



**AmCham EU**

SPEAKING FOR AMERICAN BUSINESS IN EUROPE

# Policy recommendations to the European Parliament

Building a stronger, more competitive Europe

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# Foreword



It is with great pleasure that I present our newest publication – AmCham EU’s *Policy recommendations to the European Parliament – Building a stronger, more competitive Europe*. At AmCham EU we are proud of our longstanding working relationship with the European Parliament to provide business insights to help address both the challenges and opportunities facing Europe. We look forward to continuing that partnership as we seek ways to work together to deliver much needed growth and jobs for our citizens. It is with this in mind that we have put forward these recommendations that we believe will help revitalise the European economy.

This is the beginning of a new political cycle that offers a unique window of opportunity for the European Parliament to re-define the priorities for the European Union. AmCham EU’s recommendations cover a wide range of policy areas including energy, environment, innovation, healthcare, trade and financial stability. We have paid particular attention to looking for ways to improve the investment climate, encourage entrepreneurship and boost sustainable growth. These are all designed to make Europe stronger and more competitive in the global marketplace. Companies that invest in Europe are looking to the new European Parliament to adopt and implement the necessary measures to achieve these goals.

We hope these recommendations will contribute to the ongoing policy debates. We believe the European Parliament has the ability make a real, positive difference in the lives of its citizens; especially young Europeans who are experiencing the highest unemployment rates in recent memory. At AmCham EU we stand ready to offer our support in finding ways to bring about greater opportunities to secure a bright and prosperous future.

A handwritten signature in black ink that reads "Susan Danger".

**Susan Danger**  
Managing Director, AmCham EU



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## AmCham EU's Agenda for Action 2014-2019

Europe is slowly emerging from the most severe economic crisis in decades. As a result of concerted European action, many economic risks have been mitigated. But there is no room for complacency, as long-term challenges remain considerable.

Unemployment continues to be a persistent problem across the EU. Public debt levels are chronically high. Demands for health and social services are escalating and straining resources. A hesitant economic recovery and the changing global competitive environment pose challenges. The question remains whether Europe can appropriately respond to those challenges.

History suggests it can. Europe is built on strong foundations, and is home to many of the world's most respected companies, strong economic and cultural traditions and a highly educated workforce. Acting together, business leaders, policy-makers and EU citizens can create a new wave of productivity and prosperity.

Yet the EU faces some critical choices. Get them right, and Europe will continue to be a key player in shaping and building the global economy. Get

them wrong, and Europe will lose the opportunity to capitalise on its talent, knowledge and traditions. If Europe falls behind in the global economic race, the social and political consequences will be profound.

The American Chamber of Commerce to the European Union (AmCham EU) is the voice of American business in Europe. Aggregate US investment in Europe totalled €2 trillion in 2013 and directly supports more than 4.3 million jobs on the continent. We are committed to helping the EU become more competitive through bold policies that support an integrated and innovative Europe. With such policies in place the region can position itself to leverage new waves of future growth and secure its place on the global geo-economic map for the long term.

The goal is to move beyond crisis management, toward a more strategic and dynamic phase of growth. We are proposing five action areas that we believe need to be addressed if the EU is to accomplish this. In each of the five action areas, we are proposing specific recommendations that will be reviewed and updated annually as needed over the next five years.



## AmCham EU's five key action areas

### ★ Build skills for the future

If Europe is to compete in an ever-changing global environment, policies need to be in place to ensure its citizens are well-equipped to meet the needs of the future marketplace. This will require investment in training and skills development at every stage of workers' lives to remain relevant to the needs of society and the economy.

### ★ Drive integration to create an attractive internal market

Europe needs to complete the Single Market, particularly in the areas of services, the digital market, energy and transportation. Efforts also need to be made to improve harmonisation of policies and regulation. The objective should be to make Europe an attractive destination for investment and a hub of economic growth and innovation which contributes to global regulatory and industrial standards.

### ★ Embrace revolutionary change for industrial leadership

Europe has built a strong industrial foundation and now is the time to capitalise on its expertise across all sectors including pharmaceuticals, healthcare, energy, transport, aerospace, security, chemicals, biotech and digital technologies. The objective should be to establish policies to keep European industry at the cutting edge to ensure sustainable economic growth.

### ★ Develop new models of innovation and entrepreneurship

Innovation and entrepreneurship have been hailed as great drivers of growth. The next generation of entrepreneurs need to be supported and encouraged through incentive programmes. At the same time, fresh models of partnership between governments, businesses and the wider civil society need to be developed and promoted. The objective should be to foster dynamic and flexible thinking to generate economic opportunities for the future.

### ★ Lead by example towards global integration

Europe needs to remain a global hub for trade, investment and ideas, while taking advantage of the global economic landscape more systematically. The objective should be to ensure that European industries can compete successfully in an increasingly integrated global economy. The Transatlantic Trade and Investment Partnership (TTIP) agreement offers the opportunity to enhance cooperation between the EU and the US and the possibility of establishing regulatory standards which will have a profound impact on the way business is conducted globally for decades to come.



*AmCham EU - Agro-Food Committee***Agro-food supply chain**

AmCham EU encourages parliamentarians to take a holistic and coherent approach to any policy making that impacts the food and agricultural sectors. Also, policies in other sectors should always take food security issues into consideration.

**Discriminatory taxation in the agro-food sector**

We are concerned about policy proposals to introduce special taxes on certain food and beverages, to address obesity and unhealthy lifestyles. Taxation is not an effective tool to tackle complex diet and lifestyle-related problems which would unfairly hit lower income groups. It would harm the European economy and the competitiveness of the food supply chain.

**Risk assessment, management and communication in the agro-food sector**

A proper balance between risk assessment, management and communication is of crucial importance for the integrity of the food chain. Risk management decisions must be communicated in a clear and transparent way. At the same time the scientific and technical underpinning of risk management decisions must be demonstrated.

**Sanitary and phytosanitary obstacles to trade and innovation**

The divergence between the EU's approach to risk assessment, risk management and risk communication measures and that of its main trading partners leads to significant sanitary and phytosanitary trade barriers. It is of utmost importance to make progress on these obstacles, in particular with regards to plant protection products, maximum residue levels, and agricultural biotechnology crops. What's needed is a more effective and progressive regulatory framework that would address these obstacles and promote innovative solutions.

**Sustainability aspects of international trade in agricultural products**

As sustainability of agricultural raw materials and greening of the supply chains are increasingly coming under the focus of the EU Institutions, environmental law-making is a potentially new non-tariff barrier to international trade. The establishment of new trade agreements is the right moment to address certain potential/current barriers by seeking convergence and cooperation.

## *AmCham EU - EU Tax and Financial Affairs Committees*

### **Transatlantic convergence and extraterritoriality of financial services regulation**

AmCham EU is committed to working closely with the European Parliament to raise awareness of the importance of the transatlantic cooperation in financial services regulatory reform, particularly in the context of the ongoing TTIP negotiations. The far-reaching importance of EU-US alignment should not be hindered by certain areas of divergence which may affect the efficient provision of financial services across international borders. AmCham EU is strongly advocating for diversification of regulatory tools and greater stakeholder engagement.

### **Banking union**

AmCham EU recommends that any further changes to the EU's financial services regulatory landscape which impact the supervision of cross-border banking, the tools available for bank resolution and a single EU deposit guarantee scheme should occur with an aim to develop a single market for financial services across the EU.

### **Financial markets and products for jobs and growth**

AmCham EU strongly supports European Parliament's efforts to introduce legislative measures which seek to strengthen market efficiency and transparency, increase competition and consumer choice, enhance investor protection, and bolster investor confidence in European financial markets. The focus should be placed on the importance of maintaining sufficient flexibility for investor choice in terms of the trading venues and instruments traded. This can contribute to a stable and prosperous transatlantic financial marketplace, which in turn can deliver real benefits for citizens by underpinning strong economic growth and job creation.

### **Capital markets union**

AmCham EU is keen to actively contribute to the development of a capital markets union, and will provide constructive input when legislative proposals are being discussed.

**Financial Transaction Tax (FTT)**

We strongly encourage the European Parliament to oppose proposals to introduce an FTT under enhanced cooperation. As proposed, an FTT will not only negatively impact financial institutions, but also every business in every sector that legitimately use financial instruments in the normal course of their business.

**International tax coordination**

An EU-wide approach to directly taxing multinational companies could result in double taxation and provoke protectionism concerns. These matters should be coordinated with the ongoing multilateral tax discussion at the OECD level and the EU should be actively engaged in these discussions.

**Country-by-country reporting**

AmCham EU urges MEPs to ensure that any initiative to introduce country-by-country tax reporting takes into full account of the extra costs imposed on businesses operating in Europe and the potential negative consequences for European competitiveness. The EU should instead work closely with the OECD to develop a multilateral solution.



### Building skills for the future

If Europe is to compete in an ever changing global environment, policies need to be in place to ensure its citizens are well-equipped to meet the needs of the future marketplace. We therefore support the European Parliament's efforts to encourage modernisation of labour markets, education and training, in order to remove obstacles to job creation, address skills mismatches, and support professional and geographical mobility.

### AmCham EU - Employment and Social Affairs Committee

### Protecting pensions

With an ageing EU population, pension provision is becoming increasingly important. Therefore, pension regulation should provide the necessary long-term financing to ensure EU pensioners maintain a socially acceptable standard of living. We recommend the European Parliament works with all stakeholders to avoid imposing regulatory measures to the IORP Directive that could add unnecessary costs to the administration of pension schemes, which would reduce benefits for pensioners.



*AmCham EU - Environment Committee***Coherent environmental policy as a stimulant for innovation**

We urge the European Parliament to work with industry and other stakeholders to develop environmental legislation which provides clarity and legal certainty, thus avoiding unintended obstacles and enforcement problems. Environmental rules should be developed holistically to avoid overlapping legislation that can cause confusion and ultimately increase costs for European consumers by limiting industry's ability to innovate and compete. A balanced and coordinated legal framework will help business meet the citizens' needs and foster growth.

**Risk-based approach to environmental and chemical legislation**

The best way to ensure coherent and efficient environmental legislation is to uphold science-based decision-making utilising a thoroughly risk-based approach. A case-by-case analysis for chemical legislation is necessary to ensure that the risk associated with certain chemicals is addressed in a proportional and predictable manner. This should take into account exposure scenarios, weight of evidence, various risk management options and understanding the substitution possibilities.

**Resource efficiency and an effective waste system in Europe**

We recognise the need to treat waste as a valuable resource and strive for an EU economy that is as close to waste-free as possible. Industry is increasingly mindful of its impact on natural resources and understands that building a market where waste is a resource will require a transformation in both commercial and individual behaviour. AmCham EU is eager to promote a resource-efficient Europe, and to ensure a circular economy that allows for sustainable consumption while remaining competitive.

### **Managing emissions**

Managing emissions in Europe should be achieved by fully implementing existing legislation in a proportional and predictable manner. We strongly encourage the European Parliament to ensure consistency among EU emission regulations and follow a coherent approach based on scientific evidence and socio-economic impact to avoid duplication of effort and regulatory overlap. For example, efforts should be made to avoid contradictions among existing and upcoming legislation on air quality, CO<sub>2</sub> limits for cars and vans, motor vehicles, etc. We support EU targets aligned with international protocols.

### **Environmental legislation should support a functioning Single Market**

The free circulation of goods is critical to the functioning of the Single Market and therefore it is imperative that environmental legislation neither undermines this nor creates non-tariff barriers to trade. Environmental legislation should therefore be adopted on a single market legal base rather than an environmental one. A consistent environmental framework at the EU level is key to providing robust guidance to Member States, thus avoiding fragmentation, business uncertainty and confusion for consumers.

### **Climate objectives beyond 2020**

AmCham EU has a keen interest in EU energy and climate policies and promotes a balanced approach between the objectives of security of supply, sustainability and competitiveness to transition to a low-carbon economy at the lowest possible cost. The EU must improve the governance, clarity and predictability of the 2030 climate and energy package in order to re-launch investments and drive the move toward a low carbon economy. We therefore urge the European Parliament to work with the other EU institutions to complete the internal energy market, engage in a comprehensive reform of the EU Emissions Trading Scheme, leverage the potential of energy efficiency, invest in infrastructure, integrate the external dimension of energy and climate policies, and work toward a diverse mix of energy sources.

AmCham EU calls for targets to be set with the goal of reaching an international agreement in mind, and for the agreement at the COP21 in Paris, France in 2015 to ensure a level playing field globally.

**Investment in healthcare**

Investing in healthcare can directly benefit the European economy and competitiveness. This can be accomplished by exploring improved healthcare pathways and long-term, alternative financing mechanisms that help address payer concerns while maximising patient access and overall healthcare system savings, as well as preserving incentives to innovation.

**Pharmaceutical products and the Single Market**

To allow the Single Market to achieve its full potential, it is vital that we accelerate patient access to medical treatments, especially innovative treatments addressing serious persisting unmet medical needs. We are calling for the Member States to fully implement equity-based differential pricing between markets in Europe. Additionally we are seeking better management of drug shortages. Using cost containment without considering the health impacts exacerbates this problem. The principle of non-extraterritoriality of medicine prices is key in developing a fair pricing framework. Legislation on centralised authorisation procedure should be clarified to ensure that prior central authorisation does not prevent non-prescription status by national health boards.

**Medical devices and *in vitro* diagnostics: making them safer and future proof**

AmCham EU strongly supports a modern and effective regulatory system for medical devices which ensures a high level of patients' safety while providing timely and continued access to the latest medical technologies. To do this the following is required: maintain a decentralised authorisation system; regulate the reprocessing of single-use devices; increase harmonisation and coordination across Member States; increase transparency; and better coordinate market surveillance across Member States.

**Building effective, accessible and resilient health systems in Europe**

We encourage the European Parliament to table an own-initiative report to inform Member States on how to strengthen EU health systems. We believe that greater uptake of healthcare innovation in Europe, a more predictable framework for the healthcare industries and a strengthened role for consumers in healthcare are key prerequisites to ensure that EU health systems are more accessible, effective and resilient.

## Deepen the Single Market

While progress has been made in completing the Single Market, barriers still remain. The free movement of goods, people, services and capital has yet to be fully achieved. Europe needs to improve the ease with which economic activity can take place across national borders. In all sectors, full liberalisation and functioning markets need to be achieved. A level playing field for regulation both between Member States and externally will create the conditions for increased competition and, ultimately, more sustainable economic growth. The European Parliament should prioritise the completion of the Single Market in all aspects of its work.

## Enforcement of EU law and principles governing the internal market

Lack of enforcement of EU law causes unfair competition between Member States and creates trade barriers in the Single Market. Disengagement from the core principles of the internal market causes market fragmentation. The European Parliament should play its part in ensuring a real endorsement of EU laws under the European Commission's responsibility. When proven necessary, infringement procedures may serve the European Commission as a further tool to increase market trust and cooperation amongst national authorities.

## *AmCham EU - Consumer Affairs Committee*

### Consumer product safety and market surveillance

Consolidating the highly complex legal framework for consumer product safety and market surveillance is a step in the right direction and will help create a level playing field. We urge the European Parliament to come to a swift agreement with the Council on the Consumer Product Safety Regulation and the Market Surveillance regulation to further clarify the new legal framework making it clear to market operators and authorities which rules apply to which product. Proportionality and consistency with other regulations should be the overarching principles of this package. We support the inclusion of injury databases to address safety concerns and guarantee a consistent level of protection across Europe.

AmCham EU applauds the European Parliament for including an injury databases so that information is accessible to identify where injuries occur in order to address safety concerns and guarantee a consistent level of protection across Europe.

**Union Customs Code**

The Implementing and Delegated Acts of the Union Customs Code (UCC) will determine how effective the UCC will be for citizens, trade and governments. The UCC has the potential to improve Europe's competitiveness while maintaining effective government control. Therefore, we encourage MEPs to provide a balanced 'for first sale' rule, a simplified procedure for shipments travelling in transit and shipments being indirectly exported, an Economic Operators Registration and Identification (EORI) number for private citizens, centralised clearance, self assessment, entry into record and an Authorised Economic Operator (AEO) certification.

**Customs valuation**

On sale for export, it is critical to maintain the possibility to use an earlier sale in a chain of sales as the basis for customs value ('first sale rule' or FSR). On royalties and license fees (RLFs), the UCCIP text as currently drafted contains an overly broad provision on 'condition of sale' that seriously risks expanding the amount of RLFs subject to customs duties. This provision should be deleted or amended.

**Customs infringements and sanctions**

Compliance with the EU's Customs Union is currently enforced through Member State legislation, including rules on penalties for customs infringements. The European Commission has proposed harmonising national rules and legislation, but some elements of the proposal could seriously harm economic operators. We urge the European Parliament to amend the proposal to eliminate these potentially damaging provisions.

**Release at first customs office of entry**

The release of shipments into free circulation at the first customs office of entry (FCOE) into the EU would liberate economic operators of complex and inefficient distribution networks, as shipments would not need to be routed to a customs clearance location in the EU Member State of destination, but could immediately be routed to a distribution centre closest to the customer. Ultimately, this would enable a faster delivery of goods, and have a positive knock-on effect for the numerous production lines and time-sensitive deliveries our services support every day. It would also have a positive impact on mobility and support sustainability.

### **Decoupling of customs and taxation**

Looking ahead, the EU should consider innovative means of maintaining modernised customs processes. An example of this would be the long-term de-coupling of customs and taxation, which are traditionally handled by the same administration. Such a change would ensure efficient customs as a stable foundation for the future demands of trade.

### **Authorised Economic Operator (AEO) benefits**

As an Authorised Economic Operator (AEO), our companies comply with all trusted trader requirements as specified by the EU. We encourage the EU to improve the terms of its AEO program, by permitting systems-based processing (in which the majority of movement of goods is controlled by audits on the financial and management systems of the AEO) as opposed to transactional processing (in which every single shipment is audited by customs authorities). This would result in tangible benefits, and encourage smaller businesses in particular to register as an AEO.



*AmCham EU - Trade and External Affairs Committee*

**Transatlantic Trade and Investment Partnership (TTIP) - cooperation with the United States**

A comprehensive and ambitious TTIP agreement will enhance a growth-oriented investment climate in Europe and the United States that would benefit business, consumers, SMEs and help create much needed jobs. It could ensure that consumers have access to more innovative goods and services that are both lower in cost and delivered more efficiently benefiting citizens on both sides of the Atlantic. We encourage Members of the European Parliament to support a timely conclusion of a comprehensive TTIP.

**Strong multilateral trading system**

We call on the European Parliament to promote the value of a strong World Trade Organization (WTO) to business and society globally, acting as a guarantor of legal rights in international trade and investment. AmCham EU strongly advocates for an ambitious post-Bali agenda and further accessions to the WTO.

**EU bilateral trade relations**

We are committed to working closely with the European Parliament to further support free trade agreements that are compatible with the WTO framework, balanced and capable of strengthening and complementing the multilateral trading system. This would contribute to the development of trade and investment-friendly standards rules and principles. Special efforts should be made to achieve further progress on Free Trade Agreements (FTAs) with the US, Canada, India, Japan, Malaysia, Vietnam, Singapore, Mercosur and the Bilateral Investment Treaty with China. At the same time we strongly advocate for the conclusion of the Trade in Services Agreement (TISA).

**Conflict minerals**

AmCham EU welcomes the European Commission's proposal for a regulation on conflict minerals and supports the three goals of the EU's integrated approach to responsible sourcing: breaking the link between minerals extraction, trading and the financing of armed conflict; supporting a market in the EU for responsibly traded minerals that originate in conflict regions; and improving the ability of EU operators throughout the supply chain to comply with existing due diligence measures. We support the chosen upstream approach at the smelter/importer level. The proposed Regulation should complement existing US legislation on responsible sourcing of conflict minerals (Dodd-Frank Act) and contribute to the harmonisation of global compliance programmes.



*AmCham EU - Digital Economy Committee*

**Completing of the Digital Single Market**

Remaining obstacles to the completion of a full Digital Single Market need to be addressed in order to create a more consistent regulatory environment that unlocks the potential of the digital economy.

Massive ongoing investments are essential to maintain and expand the telecommunications infrastructure needed to connect all of us. This requires an environment conducive to such investments, one with policies that promote and ensure a more efficient and harmonised allocation of spectrum, take a light-touch, forward-looking regulatory approach and create greater digital opportunities for all European citizens.

**Digital policies for a digital economy**

AmCham EU calls for a continued and strong recognition of the transformative power of digital technologies on the broader economy, both affecting small and medium-sized enterprise (SMEs) and larger organisations.

The number of digital policies should be limited in focus; enable the right, high-level and forward-looking policy framework to derive the greatest impact. The institutions should work together along with other stakeholders to find synergies where possible and pursue holistic policy approaches through standards, regulations and awareness building. The European Parliament will play a key role ensuring better policy-making and that legislative initiatives remain smart, specific and focused.

## **Network and Information Security Directive (NIS)**

The European Parliament's first reading on the proposed NIS Directive and strategy made very good and important steps towards striking the right balance between a common and harmonious baseline of risk-based requirements, sufficient flexibility for compliance and promote effective cooperation between the public and private sectors.

We encourage the European Parliament to ensure the final outcome maintains a scope which is proportionate, necessary and effective focusing on essential operators only. The provisions applying to the market operators should also provide adequate safeguards against uncontrolled disclosure of vulnerabilities and other sensitive information. Additionally, they should be so designed as to limit the risk of fragmented enforcement and of interference in the design and manufacture of products. Finally, it will be important to acknowledge the international and market-driven nature of standardisation efforts in the cybersecurity space.

## **Harnessing the potential of data-driven innovation through forward-looking policies**

Cloud, Big Data and the Internet of Things – we need policies that enable the potential of data-driven innovation. This means in particular: protect privacy while facilitating the free flow of data; develop a policy framework for cloud computing based on open standards and interoperability in order to achieve greater harmonisation across the EU and globally consistently; promote excellence in education and skills nurturing data scientists and new digital skills.

## **Internet Governance**

Continuing a decentralised and multi-stakeholder process will be crucial for the Internet's future success. An Internet Governance framework needs to be guided by fundamental principles for international cooperation. To protect the opportunities made possible by investment and innovation in Internet, it is essential that Internet Governance be transparent and open to all stakeholders.

We recommend the creation of a 'digital transformation platform' in the European Parliament to bring together representatives of various industrial sectors and the public sector to discuss the digital transformation. Such discussions will increase understanding of the impact of the digital transformation and create a strong platform for cross-sectoral policy debate.

**Energy mix**

Given the shift toward lower-carbon alternatives, EU and Member State authorities have encouraged a shift to energy sources that are perceived as more sustainable. However, favouring one type of energy over another can distort competition in the internal market or impact the competitiveness of the European economy. AmCham EU encourages the European Parliament to work toward creating an environment where all energy sources are able to compete on a level playing field based on their individual merits without undue distortion.

**Climate objectives beyond 2020**

We support a balanced approach between the objectives of security of supply, sustainability and competitiveness to transition to a low-carbon economy at the lowest possible cost. The EU must improve the governance, clarity and predictability of the 2030 climate and energy package in order to re-launch investments and drive the move toward a low carbon economy. We therefore urge the European Parliament to work with the other EU institutions to complete the internal energy market, engage in a comprehensive reform of the EU Emissions Trading Scheme, leverage the potential of energy efficiency, invest in infrastructure, integrate the external dimension of energy and climate policies, and work toward a diverse mix of energy sources.

AmCham EU calls for targets to be set with the goal of reaching an international agreement in mind, and for the agreement at the COP21 in Paris, France in 2015 to ensure a level playing field globally.

## Infrastructure investment

Despite decades of European integration, the internal markets for the transport and energy sectors remain fragmented, especially with regard to cross-border infrastructure. Transport and energy are important catalysts for economic growth and competitiveness in Europe. Investment must be encouraged in both energy and transport infrastructure; the Connecting Europe facility in the Multi-Annual Financial Framework (MFF) and the pilot for EU project bonds are steps in the right direction and should continue to be developed.

## Energy efficiency

Improving energy efficiency should be a key component of the EU's energy plans and therefore we urge the European Parliament to work with all EU institutions to achieve this. Renovation of existing building stock can generate cost savings, increase energy security, create a significant number of local jobs and bring about a range of environmental benefits. Proposals are on the table and should be complemented by ambitious national renovation strategies and public sector renovation plans.



*AmCham EU - Intellectual Property Committee*

**Value of IP and freedom of licensing for innovation and creativity**

AmCham EU is committed to working with the European Parliament to further develop a strong and cost-effective system for obtaining, licensing and enforcing intellectual property rights for all parties involved.

**Revision of the Community Trade Mark Regulation and Directive**

The EU needs an efficient legislative and enforcement system to prevent the transit of counterfeit goods at the EU's borders to provide better protection for EU citizens and reduce the flow of potentially dangerous products in other countries. The existing system is has proven ineffective in stopping the trade of counterfeit goods.

**Trade secrets**

Companies are increasingly becoming targets of efforts to steal proprietary information, but the protection mechanisms to protect trade secret information are fragmented and difficult to navigate. We support the European Parliament's efforts to provide the minimum standard of protection, while allowing Member States to apply higher standards. This will not only benefit global companies with investments in Europe, but also to an even greater extent SMEs. Protecting trade secrets is crucial to supporting European investment in innovation and collaborative R&D.

**Fighting counterfeiting and piracy**

AmCham EU has always been a strong advocate for enforcement of Intellectual Property Rights (IPR) within the EU as well as in third countries (eg, China, Russia and Latin America). We support the European Parliament's efforts to ensure the appropriate standards IPR protection to tackle counterfeiting and piracy.

**Fighting corruption as key to attracting investment**

The 2003 Framework decision to combat corruption is unevenly enforced in Member States. Despite the fact that Member States are responsible for enforcing anti-bribery legislation, the EU can play a more active role. The European Parliament's creation of an *ad hoc* committee on organised crime, corruption and money laundering is a step in the right direction and we hope that further measures to tackle the issue will be adopted. The enforcement measures coordinated by EU agencies such as Europol and Eurojust could be further centralised by creating a European Public Prosecutor's Office. These EU-wide efforts could go a long way towards reducing corruption.



## *AmCham EU - Digital Economy Committee*

### **General data protection regulation**

AmCham EU believes that privacy laws need to be globally consistent and clear. To facilitate growth and innovation in the EU (and globally), the right balance needs to be struck between data protection and innovation in technology and business models. The current review of data protection legislation in Europe presents an unparalleled opportunity to craft a state-of-the-art data protection framework that better protects Europe's data subjects while avoiding unworkable and prescriptive rules that could pose a burden to innovation. The final outcome should not be rushed; the rules must be future-proof, balanced, easy to understand and applicable.

## *AmCham EU - Security and Defence Committee*

### **Smart borders/integrated borders management**

A smart border management system must strike a balance among the needs for security, efficient processing and movement of travellers and individual privacy. A clear EU legal framework for sharing, retaining and storing data related to border protection needs to be created to help companies develop innovative technical solutions to meet security as well as data protection requirements.

*AmCham EU - Security and Defence Committee***Defence industrial and procurement issues**

We strongly encourage the European Parliament to support an open and competitive transatlantic defence marketplace as well as efforts to foster increased transatlantic defence industrial cooperation and faster logistic supply chain processes.

**Industrial security policy**

Terrorist incidents can generate unlimited liability exposure that is unrelated to the value of the product or service provided. AmCham EU believes that legislation on third party liability limitation (TPLL) at the EU level would support the overall sustainability of the security industry and encourage investment and innovation in the best anti-terrorism technologies and services.



## *AmCham EU - Transport, Energy and Climate Committee*

### **A level, competitive field for all transport modes**

An efficient transport system is key to ensuring Europe's competitiveness in the global economy. Decarbonisation of the European economy and rising energy costs make a coordinated approach to EU transport policy imperative. The 2011 White Paper on the Future of Europe is a step in the right direction; however it should not be seen as the end of the road. All modes of transport have their own advantages, from carbon emissions to infrastructure. AmCham EU encourages the European Parliament to work toward policies that embrace the value of all modes of transport (comodality) and allows them to compete on a level playing field. As far as the issue of aviation and maritime emissions is concerned, AmCham EU reiterates its strong support for a global solution at the level of the International Civil Aviation Organization (ICAO) and International Maritime Organization (IMO), respectively.

## *AmCham EU - Security and Defence Committee*

### **Transport security**

Security measures are needed that are threat-based and risk managed. Risk management policies allow a balance to be struck between enhancing security and the efficient flow of commerce by prioritising actions which provide the best total risk reduction with the least operational/economic impact.

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AmCham EU speaks for American companies committed to Europe on trade, investment and competitiveness issues. It aims to ensure a growth-orientated business and investment climate in Europe. AmCham EU facilitates the resolution of transatlantic issues that impact business and plays a role in creating better understanding of EU and US positions on business matters. Aggregate US investment in Europe totalled €2 trillion in 2013 and directly supports more than 4.3 million jobs in Europe.



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*List accurate as of November 2014*

**[www.amchameu.eu](http://www.amchameu.eu)**

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