



2018/2262(INI)

29.1.2019

OPINION

of the Committee on the Internal Market and Consumer Protection

for the Committee on Foreign Affairs

on a European Parliament recommendation to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy concerning the Institutional Framework Agreement between the European Union and the Swiss Confederation (2018/2262(INI))

Rapporteur for opinion: Andreas Schwab

PA_NonLeg

SUGGESTIONS

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

- having regard to the Agreement of 21 June 1999 between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, and in particular Annex I on the free movement of persons and Annex III on the recognition of professional qualifications,
 - having regard to the Agreement of 25 June 2009 between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures,
 - having regard to the Protocol of 27 May 2008 to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons regarding the participation, as contracting parties, of the Republic of Bulgaria and Romania pursuant to their accession to the European Union,
 - having regard to the Agreement on the European Economic Area (EEA) of 1 January 1994,
 - having regard to its resolution of 15 February 2017 on the annual report on the single market governance within the European Semester 2017¹,
 - having regard to Commission Implementing Decision (EU) 2018/2047 of 20 December 2018 on the equivalence of the legal and supervisory framework applicable to stock exchanges in Switzerland in accordance with Directive 2014/65/EU of the European Parliament and of the Council²,
 - having regard to its resolution of 9 September 2015 entitled ‘EEA-Switzerland: Obstacles with regard to the full implementation of the internal market’³,
- A. whereas a well-functioning and effective single market, based on a highly competitive social market economy, is needed to boost growth and competitiveness and create jobs to revitalise the European economy; whereas single market legislation must be properly transposed, implemented and enforced if the Member States and Switzerland are to reap the full benefits;
1. Considers that Switzerland’s significant degree of integration with the EU internal market is a key factor for economic growth, making the EU Switzerland’s most important economic and trading partner;
 2. Recalls that the establishment of a common institutional framework for existing and future agreements that enable Switzerland’s participation in the EU single market, in

¹ OJ C 252, 18.7.2018, p. 16.

² OJ L 327, 21.12.2018, p. 77.

³ OJ C 316, 22.9.2017, p. 192.

order to ensure homogeneity and legal certainty for citizens and businesses, remains a precondition for the further development of a sectoral approach; stresses that after four years of negotiations, the time has come to conclude the Institutional Framework Agreement; welcomes the fact that negotiators have agreed on the final text of the agreement; calls on the Swiss Federal Council to make a decision to conclude this agreement, as soon as the consultation of stakeholders has reached a positive outcome in this respect; considers that the agreement's conclusion will enable the EU-Swiss comprehensive partnership to develop to its full potential;

3. Acknowledges that the strong relations between the EU and Switzerland go beyond economic integration and the extension of the single market, contributing to stability and prosperity to the benefit of all citizens and businesses, including small and medium-sized businesses (SMEs); underlines the importance of ensuring the proper functioning of the single market in order to create a level playing field and create jobs;
4. Considers that securing an Institutional Framework Agreement with Switzerland is of great importance, since it would guarantee legal certainty for both Switzerland and the EU, dynamic incorporation of the EU *acquis*, enhanced access to the internal market for Switzerland to the benefit of both sides, and the jurisdiction of the Court of Justice of the European Union in the case of unresolved disputes relating to the application or interpretation of the Institutional Framework Agreement;
5. Welcomes the Commission's decision of 20 December 2018 to recognise trading venues in Switzerland as eligible for compliance with the trading obligation for shares set out in the Markets in Financial Instruments Directive¹ and Regulation² (MiFID II/MiFIR); stresses that this equivalence is limited to 30 June 2019, but can be extended provided that progress has been made towards the signature of an agreement establishing that common institutional framework;
6. Notes the implementation of the 'domestic preference light' initiative, and that the Council considers that the resultant text adopted on 16 December 2016 by the Swiss Federal Assembly can be implemented in a manner compatible with the rights of EU citizens under the Free Movement of Persons Agreement (FMPA) if the necessary implementing ordinance clarifies outstanding open issues, such as the right to information as regards vacancies and respect for frontier workers' rights; recalls, however, that the question of migration of citizens from third countries should not be confused with the free movement of persons as enshrined in the Treaties; underlines the need to monitor the implementation of the ordinance closely with a view to assessing its compliance with the FMPA;
7. Regrets any cantonal or national initiative that could have the effect of restricting access to the Swiss labour market for EU workers, in particular cross-border workers, thereby undermining the rights of EU citizens under the FMPA and cooperation between the EU and Switzerland;
8. Takes note of the revised law on public procurement adopted in 2017 in the canton of Ticino, Switzerland, which must fully comply with the World Trade Organisation

¹ OJ L 173, 12.6.2014, p. 349.

² OJ L 173, 12.6.2014, p. 84.

Agreement on Government Procurement and the relevant EU-Switzerland sectoral agreement in force since 2002; strongly encourages Swiss contracting authorities to treat EU suppliers and service providers in a non-discriminatory way, even in cases of procurement contracts below the threshold;

9. Urges that the current practice whereby taxi firms from EU Member States can provide services in Switzerland without restriction be allowed to continue, as it has long contributed to economic development in Swiss border regions and is mutually beneficial;
10. Takes the view that reciprocity and fairness between the EEA and Switzerland are necessary to enable both sides to benefit from their participation in the single market;
11. Notes that in overall terms, cooperation under the EU-Switzerland agreement on mutual recognition in relation to conformity assessment (MRA) is satisfactory; welcomes the most recent update of the MRA in 2017 and hopes that forthcoming updates can be carried out swiftly when the future institutional framework agreement has been developed to its full potential.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	29.1.2019
Result of final vote	+: 32 -: 0 0: 1
Members present for the final vote	John Stuart Agnew, Pascal Arimont, Carlos Coelho, Sergio Gaetano Cofferati, Anna Maria Corazza Bildt, Daniel Dalton, Nicola Danti, Pascal Durand, Evelyne Gebhardt, Maria Grapini, Liisa Jaakonsaari, Philippe Juvin, Nosheena Mobarik, Jiří Pospíšil, Marcus Pretzell, Virginie Rozière, Christel Schaldemose, Andreas Schwab, Olga Sehnalová, Jasenko Selimovic, Igor Šoltes, Ivan Štefanec, Róza Gräfin von Thun und Hohenstein, Mihai Țurcanu, Anneleen Van Bossuyt, Lambert van Nistelrooij, Marco Zullo
Substitutes present for the final vote	Biljana Borzan, Nadja Hirsch, Arndt Kohn, Adam Szejnfeld, Marc Tarabella, Matthijs van Miltenburg

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

32	+
ALDE	Nadja Hirsch, Matthijs van Miltenburg, Jasenko Selimovic
ECR	Daniel Dalton, Nosheena Mobarik, Anneleen Van Bossuyt
EFDD	Marco Zullo
ENF	Marcus Pretzell
PPE	Pascal Arimont, Carlos Coelho, Anna Maria Corazza Bildt, Philippe Juvin, Lambert van Nistelrooij, Jiří Pospíšil, Andreas Schwab, Ivan Štefanec, Adam Szejnfeld, Róza Gräfin von Thun und Hohenstein, Mihai Țurcanu
S&D	Biljana Borzan, Sergio Gaetano Cofferati, Nicola Danti, Evelyne Gebhardt, Maria Grapini, Liisa Jaakonsaari, Arndt Kohn, Virginie Rozière, Christel Schaldemose, Olga Sehnalová, Marc Tarabella
VERTS/ALE	Pascal Durand, Igor Šoltes

0	-

1	0
ENF	John Stuart Agnew

Key to symbols:

+ : in favour

- : against

0 : abstention