EUROPEAN PARLIAMENT 2009 - 2014

Committee on International Trade

PE462.546v01-00

25.3.2011

AMENDMENTS
1 - 28

Draft motion for a resolution
Vital Moreira
(PE460.791v01-00)

on EU-Canada trade relations

AM_Com_NonLegRE

Amendment 1
Yannick Jadot

Draft motion for a resolution
Recital B

Draft motion for a resolution	*Amendment*
B. whereas a successful ***and timely*** conclusion of the Doha Development Agenda (DDA) is of crucial importance, ***while*** such an agreement does not preclude bilateral agreements going beyond WTO commitments and being complementary to multilateral rules,	B. whereas a successful conclusion of the Doha Development Agenda (DDA) is of crucial importance ***for the further development of the WTO; whereas*** such an agreement does not preclude bilateral agreements going beyond WTO commitments and being complementary to multilateral rules, ***while bilateral agreements are certainly unhelpful for reaching a conclusion on the DDA, since they diminish the importance of multilateral reductions of MFN tariffs (Most Favoured Nation),***

Or. en

Amendment 2
Robert Sturdy

Draft motion for a resolution
Recital D

Draft motion for a resolution	*Amendment*
D. whereas, the EU is Canada's second most important trading partner and Canada is currently the EU's eleventh most important trading partner (2009); whereas Canada is the ***second largest investor in the EU, with the EU ranking as the seventh investor in Canada*** (2008),	D. whereas, the EU is Canada's second most important trading partner and Canada is currently the EU's eleventh most important trading partner (2009); whereas Canada is the ***EU's fourth largest source of foreign direct investment (FDI) into the EU, while the EU is Canada's second largest source of FDI*** (2008),

Or. en

Amendment 3
Yannick Jadot

Draft motion for a resolution
Recital E

Draft motion for a resolution	*Amendment*
E. whereas the Joint Study of 2008 demonstrated significant potential gains for both Canada and the EU from the liberalization of their bilateral trade,	E. whereas the Joint Study of 2008 demonstrated significant potential gains for both Canada and the EU from the liberalization of their bilateral trade; ***whereas a Final Interim Report on Sustainability Impact Assessment (SIA) on trade liberalization through the CETA, supposed to inform the negotiations, was published in December 2010, that is, after the conclusion of most of the substantial negotiation chapters,***

Or. en

Amendment 4
Peter Šťastný

Draft motion for a resolution
Recital E a (new)

Draft motion for a resolution	*Amendment*
	Ea. whereas the private sectors in both EU and Canada have shown strong support for an ambitious and comprehensive economic agreement and believe advancing a closer EU-Canada economic partnership would send a powerful pro-growth signal to investors and business within the EU and Canada as well as internationally,

Or. en

Amendment 5
Peter Šťastný

Draft motion for a resolution
Recital E b (new)

Draft motion for a resolution	*Amendment*
	Eb. whereas there is a general consensus that the EU-Canada economic relationship had not yet reached its full potential and that a EU- Canada FTA can strongly contribute to developing and achieving this opportunity, by improving trade and investment flows, while removing tariffs and tariffs peaks and unjustified non-tariff barriers and supporting closer cooperation particularly in the fields of regulatory cooperation, labour mobility and recognition of qualifications,

Or. en

Amendment 6
Yannick Jadot

Draft motion for a resolution
Recital F

Draft motion for a resolution	*Amendment*
F. whereas the ongoing negotiations for a Comprehensive Economic and Trade Agreement (CETA) aim at a very advanced agreement, exceeding in its level of ambition any trade and economic agreement negotiated either by the EU or by Canada to date, ***that could reinforce the already strong bilateral trade and investment relationship even further,***	F. whereas the ongoing negotiations for a Comprehensive Economic and Trade Agreement (CETA) aim at a very advanced agreement, exceeding in its level of ambition any trade and economic agreement negotiated either by the EU or by Canada to date,

Or. en

Amendment 7
Yannick Jadot

Draft motion for a resolution
Paragraph 1

Draft motion for a resolution	*Amendment*
1. Considers that the multilateral trading system, embodied in the WTO, remains by far the most effective framework for achieving ***free*** trade on a global basis; reiterates its strong support for a successful conclusion of the DDA negotiations that remains the EU's trade priority; believes that the EU and Canada can together contribute towards a successful conclusion of the DDA negotiations;	1. Considers that the multilateral trading system, embodied in the WTO, remains by far the most effective framework for achieving ***fair and equitable*** trade on a global basis; reiterates its strong support for a successful conclusion of the DDA negotiations that remains the EU's trade priority; believes that the EU and Canada can together contribute towards a successful conclusion of the DDA negotiations;

Or. en

Amendment 8
Yannick Jadot

Draft motion for a resolution
Paragraph 2

Draft motion for a resolution	*Amendment*
2. Welcomes an agreement with Canada going beyond the WTO commitments and being complementary to multilateral rules, provided the negotiations produce an ambitious, high quality agreement that goes well beyond tariff reductions; emphasises in particular the need to improve market access, especially to services and public procurement markets (including at sub-federal level), and to improve the protection of the intellectual property rights;	***deleted***

Or. en

Amendment 9
Peter Šťastný

Draft motion for a resolution
Paragraph 2

Draft motion for a resolution	*Amendment*
2. Welcomes an agreement with Canada going beyond the WTO commitments and being complementary to multilateral rules, provided the negotiations produce an ambitious, high quality agreement that goes well beyond tariff reductions; emphasises in particular the need to improve market access, especially to services and public procurement markets (including at sub-federal level), and to improve the protection of the intellectual property rights;	2. Welcomes an agreement with Canada going beyond the WTO commitments and being complementary to multilateral rules, ***and is confident that*** the negotiations ***can*** produce a ***balanced***, ambitious, high quality agreement that goes well beyond tariff reductions; emphasises in particular the need to improve market access, especially to services and public procurement markets (including at sub-federal level) and to improve the protection of the intellectual property rights;

Or. en

Amendment 10
Marielle De Sarnez

Draft motion for a resolution
Paragraph 2

Draft motion for a resolution	*Amendment*
2. Welcomes an agreement with Canada going beyond the WTO commitments and being complementary to multilateral rules, provided the negotiations produce an ambitious, high quality agreement that goes well beyond tariff reductions; emphasises in particular the need to improve market access, especially to services and public procurement markets (including at sub-federal level), and to improve the protection of the intellectual property rights;	2. Welcomes an agreement with Canada going beyond the WTO commitments and being complementary to multilateral rules, provided the negotiations produce an ambitious, high quality agreement that goes well beyond tariff reductions; emphasises in particular the need to improve market access, especially to services and public procurement markets (including at sub-federal level), and to improve the protection of the intellectual property rights, ***especially geographical indications***;

Or. en

Amendment 11
Marielle De Sarnez

Draft motion for a resolution
Paragraph 2 a (new)

Draft motion for a resolution	*Amendment*
	2a. Considers that the chapter on intellectual property should not negatively affect the production of generic medicines and must respect the TRIPs exceptions for public health;

Or. en

Amendment 12
Peter Šťastný

Draft motion for a resolution
Paragraph 6

Draft motion for a resolution	*Amendment*
6. Notes that competence for EU-Canada relations resides at the federal level alone, but welcomes the participation of the Canadian provinces and territories in the CETA negotiations, and encourages the provinces and territories to synchronise policies and procedures to allow for potential gains to be maximised;	6. Notes that competence for EU-Canada relations resides at the federal level alone, but ***since the provinces and territories are responsible for implementing the treaty obligations that fall within their jurisdiction, considers it as essential and*** welcomes their participation in the CETA negotiations and encourages the provinces and territories to synchronise policies and procedures to allow for potential gains to be maximised; ***considers that a successful negotiation should include explicit commitments from provincial and territorial governments;***

Or. en

Amendment 13
Yannick Jadot

Draft motion for a resolution
Paragraph 6 a (new)

Draft motion for a resolution	*Amendment*
	6a. Expects both parties in the CETA negotiations to abstain from demands conflicting with the partner's domestic policy orientations or institutional prerogatives; is therefore concerned about the Commission's demand for full inclusion of Canada's provinces in procurement liberalization; calls on the Commission, as a sign of good will, to drop its challenges against the Ontario Green Energy Act's requirements on local content and its demands for patent term extension and other changes to Canadian patent protection laws that would increase Canadian drug costs by reducing the availability of generic medicines;

Or. en

Amendment 14
Yannick Jadot

Draft motion for a resolution
Paragraph 6 b (new)

Draft motion for a resolution	*Amendment*
	6b. Is opposed to Canada's request - and its acceptance by the EU on 18 February 2011 - to negotiate on service liberalization by way of a negative-list approach, that is, all sectors are liberalized if not expressively exempted beforehand; calls on the Commission to exclude key public services from liberalization, in particular water distribution services, in order to not endanger present re-municipalisation

processes in a number of EU Member States;

Or. en

Amendment 15
Yannick Jadot

Draft motion for a resolution
Paragraph 7

Draft motion for a resolution	*Amendment*
7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general; calls on the Commission to ensure that the potential investor-to-state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas;	7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general ***and on investor-to-state arbitration in particular; remains unconvinced about the need for investor-to-state arbitration between two entities with such highly developed and well functioning judicial systems as is the case for the EU and Canada;*** calls on the Commission to ensure that the potential investor-to-state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas ***and is embedded in requirements of transparency of proceedings as presently discussed at UNCITRAL, inclusion of third parties at least on the level of amicus curiae, an appeal mechanism, and a college of appointed arbitrators;***

Or. en

Amendment 16
Peter Šťastný

Draft motion for a resolution
Paragraph 7

Draft motion for a resolution	*Amendment*
7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general; calls on the Commission to ensure that the potential investor-to-state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas;	7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general; ***calls on the Commission to take fully into account the conclusion of the European Parliament on this subject in its negotiations on investment with Canada;*** calls on the Commission to ensure that the potential investor- to state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas;

Or. en

Amendment 17
Marielle De Sarnez

Draft motion for a resolution
Paragraph 7

Draft motion for a resolution	*Amendment*
7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general; calls on the Commission to ensure that the potential investor-to-state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas;	7. Regrets that the Commission proposed to the Council a draft on the modification of the negotiating directives for authorising the Commission to negotiate with Canada on investment without waiting for Parliament to adopt its position on the future EU investment policy in general; calls on the Commission to ensure that the potential investor-to-state dispute settlement mechanism would not inhibit future legislation in sensitive policy areas ***such as environmental legislation***;

Or. en

Amendment 18
Yannick Jadot

Draft motion for a resolution
Paragraph 7 a (new)

Draft motion for a resolution	*Amendment*
	7a. Draws the attention to different policies enacted by the EU and Canada regarding the regulation of Genetically Modified Organisms (GMOs); warns that the stricter regulations enacted in the EU could be challenged by private companies under the proposed dispute-settlement mechanism of CETA, even more so as CETA also foresees reinforced intellectual property rights on patented seeds;

Or. en

Amendment 19
Marielle De Sarnez, Catherine Bearder

Draft motion for a resolution
Paragraph 9

Draft motion for a resolution	*Amendment*
9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity; expresses its ***hope that any disagreements between the parties can be overcome amicably and without affecting*** the CETA negotiations;	9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity; expresses its ***belief that*** the CETA negotiations ***should not affect the EU's right to legislate in the fuel quality directive nor inhibit the ability of the Canadian authorities to introduce future environmental standards on the extraction of oil sands;***

Or. en

Amendment 20
Robert Sturdy

Draft motion for a resolution
Paragraph 9

Draft motion for a resolution	*Amendment*
9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity; ***expresses its hope that*** any disagreements ***between the parties can be overcome*** amicably and without affecting the CETA negotiations;	9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity ***if the oil sand production is conducted without efficient carbon compensation schemes in place; calls therefore on the two negotiating parties to address this issue, jointly evaluate the efficiency of Canada's carbon offset schemes, while cooperating on possible remedies and settling*** any disagreements amicably and without affecting the CETA negotiations;

Or. en

Amendment 21
Yannick Jadot

Draft motion for a resolution
Paragraph 9

Draft motion for a resolution	*Amendment*
9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity; expresses its hope that any disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;	9. Reiterates its concern about the impact of the extraction of oil sand on the global environment due to the high level of CO_2 emissions during its production process and the threat it poses for local biodiversity; ***calls on the Commission to make sure that a specific default value on oil sands, in the same way as for other unconventional fuels and reflecting scientific evidence on lifecycle greenhouse gas (GHG) emissions from oil sands, is included in the fuel quality directive;*** expresses its hope that any

disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;

Or. en

Amendment 22
David Martin

Draft motion for a resolution
Paragraph 10

Draft motion for a resolution	*Amendment*
10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; expresses its hope that ***disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;***	10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; ***and*** expresses its ***strong*** hope that ***Canada will withdraw the WTO challenge, which is counter to positive trade relations, prior to the need for ratification of the CETA agreement by the European Parliament;***

Or. en

Amendment 23
Robert Sturdy

Draft motion for a resolution
Paragraph 10

Draft motion for a resolution	*Amendment*
10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; ***expresses its hope that disagreements between the parties can be overcome amicably and without affecting*** the CETA negotiations;	10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; ***calls for a negotiated solution that would neither delay nor endanger*** the CETA negotiations;

Or. en

Amendment 24
Yannick Jadot

Draft motion for a resolution
Paragraph 10

Draft motion for a resolution	*Amendment*
10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; expresses its hope that disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;	10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; ***expects from the Commission to remain firm on the EU's stance regarding the ban of seals products and*** expresses its hope that disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;

Or. en

Amendment 25
Peter Šťastný

Draft motion for a resolution
Paragraph 10

Draft motion for a resolution	*Amendment*
10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute resolution panel; expresses its hope that disagreements between the parties can be overcome amicably and without affecting the CETA negotiations;	10. Takes note of the recent legal developments regarding the EU's ban on seal products, in particular Canada's request to the WTO for the establishment of a formal dispute panel; expresses its hope that disagreements between the parties can be overcome amicably, ***taking fully into account the decision of the dispute resolution panel*** and without affecting the CETA negotiations;

Or. en

Amendment 26
Elisabeth Jeggle, Peter Šťastný

Draft motion for a resolution
Paragraph 10 a (new)

Draft motion for a resolution	*Amendment*
	10a. Considers that agriculture chapters will constitute an important issue for both parties in these negotiations; is concerned by possibly substantial concessions in the area of GMOs, milk and origin labelling; therefore stresses that the interests and the priorities in agriculture should be fully taken into account and calls on the Commission to negotiate for an agreement which will be beneficial first and foremost to EU and Canadian consumers and to agricultural sectors on both sides as well; and ensure, within a globally balanced outcome, a EU-Canadian larger but fair competition for agricultural goods. In this context it welcomes the initial commitment from both parties not to maintain, introduce or reintroduce agricultural export subsidies on the exchanged agricultural goods as a positive step for ambitious and fair negotiations as well as the agreement to cooperate in WTO agricultural negotiations;

Or. en

Amendment 27
Elisabeth Jeggle, Peter Šťastný

Draft motion for a resolution
Paragraph 10 b (new)

Draft motion for a resolution	*Amendment*
	10b. Stresses that negotiations on sanitary and phytosanitary measures are a major issue in agricultural chapters; in this

context calls on the Commission to commit itself to negotiate a high level standard of these rules;

Or. en

Amendment 28
Robert Sturdy

Draft motion for a resolution
Paragraph 11

Draft motion for a resolution	*Amendment*
11. Instructs its President to forward this resolution to the Council and the Commission, the governments and parliaments of the Member States and to the government and parliament.	11. Instructs its President to forward this resolution to the Council and the Commission, the governments and parliaments of the Member States and to the ***federal*** government and parliament of Canada, ***and the provincial and territorial governments and parliaments.***

Or. en