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Committee on International Trade

2008/2135(INI)

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AMENDMENTS

1 - 140

Draft report
Sajjad Karim
(PE409.788v02-00)

on an EU-India Free Trade Agreement
(2008/2135(INI))

Amendment 1
Ignasi Guardans Cambó

Motion for a resolution
Citation 21 a (new)

Motion for a resolution

Amendment

- having regard to the Commission's report on the 2007 Customs seizures of counterfeit goods at the EU's external border published on 19 May 2008,

Or. en

Amendment 2
Glyn Ford

Motion for a resolution
Citation 34 a (new)

Motion for a resolution

Amendment

- having regard of the painfully slow progress of negotiations with the Indian Authorities compared to the Republic of Korea and even ASEAN,

Or. en

Amendment 3
Sajjad Karim

Motion for a resolution
Recital A

Motion for a resolution

Amendment

A. whereas the European Union should continue to give priority to a rule-based multilateral trading system, established through the WTO,

A. whereas the European Union should continue to give priority to a rule-based multilateral trading system, established through the WTO, *which offers the best prospects for fair and equitable international trade by establishing appropriate rules and ensuring*

compliance with them,

Or. en

Amendment 4
Sajjad Karim

Motion for a resolution
Recital B

Motion for a resolution

B. whereas the Doha Development Agenda (DDA) is of crucial importance to both the European Union and India; *an FTA* does not preclude bilateral WTO+ agreements,

Amendment

B. whereas *a successful and balanced conclusion of the* Doha Development Agenda (DDA) is of crucial importance to both the European Union and India; *and such an agreement* does not preclude bilateral WTO+ agreements *which can be complementary to multilateral rules,*

Or. en

Amendment 5
Kader Arif, Harlem Désir

Motion for a resolution
Recital B

Motion for a resolution

B. whereas the Doha Development Agenda (DDA) is of crucial importance to both the European Union and India; *an FTA does not preclude bilateral WTO+ agreements,*

Amendment

B. whereas the Doha Development Agenda (DDA) is of crucial importance to both the European Union and India,

Or. en

Amendment 6
Sajjad Karim

Motion for a resolution
Recital C

Motion for a resolution

C. whereas political relations with India are based on the 2004 Strategic Partnership, on the 2005 Joint Action Plan and on the 1994 Cooperation Agreement; whereas the FTA should expand upon Article 24 of the Cooperation Agreement,

Amendment

C. whereas political relations with India are based on the 2004 Strategic Partnership, on the 2005 Joint Action Plan ***adopted at the EU-India Summit in September 2005 and revised on the ninth EU-India Summit in Marseille*** and on the 1994 Cooperation Agreement; whereas the FTA should ***build and*** expand upon ***the cooperation already foreseen in*** Article 24 of the Cooperation Agreement,

Or. en

Amendment 7
Sajjad Karim

Motion for a resolution
Recital D

Motion for a resolution

D. whereas, the European Union is India's largest source of Foreign Direct Investment (FDI), with €10,9 billion invested in 2007; the European Union accounted for 65% of all FDI flows into India in 2007; India's FDI into the European Union increased from €0,5 billion in 2006 to €9,5 billion in 2007,

Amendment

D. whereas, the European Union is India's largest source of Foreign Direct Investment (FDI), with €10,9 billion invested in 2007; ***and*** the European Union accounted for 65% of all FDI flows into India in 2007; ***and whereas*** India's FDI into the European Union increased from €0,5 billion in 2006 to €9,5 billion in 2007,

Or. en

Amendment 8
Helmuth Markov

Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

Ea. whereas India's GDP is approximately 6% of the size of the EU's;

whereas the EU's trade with India makes up about 2% of its total trade, while India's trade with the EU represents approximately 20% of its overall trade and studies have predicted that under an FTA with the EU, India's imports will increase far more significantly than its exports; whereas this scenario could increase India's current account deficit and consequently its dependence on external financing;

Or. en

Amendment 9
Kader Arif, Harlem Désir

Motion for a resolution
Recital F

Motion for a resolution

F. *whereas India's trade and regulatory environment still remains comparatively restrictive;* whereas in 2008 the World Bank ranked India 122 (out of 178 economies) in terms of "ease of doing business",

Amendment

F. whereas in 2008 the World Bank ranked India 122 (out of 178 economies) in terms of "ease of doing business",

Or. en

Amendment 10
Sajjad Karim

Motion for a resolution
Recital G

Motion for a resolution

G. whereas as stated in the 2007/8 UNDP Human Development Report, India ranks 128 on the Human Development Index(out of 177 countries), 35% of the Indian population lives on 1\$/day and 80% on less than \$2/day; whereas India ranks 62nd on

Amendment

G. whereas as stated in the 2007/8 UNDP Human Development Report, India ranks 128 on the Human Development Index(out of 177 countries), 35% of the Indian population lives on 1\$/day and 80% on less than \$2/day; whereas India ranks 62nd on

the human poverty index for developing countries among 108 developing countries,

the human poverty index for developing countries among 108 developing countries *for which the index has been calculated; and whereas India has one of the highest incidences of child labour,*

Or. en

Amendment 11

Cristiana Muscardini, Eugenijus Maldeikis, Jan Tadeusz Masiel

Motion for a resolution

Recital G a (new)

Motion for a resolution

Amendment

Ga. whereas imbalances between India's States, and therefore an unbalanced distribution of wealth and national income require the adoption of sound complementary economic policies, including tax harmonization and focusing capacity building efforts on the poorest States, enabling them to use funds,

Or. en

Amendment 12

Sajjad Karim

Motion for a resolution

Recital H

Motion for a resolution

Amendment

H. whereas India is the single largest beneficiary of the Generalised System of Preferences (GSP) scheme; whereas the European Union's preferential imports from India reached €11,3 bn in 2007,

H. whereas India is the single largest beneficiary of the Generalised System of Preferences (GSP) scheme; whereas the European Union's preferential imports from India reached *a value of €11.3bn* in 2007 *compared to € 9.7 bn in 2006,*

Or. en

Amendment 13
Sajjad Karim

Motion for a resolution
Recital I

Motion for a resolution

I. whereas both parties reaffirm their commitment for tariff reductions, progressive reciprocal liberalisation of establishment and trade in services; whereas **therefore** the FTA should address issues of investment;

Amendment

I. whereas both parties reaffirm their **respective** commitments for tariff reductions, progressive reciprocal liberalisation of establishment and trade in services; **and** whereas the FTA should **also** address issues of investment;

Or. en

Amendment 14
Erika Mann

Motion for a resolution
Recital I

Motion for a resolution

I. whereas both parties reaffirm their commitment for tariff reductions, **progressive reciprocal** liberalisation of establishment and trade in services; **whereas therefore the FTA should address issues of investment,**

Amendment

I. whereas both parties reaffirm their commitment for tariff reductions, **further** liberalisation of establishment and trade in services, **investment shall be undertaken carefully and with great care and shall be evaluated carefully,**

Or. en

Amendment 15
Kader Arif, Harlem Désir

Motion for a resolution
Recital I

Motion for a resolution

I. whereas both parties reaffirm their commitment for tariff reductions, progressive reciprocal liberalisation of establishment and trade in services;

Amendment

I. whereas both parties reaffirm their commitment for tariff reductions, progressive reciprocal liberalisation of

whereas therefore the FTA should address issues of investment,

establishment and trade in services;

Or. en

Amendment 16
Kader Arif, Harlem Désir

Motion for a resolution
Recital J

Motion for a resolution

J. whereas market access *is being hampered by Non-tariff Barriers to Trade (NTBs) such as health and safety requirements or technical barriers, quantitative restrictions, conformity procedures, trade defence mechanisms, customs procedures, internal taxation, and a failure to adopt international norms and standards,*

Amendment

J. whereas market access *needs to be accompanied by transparent and adequate rules and standards to assure that trade liberalisation is beneficial,*

Or. en

Amendment 17
Frithjof Schmidt

Motion for a resolution
Recital J

Motion for a resolution

J. whereas market access *is being hampered by Non-tariff Barriers to Trade (NTBs) such as health and safety requirements or technical barriers, quantitative restrictions, conformity procedures, trade defence mechanisms, customs procedures, internal taxation, and a failure to adopt international norms and standards,*

Amendment

J. whereas market access *for both sides is to be regarded in relation to sometimes arbitrary Non-tariff Barriers to Trade (NTBs) or technical barriers and a failure to adopt international norms and standards; whereas NTBs or technical barriers often aim at upholding health, social and environmental standards and therefore constitute legitimate barriers to trade,*

Or. en

Amendment 18

Erika Mann

Motion for a resolution

Recital J

Motion for a resolution

J. whereas market access is being hampered by Non-tariff Barriers to Trade (NTBs) such as health and safety requirements or technical barriers, quantitative restrictions, conformity procedures, trade defence mechanisms, customs procedures, internal taxation, and a failure to adopt international norms and standards,

Amendment

J. whereas market access is being hampered by Non-tariff Barriers to Trade (NTBs) such as health and safety requirements or technical barriers, quantitative restrictions, conformity procedures, trade defence mechanisms, customs procedures, internal taxation, and a failure to adopt international norms and standards *in all areas*,

Or. en

Amendment 19

Erika Mann

Motion for a resolution

Recital K

Motion for a resolution

K. whereas account should be duly taken of the elements on recognition, suitable and effective protection, implementation and enforcement of Intellectual Property Rights (IPRs),

Amendment

K. whereas *even more* account should be duly taken of the elements on recognition, suitable and effective protection, implementation and enforcement of Intellectual Property Rights (IPRs),

Or. en

Amendment 20

Sajjad Karim

Motion for a resolution

Recital K

Motion for a resolution

K. whereas account should be duly taken of the elements on recognition, suitable and effective protection, implementation and enforcement of Intellectual Property Rights (IPRs),

Amendment

K. whereas account should be duly taken of the elements on recognition, suitable and effective protection, implementation and enforcement of Intellectual Property Rights (IPRs), ***including patents, trade or service marks, copyright and similar rights, geographical indications (including marks of origin), industrial design and integrated circuit topographic,***

Or. en

Amendment 21
Ignasi Guardans Cambó

Motion for a resolution
Recital K a (new)

Motion for a resolution

Amendment 22
Sajjad Karim

Motion for a resolution
Recital M

Motion for a resolution

M. whereas according to the 2008 Global Hunger Index, India ranks 66 out of 88 nations (developing countries and countries

Amendment

Ka. whereas India is one of the major sources of counterfeit medicines seized by the customs services of the European Member States (30% of the total); considering that substandard and counterfeit medicines favour drug resistance, and increase morbidity and mortality,

Or. en

Amendment

M. whereas according to the 2008 Global Hunger Index, India ranks 66 out of 88 nations (developing countries and countries

in transition),

in transition); *and whereas the India Hunger Index found that not a single state in India falls in the "low hunger" or "moderate hunger" categories; twelve states fall in the "alarming" category; four states - Punjab, Kerala, Haryana and Assam - fall in the "serious" category,*

Or. en

Amendment 23
Sajjad Karim

Motion for a resolution
Recital N

Motion for a resolution

N. whereas the FTA should include commitments on social and environmental standards and sustainable development,

Amendment

N. whereas the FTA should include commitments on social and environmental standards and sustainable development *and effective implementation of internationally agreed standards in the social and environmental domain as a necessary condition to support the promotion of decent work through effective domestic implementation of International Labour Organisation (ILO) core labour standards,*

Or. en

Amendment 24
Frithjof Schmidt

Motion for a resolution
Recital N

Motion for a resolution

N. whereas the FTA should include commitments on social and environmental standards and sustainable development,

Amendment

N. whereas the FTA should include *binding and enforceable* commitments on social and environmental standards and sustainable development,

Amendment 25
Frithjof Schmidt

Motion for a resolution
Recital O

Motion for a resolution

O. whereas studies *show that the more ambitious the FTA, the more positive economic effects for both EU and India,*

Amendment

O. whereas studies *such as the Global Analysis Report for the EU-India Trade Sustainability Impact Assessment by Ecorys, CUTS International and Centad (2008) predict ambiguous economic effects such as an increase in inequality in India, including significant job losses in key sectors in India, as well as declines in overall real income and private household consumption,*

Amendment 26
Erika Mann

Motion for a resolution
Recital O

Motion for a resolution

O. whereas studies show that the more ambitious the FTA, the more positive economic effects for both EU and India,

Amendment

deleted

Amendment 27
Kader Arif, Harlem Désir

Motion for a resolution
Recital O

Motion for a resolution

Amendment

O. whereas studies show that the more ambitious the FTA, the more positive economic effects for both EU and India,

deleted

Or. en

Amendment 28
Daniel Caspary

Motion for a resolution
Recital P

Motion for a resolution

Amendment

P. in der Erwägung, dass Indien den Vertrag über die Nichtverbreitung von Atomwaffen nicht unterzeichnet hat; die Gruppe der Kernmaterial-Lieferländer das Atomembargo gegen Indien aufgehoben hat; das Abkommen über die Zusammenarbeit zwischen den USA und Indien bei der zivilen Nutzung von Atomkraft vom US-amerikanischen Kongress gebilligt wurde,

entfällt

Or. de

Amendment 29
Sajjad Karim

Motion for a resolution
Recital Q

Motion for a resolution

Amendment

Q. whereas a Horizontal Aviation Agreement *and a revised Joint Action Plan* were adopted at the 9th EU- India Summit; whereas the European Business and Technology Centre in India has been established,

Q. whereas a Horizontal Aviation Agreement *was signed* at the 9th EU- India Summit *in Marseille and India ranked 11th in terms of passenger traffic between the EU and non- EU countries; and whereas the EU and India adopted a revised Joint Action Plan extending the*

strategic partnership of 2005 to new areas; and whereas the European Business and Technology Centre in India has been established,

Or. en

Amendment 30
Sajjad Karim

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Believes that the FTA should be comprehensive, compatible with and complementary to the WTO rules and obligations; *the* DDA remains both the European Union's and India's trade priority;

Amendment

1. Believes that the FTA should be comprehensive, ***balanced***, compatible with and complementary to the WTO rules and obligations; ***considers that a successful*** DDA remains both the European Union's and India's trade priority, ***and that negotiations with India on the FTA be thus complementary to multilateral rules;***

Or. en

Amendment 31
Erika Mann

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Believes that the FTA should be comprehensive, compatible with and complementary to the WTO rules and obligations; the DDA remains ***both*** the European Union's ***and India's*** trade priority;

Amendment

1. Believes that the FTA should be comprehensive, compatible with and complementary to the WTO rules and obligations; the DDA remains the European Union's trade priority;

Or. en

Amendment 32
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Believes that the FTA should be **comprehensive**, compatible with **and complementary to** the WTO rules and obligations; the DDA remains both the European Union's and India's trade priority;

Amendment

1. Believes that the FTA should be compatible with the WTO rules and obligations; the DDA remains both the European Union's and India's trade priority;

Or. en

Amendment 33
Helmuth Markov

Motion for a resolution
Paragraph 1

Motion for a resolution

1. spricht sich für **ein umfassendes**, mit den WTO-Regeln und -Verpflichtungen im Einklang **stehendes** und diese **ergänzendes Freihandelsabkommen** aus; ist der Ansicht, dass die Entwicklungsagenda von Doha sowohl für die Europäische Union als auch für Indien handelspolitisch weiterhin oberste Priorität genießt;

Amendment

1. spricht sich für **umfassende**, mit den WTO-Regeln und -Verpflichtungen im Einklang **stehende** und diese **ergänzende Wirtschaftsbeziehungen** aus; ist der Ansicht, dass die Entwicklungsagenda von Doha sowohl für die Europäische Union als auch für Indien handelspolitisch weiterhin oberste Priorität genießt;

Or. de

Amendment 34
Vittorio Agnoletto

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Is very concerned by the lack of transparency and democracy in this

process of negotiation; considers that the text of the negotiations should be made public, and a transparent, accountable and consultative negotiation process should be adopted before continuing any negotiation;

Or. en

Amendment 35
Christofer Fjellner

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Europaparlamentet påminner om att det strategiska partnerskapet mellan EU och Indien grundas på gemensamma principer och värderingar, vilket speglas i 1994 års samarbetsavtal mellan EG och Indien samt den gemensamma handlingsplanen från 2005. Det nya frihandelsavtalet grundat på konkurrenskraft bör komplettera 1994 års samarbetsavtal, ***som det bör vara rättsligt och institutionellt kopplat till;***

Amendment

2. Europaparlamentet påminner om att det strategiska partnerskapet mellan EU och Indien grundas på gemensamma principer och värderingar, vilket speglas i 1994 års samarbetsavtal mellan EG och Indien samt den gemensamma handlingsplanen från 2005. Det nya frihandelsavtalet grundat på konkurrenskraft bör komplettera 1994 års samarbetsavtal;

Or. sv

Amendment 36
Erika Mann

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; ***is disappointed with the slow pace of negotiations; calls for both parties to conclude a comprehensive, ambitious and***

Amendment

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; ***is optimistic for the long term but remains cautious for the short term to conclude an FTA soon;***

balanced FTA by the end of 2009;

Or. en

Amendment 37
Helmuth Markov

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; *is disappointed with the slow pace of negotiations; calls for both parties to conclude a comprehensive, ambitious and balanced FTA by the end of 2009;*

Amendment

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; *encourages the negotiating parties not to set artificial deadlines on the negotiations but to ensure that sufficient time is taken for more thorough consultations with key stakeholders including parliamentarians and civil society in India as well as in Europe, so that any final agreement is a balanced one that takes account of the interests and perspectives of all affected stakeholders;*

Or. en

Amendment 38
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; *is disappointed with the slow pace of negotiations; calls for both parties to conclude a comprehensive, ambitious and balanced FTA by the end of 2009;*

Amendment

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; *encourages the negotiating parties to ensure that sufficient time is taken for more thorough consultations with key stakeholders including parliamentarians*

in India as well as in Europe, in order to ensure a balanced agreement which takes into account the interests and perspectives of all affected stakeholders;

Or. en

Amendment 39
Sajjad Karim

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; recalls the pledge of the European Union and India to accelerate FTA talks; is disappointed with the slow pace of negotiations; calls for both parties to conclude a comprehensive, ambitious and balanced FTA by the end of 2009;

Amendment

3. Welcomes the outcome of the 9th EU-India Summit and the revised Joint Action Plan; ***notably the signing of the horizontal civil aviation agreement; the approval of a joint working programme on energy, clean development and climate change; welcomes also the approval of a revised Joint Action Plan adding new areas of cooperation including solar energy and civilian nuclear research***; recalls the pledge of the European Union and India to accelerate FTA talks ***and to make substantive and efficient progress for the early conclusion of an ambitious and balanced, broad based trade and investment agreement***; is disappointed with the slow pace of negotiations; calls for both parties to conclude a comprehensive, ambitious and balanced FTA by the end of 2009;

Or. en

Amendment 40
Sajjad Karim

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Points to the future potential for an increase in EU-India trade and investment; considers the EU- India FTA as win-win scenario;

Amendment

5. ***Based on the complementarities of both economies***, points to the future potential for an increase in EU-India trade and investment ***between the EU and India and enormous business opportunities arising from the FTA***; considers the EU- India FTA as win-win scenario;

Or. en

Amendment 41

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Points to the future potential for an increase in EU-India trade and investment; ***considers the EU- India FTA as win-win scenario***;

Amendment

5. Points to the future potential for an increase in EU-India trade and investment; ***underlines that the agreement must ensure that this increase in trade brings benefits to the widest number of people, as well as to the environment and allows the achievement of India's millennium development goals***;

Or. en

Amendment 42

Erika Mann

Motion for a resolution

Paragraph 5

Motion for a resolution

5. Points to the future potential for an increase in EU-India trade and investment; considers the EU- India FTA as win-win scenario;

Amendment

5. Points to the future potential for an increase in EU-India trade and investment; considers the EU- India FTA ***overall as a win-win scenario; but recommends to evaluate the existing sector-specific***

difficulties;

Or. en

Amendment 43
Helmuth Markov

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Points to the future potential for an increase in EU-India trade and investment; ***considers the EU- India FTA as win-win scenario;***

Amendment

5. Points to the future potential for an increase in EU-India trade and investment; ***underlines that the agreement must contain instruments to ensure that this increase in trade brings benefits to the widest number of people, as well as to the environment, and does not mitigate against the Indias's achievement of the millennium development goals;***

Or. en

Amendment 44
Helmuth Markov

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

5a. Encourages the parties also to address the potential disadvantages of the FTA and the ways in which human development and gender equity may be adversely affected by the rapid opening of markets; recognises the right of governments to maintain necessary policy space and regulatory capacities to shape economic and social policies that serve the most vulnerable of their people, including trade measures to protect weak economic actors;

Amendment 45
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Recognises the right of governments to maintain necessary policy space and regulatory capacities to shape economic and social policies that serve the most vulnerable of their people, including trade measures to protect weak economic actors;

Or. en

Amendment 46
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 5 b (new)

Motion for a resolution

Amendment

5b. Stresses that an agreement should include a continued monitoring and comprehensive review system, in order to determine the socio-economic impact of the Agreement; calls for provisions of the agreement to be adjusted in line with the conclusions of this review;

Or. en

Amendment 47
Helmuth Markov

Motion for a resolution
Paragraph 5 b (new)

Motion for a resolution

Amendment

5b. Underlines the necessity of a transparent negotiations process, calls therefore on the European Commission to publish negotiation documents and to consult with the parliament and the civil society during the negotiating process;

Or. en

Amendment 48
Helmuth Markov

Motion for a resolution
Paragraph 5 c (new)

Motion for a resolution

Amendment

5c. Stresses that an agreement should include a continued monitoring and comprehensive review system, in order to observe the socio-economic impact of the Agreement, including the costs and consequences of implementation and, if necessary, to amend provisions of the Agreement and to adjust their application;

Or. en

Amendment 49
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 5 c (new)

Motion for a resolution

Amendment

5c. Asks the Commission to include an ambitious sustainable development chapter as an essential part of the agreement and subject to the standard dispute settlement mechanism;

Amendment 50
Sajjad Karim

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Stresses that bilateral trade is expected to exceed €70.7 billion by 2010 and €160.6 billion by 2015;

Amendment

6. Welcomes the results of many free trade simulations which show that FTA would increase overall exports and imports for both the EU and India; stresses that *at the existing average growth rate*, bilateral trade is expected to exceed €70.7 billion by 2010 and €160.6 billion by 2015;

Or. en

Amendment 51
Sajjad Karim

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Regrets that India maintains the principle of asymmetry; urges the Commission to push for a reciprocal, symmetrical FTA;

Amendment

7. Regrets that India maintains *its position as regards* the principle of asymmetry; urges the Commission to push for a reciprocal *and* symmetrical FTA *which is in line with the commitments as agreed in the High Level Trade Group*;

Or. en

Amendment 52
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. *Regrets that India maintains the principle of asymmetry; urges the Commission to push for a reciprocal, symmetrical FTA;*

deleted

Or. en

**Amendment 53
Erika Mann**

**Motion for a resolution
Paragraph 7**

Motion for a resolution

Amendment

7. *Regrets* that India maintains the principle of asymmetry; *urges* the Commission to *push for a reciprocal, symmetrical* FTA;

7. *Notes* that India maintains the principle of asymmetry; *requests from* the Commission to *evaluate the impact for the European Union of an asymmetric* FTA;

Or. en

**Amendment 54
Vittorio Agnoletto**

**Motion for a resolution
Paragraph 7**

Motion for a resolution

Amendment

7. *Regrets that India maintains the principle of asymmetry; urges the Commission to push for a reciprocal, symmetrical* FTA;

7. *Stresses the commitments must reflect the different levels of social and economical development of the two parties;*

Or. en

Amendment 55
Frithjof Schmidt

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Regrets that India maintains the principle of asymmetry; urges the Commission to push for a reciprocal, symmetrical FTA;

Amendment

7. Stresses that commitments must reflect the different levels of social and economic development of the two parties, including principles of asymmetric market opening;

Or. en

Amendment 56
Helmuth Markov

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Notes India's decreased average applied tariffs; stresses that these levels remain a genuine problem for European industry;

Amendment

8. Notes India's decreased average applied tariffs;

Or. en

Amendment 57
Cristiana Muscardini, Eugenijus Maldeikis, Jan Tadeusz Masiel

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Notes India's decreased average applied tariffs; stresses that these levels remain a genuine problem for European industry;

Amendment

8. Notes India's decreased average applied tariffs; stresses that these levels remain a genuine problem for European industry; calls on India to bind its imports tariffs as levels closer to its applied rates within the context of the DDA and to make further efforts in removing part of the existing non tariff barriers;

Amendment 58
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Notes India's decreased average applied tariffs; ***stresses that these levels remain a genuine problem for European industry;***

Amendment

8. Notes India's decreased average applied tariffs;

Or. en

Amendment 59
Sajjad Karim

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Notes India's ***decreased*** average applied tariffs; stresses that these levels remain a genuine problem for European industry;

Amendment

8. Notes ***that*** India's average applied tariffs ***have decreased to levels that are now comparable with other countries in Asia; notably, India's average applied tariff is now 14.5% but compared to an EU average of 4.1%*** stresses that ***overall*** these levels remain a genuine problem for European industry;

Or. en

Amendment 60
Sajjad Karim

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Considers it important that the FTA

Amendment

9. Considers it important that the FTA

confirms the provisions of the Agreement on Technical Barriers to Trade and the Sanitary and Phytosanitary Agreement; calls on the Commission to address outstanding issues such as animal welfare;

confirms the provisions of the Agreement on Technical Barriers to Trade and the Sanitary and Phytosanitary Agreement; calls on the Commission *in this regard* to address outstanding issues such as animal welfare;

Or. en

Amendment 61
Sajjad Karim

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures; stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs do not *get* in the way of trade;

Amendment

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates *for exporting fruits to the EU, lack of recognition of VAT* and *costly* conformity procedures *for CE mark, and* stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs do not *unnecessarily stay* in the way of trade; *calls on both the EU and India to work more closely in their different working groups towards enhancing a more transparent framework for technical regulations and standards;*

Or. en

Amendment 62
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Notes that India is concerned about the lack of harmonisation of micro-

Amendment

deleted

biological standards in the EU, implications of REACH, costly certificates and conformity procedures; stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs do not get in the way of trade;

Or. en

Amendment 63
Vittorio Agnoletto

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures; *stresses that these issues must be resolved in the FTA, calls on both parties to ensure that regulation and NTB's do not get in the way of trade;*

Amendment

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures *but considers that necessary reasonable and justified regulations, on both sides, are in no way an obstacle for the increase of trade exchanges;*

Or. en

Amendment 64
Frithjof Schmidt

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Notes that India is concerned about *the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures; stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs do not get in the way of trade;*

Amendment

10. Notes that India is concerned about *NTBs maintained in the EU; calls on the Commission to provide technical assistance to support Indian producers in their efforts to reach EU standards, in particular concerning health, environmental and social dimensions of production, thus creating win-win*

situations;

Or. en

Amendment 65

Erika Mann

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures; stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs *do not get in the way of trade;*

Amendment

10. Notes that India is concerned about the lack of harmonisation of micro-biological standards in the EU, implications of REACH, costly certificates and conformity procedures; stresses that these issues must be resolved in the FTA; calls on both parties to ensure that regulation and NTBs *are managed in such a way that trade overall is not hampered;*

Or. en

Amendment 66

Erika Mann

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Acknowledges that India's standards regime is still evolving; calls on the Bureau of Indian Standards to raise its standards in line with international standards and to increase transparency by improving its testing and certification procedures;

Amendment

11. Acknowledges that India's standards regime is still evolving; calls on the Bureau of Indian Standards to raise its standards in line with international standards and to increase transparency by improving its testing and certification procedures; *is concerned about the implementation and monitoring of Sanitary & Phytosanitary measures and standards;*

Or. en

Amendment 67

Tokia Saïfi

Motion for a resolution

Paragraph 11

Motion for a resolution

11. reconnaît que le régime normatif de l'Inde est toujours en évolution; demande au Bureau indien de normalisation de mettre ses normes au niveau des normes internationales et de faire preuve d'une plus grande transparence en améliorant ses procédures d'essai et de certification;

Amendment

11. reconnaît que le régime normatif de l'Inde est toujours en évolution; demande au Bureau indien de normalisation ***et à l'Organisation Centrale du Contrôle des standards du médicament (CDSO)*** de mettre ses normes au niveau des normes internationales et de faire preuve d'une plus grande transparence en améliorant ses procédures d'essai et de certification; ***invite la Commission à fournir un soutien adéquat au renforcement des capacités et de ressources humaines qualifiées au sein des organismes de réglementation indiens;***

Or. fr

Amendment 68

Sajjad Karim

Motion for a resolution

Paragraph 11

Motion for a resolution

11. Acknowledges that India's standards regime is still evolving; calls on the Bureau of Indian Standards to raise its standards in line with international standards and to increase transparency by improving its testing and certification procedures;

Amendment

11. Acknowledges that India's standards regime is still evolving; calls on the Bureau of Indian Standards to raise its standards in line with international standards and to increase transparency ***in the formulation of standards,*** by improving its testing and certification procedures;

Or. en

Amendment 69
Daniel Caspary

Motion for a resolution
Paragraph 11

Motion for a resolution

11. räumt ein, dass das Normenwesen in Indien noch in der Entwicklung befindlich ist; fordert das Bureau of Indian Standards auf, seine Normen auf *das Niveau* internationaler Normen anzuheben und durch Verbesserung der Prüf- und Zertifizierungsverfahren die Transparenz zu erhöhen;

Amendment

11. räumt ein, dass das Normenwesen in Indien noch in der Entwicklung befindlich ist; fordert das Bureau of Indian Standards auf, seine Normen auf *Basis* internationaler Normen anzuheben und durch Verbesserung der Prüf- und Zertifizierungsverfahren die Transparenz zu erhöhen;

Or. de

Amendment 70
Daniel Caspary

Motion for a resolution
Paragraph 12

Motion for a resolution

12. betont, dass das FHA einen verbindlichen zwischenstaatlichen Mechanismus zur Streitbeilegung, Bestimmungen zur Mediation im Falle nichttarifärer Hemmnisse, zu Antidumping-Maßnahmen und zur Verhängung von Ausgleichszöllen sowie eine allgemeine Ausnahmeklausel auf der Grundlage von Artikel XX und XXI des GATT vorsieht;

Amendment

12. betont, dass das FHA einen verbindlichen zwischenstaatlichen Mechanismus zur Streitbeilegung, Bestimmungen zur Mediation im Falle nichttarifärer Hemmnisse, zu Antidumping-Maßnahmen und zur Verhängung von Ausgleichszöllen sowie eine allgemeine Ausnahmeklausel auf der Grundlage von Artikel XX und XXI des GATT vorsieht; *betont, dass FHA einen freien und fairen Handel fördern sollte und zum Abbau von Protektionismus führen sollte;*

Or. de

Amendment 71

Glyn Ford

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Calls for priority to be given to tariff reductions on 'Fairtrade' and sustainable products with the appropriate amendment of EU custom codes;

Or. en

Amendment 72

Glyn Ford

Motion for a resolution

Paragraph 12 b (new)

Motion for a resolution

Amendment

12b. With the rising volumes of counterfeit goods arriving in the EU asks that the Indian Authorities allow EU customs inspectors to observe and monitor landing of ships for the EU in Indian Ports;

Or. en

Amendment 73

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 13

Motion for a resolution

Amendment

13. Recognises that services are the fastest growing sector of the Indian economy; notes that India has offensive interests in GATS Mode 1 and Mode 4 liberalisation; the European Union would like to complete liberalisation in market access

13. Recognises that services are the fastest growing sector of the Indian economy; notes that India has offensive interests in GATS Mode 1 and Mode 4 liberalisation; the European Union would like to complete liberalisation in market access

and national treatment in Mode 3 in most services, *the removal of Foreign Investment Promotion Board approval and allowing subsidiaries in the financial sector to be wholly-owned;*

and national treatment in Mode 3 in most services;

Or. en

Amendment 74
Vittorio Agnoletto

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. points out that service liberalisation must in no way hinder the right to regulate services, and especially to maintain and develop strong public services, an essential element for development, social justice and democracy;

Or. en

Amendment 75
Sajjad Karim

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Notes that bilateral trade in services is expected to exceed €205.5 billion by 2015;

14. Notes that *according to the Federation of Indian Chambers of Commerce and Industry* bilateral trade in services is expected to exceed €246.8 billion by 2015 *by the time FTA in Services is implemented;*

Or. en

Amendment 76
Sajjad Karim

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Notes that the trade in services between the EU and India is relatively unbalanced; the EU's exports to India 1.5% of its services, while India export to the EU 9.2% of all its own exports;

Or. en

Amendment 77
Sajjad Karim

Motion for a resolution
Paragraph 15

Motion for a resolution

Amendment

15. Points out that India's services suffer from a range of horizontal barriers; stresses that the challenge for the FTA is not only to accelerate liberalisation in India's services sectors, but also to facilitate the implementation of a range of complementary reforms;

15. Points out that ***in general*** India's services suffer from a range of horizontal barriers ***such as archaic laws, multiplicity of rules and regulations, inconsistent practices across states and multiplicity of contact points at different levels of bureaucracy, regulatory gaps, public sector bias and limits on foreign investment and ownership and***; stresses that the challenge for the FTA is not only to accelerate liberalisation in India's services sectors, but also to facilitate the implementation of a range of complementary reforms ***designed to improve the quality of regulation***;

Or. en

Amendment 78

Erika Mann

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Points out that India's services suffer from a range of horizontal barriers; stresses that the challenge for the FTA is ***not only to accelerate liberalisation in India's services sectors, but also*** to facilitate the implementation of a range of complementary reforms;

Amendment

15. Points out that India's services suffer from a range of horizontal barriers; stresses that the challenge for the FTA is to facilitate the implementation of a range of complementary reforms;

Or. en

Amendment 79

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Points out that India's services suffer from a range of horizontal barriers; stresses that the challenge for the FTA is not only to accelerate liberalisation in India's services sectors, but also to facilitate the implementation of a range of complementary reforms;

Amendment

deleted

Or. en

Amendment 80

Daniel Caspary

Motion for a resolution

Paragraph 15

Motion for a resolution

15. weist darauf hin, dass der Dienstleistungssektor in Indien mit einer

Amendment

15. weist darauf hin, dass der Dienstleistungssektor in Indien mit einer

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Reihe horizontaler Hemmnisse behaftet ist; betont, dass es beim FHA nicht nur darauf ankommt, die Liberalisierung im indischen Dienstleistungssektor zu beschleunigen, sondern auch darum geht, die Durchführung einer Reihe ergänzender Reformen zu erleichtern;

Reihe horizontaler Hemmnisse behaftet ist; betont, dass es beim FHA nicht nur darauf ankommt, die Liberalisierung im indischen Dienstleistungssektor zu beschleunigen, sondern auch darum geht, die Durchführung einer Reihe ergänzender Reformen zu erleichtern, **betont die Wichtigkeit eines verlässlichen und transparenten Dienstleistungssektors**;

Or. de

Amendment 81
Christofer Fjellner

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Europaparlamentet beklagar att Indien fortfarande har restriktioner, i genomsnittligt max 49 procent för utländskt ägande, i distributions- och säkerhetssektorn;

Or. sv

Amendment 82
Helmuth Markov

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Points out that services liberalisation must in no way hinder the right to regulate services, especially to develop and maintain strong public services;

Or. en

Amendment 83

Erika Mann

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Encourages India to develop **appropriate** data protection legislation to allow transfer of personal data from the EU;

Amendment

16. Encourages India to develop **state of the art** data protection legislation to allow **or enable** transfer of personal data from the EU **on the basis of European/International legislation**;

Or. en

Amendment 84

Sajjad Karim

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Encourages India to develop appropriate data protection legislation to allow transfer of personal data from the EU;

Amendment

16. Encourages India to develop appropriate data protection legislation **which would enable India to achieve the status of a country with adequate level of protection** to allow transfer of personal data from the EU;

Or. en

Amendment 85

Sajjad Karim

Motion for a resolution

Paragraph 17

Motion for a resolution

17. In telecoms, welcomes the relaxation of foreign ownership restrictions; regrets that domestic policy restraints still remain; calls for a relaxation of the licensing restrictions

Amendment

17. **Notes that India is the fifth largest telecom services market in the world and that telecom market has grown at about 25% p.a. over the last 5 years**; in telecoms, welcomes the relaxation of foreign

on service providers;

ownership restrictions; **but** regrets that domestic policy restraints still remain; calls **therefore** for a relaxation of the licensing restrictions on service providers; **and to remove policy uncertainty on tariff and inter-connect regimes as well as need to replace the old laws governing the sector with new forward looking legislation that incorporates cyber laws and new licensing;**

Or. en

Amendment 86
Sajjad Karim

Motion for a resolution
Paragraph 18

Motion for a resolution

18. Considers that the telecom and IT sectors are major drivers of the Indian economy; notes that India perceives high and different mobile termination rates as a hindrance to entering the single market; calls on the Commission and Member States to address this issue in the FTA;

Amendment

18. Considers that the telecom and IT sectors are major drivers of the Indian economy **and that India is to be made a hub for telecom manufacturing by facilitating telecom specific SEZs; stresses that there are enormous opportunities in the manufacturing sector;** notes that India perceives high and different mobile termination rates as a hindrance to entering the single market; calls on the Commission and Member States to address this issue in the FTA;

Or. en

Amendment 87
Ignasi Guardans Cambó

Motion for a resolution
Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. Concerning the satellite sector, calls

upon India to engage in dialogue with and open its market to European companies in order to:

(a) Better support national development objectives and meet ever-increasing domestic demand for Direct-To-Home TV and broadband services, and

(b) Overcome security concerns around mobile satellite services with new technical solutions that provide national authorities with more than adequate control over mobile satellite communications.

Or. en

Amendment 88

Erika Mann

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition;

Amendment

deleted

Or. en

Amendment 89

Helmuth Markov

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition;

Amendment

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition; *reminds at the same time the importance of strong and well designed rules and regulations*

for financial services and control of international financial transactions;

Or. en

Amendment 90
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition;

Amendment

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition; ***reminds at the same time the importance of a strong and well-designed rules and regulations for financial services and control of international financial transactions;***

Or. en

Amendment 91
Sajjad Karim

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition;

Amendment

19. Notes that India is gradually liberalising its banking sector; encourages India to allow more competition ***notably by attributing more branches to European banks, including in the rural areas;***

Or. en

Amendment 92
Sajjad Karim

Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Encourages India to modify the proposed draft postal bill which would seriously reduce current market access opportunities for express service providers and regrets that new restrictions reducing current opportunities to self-handle at airports will be enforced as from 1 July 2009; invites the Commission to seek full commitments from India on express services as well as on self-handling for express cargo carriers at airports with view to safeguard market access opportunities also in the future;

Or. en

Amendment 93
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Points out that services liberalisation must in no way hinder the right to regulate services, especially to develop and maintain strong public services;

Or. en

Amendment 94
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 20

Motion for a resolution

20. **Welcomes** the Indian pledge to allow foreign law firms to operate in India; calls on the Commission **to push for** liberalisation of legal services in the FTA;

Amendment

20. **Notes** the Indian pledge to allow foreign law firms to operate in India; calls on the Commission **to explore with Indian authorities the opportunity and the scope of** liberalisation of legal services in the FTA;

Or. en

Amendment 95
Erika Mann

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Welcomes the Indian pledge to allow foreign law firms to operate in India; calls on the Commission to **push for liberalisation** of legal services in the FTA;

Amendment

20. Welcomes the Indian pledge to allow foreign law firms to operate in India; calls on the Commission to **include** legal services in the FTA;

Or. en

Amendment 96
Sajjad Karim

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Welcomes the Indian pledge to allow foreign law firms to operate in India; calls on the Commission to push for liberalisation of legal services in the FTA;

Amendment

20. Welcomes the Indian pledge to allow foreign law firms to operate in India **as this opening will bring significant benefits for the Indian economy and legal profession, as well as for European law firms, who have expertise in international law, and for their clients**; calls on the Commission to push for liberalisation of legal services in the FTA;

Amendment 97
Sajjad Karim

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

Amendment

20a. Encourages India to liberalise the insurance sector and increase the equity cap up to 49% minimum so as to allow the development of this important sector for the development of the Indian economy;

Or. en

Amendment 98
Sajjad Karim

Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. Notes that the full ambition of the FTA cannot be achieved without commitments in Mode 4;

21. Notes that the full ambition of the FTA cannot be achieved without commitments in Mode 4; ***stresses that there are huge benefits to nation-wide and EU-wide accreditation of professional qualifications and agreements on mutual recognition and licensing requirements within professional services in both the EU and India, which could be easily covered by the FTA;***

Or. en

Amendment 99
Erika Mann

Motion for a resolution
Paragraph 21

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Motion for a resolution

21. Notes that the full ambition of the FTA cannot be achieved without **commitments** in Mode 4;

Amendment

21. Notes that the full ambition of the FTA cannot be achieved without **relevant achievements for India** in Mode 4 areas; **nevertheless requests a thorough analysis for the individual member states of the EU**;

Or. en

Amendment 100

Erika Mann

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Requests from India a more open approach in granting visas to citizens and business and political professionals from the European Union with multiple entries and minimum one year duration;

Or. en

Amendment 101

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Reminds that investments need to be accompanied by well-designed rules and regulations; reaffirms in this context its resolution of 13 March 2007 on corporate social responsibility (2006/2133(INI)) and asks the Commission to make sure that EU-based transnational companies with production facilities in India abide by core ILO standards, social and

environmental covenants and international agreements to achieve a worldwide balance between economic growth and higher social and environmental standards;

Or. en

Amendment 102
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. Recognises that while FTA investment chapters have often come accompanied with commitments to liberalise capital movements and renounce capital controls; asks the Commission to refrain from including such clauses, given the importance of capital controls – especially for developing countries - to mitigate the impacts of the financial crisis;

Or. en

Amendment 103
Sajjad Karim

Motion for a resolution
Paragraph 22

Motion for a resolution

Amendment

22. Calls on the Commission to incorporate a chapter on investment in the FTA ***which could provide for*** a system of a single point of information for investors;

22. Calls on the Commission to incorporate a chapter on investment in the FTA ***being its significant part and enabling thus the process of investing in each others markets much smoother by promoting and protecting investment deals while exploring immediate opportunities; proposes that such an investment***

agreement could provide for setting up a system of single point information for investors of both economies explaining them the differences in investment rules and practices and providing information on all legal aspects;

Or. en

Amendment 104
Sajjad Karim

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Welcomes the establishment of the European Business and Technology Centre;

Amendment

23. Welcomes the establishment of European Business and Technology Centre *in New Delhi which aims to enhance business-to-business and technology co-operation between India and the Member States;*

Or. en

Amendment 105
Helmuth Markov

Motion for a resolution
Paragraph 23 a (new)

Motion for a resolution

23a. Reminds that in order for investment to be beneficial it needs to be accompanied by well-designed rules and regulations; therefore calls on the European Commission to advocate for rules for transnational companies in the agreement to make sure investors respect core ILO standards, social and environmental covenants and international agreements to achieve a balance between economic growth and

higher social and environmental standards;

Or. en

Amendment 106
Helmuth Markov

Motion for a resolution
Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Reminds that while FTA investment chapters have often come accompanied with commitments to liberalise capital movements and renounce capital controls, such clauses should be approached with extreme caution, given the importance of capital controls – especially for developing countries - to mitigate the impacts of the financial crisis;

Or. en

Amendment 107
Erika Mann

Motion for a resolution
Paragraph 24

Motion for a resolution

Amendment

24. *Regrets* that India is not willing to include public procurement in the FTA; *calls on the Commission to negotiate effective and transparent procurement systems;*

24. *Notes* that India is not willing to include public procurement in the FTA;

Or. en

Amendment 108

Daniel Caspary

Motion for a resolution

Paragraph 24

Motion for a resolution

24. bedauert, dass Indien nicht bereit ist, das öffentliche Auftragswesen in das FHA aufzunehmen; fordert die Kommission auf, effektive und transparente Beschaffungssysteme auszuhandeln;

Amendment

24. bedauert, dass Indien nicht bereit ist, das öffentliche Auftragswesen in das FHA aufzunehmen; fordert die Kommission auf, effektive und transparente Beschaffungssysteme auszuhandeln; ***fordert Indien auf, transparente und faire Verfahren bei der Vergabe von öffentlichen Aufträgen anzuwenden und den in Indien niedergelassenen und tätigen EU-Unternehmen Zugang zum öffentlichen Beschaffungswesen zu ermöglichen;***

Or. de

Amendment 109

Frithjof Schmidt

Motion for a resolution

Paragraph 24

Motion for a resolution

24. ***Regrets that India is not willing to include public procurement in the FTA; calls on the Commission to negotiate effective and transparent procurement systems;***

Amendment

24. ***Points out that an agreement should secure the right of governments to continue to use public procurement as an instrument to encourage local economic development;***

Or. en

Amendment 110

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 24

Motion for a resolution

24. **Regrets** that India is not willing to include public procurement in the FTA; **calls on the Commission to negotiate effective and transparent procurement systems;**

Amendment

24. **Notes** that India is not willing to include public procurement in the FTA; ***underlines that an agreement should guarantee and secure the right of states to use government procurement as an instrument to encourage local economic development;***

Or. en

Amendment 111
Sajjad Karim

Motion for a resolution
Paragraph 24

Motion for a resolution

24. Regrets that India is not willing to include public procurement in the FTA; calls on the Commission to negotiate effective ***and transparent*** procurement systems;

Amendment

24. Regrets that India is not willing to include public procurement in the FTA; ***given its significance***, calls on the Commission to negotiate ***on a set of binding rules including adequate transparency provisions that support the setting up of*** effective procurement systems;

Or. en

Amendment 112
Sajjad Karim

Motion for a resolution
Paragraph 25

Motion for a resolution

25. Encourages the implementation of the new Indian competition law; believes that the European Union should incorporate Art 81 and 82 of the Treaty in the FTA to secure commitments on competition

Amendment

25. Encourages the implementation of the new Indian competition law; believes that the European Union should incorporate Art 81 and 82 of the Treaty in the FTA to secure commitments on competition policy

policy;

that would do away with private barriers to entry for importers;

Or. en

Amendment 113

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 25

Motion for a resolution

Amendment

25. Encourages the implementation of the new Indian competition law; believes that the European Union should incorporate Art 81 and 82 of the Treaty in the FTA to secure commitments on competition policy;

deleted

Or. en

Amendment 114

Cristiana Muscardini, Eugenijus Maldeikis, Jan Tadeusz Masiel

Motion for a resolution

Paragraph 25

Motion for a resolution

Amendment

25. Encourages the implementation of the new Indian competition law; believes that the European Union should incorporate Art 81 and 82 of the Treaty in the FTA to secure commitments on competition policy;

25. Is concerned about the huge amount of State subsidies and in particular export subsidies, granted to the Indian companies, which clearly distort competition with the EU partners; in this respect encourages the implementation of the new Indian competition law; believes that the European Union should incorporate Art 81 and 82 of the Treaty in the FTA to secure commitments on competition policy;

Or. en

Amendment 115
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes India's commitment to a strong IPR regime; ***encourages its rigorous implementation and enforcement;***

Amendment

26. Welcomes India's commitment to a strong IPR regime ***and to the use of TRIPS flexibilities to meet its public health obligations, particularly in relation to access to medicines; stresses that these negotiations must come to terms with protecting biodiversity and traditional knowledge;***

Or. en

Amendment 116
Gianluca Susta

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes India's commitment to a strong IPR regime; ***encourages its rigorous implementation and enforcement;***

Amendment

26. Welcomes India's commitment to a strong IPR regime ***and to the use of TRIPS flexibilities to meet its public interest obligations, particularly in relation to access to medicines;***

Or. en

Amendment 117
Ignasi Guardans Cambó

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes India's commitment to a strong IPR regime; encourages its rigorous

Amendment

26. Welcomes India's commitment to a strong IPR regime; encourages its rigorous implementation and enforcement; ***calls on***

implementation and enforcement;

the Commission and the concerned Indian authorities to coordinate actions to address effectively the fight against counterfeiting and, in particular, against counterfeit medicines;

Or. en

Amendment 118
Frithjof Schmidt

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes *India's commitment to a strong IPR regime; encourages its rigorous implementation and enforcement;*

Amendment

26. Welcomes *that IPRs are part of the negotiation; stresses that the protection of biodiversity and traditional knowledge must guide the negotiations;*

Or. en

Amendment 119
Vittorio Agnoletto

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes *India's commitment to a strong IPR regime; encourages its rigorous implementation and enforcement;*

Amendment

26. Considers that *IPR should not be part of the negotiation, unless those are oriented to improve access to medicines, as well as protection of biodiversity and traditional knowledge;*

Or. en

Amendment 120
Sajjad Karim

Motion for a resolution
Paragraph 26

Motion for a resolution

26. Welcomes India's commitment to a strong IPR regime; encourages its rigorous implementation and enforcement;

Amendment

26. Welcomes India's ***firm*** commitment to a strong IPR regime; encourages its rigorous implementation and enforcement;

Or. en

Amendment 121
Sajjad Karim

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Calls on the European Union and India to ensure that TRIPS does not preclude access to essential medicines whilst India is developing its capacity from a generic to a research based industry;

Amendment

27. ***Notes that the pharmaceutical industry is among the most globally competitive industries in India, with over one-third of its output being exported;***
Calls on the European Union and India to ensure that TRIPS does not preclude access to essential medicines whilst India is developing its capacity from a generic to a research based industry;

Or. en

Amendment 122
Christofer Fjellner

Motion for a resolution
Paragraph 27

Motion for a resolution

27. Europaparlamentet uppmanar EU och Indien att se till att ***Trips*** inte utesluter tillgång till viktiga läkemedel under det att Indien utvecklar sin kapacitet från en

Amendment

27. Europaparlamentet uppmanar EU och Indien att se till att ***åtagandena i frihandelsvatalet*** inte utesluter tillgång till viktiga läkemedel under det att Indien

generisk till en forskningsbaserad industri;

utvecklar sin kapacitet från en generisk till en forskningsbaserad industri;

Or. sv

Amendment 123
Vittorio Agnoletto

Motion for a resolution
Paragraph 28

Motion for a resolution

28. Regrets that the Indian Patent Amendment Act does not contain any provision on data exclusivity; notes that lack of data protection and exclusivity are major concern for EU pharmaceutical companies in India;

Amendment

28. Considers that the Commission should not request data exclusivity, -as requested by the pharmaceutical industry-, because that would be a TRIPS + measure that would create another monopoly on medicines, and would be an effective barrier to safe, effective and affordable generics;

Or. en

Amendment 124
Tokia Saïfi

Motion for a resolution
Paragraph 28

Motion for a resolution

28. regrette que la loi modificative sur les brevets adoptée par l'Inde ne comporte pas de dispositions sur *l'exclusivité* des données; remarque que le défaut de protection *et l'absence d'exclusivité* des données est un sujet de grande préoccupation pour les sociétés pharmaceutiques de l'Union européenne présentes en Inde;

Amendment

28. regrette que la loi modificative sur les brevets adoptée par l'Inde ne comporte pas de dispositions sur *la protection* des données; remarque que le défaut de protection des données est un sujet de grande préoccupation pour les sociétés pharmaceutiques de l'Union européenne présentes en Inde; *appelle la Commission européenne à engager des discussions sur le sujet pour répondre à cette préoccupation tout en sollicitant les entreprises pharmaceutiques européennes à développer des partenariats public privé*

afin de répondre aux besoins de santé publique; accueille favorablement l'engagement de l'Inde visant à accroître la part de ses dépenses publiques en matière de santé et encourage cette tendance afin d'assurer un accès adéquat, à des services de soins de santé efficaces, notamment dans les zones rurales;

Or. fr

Amendment 125
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 28

Motion for a resolution

Amendment

28. Regrets the Indian Patent Amendment Act does not contain any provisions on data exclusivity; notes that lack of data protection and exclusivity are of major concern for EU pharmaceutical companies in India;

deleted

Or. en

Amendment 126
Kader Arif, Harlem Désir

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution

Amendment

28a. Calls on the European Union and India to jointly fund and support measures and initiatives such as prize funds, patent pools and other alternative mechanisms, in order to support access to and innovation in medicines, particularly for neglected diseases;

Or. en

Amendment 127

Gianluca Susta

Motion for a resolution

Paragraph 28 a (new)

Motion for a resolution

Amendment

28a. Calls on the European Union and India to jointly fund and support measures and initiatives such as prize funds, patent pools and other alternative mechanisms that ensure innovation in medicine, relevant to neglected diseases and to ensure access to medicines;

Or. en

Amendment 128

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 29

Motion for a resolution

Amendment

29. Calls on the European Union and India to ensure that FDI is not encouraged at the cost of lowering environmental, core labour, **or** occupational health and safety legislation and standards;

29. Calls on the European Union and India to ensure that **trade and** FDI is not encouraged at the cost of lowering **either** environmental **standards or** core labour, occupational health and safety legislation and standards; **ensuring the adequate capacity to monitor labour market and environmental developments including the observance of such standards is indispensable;**

Or. en

Amendment 129

Kader Arif, Harlem Désir

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29a. Asks for the ratification and effective application of the basic conventions of the International Labour Organisation (ILO);

Or. en

Amendment 130

Cristiana Muscardini, Eugenijus Maldeikis, Jan Tadeusz Masiel

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29a. Is concerned about child labour in India, very often exploited in unsafe and unhealthy conditions; asks the Commission to address the issue during the negotiations of the FTA and asks the Indian government to maximise its efforts to remove the underlying causes in order to end this phenomenon;

Or. en

Amendment 131

Glyn Ford

Motion for a resolution

Paragraph 29 a (new)

Motion for a resolution

Amendment

29a. Recognises that a substantial development chapter is an essential part of any FTA and subject to the standard dispute mechanism;

Or. en

Amendment 132

Glyn Ford

Motion for a resolution

Paragraph 29 b (new)

Motion for a resolution

Amendment

29b. A mechanism be established whereby recognised workers' and employers' organisations should be able to submit requests for action, which would be treated within a specified time period, and which could result in ongoing follow-up and review provisions, in order to maintain pressure against violations of workers' rights;

Or. en

Amendment 133

Glyn Ford

Motion for a resolution

Paragraph 30

Motion for a resolution

Amendment

30. Stresses that human rights and democracy clauses constitute an essential element of the FTA; is concerned by the continuing persecution of religious minorities and human rights defenders in India and ***extrajudicial killings and unmarked mass graves in the Indian Administrated Kashmir; calls on the Indian Government to grant access for the UN Special Rapporteurs to investigate these mass graves;***

30. Stresses that human rights and democracy clauses constitute an essential element of the FTA; is concerned by the continuing persecution of religious minorities and human rights defenders in India and ***the current human rights and security situation*** in Indian Administrated Kashmir;

Or. en

Amendment 134

Daniel Caspary

Motion for a resolution

Paragraph 30

Motion for a resolution

30. betont, dass Menschenrechts- und DemokratieklauseIn ein wesentliches Element des FHA darstellen; ***zeigt sich besorgt über die andauernde Verfolgung von religiösen Minderheiten und Menschenrechtsaktivisten in Indien sowie über die außergerichtlichen Hinrichtungen und die namenlosen Massengräber in dem von Indien verwalteten Teil Kaschmirs; fordert die indische Regierung auf, den Sonderberichterstatern der UN den Zugang zu den Massengräbern zu gewähren, damit sie diese untersuchen können;***

Amendment

30. betont, dass Menschenrechts- und DemokratieklauseIn ein wesentliches Element des FHA darstellen;

Or. de

Amendment 135

Frithjof Schmidt

Motion for a resolution

Paragraph 30

Motion for a resolution

30. Stresses that human rights and democracy clauses constitute an essential element of the FTA; is concerned by the continuing persecution of religious minorities and human rights defenders in India and extrajudicial killings and unmarked mass graves in the Indian Administrated Kashmir; calls on the Indian Government to grant access for the UN Special Rapporteurs to investigate these mass graves;

Amendment

30. Stresses that human rights and democracy clauses constitute an essential element of the FTA; is concerned by the continuing persecution of religious minorities and human rights defenders in India and extrajudicial killings and unmarked mass graves in the Indian Administrated Kashmir; calls on the Indian Government to grant access for the UN Special Rapporteurs to investigate these mass graves; ***also in the spirit of the human rights and democracy clause, calls on the Commission and the Council***

to work together with the Indian Government to improve the situation of the underprivileged sections of the population, in particular women, children and disadvantaged groups of persons, e.g. Dalits and Adivasis; stresses in this context that the caste system constitutes a human rights violation in itself;

Or. en

Amendment 136
Frithjof Schmidt

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Calls on India to ensure that *the benefits of the FTA reach Dalits and Adivasis and other marginalised tribes and castes;*

Amendment

31. Calls on *the European Commission, Council and* India to ensure that the FTA *is not harmful to disadvantaged groups such as Dalits and Adivasis, and that potential benefits of the FTA reach all members of society;*

Or. en

Amendment 137
Sajjad Karim

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Calls on India to ensure that the benefits of the FTA reach Dalits and Adivasis and other marginalised tribes and castes;

Amendment

31. *Is concerned that despite sustained economic development, 35% of the Indian population lives on less 1\$/day and 80% on less than \$2/day; is particularly concerned about the situation of underprivileged and marginalised section of population;* Calls on India to ensure that the benefits of the FTA reach Dalits and Adivasis and other marginalised tribes and

castes;

Or. en

Amendment 138

Erika Mann

Motion for a resolution

Paragraph 32 a (new)

Motion for a resolution

Amendment

32a. Stresses that states with complex societies and economies, which move more and more from bilateral trade agreements to more sophisticated bilateral trade relations must ensure a stable and secure environment in general; is concerned about the lack of security in India; calls on India to take the various minor and severe attacks from various political groups more seriously;

Or. en

Amendment 139

Glyn Ford

Motion for a resolution

Paragraph 34 a (new)

Motion for a resolution

Amendment

34a. Asks Council and Commission to confirm India's comittement to negotiating an EU-Trade FTA with the incoming Indian Government post forthcoming General Election;

Or. en

Amendment 140
Glyn Ford

Motion for a resolution
Paragraph 34 b (new)

Motion for a resolution

Amendment

34b. Asks that during the next round of negotiations the Commission raises with the Indian authorities the continuing illegal trade in Tiger skins to Tibet that threatens the extinction of the Indian Tiger;

Or. en