

Or. en

**Amendment 59**

**Milan Zver, Romana Tomc**

**Draft opinion**

**Paragraph 1 – point f**

*Draft opinion*

*Amendment*

(f) use the ***positive*** list approach in order to specify the sectors that fall within the scope of the agreement;

(f) use the ***negative*** list approach in order to specify the sectors that ***do not*** fall within the scope of the agreement;

Or. en

**Amendment 60**  
**Isabella Adinolfi**

**Draft opinion**  
**Paragraph 1 – point f a (new)**

*Draft opinion*

*Amendment*

*(fa) clearly specify and state that cultural services and products should be considered, and therefore treated, differently from other commercial services and products, as provided for by the so-called cultural exception;*

Or. en

**Amendment 61**  
**Isabella Adinolfi**

**Draft opinion**  
**Paragraph 1 – point f b (new)**

*Draft opinion*

*Amendment*

*(fb) clarify which definition of culture, cultural services and products has been taken as reference in the negotiations;*

Or. en

**Amendment 62**  
**Sabine Verheyen**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*Amendment*

*(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.*

*deleted*

**Amendment 63**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*Amendment*

*(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.* *deleted*

**Amendment 64**  
**Bogdan Andrzej Zdrojewski**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*Amendment*

*g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.* *deleted*

**Amendment 65**  
**Mircea Diaconu**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*Amendment*

*(g) refrain from introducing the ISDS* *deleted*

*system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.*

Or. en

**Amendment 66**  
**Marc Joulaud**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.*

*Amendment*

*(g) incorporate a dispute settlement mechanism which offers additional legal protection, is stable and is accessible to EU investors, in particular SMEs, provided that it includes an appeal procedure, meets the democratic requirements of transparency, cannot be misused, does not encroach upon the prerogatives of the national courts and guarantees the Member States' right to legislate.*

Or. fr

**Amendment 67**  
**Therese Comodini Cachia**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

*(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.*

*Amendment*

*(g) introduce an improved ISDS system in the agreement.*

Or. en

**Amendment 68**  
**Milan Zver, Romana Tomc**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

(g) *refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.*

*Amendment*

(g) *introduce an improved ISDS system in the agreement.*

Or. en

**Amendment 69**  
**György Hölvényi**

**Draft opinion**  
**Paragraph 1 – point g**

*Draft opinion*

(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the *parties to the agreement have fully developed legal systems and procedures.*

*Amendment*

(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the *jurisdictional system is sufficiently mature and stable both in the EU and the US so any disputes between foreign investors and host states can be appropriately settled in national courts.*

Or. en

**Amendment 70**  
**Martina Michels**  
on behalf of the GUE/NGL Group

**Draft opinion**  
**Paragraph 1 – point g**



*Draft opinion*

(g) refrain from introducing *the* ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.

*Amendment*

(g) refrain from introducing *any kind of* ISDS system in the agreement *that would challenge in the same court States and investors*, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.

Or. en

**Amendment 71**

**Ulrike Müller**

**Draft opinion**

**Paragraph 1 – point g**

*Draft opinion*

(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures.

*Amendment*

(g) refrain from introducing the ISDS system in the agreement, bearing in mind that the parties to the agreement have fully developed legal systems and procedures, *as a result of which the democratically legitimised national courts afford effective legal protection and are in a position to decide competently, efficiently and cost-effectively on all disputes that are likely to arise.*

Or. de

**Amendment 72** Sylvie Guillaume, Luigi Morgano

**Draft opinion**

**Paragraph 1 – point g a (new)**

*Draft opinion*

*Amendment*

*(ga) clarify the status of books and publishing, explicitly excluding this sector from the scope of the negotiations, and require that the lawfulness of national policies on supporting and promoting literature and on cultural diversity be*

*clearly restated;*

Or. fr

**Amendment 73**

**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**

**Paragraph 1 – point g a (new)**

*Draft opinion*

*Amendment*

***(ga) ensure that the agreement shall exclude provisions and commitments concerning the protection of personal data, audiovisual services and fully respects the Audiovisual Media Services Directive;***

*(Justification: The TTIP negotiating mandate the EU Member States (meeting as the Council) gave the European Commission expressly excluded the opening of the European audiovisual sector to competition from US firms.)*

Or. en

**Amendment 74**

**Mircea Diaconu**

**Draft opinion**

**Paragraph 1 – point g a (new)**

*Draft opinion*

*Amendment*

***(ga) make sure that any provisions on investment protection fully maintain governments' right to regulate while ensuring full transparency, predictability and independence;***

Or. en

**Amendment 75**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point g b (new)**

*Draft opinion*

*Amendment*

***(gb) ensure that EU plastic artists receive a percentage of the selling price of their works of art when they are resold by an art-market professional thereby encouraging European artists to market their works in the US;***

*(Justification: In Europe, by law, painters and sculptors (plastic artists) receive a % of the selling price of their works of art when they are resold by an art-market professional such as an auctioneer or an art gallery. The aim is to allow artists to share in the seller's profit on the increased value of their works if they became more famous and their works becomes more appreciated. It restores some balance between artists (who can only sell their work once) and that of other creative workers who have the possibility of exploiting their works several times over. There is no such right in the US, but it could be introduced in through TTIP, thereby encouraging European artists to market their works in this important market.)*

Or. en

**Amendment 76**  
**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**  
**Paragraph 1 – point g c (new)**

*Draft opinion*

*Amendment*

***(gc) ensure that TTIP establish a mechanism to ensure greater mutual***

*recognition of professional qualifications  
both at federal and state level in the US;*

Or. en

**Amendment 77**

**Zdzisław Krasnodębski, Jadwiga Wiśniewska**

**Draft opinion**

**Paragraph 1 – point g d (new)**

*Draft opinion*

*Amendment*

*(gd) ensure that the preamble to TTIP  
shall underline that the EU's partnership  
with the US is based on values consistent  
with the principles and objectives of the  
EU's foreign policy;*

Or. en