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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Partial summary of the extraordinary meeting of the European Parliament
Committee on International Trade (INTA) held in Brussels on 29 June –
Items 3 and 5 on the agenda
Chair: Mr Lange (S&D, DE)

- **INTA decided by a large majority to send back to the plenary 113 (out of 116) amendments as well as other related requests for split and separate votes that had been tabled in relation to the report containing the EP's recommendations to the Commission on the negotiations for the TTIP.**
- **INTA also exchanged views on the anti-torture regulation and broadly supported the Commission proposal. However, some speakers identified some loopholes in the proposal, and differences emerged over the rapporteur's intention to include ancillary services in the definition of brokering services. Despite broad support for the catch-all clause, the EPP proposed leaving medicines outside the scope of the clause, to avoid hampering legitimate use, while the ECR called for its reformulation.**

***** Voting time *****

**3. Recommendations to the European Commission on the negotiations for the
Transatlantic Trade and Investment Partnership (TTIP)**

INTA/8/01962 2014/2228(INI)

Rapporteur: Bernd Lange (S&D)

- Consideration of amendments and requests for split or separate votes tabled in relation to a report in plenary

In an extraordinary meeting convened after the postponement of the debate and of the vote on the recommendations scheduled for the June I plenary, INTA decided on the amendments pursuant to Rule 175 (Committee consideration of plenary amendments) of the EP Rules of Procedure. Prior to the vote, the Chair and rapporteur, Mr Lange (S&D, DE), announced that amendment 28 from EFDD and amendment 71 from GUE/NGL had been withdrawn, and amendment 33 from EFDD had been cancelled. INTA agreed by a large majority (two block votes: one on the amendments, one on the related requests) to send back to plenary the remaining 113 amendments and related requests for split and separate votes.

***** End of vote *****

5. Trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment

INTA/8/00332 2014/0005(COD)

Rapporteur: Marietje Schaake (ALDE)

- Consideration of draft report

Ms SCHAAKE (ALDE, NL) welcomed the renewal of the EU's controls on trade in instruments of torture and considered the updates to the control list a step in the right direction. She thought the Commission's approach was generally good and included the necessary controls without overburdening legitimate trade. Yet, she cautioned against unnecessary controls, particularly for medicines, and proposed drawing up specific lists to provide clarity for exporters and importers without undermining the legitimate use of medicines. She said that the Commission proposal also included an annex preventing medicines from being used for capital punishment, as well as provisions setting a general EU export authorisation for countries with international commitments and prohibiting brokering services for banned goods. She proposed extending controls to marketing and financial services, a level playing field across the EU and future-proof rules.

Ms SCHAAKE deplored the absence of a multilateral control regime in the field of torture goods (unlike in the dual-use domain) and considered it essential to ensure coherence between export controls that included military dual-use firearms and torture goods lists, without subjecting the items to duplicate controls. She called for adequate implementation, monitoring and revision as in other export control regimes and agreed with the use of delegated acts as long as the Commission kept the EP regularly informed throughout all the steps of the procedure. She also asked for support for the urgency procedure to facilitate the immediate application of the Commission act and the adaptation, when necessary, of the control lists (Annexes II and IIIa).

MEPs broadly agreed with the Commission proposal and the draft report. However, some speakers identified some loopholes in the proposal, and differences emerged over the rapporteur's intention to include ancillary services in the definition of brokering services. Despite broad support for the catch-all clause, the EPP proposed leaving medicines outside the scope of the clause, to avoid hampering legitimate use, while the ECR called for its reformulation.

Mr ZALBA BIDEgain (EPP, ES), on behalf of Mr FISAS AYXELÀ (EPP, ES) considered it important to strike a balance between the legitimate interests of companies and the possibility that some products could be used for capital punishment or torture. However, he expressed some doubts as regards amendment 1 on the inclusion of ancillary services, as it was not clear which services would fall under the scope of the regulation. His group agreed with the catch-all clause but suggested leaving medicines outside its scope as it could hamper legitimate access.

Ms ARENA (S&D, BE), on behalf of Ms RODRÍGUEZ-PIÑERO FERNÁNDEZ (S&D, ES), welcomed the amendments to the catch-all clause and proposed including a definition of ancillary services to improve the text. She also said that national authorities should be more pro-active and closely monitored by the Commission.

Ms McCLARKIN (ECR, UK), on behalf of Mr LOONES (ECR, BE), noted that the reference to Annex IIIa in the catch-all clause in amendment 10 could hinder access to vital anaesthetics or pain killers for legitimate medical customers. She said that the ECR favoured effective export controls that ensured legitimate access to vital EU medicines whilst keeping them out of foreign execution chambers, and therefore called for the reformulation of the catch-all clause.

Ms FORENZA (GUE/NGL, IT) proposed extending the definition of international brokering services to all types of brokering carried out indirectly by EU firms and called for a yearly report on the regulation to be presented to the EP, identifying new items to be added to the list of banned goods. She supported an open monitoring system and the creation of an anti-torture coordination group. She also referred to certain loopholes in the regulation on marketing practices.

Ms BEGHIN (EFDD, IT) supported the Commission proposal to a large extent but proposed including titanium in the list of banned goods, extending the text to all brokering services outside the EU, and covering the issue of transit through the EU.

Ms LOCHBIHLER (Greens/EFA, DE), rapporteur for the DROI Committee, noted that both the INTA and DROI reports had much in common, in particular on the inclusion of ancillary services, the expansion of the notion of brokering services, transit authorisation, the creation of a coordination group, the review of the implementation of the regulation and on the creation of a catch-all clause (DROI did not propose covering medicines). However, she also identified many loopholes in the Commission proposal, which would enable EU companies and nationals to be accomplices to the facilitation of torture and executions.

The Commission representative welcomed the support for the urgency procedure and considered amendments 2, 11, 13, 14 and 17 and part of amendment 3 acceptable. However, he did not think it appropriate to cover in amendment 3 the activities of nationals of Member States when such nationals were neither resident nor established in a Member State and they supplied brokering services outside the EU. He explained that amendment 8 and the catch-all clause in amendment 10 raised a delicate legal question in terms of compatibility with the EU treaties and with the General Agreement on Tariffs and Trade (GATT), and considered the text in amendment 5 on transit redundant since all goods in Annex II were already prohibited. He also opposed amendment 1 on the inclusion of ancillary services in the definition of brokering services for several reasons, including the fact that it would go further than the regulation on dual-use controls on brokering services, which did not cover such activities at all.

7. Date of next meeting

The next meeting would be held in Brussels on 13 and 14 July 2015.
