OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on International Trade

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

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SUGGESTIONS

The Committee on the Internal Market and Consumer Protection calls on the Committee on International Trade, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

Addresses, in the context of the ongoing negotiations on TTIP, the following recommendations to the Commission:

(a) regarding political priorities

i. to ensure that the main outcome of the negotiations is an ambitious and comprehensive agreement, bringing significant new market access opportunities for EU companies, particularly SMEs, and benefits for citizens, consumers and workers while preserving the European model of a highly competitive social market economy;

ii. to ensure that the Agreement not only cuts down barriers but also aims to promote and safeguard the European high level of consumer protection enshrined in the TFEU, in particular with regard to information, and to keep in mind that in most sectors EU and US standards and regulatory environments ensure this high level; to note therefore that approximating our regulations must serve to establish high-quality standards and laws which could form a new global benchmark and de facto international standards;

iii. to maintain the highest possible level of transparency of the negotiations, including access to the negotiating texts, and consultation with civil society throughout the process;

(b) regarding full and transparent access for EU service providers – no barriers to mobility of professionals

i. to insist, while safeguarding the freedom of EU Member States in providing, commissioning and funding public services in compliance with the Treaties, that EU service providers must have full market access to liberalised services in the US under transparent, reciprocal and fair rules at both federal and sub-federal levels and on an equal footing with local service providers;

ii. to ensure that the Agreement does not endanger the high quality of EU public services and to use the same safeguarding measures and definitions found in other free trade agreements (FTAs), such as the CETA, to protect them, particularly in the case of publicly financed health, education, social services, water production, distribution and treatment, measures of local governments and audio-visual;

iii. to ensure mutual recognition of professional qualifications between the Parties, notably via the creation of a legal framework with federal states that have regulatory powers in this domain, and to promote mobility across the Atlantic through visa facilitation for professionals from all the EU Member States in sectors covered by the Agreement;

iv. to promote, in parallel with the negotiations, entry by the Parties into talks aimed at an additional agreement lifting work permit requirements, so as to create maximum mobility
of workers between the Parties;

(c) regarding fair and transparent procurement at all levels

i. to take an ambitious approach to the chapter on public procurement and to ensure that European economic operators, particularly SMEs, have the ability to participate, in the US market on a non-discriminatory basis at any level of government; to ensure reciprocal and transparent access in order to counterbalance the existing asymmetric situation and to examine the possibility of EU companies being granted exemptions from national and local purchasing clauses in federal, and where possible, state legislation;

ii. to ensure that the new public procurement and concession directives are complied with in the negotiations, in particular as regards the definition of public-public cooperation, exclusions, SMEs access and the use of the MEAT criteria;

iii. to clarify that the right to decide on the form of service provision remains unaffected and that the ratchet clause contained in the services chapter cannot therefore be applied to services awarded by the contracting authority to a private third party by means of a public contract and provided after the end of the contract by that authority as proprietary or in-house transactions;

iv. to build on the outcome of the Government Procurement Agreement (GPA) in terms of coverage, rules and disciplines and that it simplifies and streamlines procedures while providing for increased transparency;

v. with regard to the fact that public procurement represents a substantial part of the EU’s and other trading partners’ economies and therefore is a key economic interest for the EU, to underline that it must be part of any final comprehensive agreement;

(d) regarding transatlantic standards as global standards

i. to stress that, while safeguarding the protection achieved by EU standards and technical regulations, the Agreement should go beyond the WTO Technical Barriers to Trade Agreement in areas such as conformity assessment, technical requirements and standards, as well as providing for more transparency in the preparation, adoption and application of technical regulations and standards;

ii. to this end, to ensure that European companies are able to consult one US information point that can provide information about standards across all sectors; to firmly defend the work of the EU in standardisation and to promote its principles, namely coherence, transparency, openness, consensus, voluntary application, independence from special interests and efficiency;

iii. to set up an ambitious, transparent and effective cooperation and dialogue mechanism aimed at creating common standards where possible, and to ensure that there is no unintended divergence in future standards in key sectors covered by the Agreement with the belief that such standards, especially in innovative fields, should be agreed and promoted in all international fora; to take account of the challenges that arise from aligning the differently structured and motivated US standardisation system with the European mechanism;
iv. to emphasise that internationally agreed ISO and IEC standards, where existing and up to
date, should be adopted by the US and the EU, for example in the electronic devices
sector;

(e) regarding making technical barriers to transatlantic trade history

i. to aim to continue to guarantee a high level of product safety within the Union while
eliminate unnecessary duplication of testing that causes a waste of resources, in particular
on low-risk products; to ensure the recognition by the US of self-declaration of conformity
on products, where allowed by EU law;

ii. to support, with complete respect for regulatory autonomy, the establishment of a
mandatory structural dialogue, sharing of best regulatory practices and cooperation
between regulators in the sectors covered by the Agreement; to stress that this should
involve early warning mechanisms and exchanges at the time of preparation of
regulations; to encourage improved regulatory cooperation in other sectors and to promote
the EU market surveillance system with a view to ensuring high consumer protection
standards;

iii. to endeavouer to ensure that regulatory cooperation does not increase the administrative
burden while keeping in mind that regulatory divergences are a central non-tariff barrier
(NTB) to trade, in particular in the engineering sector, comprising electrical and
mechanical machinery, appliances and equipment, and that regulators should explore
ways to promote compatibility and regulatory symmetry, such as mutual recognition,
harmonisation or alignment of requirements;

iv. to insist on the fact that the Agreement is to be without prejudice to the right to regulate in
accordance with the level of health safety, consumer, labour and environmental protection
and cultural diversity that each side deems appropriate; in this context, to insist on the
importance of the precautionary principle as set out in Article 191 of the TFEU; to
emphasise that regulatory cooperation must be transparent and that the European
Parliament should contribute to the work of future institutions;

v. to remember that the recognition of equivalence of the greatest possible number of vehicle
safety regulations would be one of the most important achievements of the Agreement
and that this will require verifying that the EU and US regulations provide for a similar
level of protection without lowering the level of protection in the EU; to stress that this
must be a step towards full regulatory convergence in the sector; to point out that,
nonetheless, especially in the area of automotive safety, there are many differences
between US and EU products, and to urge the strengthening of EU-US cooperation in the
framework of the United Nations Economic Commission for Europe (UNECE), especially
regarding new technologies, as well as in other international standard-setting fora;

(f) regarding customs and trade facilitation, in particular for SMEs

i. given that SMEs are disproportionately affected by NTBs, which the Agreement must
seek to reduce or eliminate completely, to urge that a coherent framework, including the
presence of a specific chapter for SMEs in the Agreement, be established to allow SMEs
to raise NTB issues with the appropriate authorities;
ii. to ensure that the Agreement makes it easier for SMEs to participate in transatlantic trade and reduce costs, by modernising, digitising, simplifying and streamlining procedures, by eliminating double certification requirements and by raising the de minimis threshold for customs duties and non-randomised controls;

iii. to strongly support the idea of creating, along the lines of that in the EU, a free US online helpdesk for SMEs where smaller firms can find all the information they need to export to, import from or invest in the US, including on customs duties, on taxes, on regulations, on customs procedures and on market opportunities;

iv. to address customs issues that go beyond the WTO Trade Facilitation Agreement (TFA) rules and stress that, in order to achieve real administrative burden removal, there is a need to work towards a minimum degree of regulatory alignment on customs and border-related policies and practices;

(g) regarding clear rules of origin

i. to establish common rules to define the origin of products, which should be clear and easily applicable for business, and to consider current and future trends in production, as well as future possible cumulation with countries with which the Parties have FTAs;

ii. to guarantee that the Agreement includes provisions preventing the illegitimate use of EU denominations of geographical indications, which would mislead consumers, and to safeguard these schemes, which have contributed substantially to consumer protection and the provision of clear and succinct information regarding product origin; to view the negotiations as an opportunity to move towards high common standards for compulsory origin marking of products that will afford consumers genuine guarantees and create a level playing field for economic operators with regard to access to the two markets.
RESULT OF FINAL VOTE IN COMMITTEE

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<th>Date adopted</th>
<th>24.3.2015</th>
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| Result of final vote | +: 20  
  --: 18  
  0: 1 |
| Substitutes present for the final vote | Emma McClarkin, Roberta Metsola, Franz Obermayr, Adam Szejnfeld, Ulrike Trebesius, Sabine Verheyen, Inês Cristina Zuber |
| Substitutes under Rule 200(2) present for the final vote | Jonathan Arnott, Philippe De Backer, Andrey Novakov |