



# Presidency Group delegation visit to Austria

## Delegate pack

Wednesday 25 April – Friday 27 April 2018

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 more than €2 trillion in 2017, directly supports more than 4.7 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

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

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# 1. Practical information

## People

Marykate Collins  
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*Senior Operations Coordinator*  
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*Management Intern*  
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Telephone: +3222891022

Note: if you are dialling from a local Belgian telephone (landline or mobile), it is not necessary to dial the country code of +32. Instead, simply dial 0 followed by the rest of the phone number.

## Places

AmCham EU (Office)  
Avenue des Arts 53, 1000 Brussels, Belgium  
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AmCham Austria (Office)  
Porzellangasse 39/7, 1090 Vienna, Austria  
Email: [office@amcham.at](mailto:office@amcham.at)  
Telephone: +4313195751

Hotel Sacher Wien  
*(Delegation accommodation)*  
Philharmoniker Str. 4, 1010 Vienna, Austria  
Email: [wien@sacher.com](mailto:wien@sacher.com)  
Telephone: +431514560

Restaurant Plachuttas Gasthaus zur Oper  
*(location of coordinator dinner, Wednesday 25 April)*  
Walfischgasse 5-7, 1010 Vienna, Austria  
Email: [oper@platchutta.at](mailto:oper@platchutta.at)  
Telephone: +4315122251

Emergency

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## 2. List of delegates

Delegate	Committee(s)
Maxime Bureau <i>Director, Government and Public Affairs, Europe,</i> 3M +32475630877	Chairman, AmCham EU <i>(Delegation leader)</i>
Leah Charpentier <i>Head of EU Regulatory Affairs &amp; Government Relations</i> First Solar +32471771885	Environment Committee
Carsten Dannöhl <i>EU Government Affairs Manager</i> Caterpillar +32494780059	Trade Committee
Taggart Davis <i>Executive Director, Government Relations</i> J.P. Morgan +32487329683	Brexit Task Force Financial Services
Audrey Douspis <i>EU Affairs Manager</i> Michelin +32473734073	Transport, Energy and Climate Committee
Philip Eder <i>Government Affairs Manager</i> Apple +3227917606	Digital Economy Committee

Marie-Hélène Fandel  
*Director, Government Affairs Europe*  
Amgen  
+32485677898

Healthcare Committee

Beatrice Flammini  
*Vice President, European Affairs*  
Liberty Global  
+32477445416

Gender Initiatives Task Force

Sandra Gaisch-Hiller  
*Senior Director Government Affairs & Public Policy EMEA*  
Baxter World Trade Corporation  
+32478738535

Member lead for Austrian Presidency  
Healthcare Committee

Nicholas Hodac  
*Government Relations Executive*  
IBM  
+32474762725

Chair, Policy Group  
Transatlantic Committee

Vincent Jamois  
*Vice-President Global Public Policy*  
Tim Warner Company  
+32477260109

Intellectual Property Committee

Elizabeth Krahulecz  
*Head of EMEIA Public Policy, Brussels Office*  
Ernest & Young (EY)  
+32470202002

Gender Initiatives Task Force

Benjamin Neyt  
*Senior EU Advisor*  
Lvmh Moët Hennessy Louis Vuitton  
+32491258124

Intellectual Property Committee

Joris Pollet  
*Director, Government Relations & Public  
Policy EMEA & Asia*  
Procter & Gamble (P&G)  
+32471441068

Policy Group (Horizontal)

Alexander Roediger  
*Policy Lead - Oncology for Europe, Middle  
East, Africa and Canada (EMEAC)*  
Merck Sharp and Dohme (MSD)  
+41796199819

Healthcare Committee

Jeremy Rollison  
*Director, EU Government Affairs*  
Microsoft  
+32471927730

Digital Economy Committee

Doris Schernhammer  
*Associate Director, Government Affairs  
Europe*  
EU Lilly & Company  
+32488986142

Transatlantic Committee

Claudia Selli  
*EU Affairs Director*  
AT&T  
+32477285712

Digital Economy Committee

Laurin Sepoetro  
*Senior Associate, Public Policy &  
Government Relations, EU*  
Uber  
+32484792212

Future of Work, Education and Skills Task  
Force

Imelda Vital  
*EU Affairs Manager / Head of Brussels  
Representative Office*  
Amway  
+32477137965

Consumer Affairs Committee



*AmCham EU Secretariat*

Roger Coelho  
*Policy Director*  
+32485300294

Horizontal

Marykate Collins  
*Senior External Relations Adviser*  
+32488392193

Horizontal

*AmCham Austria*

Daniela Homan  
*Executive Director*  
+43 664 11 88 650

Sandra Kolleth  
*President, AmCham Austria*  
*Managing Director, Xerox Austria*

# 3. Programme

## Wednesday, 25 April 2018

15.40 Flight departs from Brussels

17.20 Flight arrives in Vienna

Meeting point Marykate will meet you in Arrival Hall

Private bus transfer to Sacher Hotel

18.30 Check-in at delegation hotel

Hotel Sacher Wien  
Philharmoniker Str. 4  
1010 Vienna

20.00-21.30 Coordination Dinner

Plachuttas Gasthaus zur Oper  
Walfischgasse 5  
1010 Vienna

## Thursday, 26 April 2018

08.20

Meeting point

Marykate will meet you in the lobby of the Sacher Hotel

Private bus transfer to Ministry of Foreign Affairs

09.00-10.00

Meeting with Dr Elisabeth Kehrer -  
Director for the Americas

Federal Ministry for Foreign  
Affairs and Integration

Minoritenplatz 8  
1010 Vienna

10.30-11.30

Meeting with Margarete Schramböck -  
Federal Minister for Digital and Economic  
Affairs (OVP)

Federal Ministry for  
Digitalisation and Economic  
Affairs

Stubenring 1  
1010 Vienna

12.30-13.30	Meeting with Juliane Bogner-Strauss - Federal Minister for Women, Families and Youth (OVP)	Ministry for Women, Families and Youth  Bundeskanzleramt Federal Chancellery Untere Donaustraße 13-15 1020 Vienna
14.00-15.30	Meeting with Dr Georg Kathrein, Head of Department for Civil Law	Federal Ministry for Constitutional Affairs, Reforms, Deregulation and Justice  Museumstraße 7 1070 Vienna
16.00-17.00	Meeting with the Federation of Austrian Industries (IV)	Schwarzenbergplatz 4, 1031 Vienna
19.20		
Meeting point	Marykate will meet you in the Salon Metternichon of the Sacher Hotel	
19.30-21.30	Dinner with Eugene Young - Chargé d’Affaires, US Embassy in Austria	Salon Metternichon Hotel Sacher Wien Philharmoniker Str. 4 1010 Vienna

## Friday, 27 April 2018

08.20	Marykate will meet you in the lobby of the Sacher Hotel	
Meeting point	Private bus transfer to Ministry of Education, Science and Research	
09.00-10.00	Meeting with Dr Christian Dorninger – Director General for Vocational Education and Training	Federal Ministry for Education, Science and Research  Minoritenplatz 5

1010 Vienna

10.30-11.30	Meeting with Ulrike Neufang – Deputy Director General, EU and International Affairs, Senior Citizens and Voluntary Policies	Federal Ministry for Labour, Social Affairs, Health and Consumer Protection  Stubenring 1 1010 Vienna
12.00-13.00	Meeting with Angelika Berger – European and International Affairs	Federal Ministry for Ministry of Transport, Innovation and Technology  Radetzkystraße 2 1030 Vienna
14.00-15.00	Meeting with Dr Josef Plank – Secretary-General of the Ministry for Sustainability and Tourism	Federal Ministry for Sustainability and Tourism  Stubenring 1 1010 Vienna
15.00	Bus departs Ministry for Airport	
17.30	Flight departs from Vienna	
19.50	Flight arrives in Brussels	

*End of programme*

## 4. Speaker biographies

AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Dr Elisabeth Kehrer,  
Director for the Americas  
Ministry of Foreign Affairs and Integration

09.00 - 10.00

Thursday, 26 April 2018

Minoritenplatz 8, 1010 Vienna



Covers:  
Foreign Policy  
Security Policy  
Austria and the United Nations  
Peacekeeping Operations  
International Organisations  
Development Cooperation  
Trade Promotion  
Human Rights

Meeting details

Dr Elisabeth Kehrer has been a Ministerial Director since December 2017. Previously she was the appointed Austrian Ambassador to Finland (2013) and Malta (2005). She also led the Ministerial Department III.2 from 2007-2012, dealing with EU coordination topics such as the EU budget, European Council and EMU.

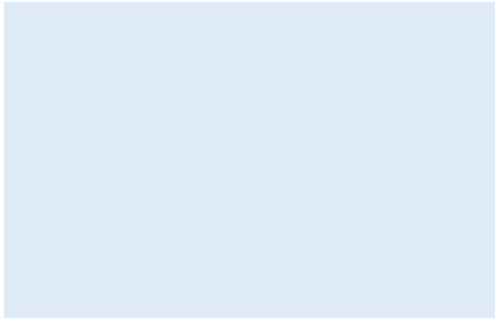
Dr Kehrer was awarded a Doctorate of Laws from the University of Vienna in 1984, and undertook postgraduate studies in Comparative Constitutional Law for which she was awarded a Diplôme Supérieur by Panthéon-Assas University in France.

From 1988-1990 she worked for the Department of International Law in the Austrian Federal Ministry for Foreign Affairs, and from 1990 to 1994 was posted as the First Secretary/Counsellor at the Permanent Representation of Austria to the United Nations in New York. Following this she became the Counsellor and DCM at the Austrian Embassy in Dublin, and in 1997 she became the Head of the Coordination Desk for Common Foreign and Security Policy of the European Union.

**Introduction:** Maxime Bureau, Chairman

**Host intervention:** Dr Elisabeth Kehrer

**Issue leads:**



- Nicholas Hodac and Doris Schernhammer - Transatlantic relations
- Carsten Dannöhl - Trade
- Taggart Davis - Brexit

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Margarete Schramböck,  
Federal Minister for Digital and Economic Affairs (OVP)

10.30 - 11.30  
Thursday, 26 April 2018

Stubenring 1, 1010 Vienna



Covers:  
International Trade  
Single Market  
Free flow of data  
Platforms  
Data Economy  
Artificial Intelligence  
International Trade  
Single Market

### Meeting details

**Margarete Schramböck** studied Business Administration at the Vienna University of Economics and Business Administration (WU), graduating in 1994. In 1997 she earned her doctorate with a dissertation on business consulting.

From 1995 she held various positions at Alcatel. In 2002 she took over the management of NextiraOne in Austria.

From December 2008 to December 2011 she was Managing Director of NextiraOne Germany. In 2014 she became CEO of Dimension Data Austria, a globally leading provider of network and communications technologies and IT services, in particular in the fields of network and computer centres, cloud services, IT security, voice and video communications as well as application integration. From 2016 to 2017 she was CEO of A1 Telekom Austria.

Ms Schramböck remains deeply attached to her Alma Mater and is a member of the WU's Center of Excellence. In 2017 she was elected both Tyrolean of the Year and University of Economics and Business in Vienna WU Manager of 2017.

Ms Schramböck has been Federal Minister for Digital and Economic Affairs since January 8 2018.

**Introduction:** Maxime Bureau, Chairman

**Host intervention:** Minister Schramböck

**Issue leads:**

- Maxime Bureau – Single Market
- Claudia Selli – Digital
- Carsten Dannöhl – Trade

**Close:** Maxime Bureau, Chairman

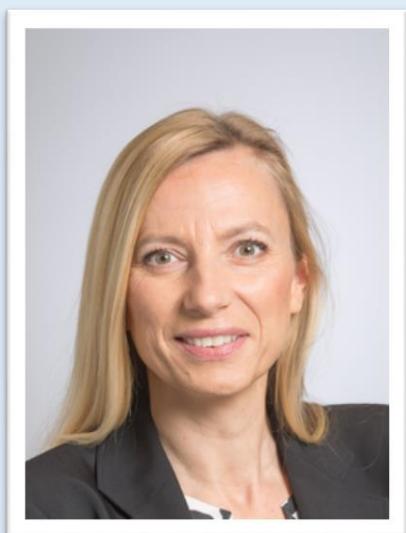
## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

**Juliane Bogner-Strauss,  
Federal Minister for Women, Families and Youth (ÖVP)**

**12.30 - 13.30  
Thursday, 26 April 2018**

**Bundeskanzleramt, Federal Chancellery Untere Donaustraße 13-15 1020 Vienna**



Covers:  
Bioethics,  
Building Culture,  
Growth and Jobs,  
Public Services,  
The OECD

### Meeting details

**Juliane Bogner Strauss** is an Austrian molecular biologist, biochemist and politician of the Austrian People's Party (ÖVP). Since October 2013 she has been Associate Professor at the Institute of Biochemistry of Graz University of Technology. On the 18 December 2017 she was appointed Federal Minister for Families and Youth of the Republic of Austria.

Ms Bogner-Strauß studied chemistry at the University of Graz, graduating in 1999. This was followed by a doctoral program at the Institute for Molecular Bioscience at the University of Graz. In 2005 she moved to the Technical University of Graz as an assistant professor in the Institute for Genomics and Bioinformatics. From October 2013 she was Associate Professor and Deputy Director of the Institute of Biochemistry.

Since October 2017, she has been a member of the Styrian VP-Employee Alliance and, since November 2017, a member of the Styrian VP Women.

Since the 8 January 2018 she is the Federal Minister for Women, Families and Youth in the Federal Chancellery.

**Introduction:** Maxime Bureau, Chairman

**Host intervention:** Minister Bogner-Strauss

**Issue lead:**

- Beatrice Flammini – Gender Initiatives

**Close:** Maxime Bureau, Chairman



## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Dr Georg Kathrein,  
Head of the Department for Civil Law  
Ministry of Constitutional Affairs, Reforms, Deregulation and Justice

14.30 - 15.30  
Thursday, 26 April 2018

Room 553, Museumstraße 7, 1070 Vienna

### Biography

Covers:  
Jurisprudence  
The Fight Against Corruption  
Administration of Justice  
Constitutional, Civil and Criminal law

### Meeting details

Dr Georg Kathrein is the Head of the Department for Civil Law at the Ministry of Constitutional Affairs, Reforms, Deregulation and Justice.

Waiting on bio

Additional participants:

- Dr. Barbara Kloiber, Head of Unit I 8 (Civil Procedural Law)
- Mag. Christian Auinger, Head of Unit I 4 (Copyright)
- Dr. Dagmar Dimmel, Deputy Head of Unit I 2 (Law of Obligations)
- Dr. Cornelia Kern, Official in Charge of Unit I 2 (Law of Obligations)

Introduction: Maxime Bureau, Chairman

Host intervention: Dr Georg Kathrein

Issue leads:

- Imelda Vital – Consumer
- Benjamin Neyt and Vincent Jamois – IP
- Jeremy Rollison – GDPR, E-evidence

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Federation of Austria Industries (IV)

16.00 - 17.00  
Thursday, 26 April 2018

Schwarzenbergplatz 4, 1031 Vienna



### Meeting details

The Federation of Austria Industries (IV) is the voluntary and independent representation of interests of the Austrian industry and its related sectors. Since 1946 the IV has taken part in all legislative processes as a recognised partner of politics. A federal organisation, nine regional groups and the IV-office in Brussels represent the issues of its currently more than 4,400 members in the manufacturing sector, credit and insurance sector, infrastructure and industry-oriented services in Austria and Europe. The Federation's members represent more than 80 per cent of domestic manufacturing companies.

The efficient and modern organisation's work is essentially based on four pillars:

- REPRESENTATION OF INTERESTS
- NETWORK
- SERVICE
- THINK TANK

Through innovative concepts and expertise the Federation strives to make Austria fit for the future at the interface between business and politics. At the European level the Federation of Austrian Industries, one of Europe's most modern and powerful employers' associations, is the voice of Austria's industry in the industry and employers' association BusinessEurope.

Introduction: Maxime Bureau, Chairman

Host intervention: Michael Löwy, Director for International Relations

Tour de table exchange of views

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*dinner with*

Eugene Young,  
Chargé d'Affaires  
US Embassy in Austria

19.30 - 21.30  
Thursday, 26 April 2018

Salon Metternichon, Hotel Sacher Wien  
Philharmoniker Str. 4, 1010 Vienna



Eugene Young arrived in Vienna and assumed the duties of Deputy Chief of Mission on March 17, 2015. On January 20, 2017, Mr. Young became Chargé d'Affaires ad interim. He leads the U.S. Embassy in Austria, promoting a close and productive U.S.-Austrian partnership and furthering the friendship between the Austrian and American people.

Mr. Young's assignment to Vienna continues his career-long focus on Central and Southeast Europe. He served as Deputy Chief of Mission in Ljubljana, Slovenia, and previously as an Economic or Political officer at the U.S. embassies in Belgrade, Serbia, Zagreb, Croatia and Bratislava, Slovakia. In Washington, Mr. Young coordinated U.S. policy toward Hungary, and served as a Special Assistant to Deputy Secretaries Richard Armitage and Robert Zoellick, with responsibility for European and African affairs.

Mr. Young grew up in Lockport, New York and graduated from Miami University (Ohio) with a BA in International Studies and from The George Washington University with a MA in International Affairs. He is married to Dr. Zoë Wilson and they have two sons.

Eugene Young will be departing in mid-May and moving to his next posting in Tel Aviv, Israel heading up the Pol-Econ section

Introduction: Maxime Bureau, Chairman

Host intervention: Eugene Young, Chargé d'Affaires, US Embassy in Austria

Meeting details

**Please note:**  
The CDA is particularly keen to discuss Trade

Ambassador is particularly keen to discuss Trade)

- Carsten Dannöhl - Trade

Tour de table exchange of views

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

**Dr Christian Dorninger,  
Head of Directorate of Technical, Vocational and Adult Education  
Ministry of Education, Science and Research**

**09.00 - 10.00  
Friday, 27 April 2018**

**Minoritenplatz 5, 1010 Vienna**



Covers:  
General education  
Science and Universities  
Service and salary law  
Research Policy  
Technology and Innovation (R&D)

### Meeting details

**Dr Christian Dorninger** has been involved in education policy since 1988, when he became an Educational Officer on the Vienna Board. Following this role, he worked his way up through the Austrian government becoming an Adviser at the Federal Ministry in 2000 and then a Head of Department in two separate sections of the Ministry of Education from 2011. In 2013, Dr Dorninger was appointed as a General Director in the Ministry and has since held this position.

Additionally, he holds a university degree in Technical Physics and Nuclear Physics, and a teaching degree in Mathematics and Physics. As a result, Dr Dorninger was a lecturer of Mathematics at the Open University of Hagen, and a teacher of Mathematics and Physics at engineering schools for the period of 1982-2013. He is also a member of the Austrian Society of Physicists and the Austrian Computer Society.

Introduction: Maxime Bureau, Chairman

Host intervention: Dr Christian Dorninger

Issue lead: Laurin Sepoetro – Future of Work, Education and Skills Task Force

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

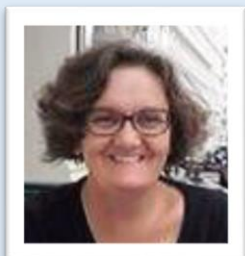
**Ulrike Neufang,**

Deputy Director General, EU and International Affairs, Senior Citizens and Voluntary Policies  
Ministry of Labour, Social Affairs, Health and Consumer Protection

10.30 - 11.30

Friday, 27 April 2018

Stubenring 1, 1010 Vienna



Covers:  
Labour  
Social Affairs  
Health  
Consumer Protection  
Women and Equality

**Ulrike Neufang** has been a Ministerial Director since September 2015. She was previously appointed in 2012 as Deputy Head of the Ministers cabinet in charge of European and international Affairs and was a member of the Austrian PROGRESS program committee for twelve years. She has a long history in public work, having been a staff member at the Ministry of Labour, Social affairs, Health and Consumer protection in 1997 and an intern at the European Commission (DG Education and Youth) in 1996.

Ms Neufang also achieved a post graduate degree at the University of Graz, Austria in 1996 and a Masters of History and the Arts in 1994. She is able to speak English and Danish at a proficient level.

Additional participants:

- **Dr Peter Brosch**, Head of Unit, DRG, Healthcare Financing, Semantics, Pharmacoeconomics
- **Dr Katharina Hawlik**, MSc, DRG, Healthcare Financing, Semantics, Pharmacoeconomics
- **Amire Mahmood**, Legal Expert, Head of sub-division Food Law and Food Labelling
- **Stefan Eichwalder**, Deputy Head of Unit, Legal matters of the structural reform and Health Economics
- **Dr Susanne Piffel-Pavelec**, Head of Department, European Labour Law and International Social Policy
- **Dr Gertrud Breindl**, Head of Department, EU and International Health and Safety at work

## Meeting details

- **Mag. Bernadette Gisinger-Schindler**, Head of Department, Bilateral Relations and International Organisations

Introduction: Maxime Bureau, Chairman

Host intervention: Ulrike Neufang

Issue leads:

- Alexander Roediger
- Marie-Helene Fandel

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Angelika Berger,  
European and International Affairs  
Ministry of Transport, Innovation and Technology

12.00 - 13.00  
Friday, 27 April 2018

Radetzkystraße 2, 1030 Vienna



Covers:  
Telecommunication  
Postal Services  
International Mobility  
Infrastructure Policy

Meeting details

**Angelika Berger** joined the Austrian Federal Ministry for Transport, Innovation, and Technology in 2003. From 2004 to 2009 she was appointed Attachée for Transport and Innovation at the Permanent Representation of Austria to the EU in Brussels, Belgium. In that capacity she was the chairperson of various EU Council Working Groups during the Austrian EU Presidency in 2006. From 2015 to date, Angelika has been serving in the Directorate for International and EU affairs, mainly dealing with the preparation of the Austrian EU Presidency. Since January 2018, she is also serving in the office of the Secretary General for Transport, Innovation, and Technology, where she is supporting the team in European and International transportation affairs.

Angelika Berger studied law at the University of Innsbruck and the Institut d'Etudes Politiques de Paris and completed her studies with language courses in England, France, and Italy.

Additional participants:

- Maximilian Unfried (Transport)
- Michael Nikowitz (Automated and Connected Driving)
- Maximilian Bauernfeind (Brexit)
- Michaela Aumann (Brexit)

Introduction: Maxime Bureau, Chairman

Host intervention: Angelika Berger

Issue leads:



- 
- Audrey Douspis – Transport
  - Taggart Davis – Brexit
  - Claudia Selli – E-privacy, Electronic Communications Code

Close: Maxime Bureau, Chairman

## AmCham EU Presidency Group delegation visit to Austria

*meeting with*

Dr Josef Plank  
Secretary General  
Ministry of Sustainability and Tourism

14.00 - 15.00  
Friday, 27 April 2018

Stubenring 1, 1010 Vienna



Covers:  
Environmental Policy  
Agricultural Policy  
Forestry and Water  
Energy and Mining  
Quality-of-Life Issues

### Meeting details

Dr Josef Plank has been the Secretary General of the Federal Ministry of Sustainability and Tourism since January 2018.

Dr Plank is from a mountain farmer family and after graduating he studied at the University of Natural Resources and Applied Life Sciences in Vienna. Following this he worked in the Agriculture Chamber of Livestock and Meat Marketing and in 1993 he moved to Agrarmarkt Austria, becoming the organisation's Chairman in 1996.

It was in 2000 that Dr Plank became involved in politics, becoming a provisional councilor for matters of agriculture, hunting, fishing and forestry. He resigned from this post in 2009. As a result, Dr Plank took on more roles in the private sector as Managing Director at RENERGIE (2009-2015) and President of the Austrian Biomass Association (2015-2017).

He returned to politics in 2016, achieving a posting as Secretary-General of the Austrian Chamber of Agriculture - he completes the functions of this role despite his recent appointment.

Introduction: Maxime Bureau, Chairman

Host intervention: Dr Josef Plank

Issue leads:

- Leah Charpentier - Environment
- Audrey Douspis - Energy

Close: Maxime Bureau, Chairman

## 5. AmCham EU High-Level messaging and Speaking Points



**SPEAKING POINTS**  
**Presidency delegation to Austria**

Edition April 2018

# High-Level Messaging

## Who we are and what we stand for

- AmCham EU speaks for American companies committed to and invested in Europe.
- Our two overarching priorities:
  - Maintain and strengthen the transatlantic relationship
  - Build a stronger and more competitive EU

Aggregate US investment in Europe totalled more than €2 trillion in 2017, directly supports more than 4.7 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

## What the transatlantic economy means for Austria:

**Jobs:** US companies directly employ over 50.000 workers in Austria (2016 figures).

**Investment:** US affiliates invested over \$15 billion in Austria in 2016.

**Revenue:** US affiliate sales in Austria represented \$2.2 billion in 2016.

**Trade:** US imported approximately \$10.9 billion worth of goods from Austria in 2016.

## EU-US key facts and figures

	Europe	United States
Direct jobs	4.5 million jobs (2016) (US companies)	4.1 million jobs (2014) (European companies)
Direct and indirect jobs	15 million jobs on both sides of the Atlantic	
Investment	Europe accounts for 72% of FDI into the US	The US accounts for 60% of FDI in Europe
Growth	Together the EU and US account for one-third of global GDP (in terms of purchasing power).	
Trade in goods	\$687/€612 trillion in 2016	

## Key considerations

### Overarching message: Europe can seize opportunities through cooperation

#### A competitive Europe is key to the success of US companies.

- American companies invest in Europe primarily to access a **wealthy consumer base** (500 million consumers) and a **large and expanding periphery**.
- While prospects for growth are slowing down in emerging markets, **Europe is on the rebound** (growth around 2%). It also remains a very **stable place to do business** compared to other regions in the world.
- Europe is a **critical source of global profits for US business**: US affiliate sales in Europe topped \$3.1 trillion in 2015.

#### Transatlantic cooperation is paramount for continued growth.

- The EU and the US are **each other's most important markets** and the two most deeply integrated regions in the world. The transatlantic economy is responsible for €5.2 trillion total commercial sales and employs 15 million workers on both sides of the Atlantic.
- **European growth supports prosperity in the United States and vice-versa**. The more profitable US affiliates are in Europe, the more earnings are available to the parent firm to hire and invest more.
- **European jobs rely on a strong transatlantic economy**. US companies directly employ 4.5 million workers in the EU.

#### Austrian Presidency should ensure long-term vision and development of Single Market.

- The Single Market is bringing **economic growth, job creation and prosperity** for European citizens and for businesses of all sizes in all Member States.
- It is in the interest of the current Presidency to continue to **support and safeguard the Single Market**, protect its achievements and avoid fragmentation.
- **Member States have been benefitting from the Single Market**: As a result of integration, average GDP per capita has increased by €1050, consumption per household by €600, and 3.6 million jobs were created.
- **Further integration** (breaking down remaining barriers, correctly implementing EU legislation and bringing Member States' economies closer) **would bring additional gains to households and businesses in each Member State**. By focusing on barriers to cross-border services and carrying reforms in the Member States, 1.3 million additional jobs could be created every year. The best opportunities for further integration lie in the area of services.

# Steel/aluminium tariffs

## Key messages

### We are concerned over unilateral US trade action

- US government plans to impose tariffs on imports of steel and aluminium would fail to address legitimate concerns regarding global overcapacity.
- Addressing global overcapacity of steel and aluminium requires coordinated action by the EU and the US.
- Unilateral US government actions would risk harming America's relationship with Europe, its staunchest ally.

### We need to avoid escalation and proceed with caution

- Tit-for-tat responses will only serve to exacerbate the problem and would lead to a deterioration in transatlantic economic and political relations.
- While we welcome the US decision to temporarily exempt the EU, we urge the US government to revisit its plans and the EU to take a cautious approach in responding to these measures.
- However, the debate is broader than this. The risk of a trade war between the US and other countries remains.
- In an interconnected economy, the fall-out of a tit-for-tat escalation could be significant:
  - Affecting US and international companies operating around the world;
  - Could have spill-over effects for the transatlantic economy and globally; and
  - Would exacerbate recent protectionist trends and embolden countries to take similar measures.
- A damaging escalation could threaten jobs and investment at a critical time for the European and American economies.

### Our joint prosperity relies on the transatlantic economy – let's not jeopardise what we have built together

- Our economies are deeply intertwined. We thrive together. When the EU does well, the US benefits, and vice versa.
- The fundamentals have not changed: the EU and the US are more deeply integrated across more economic areas than any other two regions in the world.
  - 15 million jobs on both sides of the Atlantic
  - One third of global GDP
  - €4.5 trillion in total commercial sales a year
  - Half of total global personal consumption
- The more profitable affiliates are in Europe or the US, the more earnings are available to the parent firm to hire and invest at home.
- The EU and the US are historic partners. We are bound by our common history and share the same values and interests.

### We need to support a fair, open and rules-based global trading system

- We are concerned about the broader implications for the global trading system and other US trade partners.
- Companies rely on free trade and open markets to prosper. Now is not the time to create new trade barriers.

- All actions taken by the EU and the US need to be WTO compliant. Our companies rely on the WTO and the global trading system in order to compete fairly around the world.
- At a time of increased protectionism, the EU and the US should work together to shape the global economy to their values and interests.

## Background

### Section 232

A presidential memorandum signed in April, ordered the US Department of Commerce to launch a Section 232 investigation on whether to curb steel imports on “national security” grounds.

Back then, Commissioner Malmström said US concerns on steel imports were market distortions and overcapacity in China, and added that “we share [these] concerns.” US tariffs are “maybe not targeted vis-à-vis Europe, but it will hit us very hard” (POLITICO).

# Digital Tax

On 21 March 2018, the Commission has published its short-term (Digital service tax - DST) and long-term taxation measures on digital companies.

- AmCham EU understands the public interest in digitalization and supports an environment that enables all businesses to grow and European citizens to reap the benefits of the digital transformation. However, we believe that the taxation of the digital economy needs to strike the right balance between taxing value where it is created while fostering growth.
- We agree there needs to be a serious, structured conversation about how new business models should be taxed. However, we believe that the conversation should take place in a multilateral context in order to ensure widespread agreement.
- The EU can bring valuable expertise to the conversation which is now being initiated at the OECD, but we are concerned that the short-term measures proposed by the European Commission may make it more difficult for that process to succeed.
- Ultimately, we see significant issues with the current proposals (especially a turnover based tax), since we believe they will reduce rather than promote the economic boost that digitalisation can procure.
- Turnover taxes substantially reduce the amount of company profits available for investment and reinvestment, and could have a negative effect on jobs and growth in the EU. They penalise businesses with low margins and low profits. Even where they are focused to target a small number of large businesses, taxes that are not proportionate to profits (and at a rate which could exceed businesses' profit margins) create a cliff-edge that disincentivises smaller businesses from growing.



# Agriculture and Food

Policy Advisor: Jarrod Birch

Content Advisor: Marius Nicolescu

## Key Messages / Priorities:

1. CAP reform must focus on liberalisation, research & innovation and the international dimension
2. Discriminatory tax on food and drink is ineffective and undermines EU law.
3. Risk and innovation in the sector need to be better communicated by the EU.
4. Environmental law must not become a non-tariff barrier to international trade.
5. Brexit must not harm trade flows or movement of sectoral skills.

## Positions / Recommendations

1. **The CAP reform must focus on market liberalisation, research & innovation and the international dimension.**

**Context:** The Commission's proposals to reform the CAP are expected in May 2018. Following its Communication on the 'Future of Food and Farming' in November 2017, it is foreseen to give more powers to the Member States to develop their own 'strategic plans' to meet objectives at EU level.

### Recommendations:

- A market-oriented CAP offers the best opportunities to farmers, supply chain partners and consumers. As long as they do not distort the market, direct payments should continue to be an integral component of the CAP.
- To have a more competitive, productive and sustainable agriculture, it is paramount that any support system is managed at EU level.
- The future CAP should approach sustainability and productivity as inseparable and mutually enriching priorities. The reform should take account of the new SDGs and the Paris Agreement, and give farmers positive incentives and flexibility to achieve measurable goals.
- The EU should provide further support to research and innovation, including supporting the introduction of digital and precision agriculture technologies.
- Attention should be paid to levelling the international playing field, with efforts to agree on adequate global production standards redoubled. Cooperation with trading partners will also be crucial to ensure that the EU demand for raw materials is met.

2. **Discriminatory tax on food and drink is ineffective and undermines EU law**

**Context:** Member States are introducing more and more taxes on certain products (e.g. sugar) to reduce their consumption. The EU broadly endorses this, with a World Health Organisation (WHO) report also spurring national action. Such taxes are simplistic means to address complex diet and lifestyle situations. They are discriminatory by nature, undermining the principle of proportionality. Often used to protect failing national sectors, they prevent more competitive companies from creating jobs and growth in less competitive Member States. Moreover, lower socioeconomic groups typically spend more of their income on food than higher income categories, these taxes increasing their overall costs.

### Recommendation:

- To prevent further costs for lower socioeconomic groups and foster competitiveness, taxes should be scrapped.

### 3. Risk and Innovation in the sector needs to be better communicated by the EU

**Context:** Risk management and risk communication are among the most contentious issues in international trade (e.g. biotechnology in crops, food chain governance). Public pressure is causing decision makers to baulk at approving and implementing legislation.

**Recommendations:**

- Transparency, predictability and science should be the principles driving the assessment of the safety of biotechnology in crops.
- The EU should devote more efforts to encourage citizens to accept science-based and evidence-based policy from the likes of the European Food Safety Authority (EFSA).
- Policies in other sectors (e.g. trade) should always take food supply impacts into consideration in light of food security issues.

### 4. Environmental law must not become a non-tariff barrier to international trade

- **Context:** The sustainability of agricultural raw materials and greening of the supply chains are increasingly coming under the focus of the EU Institutions. This increased focus risks making environmental law a potential non-tariff barrier to international trade, which could weaken the EU's position in trade negotiations.

**Recommendations:**

The right moment to address such potential/current barriers is during the discussions establishing new FTAs.

### 5. Brexit must not harm trade flows or movement of sectoral skills

**Context:** UK-27 trade flows in food and drink are heavily integrated. The EU takes over two-thirds of UK food and drink exports and 70% of UK food and drink imports come from the EU. The food and drink sector contributes £26.9bn to the UK economy annually.

**Recommendations:**

- Negotiators should ensure continual trade flows, and avoid a system of high tariffs.
- Increased efforts should be made to avoid the introduction of customs checks, regulatory divergence, and other burdens which would lead to higher food prices for consumers.
- The 28 should ensure free movement of skills and talent to preserve investment and deliver growth.

# Brexit

Policy Adviser: Timothy Adamson  
Content Adviser: Thibaut L'Ortye

## Key messages:

1. A clear roadmap for Brexit needs to be agreed upon as soon as possible.
2. The EU and the UK should adopt a long-term outlook that emphasises growth and stability.
3. The deal on transitional arrangements is welcome and should last as long as necessary.
4. Companies operating in the EU and the UK should keep as much access as possible to each other's markets
5. The continued availability of skills and talent is critical for companies.

## Positions / Recommendations:

### 1. A clear roadmap for Brexit needs to be agreed upon as soon as possible.

**Context:** The slow progress of Brexit negotiations continues to cause uncertainty both in Europe and globally. An unsatisfactory final deal or a 'no-deal' scenario could stifle investment by US companies in the EU and the UK while hindering growth.

#### Recommendations:

- A final deal is essential to avoid a damaging cliff-edge scenario. The EU and the UK have a short timeframe to agree on the details of the Withdrawal Agreement to ensure a smooth UK exit by March 2019.
- A clear roadmap for the future relationship still needs to be agreed by the EU and the UK and effectively communicated to all stakeholders. The recent frameworks issued by both sides have helped, but more clarity is needed and should include input from the business community.

### 2. The EU and the UK should adopt a long-term outlook that emphasises growth and stability.

**Context:** Emotion has and continues to dominate the debate in the EU and the UK. This harms the prospects for a deal that best meets common interests.

#### Recommendations:

- The EU and the UK should adopt a flexible, open and non-punitive approach to the negotiations to deliver an agreement that meets the interests of both parties.

### 3. The deal on transitional arrangements is welcome and should last as long as necessary.

**Context:** Negotiations for a future EU-UK trading relationship will be complex and time is already limited. It's why businesses pushed hard for a transition period and why the recent announcement is welcome.

#### Recommendations:

- The transition period – tentatively envisaged to run through until December 2020 and based on the current EU-UK arrangements – should last as long as is necessary in order for both parties to agree on the contours of a deep and long-term partnership.
- Businesses must be given appropriate time to adapt to new requirements to maintain continuity throughout this period.

### 4. Companies operating in the EU and the UK should keep as much access as possible to each other's markets.

**Context:** Businesses of all sizes rely on common regulatory systems and the free flow of goods, services, people and capital across European borders to succeed.

**Recommendations:**

- Companies operating in the EU and the UK should retain as much access as possible to each other's markets.
- Maintaining the current level of market access with third countries is crucial.

**5. The continued availability of skills and talent is critical for companies.**

**Context:** The ability for companies to employ and utilise the right skills is critical to their success.

**Recommendations:**

- The EU and the UK must ensure the continued availability of skills and talent for companies to preserve investment and deliver growth.
- Arrangements for the retention of non-UK nationals currently entitled to work in the UK, and UK nationals working in the EU, are critical.
- A final agreement should ensure the UK continues to participate in existing research and other EU programs.

# Consumer Affairs

Policy Advisor: Jarrod Birch

Content Advisor: Marius Nicolescu

## Key Messages / Priorities:

1. The New Deal for Consumers should focus on simplification and enforcement of existing legislation
2. Any new collective redress mechanism in the Injunctions Directive should be accompanied by appropriate safeguards
3. The amended proposal on the sale of goods remains unbalanced

## Positions / Recommendations

1. **The New Deal for Consumers should focus on simplification and enforcement of existing legislation**

**Context:** Following the conclusion of the fitness check of the consumer acquis in 2017, the Commission proposed a 'New Deal for Consumers' on 11 April 2018. This includes targeted revisions to the Injunctions Directive (see below), the Consumer Rights Directive, the Unfair Commercial Practices Directive, the Unfair Contract Terms Directive and the Price Indication Directive.

### Recommendations:

- Any legislative overhaul should focus on rogue traders who deliberately disregard consumer protection rules for their own gain.
- The Commission should focus on simplification, harmonisation and better enforcement of current legislation.
- There are gaps at national level in the implementation of the acquis. National authorities should intensify efforts to enforce laws and court decisions.

2. **Appropriate safeguards should accompany any new collective redress mechanism in the Injunctions Directive**

**Context:** As part of the New Deal for Consumers, the Commission introduces a new collective redress mechanism in the Injunctions Directive. This would allow groups of consumers to seek redress in cases of cross-border mass harm (e.g. Dieselgate).

### Recommendations:

- Experience of the US class action system shows the dangers of a culture of abusive litigation for consumers, businesses and the investment climate.
- Any move to introduce a new collective redress mechanism should be accompanied by the safeguards laid out in the Commission's 2013 recommendation to Member States. These safeguards have only been very selectively implemented in the current legislation.
- It is critical that the following safeguards are placed on third-party funding:
  - placing limitations on recovery by funders;
  - holding litigation funders liable for cost recovery;
  - requiring disclosure of the identity of funders and funding arrangements.
- The 'loser-pays' principle also be upheld to strike the right balance between legitimate and spurious claims, along with the promotion of 'opt-in' actions to ensure that consumers are not included in claims without their consent or knowledge.

3. **The amended proposal on the sale of goods remains unbalanced**

**Context:** the Commission amended its 2016 proposal on contract law for the online sale of tangible goods in December 2017, to include offline sales. The proposal aims to improve the quality and coherence of European contract law.

**Recommendations:**

- The Commission's extension of the proposal to offline sales is welcome. It will allow multi-channel traders to align their sales conditions for all distribution channels and reduce administrative burdens and costs.
- We support the harmonisation of the legal guarantee period to two years, which remains the standard in most Member States. Any amendment that considers the lifespan of the product, would be counterproductive.
- Member States should be encouraged to maintain the obligation for consumers to notify businesses in cases of non-conformity, as this provides a necessary legal safeguard for traders against unsubstantiated claims.
- Fully harmonising the period of time during which the lack of conformity shall be established is a positive and useful objective. However, extending the period in which the burden of proof rests on the trader to two years is excessive given that defects will invariably appear in a shorter period of time. We support reducing this period to 6-12 months.
- The new right for consumers to choose between repair and replacement goes against the Commission's circular economy objectives and would impose a disproportionate burden on companies. The general rule should be that repair is prioritised wherever possible.
- Traders should be allowed to inspect returned products before reimbursing consumers. Currently, the Directive risks forcing the trader to reimburse the consumer before receiving the goods.
- The Directive should be aligned with the rest of the consumer acquis, particularly the Consumer Rights Directive. For example, the passing of the risk should happen when the consumer gets possession of the goods, as in the CRD.

# Customs and Trade Facilitation

Policy Adviser: Ava Lloyd

Content Adviser: Thibaut L'Ortye

## Key Messages / Priorities:

1. Separate collection of customs duties and taxes
2. Allow Authorised Economic Operators (AEOs) to expedite their goods more quickly
3. Streamline the importing process by creating one-stop-shop systems
4. Centralise the clearance of goods
5. Apply customs penalties uniformly

## Positions / Recommendations:

### 1. Separate the collection of customs duties and taxes

**Context:** Import VAT is currently collected by customs authorities, despite being dictated by a much less harmonised and different set of rules to customs duties. This creates a substantial compliance burden for business. The Commission recently adopted a package on modernising VAT for cross-border e-commerce.

#### Recommendations:

- Customs authorities should be the sole responsible for collecting import duties
- Import VAT should be collected by a different government agency

### 2. Allow Authorised Economic Operators (AEOs) to expedite their goods more quickly

**Context:** The current AEO accreditation programme does not provide enough benefits to businesses, particularly SMEs, which invest considerable resources to become accredited. The investments to become an AEO largely outweigh the benefits. The UCC has not solved this.

#### Recommendations:

- Create a 'fast lane' by which AEO-accredited companies to be assessed on the basis of their operational processes rather than individual shipments.
- Individual shipment controls should only be used in cases of suspected irregularities or risk.
- AEOs should be able to reap tangible rewards as a result of their investment and commitment while enjoying significant waivers from certain obligations, including reduced data filing requirements.

### 3. Streamline the importing process by creating one-stop-shop systems

**Context:** Because the EU and its individual Member States have their own separate legislation in place, different controls (e.g. veterinary, phytosanitary, agricultural) are currently managed through 28 different national IT systems. A one-stop shop would greatly enhance the orderly and timely supply of EU goods to the market.

#### Recommendation:

- Implement a single electronic portal used and recognised in all Member States so that goods only have to be physically stopped once.

### 4. Centralise the clearance of goods

**Context:** Currently, when goods are imported into a Member State, the importing company must pay import taxes in that country even if it is not established there. Centralising clearance regardless of where the goods are located will create a framework for companies to consolidate their expertise and workforce in one place and control the movement of goods more efficiently. Until EU VAT rules are truly harmonised, different national specificities make the introduction of centralised clearance challenging.

**Recommendations:**

- Implement a mechanism allowing companies to fulfil all importing obligations in the country where they are established, using one set of rules, carrying out formalities in a single language and with the authorities they are familiar with.
- Collection of customs duties and import VAT should be split so that the formalities can be centralised in a company’s ‘home’ Member State.

**5. Apply customs penalties uniformly**

**Context:** Despite the existence of a Customs Union, the application and enforcement of rules including the imposition of penalties for infringements is still a Member State competence. While AmCham EU supports the harmonisation of customs legislation, it does not support the Commission’s proposal which seeks to introduce a principle of strict liability and to calculate fines on the basis of the value of the goods (rather than the duties not paid/underpaid).

**Recommendations:**

- Penalties should only be imposed in cases of proven gross negligence or intentional fraud.
- Fines should only be collected on the basis of paid or underpaid duties.
- Legislation on infringements and sanctions should be harmonised, so long as the above are not included.

**Q&A**

Issue	Response
Changing the collection of VAT and import duties will deprive government budgets of income	Shifting the collection responsibilities to a different agency will still protect the Member State’s financial interests but at a lower cost for importing companies and customers
Fines for customs infringements should be calculated on the basis of the good’s value	This will disproportionately penalise companies or citizens who trade expensive goods, regardless of the type of infringement



# Digital Economy

Policy Advisor: Maika Föhrenbach  
Content Advisor: Thibaut L'Ortye

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## Key Messages / Priorities:

1. The digital single market (DSM) has not achieved its overall objective of creating better rules for fostering the digital economy. Ambitions need to remain high for the Electronic Communication Code, currently in trilogue.
2. Privacy and trust is a priority for our companies. Complexity is added by uncertainty in international data flows and on the proposed ePrivacy rules. Consistency between the GDPR and any future ePrivacy rules is crucial.
3. Reducing fragmentation in the cybersecurity space is welcome, including on certification. Companies should retain flexibility to define the security system features best for their unique risk situation.
4. EU needs to foster the digitisation of the European economy by enabling data-driven innovation and fostering the development and uptake of emerging technologies

## Positions / Recommendations

1. **The digital single market (DSM) has not been achieving its overall aim of creating better rules for fostering the digital economy. Ambitions need to remain high for the Electronic Communication Code, currently in trilogue.**

**Context:** Several key DSM legislative proposals are pending, including the Electronic Communications Code. A third data package expected on 25 April 2018 will include the review of the Public Sector Information Directive, an initiative on fake news and a communication on artificial intelligence, amongst others.

## Recommendations:

- As we connect more and more objects, policy-makers should evaluate all existing tools and new market realities before deciding on policies, legislation or regulation.
- As a principle, sector-specific regulation should only be maintained or introduced where necessary and proportionate and cannot be applied to all electronic communication services.
- Global, forward-looking principles are needed to ensure technology and data-driven innovation will flourish.
- Security and privacy policies will need to be optimised across borders to upscale technologies.
- Cross-border data flow is an essential condition for 21<sup>st</sup>-century industries to grow across Europe and globally, be they SMEs or large industries. We welcome the proposal for a regulation on free flow of data.
- Technology neutrality should be the cornerstone of policy-making.
- In the light of these principles, we are concerned that many of the proposals tabled are adding fragmentation and legal complexity rather than simplifying rules for the digital economy.
- As the trilogue negotiations continue on the Electronic Communications Code, AmCham EU is concerned that too little progress has been achieved regarding following priorities:
  - Communication providers should be able to rely on a one-stop shop and main establishment principle.
  - While some attempts have been made, the final text should consistently distinguish between business and consumer services.

- We need certainty around how the Internet of Things is covered by the Electronic Communications Code. We welcome that trilogue negotiations go in the direction of excluding M2M applications from end-user protection provisions.

**2. While companies are working on the implementation of the GDPR, complexity is added by uncertainty in international data flows and on the proposed ePrivacy rules. Consistency between the GDPR and future ePrivacy rules is crucial.**

**Context:** The General Data Protection Regulation (GDPR) will enter into force on 25 May 2018. The Council is making slow progress on the ePrivacy regulation (issued in January 2017). At international level, the implementation of the Privacy Shield and the legal challenge against Standard Contractual Clauses continue to cause legal uncertainty.

**Recommendations:**

- AmCham EU is closely monitoring the implementation of GDPR, and to what extent it will provide harmonisation rather than fragmentation. We are concerned that many implementation guidelines adopted by the Working Party 29 go beyond the adopted legal text.
- The continuity of the Privacy Shield and even more of standard contractual clauses is a priority for us. Legal uncertainty remains a problem for international data transfers, as litigation and court challenges continue.
- Alignment between the ePrivacy proposal and GDPR is crucial. The ePrivacy proposal regulates the processing of communication data instead of focusing on confidentiality (protection of communications from unauthorised access by third parties during transmission).
- Machine-to-machine applications should be fully excluded. To better align the two set of rules, data in transmission should be more clearly defined in the ePrivacy regulation.
- The proposal should mirror the flexibility included in GDPR which foresees several legal basis for processing.
- On privacy settings, we believe the requirements are overly prescriptive (impact all software) and would not create a different or better privacy results for users compared to what is already provided by GDPR.

**3. Reducing fragmentation in the cybersecurity space, including on certification is welcome. Companies should retain flexibility to define the security system features best for their unique risk situation.**

**Context:** the Network and Information Security Directive is about to enter into force (9 May 2018). The EU Cybersecurity Act (ENISA Reform & Certification framework, proposal in September 2017) is advancing at a normal pace with the Council and EP are expected to reach a position by June 2018.

**Recommendations:**

- Since cyber threats are global in nature, maintaining and improving international cooperation with public and private partners will remain essential to keep Europe safe, secure and resilient.
- We agree with the Commission that the transposition and implementation of the NIS Directive should be as harmonious as possible. At the same time, in implementing acts should not to undermine the light-touch approach agreed by the legislators.

- AmCham EU welcomes the European Commission’s proposal to convert ENISA into a permanent EU cybersecurity agency. As the responsibilities of ENISA grow, it should aim to continuously reinforce its stakeholder engagement.
- On the proposal for an EU Certification Framework: In order to define an effective tool that can support industry in increasing cyber resilience of their products, services and processes, the framework should adopt:
  - A voluntary and market-driven approach: Companies should be able to develop the security system features best for their unique risk situation. The framework need to remain voluntary and build on a clear approach whereby schemes are defined against standards which are identified to meet certain defined requirements and which are implemented and developed by stakeholders.
  - An inclusive approach: A strong public-private partnership is needed in the development of European certification. The proposal need to clarify that industry should be consulted throughout the process of development of certification schemes.
  - A risk-based approach: Not all applications and systems pose the same level of cybersecurity threats to the economy. Defining ex-ante assurance levels and technical security objectives makes the framework unnecessarily prescriptive.

#### 4. EU needs to foster the digitisation of the European economy by enabling data-driven innovation and fostering the development and uptake of emerging technologies

**Context:** The European Commission has taken initiatives to foster data-driven innovation, including: data localisation requirements (Framework for the free flow of non-personal data published on 13 September 2017), availability of publicly funded data (PSI Review upcoming on 24 April), emerging issues around machine-generated data (a communication and two consultations on 10 January 2017, possible communication on 24 April) and ICT standardisation (upcoming legislative initiative in 2017).

##### Recommendations:

- AmCham EU welcomes the proposal for a regulation on a framework for the free flow of data in the EU and calls for a swift adoption of the proposal.
- Policy-makers must carefully assess the implications on the nascent European digital industry before regulating on emerging issues such as access, ownership, liability and portability. In taking any action on data portability as part of the Framework for the free flow of data, we commend co-legislators to keep a voluntary and market-driven approach.
- To foster technological development, we call for promoting the use and implementation of international standards and not mandate regional standardisation work.
- Our members are at the forefront of research on machine learning and are investing in making Europe a leading power on AI. Industry needs to play an important role in building trust in the AI technology.
- The role of policy-makers should be to focus on the benefits, as the potential of AI in Europe is enormous, by attracting investment, R&D, skills development and promoting a human-centric approach.

##### Q&A

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Issue	Response
Free flow of data Regulation & GDPR	It is important to recall that if the GDPR and this Regulation should be complementary, they do not have the same purpose and do not address the same issues. The GDPR consists of a set of rules related to the protection of personal data, whereas this Regulation addresses the issue of unjustified data localisation requirements imposed by the EU Member States. As such, the application of this Regulation to non-personal data does not mean that privacy protections imposed by the GDPR would cease to apply, even in the case of mixed data sets.

# Environment

Policy Advisor: Florian Gleissner  
Content Advisor: Marius Nicolescu

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## Key Messages / Priorities:

1. The private sector is the engine of the transition to a circular economy and regulatory powers should be exercised with caution so that they do not impede innovation
2. A balanced approach is needed for the Plastics Strategy and the interface between chemicals, waste and product legislation.
3. The REACH regulation should aim at reducing its impact on competitiveness

## Positions / Recommendations

1. The private sector is the engine of the transition to a circular economy and regulatory powers should be exercised with caution so that they do not impede innovation.

**Context:** The Commission launched its revamped circular economy package in December 2015 with a large legislative package on waste (4 directives being reviewed), currently discussed by the Parliament and the Council. The 50+ actions of the circular economy action plan are to be implemented by 2017/2018.

Consistent implementation and the respect of the Single Market should be central to the review of waste legislation.

## Recommendations:

- Waste legislation should respect the EU Single Market by setting **clear definitions**, leaving space for **fair competition and innovation** and preventing diverging measures in different Member States.
- **End-of-waste criteria** are key to unlocking the potential of **secondary raw materials**. They should be harmonised at EU level and applied in a consistent way across Member States and without generating unnecessary administrative burden. Diverging national interpretations should be avoided
- Minimum requirements for **Extended Producer Responsibility (EPR)** and clearly defined responsibilities for producers, municipalities and consumers should guarantee accountability, transparency and proportionality for all schemes.
- **Targets should be ambitious but remain realistic and technically feasible**. AmCham EU supports a **merged target** and opposes any additional quantitative targets (for minimum recycled content, bio-based materials, re-use or deposit schemes on top of existing EPR schemes).
- **Littering should be addressed through awareness raising and education**. As no product or package is produced to be littered, littering is mainly a consequence of negligent and/or illegal behaviour by citizens. Therefore, this should be primarily addressed by appropriate consumer education programs.
- Waste legislation, in general, should not be used as a means to control or phase-out **chemical substances**, which could otherwise create overlaps, duplications and/or conflicts with existing legislation.

2. A balanced approach is needed for the Plastics Strategy and the interface between chemicals, waste and product legislation.

**Context:** In January the Commission released in its 'mini-package', the much anticipated Plastics Strategy and the highly influential interface between chemicals, waste and product

legislation. On plastics, the Commission aims to have all plastic packaging on the EU-market recyclable by 2030, dramatically reduce the consumption of single-use plastics and restrict the intentional use of microplastics in consumer goods. The interface will analyse not only how to effectively reduce the amount of hazardous substances in waste streams, but will also reflect on how best to implement the circular economy objectives.

**Recommendations:**

- **Material and technology neutrality**, as well as a **sectoral approach** that does not fragment the Single Market, will be paramount to the success of the proposals.
- Product requirements vary from one sector to another and **manufacturers should retain the ability to choose the best materials**.
- **Product bans or restrictions do not address the root causes of littering**; the problem mainly being the result of a combination of improper waste management and improper disposal behaviour.
- Solutions for marine litter and microplastics **must be developed on a global level** and then adapted and implemented at regional/national level. Greater commitment to public education and outreach, partnerships with local governments, communities and industry, will all help reduce the amount of waste found in the environment.

**3. The REACH regulation should aim at reducing its impact on competitiveness.**

**Context:** The Commission has recently published its REACH REFIT report. While finding that in many respects REACH has been a success (gathering a comprehensive data set on chemicals, establishing a system for assessing chemicals and restricting substances of very high concern), it also recognises that there is still room for improvement (streamline the authorisation process, ensure a level playing field with non-EU companies). After 10 years of experience with REACH, the private sector continues to be a vocal partner in the REACH post-2020 discussion.

**Recommendations:**

- Improve **predictability**: after 10 years it is still not possible to anticipate what substance will be phased out when. This has a dramatic impact on the private sector.
- Increase **enforcement**: if a REACH ban is not enforced, it gives a competitive advantage to non-compliant goods.
- Allow the industry to innovate: **innovation** is much more than chemical substitution and should not be impeded by REACH.
- Reign in Member States so that REACH processes become less subjective: there is often **too much politics in REACH decisions**. Member States should be given less freedom when running assessments on behalf of ECHA so industry does not feel penalised depending on what Member States is working on their case.

**Q&A**

Issue	Response
What do you think of the Juncker Commission's decreasing ambition in EU environmental law?	We have high expectations for the work being done under REFIT and believe a lot can be done there to streamline ENVI legislation which can often be at odds with other forms of legislation such as health, energy or worker protection legislation.

	<p>In that sense, we do not believe there is a decrease in ambition at all. The Commission is asking the right questions and we are eager to see the results.</p>
<p>American companies don't care about the environment anyway...</p>	<p>US companies take compliance with all legislation very seriously, and this applies especially in the field of environmental legislation. We comply with environmental norms wherever we operate. More than that, environmental goals are at the heart of many of our new and existing business models which we would like nothing more than to scale to the next level in Europe: see Circular Eco Brochure.</p>

# Financial Services

Policy Adviser: Stefano Marmo

Content Adviser: Thibaut L'Ortye

## Key Messages / Priorities:

1. Risk Reduction measures must remain faithful to the global agreements made at Basel and avoid measures which would undermine international regulatory co-operation
2. The proposed CCP location policy would create significant implementation challenges and risk market disruption
3. European Market Infrastructure Regulation (EMIR) reforms must reduce unnecessary burdens on corporate end-users of derivatives (NFCs)
4. A FinTech regulatory approach needs to encourage and facilitate the adoption of digital business models

1. Risk Reduction measures must remain faithful to the global agreements made at Basel and avoid measures which would undermine international regulatory co-operation

**Context:** AmCham EU supports European rules aimed at improving prudential requirements, recovery and resolution. We want to ensure consistency with global standards and to avoid impediments in servicing clients. Divergences create an un-level playing field and lead to the misallocation of capital in the financial system, impacting overall growth. EU policy-makers should engage in the global rule-making process to ensure that the agreed standards meet their needs, and are consistently implemented. Keeping the transatlantic and global financial markets in mind while implementing the next prudential and resolution tools will be key. While we support measures to ensure financial stability and high regulatory standards in the EU, it is crucial that transatlantic financial services activities are not constrained or complicated by divergent or inappropriate legislative developments. This could discourage US investment in Europe and damage the EU's economic outlook.

## Recommendations:

- EU should consider reformulating Article 21b of CRD.
- EU legislators should ask the Commission to provide a comprehensive impact assessment justifying such a burdensome provision. This is important since a provision improving the scope resolution of banks has not been outlined. If EU legislators are convinced that the provision is essential to improve resolvability of banks, it should be applied in a non-discriminatory manner (i.e. to both EU and non-EU headquartered banks).
- The proposed EU IPU structure presents US banks operating in the EU with a conflict of law: it contravenes to US Federal law restrictions on market activities that can be conducted within the same corporate chain that also holds insured deposits.

2. The proposed CCP location policy would create significant implementation challenges and risk market disruption

**Context:** The European Commission published its proposal on CCP oversight or location policy, which includes new supervisory rules and powers over EU and non-EU-based CCPs. This allows the European Commission to issue a negative recognition decision for a non-EU CCP that is deemed of substantial systemic significance. Such a decision would de facto require the relocation of that non-EU CCP to the EU if it wishes to continue providing services to EU counterparties. In addition, the text creates two classifications of non-EU CCPs differentiated by their systemic importance to the EU. These proposed rules could not only have potential implications London-based CCPs after Brexit but could also have spillover effects for US-based CCPs by potentially re-opening the challenging EU-US CCP



equivalence agreement currently in place with the CFTC. The text would require the review of any equivalence decisions every 2 years and could potentially invite some reciprocal action from the US.

**Recommendations:**

- The focus should be on financial stability and resilience of financial market infrastructure. A location policy, requiring these activities to take place within the EU, may lead to market disruption, loss of existing efficiencies and reduced resilience of financial market infrastructure. We believe European policymakers should focus on achieving their oversight goals through alternative arrangements such as dual-supervision.
- Equivalence and recognition are vital to avoid market disruption. Even if a location policy is not imposed, arrangements are required for equivalence and recognition of UK CCPs on Day 1 of Brexit, to avoid significant market disruption, impacting both clearing members and clients.
- A location policy would create significant implementation challenges and risk market disruption. A location policy could fragment liquidity and split collateral pools while creating duplication and inefficiencies for clearing participants.
- Consideration should be given to the new relationship between EU and UK authorities post-Brexit. Strong and effective dual supervision by EU and non-EU authorities, supported by central bank swaps lines, would be preferable to relocation.

**3. European Market Infrastructure Regulation (EMIR) reforms would reduce burdens on end-users and enhance liquidity for the real economy, improving growth and jobs**

**Context:** AmCham EU welcomes the Commission's review of the EMIR regulation, in particular for considering stakeholder input and providing amendments that would reduce unnecessary burdens on NFCs, allowing these real-economy companies to invest more in their businesses, creating jobs and economic growth. AmCham EU is grateful for the amendments that would (i) provide a clear exemption from reporting requirements for intragroup transactions involving an NFC; (ii) remove of the legal liability from NFC-s for the reporting and content of such reports for their trades with financial counterparties; and (iii) make clear that transactions that are for hedging purposes would not be counted towards the clearing thresholds.

**Recommendations:**

- While we are extremely appreciative of the Commission's proposed amendments around reporting and the corporate hedging exemption, further clarification in the text would be welcomed to make clear that the legal liability for both the actual reporting of the data, as well as the accuracy and content of such data, falls on the financial counterparty and never on the NFC.
- The Commission's proposed amendments would reduce burdens on end-users and enhance liquidity for the real economy, improving growth and jobs. Accordingly, we urge Parliament and Council to promptly consider and approve the Commission's proposals relating to the intragroup exemption and on these matters (with clarifying amendments as needed).

**4. A FinTech regulatory approach needs to encourage and facilitate the adoption of digital business models.**

**Context:** Following the establishment of a European Commission internal Task Force on Financial Technology and MEP Cora van Nieuwenhuizen's own-initiative report, FinTech is now increasingly under the EU's focus. The FinTech industry is working to develop new solutions and business models alongside traditional financial institutions and mature tech

companies. However, a number of barriers are restraining the digital transformation of the financial services industry.

**Recommendations:**

- There is a need to bring agility to cloud adoption by the financial services industry. Harmonisation of financial supervisors' regulation on outsourcing is needed in relation to the requirements to launch a cloud initiative.
- There is a need to bring legal certainty and transparency to the processing of personal data under the General Data Protection Regulation, particularly in relation to economic and/or commercial matters.
- Regulatory sandboxes can be a key tool to encourage and regulate the digital transformation of the financial services industry. A harmonised regulatory approach can facilitate that successful innovations are implemented across Europe. Alignment with international supervisory regulatory sandbox approaches should be considered.
- FinTechs should be subject to the same regulatory requirements and oversight as established financial institutions if they engage in certain activities.
- Sharing of cyber-intelligence between public and private entities as well as data sharing for know-your-customer and related purposes within same entities but between the EU and US should be made as proactive and efficient as possible through the establishment of common operative guidelines by the European Data Protection Board and/or Mutual Legal Assistance Treaty (MLAT).

# Future of Work, Education and Skills

Policy Advisor: Florian Gleissner

Content Advisor: Marius Nicolescu

## Key Messages / Priorities:

1. Member States and industry must adapt to challenges posed by new labour developments
2. Companies must be able to move workers and talent across borders
3. The public and private sectors must do more to strike the right work-life balance.

## Positions / Recommendations

### 1. Member States and industry must adapt to challenges posed by new labour developments

**Context:** With the onset of globalisation, technological innovation and new demographic trends, we are witnessing profound changes to global, European and national labour markets. These developments are often associated with significant challenges, but it is also clear that there are unparalleled opportunities for companies and countries to benefit from.

#### Recommendations:

- Policy frameworks must **ensure a quick and smooth reallocation of resources**, including human capital, from declining activities to emerging ones.
- Policy-makers should **foster and promote relevant vocational training** for all age groups.
- Align skills with opportunities by **updating and joining-up curricula**, with a particular focus on STEM topics and soft skills.
- Invest into and facilitate **upskilling and reskilling** of employees and long-term unemployed.

### 2. Companies must be able to move workers and talent across borders

**Context:** EU growth is dependent on the ability of companies to bring and move employees around the European Union. The visa reciprocity and Brexit debates call this into question.

#### Recommendations:

- Revising the Blue Card Directive should provide for free movement of workers and talent across borders, a speedy resolution of the visa reciprocity is also needed.
- The EU and the UK must ensure the continued availability of skills and talent. Arrangements for the retention of non-UK nationals currently entitled to work in the UK, and UK nationals working in the EU is also critical, along with the knock-on effects of Brexit (eg. effect on social and labour laws; also the impact on remuneration, compensation and benefits such as cross-border pensions).

### 3. The public and private sectors must do more to strike the right work-life balance

**Context:** Although the EU has limited competence in the field of employment and social policy, the European Commission can use the European Semester process to pressure Member States to take action by benchmarking against other countries.

### Recommendations:

- Better, EU-level clear policy guidance, strengthened monitoring, exchanges of good practices, and the development of meaningful evidence-based benchmarks is needed.
- However, there is no need to amend the legislative framework to address work-life balance challenges. The European Semester is the best forum to monitor progress.
- Specifically, on gender diversity, a compliance approach is not enough. Public and private sectors need to partner to promote a balanced representation of both genders throughout an organisation's hierarchy, as well as encourage work-life balance.

### Q&A

Issue	Response
The movement of workers and talent across borders is in jeopardy.	Upcoming legislation and 'Brexit' arrangements must provide for companies wishing to move workers and talent across borders.
The EU must adapt to new challenges to the labour market	Improve labour market resilience by building skills for the future.
Workplace-related policies must not harm competitiveness and predictability	EU funding must be devoted to enhancing relevant skills in the workforce. Upcoming work-place related legislation must provide predictability and keep companies competitive.
The public and private sectors must do more to strike the right work-life balance	Use non-binding measures (guidance, monitoring, exchange of best practices) and public-private partnerships to address work-life challenges.

# Healthcare

Policy Advisor: Ava Lloyd

Content Advisor: Thibaut L'Ortye

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## Key Messages / Priorities:

1. Investing in healthcare reduces inequalities and boosts the economy
2. A well-functioning single market for pharmaceutical products facilitates affordable care
3. Support a modern medical devices framework
4. eHealth empowers citizens and lowers costs
5. Work together to fight against AMR

## Positions / Recommendations

### 1. Investing in healthcare reduces inequalities and boosts the economy

**Context:** Europe is faced with an ageing population and constrained national budgets, which often sees health and in particular pharmaceutical spending cuts as an easy target. A narrow focus on price and lack of investment in innovative therapies risk creating barriers to access and compromising Europe's health and growth. Strategies that look at the life cycle of health spending over a longer term period have the potential to create budget headroom for innovation and to improve access.

In addition, the European Commission is currently performing a review of IP incentives for pharmaceuticals which risks sending a negative signal to international investors about Europe's R&D prospects, jeopardising the EU's industrial competitiveness and growth and preventing innovative medicines from reaching the market. One measure being considered is a proposed Supplementary Protection Certificate (SPC) manufacturing waiver, which studies have shown would negatively impact innovation, jobs and R&D investment in Europe. AmCham EU has issued a position paper which assesses the implications of changes to the IP system and has been advocating against any proposed weakening of this framework, including the proposed waiver. We will be happy to share.

Affordable access to innovation requires a holistic approach that does not only assess patient access but also other policies related to life sciences. AmCham EU is currently preparing a report on the shared challenges and opportunities facing life sciences in Europe, with concrete policy recommendations to stimulate the patient access to innovation across the industry (Q2 2018).

### Recommendations:

- Policymakers should adopt an approach that covers the whole spectrum of healthcare provision
- Investment should focus on a product's added value, patient outcomes, and sustainability
- Europe should further encourage R&D in life sciences, driven by strong IP protection
- The EU should strengthen existing IP incentives frameworks to drive innovation
- European healthcare systems should adopt more flexible pricing policies e.g. differential pricing; in a context of External Reference Pricing (ERP) and parallel trade, access to innovation risks becoming unequal
- Empower citizens to take more responsibility for own health (health literacy and IT)

## 2. A well-functioning single market for pharmaceutical products facilitates affordable care

**Context:** GDP and healthcare spend per capita vary significantly across Member States. National markets with publicly regulated prices create – in combination with External Reference Pricing (ERP) a threat of trade diversion from low to high-priced countries, resulting in inequalities. In addition, public procurement models tend to focus on price, causing potential supply disruptions and shortages, and disincentivising investment in innovation in the long run.

### Recommendations:

- Decision-making on pricing, reimbursement and access should remain a national competence, paired with targeted programmes for low/middle-income countries and patient assistance programmes.
- Respect confidential agreements between suppliers and payers that limit price comparisons and facilitate affordable care for patients
- When tenders are used, employ the Most Economically Advantageous Tender (MEAT) award criteria with best price-quality ratio, encompassing full value
- Create specific guidance for public procurement for healthcare products.

## 3. Support a modern medical devices framework

**Context:** Europe's medical devices industry is one of the most innovative sectors of the economy. Technological advances have been extremely beneficial but also challenged the Medical devices / In Vitro Diagnostic Medical Device (MD/IVD) framework, which was recently revised. The regulation and future revisions must ensure the continued safety, innovation and sustainability of the sector.

### Recommendations:

- Better harmonise procedures and criteria to increase product safety across Member states
- The EU should not introduce a system of pre-market approval by a centralised agency
- Encourage greater transparency of information for patients and professionals across Europe
- The EU should drive better reporting and stakeholder involvement for market surveillance between Member States' regulatory authorities
- Encourage further transatlantic convergence to lower costs for patients

## 4. eHealth empowers citizens and lowers costs

**Context:** Innovative ICT, including mobile and wireless technology, can improve healthcare delivery and increase patient access and empowerment in a personalised and sustainable way. A transatlantic eHealth/health IT cooperation roadmap is currently being developed.

### Position:

- Further, adopt interoperable electronic health records to allow citizens to access their medical information and related services online
- Ensure policies that engage citizens, healthcare providers and product vendors to promote self-management

## 5. Work together to fight against AMR

**Context:** If Antimicrobial Resistance (AMR) is not properly addressed, we risk facing a post-antibiotic era with limited treatment options for even the most common infections. AMR is responsible for about 25,000 deaths per year. We urgently need to find solutions to slow the rise of drug resistance globally. The EU can and should serve as a leader in the fight against AMR

### Position:

- Promote antibiotic stewardship to preserve the effectiveness of existing treatments
- Expand and better coordinate surveillance tools and increase our knowledge of the mechanisms of resistance
- Advocate for a broader and more effective use of vaccines and new technologies such as medical devices and diagnostics
- Develop and implement new economic models and incentives to promote antibiotic, vaccine and diagnostic R&D

### Q&A

Issue	Response
Investing in innovative treatments is expensive	It is cost-effective; increases quality of life and expectancy and reduces other costs like hospitalisation
Some medicines prices, in particular in oncology, are exorbitant and not affordable. In addition, the added value is moderate.	Medicines prices are not set by industry but are the result of pricing and reimbursement assessments led by payers and governments. This often involves a benefit assessment.  In a world with ERP and parallel trade access efforts can be undermined. AmCham EU members support alternative access agreements which allow finding solutions for industry and payers.
Investing in prevention methods is not cost-effective and doesn't show real benefit	Every 1 euro invested in vaccines translated into 4 euro return for governments
Patents are the main barrier to accessing medicines and drives up prices	Patents are the pre-condition for innovation. Without the certainty of protection, there would be no incentive for anyone to undertake R&D. Patents also ensure that the data of innovation is publically available and can be used for further research.  A certain protection of innovation is needed since R&D is a long-term, risky endeavour. The big majority never reach the patient. In addition, many medicines fail at the latest stage when all investment has been done. A strong and predictable IP framework incentivises innovation to bring new medicines to market

<p>The pharmaceutical sector does not significantly contribute to the EU economy - we should focus on other sectors</p>	<p>The Commission's Staff Working Document (SWD) on the pharmaceutical sector showed that the sector invests more than any other in R&amp;D, creating highly skilled jobs. The R&amp;D-sales ratio is the highest among all industries.</p>
<p>Off-label medicines are a cheap and easy solution</p>	<p>Off-label use compromises patient safety: they have not been tested and assessed to the same stringent standards as their prescribed indication</p>
<p>Lowest price should be the sole award criteria for tenders</p>	<p>Apart from various small-molecule generics, medicines differ from each other in several ways: be it the safety, efficacy or dosing schedule. Whether a patient has to visit the hospital every two or three weeks makes a big difference and has implications on the total cost of treatment.</p> <p>Tenders should move away from price to total cost, considering that multiple lots are also an option. The cheapest option does not account for quality, innovation, life-cycle costs, ease of use, support and productivity gains. Criteria should go beyond price and recognise added value.</p>
<p>Winner-take-all tenders are the best means of procurement</p>	<p>Winner-take-all tenders can disrupt treatment continuity and incur shortages</p>
<p>Wide tenders should be encouraged</p>	<p>Wide tenders add complexity and cost and encourage consortium bidding, making it difficult for SMEs to participate</p>
<p>Data from medical records should not be shared with patients</p>	<p>Allows them to make more informed choices, manage their health and lowers costs</p>



# Institutional Affairs

Policy Adviser: Stefano Marmo

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## Key Messages / Priorities:

1. The Commission should intensify its work on the Better Regulation Agenda.
2. Transparency Register should apply across the board following a 'one-stop-shop' approach.

## Positions / Recommendations:

1. **The European Commission should continue with its work on the Better Regulation Agenda**

**Context:** AmCham EU is a strong supporter of the Better Regulation Agenda, as this initiative ensures streamlined, transparent and inclusive law-making, which is vital to maintaining a globally-competitive Europe. We warmly welcome the Inter-Institutional Agreement (IIA) on Better Law-making, in particular, provisions on a joint register for delegated acts, enhanced transparency in the legislative process and the commitment to a prompt alignment of pre-Lisbon files to the post-Lisbon system of secondary legislation.

### Recommendations:

- The Commission should intensify efforts towards a smart enforcement strategy that facilitates the transposition of EU rules in Member States, in the least trade-restrictive manner.
- Sufficient time must be given to companies to adapt their processes to new rules by incorporating in relevant EU legislation appropriate transitional industry 'lead-in' periods following adoption.
- Increase transparency in the functioning of Commission expert groups and related sub-groups should be ensured.
- Stakeholders should be involved and consulted when assessing if delegated or implementing acts should undergo an impact assessment or if broader expertise is needed in the early preparation of draft implementing acts.
- The inappropriate use of soft law (non-binding measures) to extend the scope of binding provisions should be avoided at all costs. In addition, wherever soft law is used, an appropriate consultation with Member States and stakeholders concerned should be carried out.
- Ensure that key elements of the IIA on Better Law-making are wholly implemented. This includes ensuring a joint register for delegated acts that is fully operational, administering an annual survey of administrative burden in the EU, facilitating enhanced transparency and boosting the quality of law-making through open, public and all-inclusive stakeholder consultations.

2. **Transparency Register should apply across the board following a 'one-stop-shop' approach**

**Context:** AmCham EU stands for an open and transparent European dialogue and has been a well-known supporter of EU efforts to enhance transparency, having been part of the Joint Transparency Register since 2008. We welcome the Commission's ambition to propose an Inter-Institutional Agreement on a mandatory Transparency Register.

### Recommendations:

- The register should apply across the board with a 'one-stop-shop' approach, resulting in reduced administrative burden for registrants and less risk of confusion and duplication of rules.
- It should offer a simpler and clearer set of guidelines to allow for better compliance as the Register currently suffers from disparity in the disclosure of information.
- It should provide better communication and explanation on what the Register constitutes to avoid misinterpretation of the information declared.
- It should ensure a consistent application of the Commission policy of publishing information on stakeholder meetings to avoid a situation where each Directorate-General can make its own rules.
- It is vital to structurally involve all relevant stakeholders for their input, and to this end, an advisory council should be established to facilitate the widest possible input from stakeholders.

# Intellectual Property

Policy Advisor: Maika Föhrenbach  
Content Advisor: Thibaut L'Ortye

## Key Messages / Priorities:

1. A solid framework of intellectual property rights protection drives European innovation and attracts capital to innovative and creative businesses.
2. AmCham EU welcomes any strengthening of the existing framework of IPR protection as a way to secure innovation and investments in the EU.
3. Continued efforts to enforce intellectual property (IP) rights in non-EU countries are essential for the EU and its Member States to compete in the global economy.
4. A fully functioning unitary patent system would give a clear signal that IP is a driver of innovation, competitiveness and growth for Europe in a global economy.

## Positions / Recommendations

### 1. Value of IP for the Knowledge-based Economy

#### Recommendations:

- World-class Intellectual Property (IP) protection in all fields of technology is vital for maintaining European competitiveness. This also includes promoting EU and third country protection of inventions and content (consistent with international trade agreements) and the fight against counterfeiting and piracy.
- A solid framework of intellectual property rights protection drives European innovation and attracts capital to innovative and creative enterprises. A recent study conducted by the EUIPO has shown that IPR-intensive industries generated more than 42% of total economic activity (GDP) and 28% of all jobs in the EU.

### 2. Enforcement of Intellectual Property Rights

**Context:** The publication of the Commission's 'IP package' in November 2017 sent a strong message about the importance of IPR protection in the EU and clarified the application of the current framework of IPR enforcement. Most recently, the Commission published a recommendation on 'measures to effectively tackle illegal content online', which emphasises the need to strengthen the fight against illegal content online, such as counterfeiting or piracy, including proactively. In addition, the European Commission also launched a consultation on the creation of a European 'Counterfeiting and Piracy Watch List' to identify the marketplaces outside the EU where counterfeiting, piracy or other forms of intellectual property abuse are common practice.

#### Recommendations:

- AmCham EU welcomes any strengthening of the existing framework of IPR protection as a way to secure innovation and investments in the EU;
- We believe that the protection of IPR will facilitate the creation of a safe and sustainable Digital Single Market
- AmCham EU supports the continued enforcement of IPRs by the EU in third countries (China, Russia, Ukraine...) and greater cooperation between the EU and the US in the definition and implementation of their IPR enforcement strategies.
- AmCham EU welcomes the initiative of the European Commission to set up an IP watch list for marketplaces outside the EU. The European Council should contribute to the fight against counterfeiting and piracy (USTR Special 301 Report/Watch List), in particular by promoting the activity of the European Observatory on Counterfeiting and Piracy.

### 3. Unitary Patent Court

**Context:** One of the last steps towards the establishment of a single patent court for Europe, and with it the entire unitary patent regime, was taken on 28 November 2016 with the announcement of the United Kingdom that it will ratify the agreement to establish a Unified Patent Court (UPC).

**Recommendations:**

- A fully functioning unitary patent system would give a clear signal that intellectual property is a driver of innovation, competitiveness and growth for Europe in a global economy. We encourage member states to ratify the agreement of the Unitary Patent Court (UPC) to move forward with implementation of the UPC and UP system. In March 2018, Amcham EU sent two letters to the United Kingdom and to Germany to encourage a rapid notification of the ratification.

#### Q&A

Issue	Response
What is your position on Copyrights?	At this stage, we don't have one position on the copyright issues as different business models exist within our membership. As an organisation, we value the importance of IP as a whole.

# Security and Defence

Policy Advisor: Florian Gleissner

Content Advisor: Marius Nicolescu

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## Key Messages / Priorities:

1. Defence and industrial procurement/funding processes should be open and transparent
2. Border management systems are not sufficiently integrated and need reform
3. Change the mindset towards transport security and increase harmonisation
4. The global threat to cyber security requires global responses

## Positions / Recommendations

1. **Defence and industrial procurement/funding processes must be open and transparent.**

**Context:** Concerns exist around protectionism and 'buy European' in the defence procurement sector, harming member company growth and transatlantic cooperation. The Commission's report on the implementation of directives (Defence Procurement and Intra-Community Transfers) and its recent Defence Action Plan are opportunities to remedy this.

### Recommendations:

- Create an **open EU procurement and funding process**. Encourage US defence industry participation to reinforce enhanced transatlantic defence industrial cooperation.
- The EU should consider the footprint and **contributions to the European Defence Industrial Base** of third-country entities when considering EU funding.
- Implementing the Directives on Defence Procurement and Intra-Community Transfers should focus on **efficiency, transparency and avoid protectionist barriers** to entry.
- Transatlantic cooperation can be encouraged by promoting programmes that include US and EU partners.
- Bureaucratic processes must be further streamlined to create a competitive transatlantic marketplace and foster a more efficient logistical supply chain process.

2. **Border management systems are not sufficiently integrated, needing reform**

**Context:** The proposed [Entry-Exit Schemes](#) would apply to 3rd country nationals visiting Schengen. It registers names, document, biometric information, dates. Discussions focus on balancing border security and efficient movement/privacy. Multiple national programmes are being examined separately, posing the question, how will they work together efficiently?

### Recommendations:

- The EU must **adopt a holistic approach to border management**: increase security, facilitate travel and trade, enhance traveller experience, respect privacy, reduce risk and make the process quicker and more reliable.
- Balance security and the need for **more efficient movement/rights and privacy**.
- **Create a clear, consolidated EU legal framework for sharing, retaining and storing data**. This helps companies to innovate and meet security and data protection requirements.
- Biometric technologies (fingerprint identification, face recognition, iris scanning etc.) **allow faster, more accurate identity verification, and protect the individual's identity**.

### 3. Change the mindset towards transport security and increase harmonisation

**Context:** Transport is vital for movement of people and goods, and boosts trade and competitiveness. Disruptions have a knock-on effect on other industries. Threat assessment and risk management are essential to ensure the security of the supply chain.

**Recommendations:**

- Strike a balance: protect people, goods and infrastructure, but do not impede trade. The use of security screening technologies and effective intelligence sharing is fundamental.
- Develop global procedures and standards (eg. common definitions). Include industry in vulnerability assessments and implementation of security control processes as part of the national security programme.
- Address new security threats through a risk-based approach to aviation supply chain security management and incentivise effective security screening technologies.
- Strengthen aviation/air cargo security through mutual recognition, one-stop security, legislation, threat-based risk management, and enhanced info and intelligence sharing.
- Extend the length and scope of the EU-US Mutual Recognition Agreement on air cargo security. Allow for recognition/harmonisation of security programmes with third countries

### 4. The global threat to cyber security requires global responses

**Context:** Guidance on transposing and implementing the Network Information Security Directive is being prepared. A public-private partnership (PPP) on cybersecurity has been launched – there is concern US companies are not being invited to join for protectionist reasons. A revised proposal on items subject to dual-use export controls includes, for the first time, cybersecurity.

- Cyber threats constantly evolve, heavy-handed regulation stifles innovative responses.
- Cyber threats are global threats. They require global responses from strategic partners, not opportunistic protectionism (eg. in PPPs/procurement).
- Channel R&D resources to leverage the most effective *global* technological solutions and the most promising developments available, instead of trying to replicate them.
- Labelling cyber surveillance technology as dual-use goods undermines the ability of legitimate users of lawful cyber capabilities to protect citizens in the EU and abroad, while malicious third parties would continue anyway. They should be out-of-scope.

**Q&A**

Issue	Response
Defence and industrial procurement processes must be open and transparent	Open the procurement processes to global players. Ensure laws prevent, not promote, protectionism. Cement EU-US relations in joint projects. Streamline bureaucratic marketplace procedures.
Border management systems are not sufficiently integrated, needing reform	Adopt a holistic approach which balances security and efficient movement and rights. Create a clear EU framework and utilise the latest technologies.
Change the mindset towards transport security and increase harmonisation	Strike a balance between security and movement. Develop global standards with industry’s help. Strengthen aviation and air cargo security, particularly regarding the EU-US MRA.

The global threat to cyber security requires global responses

Heavy-handed regulation stifles innovative response to threats. The EU should adopt the best *global* technologies and avoid protectionism.

Listing cyber technologies as a dual-use good undermines legitimate actors' ability to defend the very human rights the legislation aims to protect.

# Tax

Policy Adviser: Stefano Marmo  
Content Adviser: Thibaut L'Ortye

## Key Messages / Priorities:

1. State aid investigations into tax rulings could undermine the certainty of law and block progress on globally agreed anti-tax avoidance standards
2. Common Consolidated Corporate Tax Base (CCCTB) must be optional and the consolidated part should not be delayed to a second phase
3. Country-by-Country Reporting (CbCR) should not go beyond internationally-agreed standards

## Positions / Recommendations:

1. **State aid investigations into tax rulings could undermine the certainty of law and block progress on globally agreed anti-tax avoidance standards**

**Context:** AmCham EU shares the Commission's desire to eliminate state aid that confers an advantage in a selective manner. However, we are concerned that undermining the certainty offered by tax rulings could jeopardise the investment and job creation potential offered by multinationals.

### Recommendations:

- Each case should be heard on its merits and not become politicised.
- Tax rulings are a legitimate and longstanding part of companies' tax planning and operations, providing companies with the legal certainty needed to run their global operations.
- In the absence of a harmonised EU framework for the issuance of tax rulings, companies have no choice but to seek them in accordance with the law and practices of each Member State.
- These investigations could have a 'chilling effect' on Member States agreeing on further tax rulings, unnecessarily holding back future investment.

2. **Common Consolidated Corporate Tax Base (CCCTB) must be optional and consolidation should not be delayed to a second phase**

**Context:** AmCham EU has consistently supported measures to strengthen the Single Market, including administrative simplification, greater incentives for innovation, and better dispute resolution, in conjunction with the elimination of opportunities for aggressive tax planning. However, the proposed two-stage CCCTB gives rise to concerns and may turn out to be a serious negative for investment into Europe.

### Recommendations:

- While offering advantages to some businesses, the CCCTB also brings an additional cost to all businesses in the short term (which the Commission recognises in its impact assessment) and to many businesses in the longer term.
- We do not believe that a one size fits all approach is appropriate, and, therefore, we consider that organisations must be able to elect whether to be subject to the CCCTB if it remains as a single approach.
- To achieve real efficiencies and savings for both Member States and taxpayers, the administration of the CCCTB must be centralised and simplified.



- The CCCTB proposal being split into two stages, with cross-border consolidation and true administrative simplification only coming in a second stage, creates a danger that harmonisation of tax bases in the first stage might be done in ways that hurt business.

### **3. Country-by-Country Reporting (CbCR) should not go beyond internationally-agreed standards**

**Context:** AmCham EU supports tax transparency and the need for business to fully disclose all required information to tax authorities. It consistently supports the OECD's Base Erosion Profit Shifting (BEPS) project and implementation of the OCED BEPS Action 13 in the EU. However, the Commission's proposal for public CbCR could potentially have a negative impact on EU competitiveness and attractiveness as an investment destination.

#### **Recommendations:**

- The EU should adhere to internationally-agreed standards set out by the OECD and the G20 - but not go beyond them.
- This proposal creates additional costs putting companies operating in Europe at a competitive disadvantage relative to other international jurisdictions, potentially harming growth and investment at a time.
- The critical focus should be on confidential reporting to and between tax authorities.
- We continue to believe that the case has not been made that public CbCR would increase the amount of useful information available to tax authorities, investors, or the public.
- The current proposal would require non-EU parented groups to publish the relevant information country-by-country for each Member State and defined 'tax haven', as well as on an aggregated basis for the rest of the world (even where activities are not controlled by the EU). Clearly, this would put the EU at a competitive disadvantage vis-à-vis the rest of the world, harming investment in the EU.

# Trade and External Affairs

Policy Adviser: Timothy Adamson

Content Adviser: Marius Nicolescu

## Key messages:

1. Trade benefits society in an interconnected world
2. Trade agreements encourage growth and establish global standards
3. A strong WTO is key to global growth and development
4. Brexit could impact on EU and global trade

## Positions / Recommendations:

### 1. Trade benefits society in an interconnected world

**Context:** Trade allows the global economy to function and shapes the way we live. However, global trade has slowed in recent years both in Europe and around the world. Meanwhile, it is increasingly the subject of criticism from politicians and civil society.

#### Recommendations:

- An open, rules-based global trading system helps the European economy to grow and prosper, creating jobs, helping businesses to stay competitive, and giving consumers the choice and confidence they need.
- The EU and developed economies should resist the temptation to give into protectionism, which hurts all parts of society.
- Governments and all stakeholders – including the business community – must work together to address the changes that trade and globalisation can bring, to help trade work for everyone.

### 2. Trade agreements encourage growth and establish global standards

**Context:** The EU promotes an ambitious trade policy which helps it to stay competitive and encourages global growth and development. However, the EU has come under severe pressure to curb its outward-looking agenda as populism and protectionism have taken centre-stage.

#### Recommendations:

- An ambitious trade agenda is crucial to help Europe stay competitive in an increasingly globalised and interconnected world. If the EU were to complete all its current free trade talks, including TTIP and CETA, it could add 2.2% to its GDP.
- Proposals to fast-track trade deals, starting with Australia and New Zealand, would address a key demand for business and could enhance the EU's credibility as a negotiating partner going forward.
- The European Commission must take on board the concerns of civil society and ensure that trade agreements meet the needs of all parts of society. The Commission's pledge to publish all negotiating mandates will also help to address transparency concerns.

### 3. A strong WTO is key to global growth and development

#### Recommendations:

- A strong WTO which acts as an important guarantor of legal rights in international trade and investments benefits business and society globally.

- The further development and application of WTO principles through other means, such as issue specific, bilateral and plurilateral agreements, can be a way to boost results at multilateral level.
- The EU should continue to be a driver for these efforts, including by concluding the plurilateral TiSA and EGA agreements as soon as possible.

#### 4. Brexit could impact on EU and global trade

**Context:** The UK's decision to leave the EU could have significant implications for the global trading system. It is in the interest of all parties involved to reach a deal that emphasises growth and stability.

- Any changes to the UK-EU free trade relationship, such as reinstating tariffs or creating diverging regulatory environments, could have a significant effect on EU and global trade.
- The UK's exit could also affect EU trade policy – the UK has been a consistent advocate for free trade and its economy is hugely important to Europe's attractiveness as a trade partner.
- The issue is compounding global concerns about the health of the world economy. Uncertainty over the UK's exit and over EU unity could further harm European growth and competitiveness.

# Transport, Energy and Climate

Policy Advisor: Jarrod Birch

Content Advisor: Marius Nicolescu

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## Key Messages / Priorities:

1. EU energy policy: a liberalised, secure and sustainable energy market
2. EU climate policy: decarbonisation of the transport sector should be addressed in an integrated and balanced manner
3. EU transport policy: building the internal market
4. EU energy and transport infrastructure: ensuring appropriate funding

## Positions / Recommendations

### 1. EU energy policy: a liberalised, secure and sustainable energy market

**Context:** Building a European Energy Union is one of the 10 priorities of the Juncker Commission (2014-2019). Reaching the middle of its mandate, the Commission put forward the most important deliverable of the Energy Union: a package of legislative and non-legislative texts covering all aspects ('pillars') of energy policy: energy security, energy markets, energy efficiency, decarbonisation, innovation. The aim of this package is manifold: create the appropriate energy framework that can deliver on the ambitions of the Paris agreement and cope with the shifts in the energy system from generation to consumption.

#### Recommendations:

- The new EU electricity market design should focus more on markets and less on regulation
  - The immediate political focus should lie with supporting the investments needed in infrastructure projects to integrate renewables such as energy storage. To facilitate digitalisation of distribution systems, data collection and distribution must be given a greater role and data protection must be secured.
  - Competition and cost efficiency are paramount when renewables are promoted. This requires the phase-out of subsidies and a shift towards research and innovation for low-carbon technologies and storage.
  - If required, capacity mechanisms as a last resort must be temporary, regional and come at minimal cost. A liberalised electricity market allows for price spikes and allows markets to identify the most flexible solutions.
- **The revision of the Renewable Energy Directive must respect the principles of technology neutrality and cost-effectiveness**
- The Commission recast of the 2009 Renewable Energy Directive is part of a 'package'. It must therefore not be seen in isolation.
- The clean energy package must remain consistent with the European Energy Union objectives to secure both affordable and climate-friendly energy.
- The Commission should respect the technology neutrality principle taking fully into account the greenhouse gases (GHG) balance throughout the life cycle.

### 2. EU climate policy: Decarbonisation of the transport sector should be addressed in an integrated and balanced manner

**Context:** The Commission presented a communication on low-emission mobility in July 2016, followed by a proposal for post-2020 CO<sub>2</sub> emissions standards for cars and vans in

November 2017. This is likely to be a particularly controversial file following the Dieselgate scandal.

#### **Recommendations (to be updated in line with final position)**

- For any policy targets to be effective, they should be:
  - Technologically and economically feasible, based on a robust impact assessment
  - Cost-effective for industry and consumers
  - Technology neutral, rather than rigidly define the means or technologies by which they should be met
- The transition to the new Worldwide Harmonised Light-Duty Vehicle Test Procedure (WLTP) and the correlation method required is likely to result in regulatory challenges and additional stringency. A harmonised approach to implementation will be necessary to avoid confusion.
- The approach to set efficiency targets as a percentage reduction after the correlation to WLTP is a welcome step. However, the ambition level will require an unprecedented transition in consumer demand and expectations which cannot be guaranteed and appears unfeasible.
- The low-emission vehicle benchmark, which seeks to encourage the take-up of electric vehicles, appears a de facto technology mandate.
- The Regulation should take a more integrated approach by leveraging the potential of alternative fuels and Intelligent Transport Systems, which can play a major role in reducing emissions of the existing car fleet.
- The merging of the previously separate emissions regulations for cars and LCVs raises concerns about technical/economic feasibility and practicality. These two types of vehicles have completely different characteristics with different potential for reducing emissions.

### **3. EU transport policy: building the internal market**

#### **Recommendations**

- AmCham EU strongly believes that any transport policy must be cross-modal in design, since a modal shift is neither possible nor suitable for the very large majority of traffic flows. Effective co-modality enables the full supply chain to be considered, including customer expectations.
- AmCham EU believes that the transport sector can contribute to efforts to reduce carbon dioxide (CO<sub>2</sub>) emissions. A long-term solution will rest on innovations in fuel, materials, vehicles and infrastructure technologies as well as non-technical measures and behavioural changes. Any solutions envisaged should be market-based and first consider the cost-efficiency associated with decreasing the impact of CO<sub>2</sub> emissions from the transport sector.
- For the transport sector to further reduce its CO<sub>2</sub> emissions, innovation and technological improvements are crucial. Policies should: avoid market distortions; take a technology/fuel neutral approach; strive for market and science-based integrated solutions, while minimising costs to society; avoid regulatory overlap and allow proper lead time for implementation.
- Efforts should continue to focus on the three key pillars of road safety, namely vehicle technology, user behaviour and infrastructure. AmCham EU believes that next to the long and medium-term road safety measures, such as future vehicle design and ITS technologies, an improved vehicle visibility will have an immediate impact on reducing road fatalities, injuries and accidents and should become an equal part of the Commission's road safety strategy.

### **4. EU energy and transport infrastructure: ensuring appropriate funding**

**Context:** The European Commission has acknowledged the very substantial needs for infrastructure funding over the next decade for Europe's networks, with estimates ranging between €1.5 trillion and €2 trillion until 2020. Early in its mandate, it presented a proposal for a European Fund for Strategic Investment that is now under review to be extended beyond the original three-year period.

### Recommendations

- The further development of a genuine Europe infrastructure funding strategy should not lead to the introduction of forced shifts between energy sources or transport modes. Any infrastructure funding policy must be cross-modal in design; effective co-modality allows the full supply chain to be considered, while each transport mode or energy source compete fairly on the basis of its own advantages and challenges.
- All efforts should be geared towards fully understanding the specificities of infrastructure financing and assessing the impact of new sources of financing. In any case, the introduction of new tools should not lead to financial market distortions or market access restrictions.
- When infrastructure usage charging schemes or taxation plans are developed, the earmarking of revenues generated from the use of infrastructure should be the rule and must contribute to secure adequate infrastructure funding.
- The effective management of the prioritisation processes for competing infrastructure projects as well as a balanced approach to permitting procedures supporting sustainable development is paramount to success.
- Europe needs an overall strong commitment to infrastructure investment to maintain competitiveness on a global scale.

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>>> ENDS <<<

## Austria & the United States

### United States in Austria

**50,796**



### Austria in the United States

**17,034**

Jobs directly supported by majority-owned affiliates. Estimates for 2016. Total U.S.-related jobs are likely to be higher, because these figures do not include jobs created by trade flows, indirect employment effects through distributors or suppliers, or via non-equity arrangements such as strategic alliances, joint ventures, or other deals.

**\$15.9 bn**

### Foreign Direct Investment (FDI), 2016

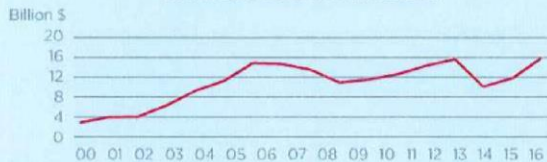


**\$10.6 bn**

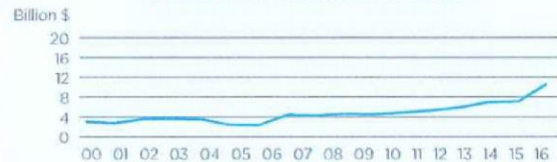
### Foreign Direct Investment (FDI), 2016

Not surprisingly, America's direct investment position in Austria exceeds Austria's investment stakes in the United States. American affiliates employed roughly three times as many workers in Austria than Austrian firms employed in the U.S., according to 2016 estimates. However, Austria's direct investment position in the U.S. has been increasing in recent years.

#### U.S. FDI Position in Austria



#### Austria FDI Position in the U.S.



FDI position based on a historic-cost basis, 2000-2016.

**\$3.8 bn**

### U.S. Goods Exports to Austria, 2016

**2.3%** The U.S. supplied 2.3% of Austria's total imports...  
**10.5%** ...but the U.S. share increases to 10.5% when intra-EU trade is excluded from the total.

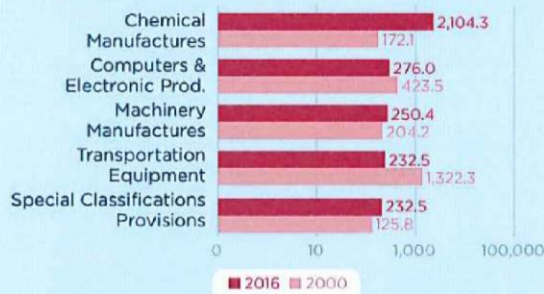


**\$10.9 bn**

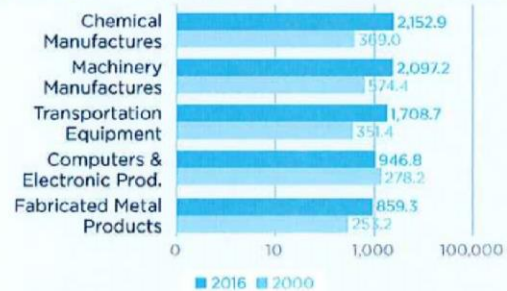
### U.S. Goods Imports from Austria, 2016

**6.3%** The U.S. received 6.3% of the total goods Austria exported to the world...  
**21.3%** ...but the U.S. share increases to 21.3% when intra-EU trade is excluded from the total.

#### Top Five U.S. Goods Exports to Austria (\$ millions)



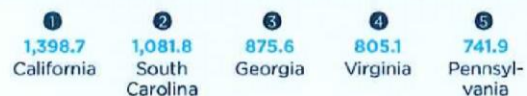
#### Top Five U.S. Goods Imports from Austria (\$ millions)



#### Top State Trade Partners Exports of Goods (\$ millions)



#### Top State Trade Partners Imports of Goods (\$ millions)



**\$1.5 bn**

### U.S. Services Exports to Austria, 2016



**\$1.6 bn**

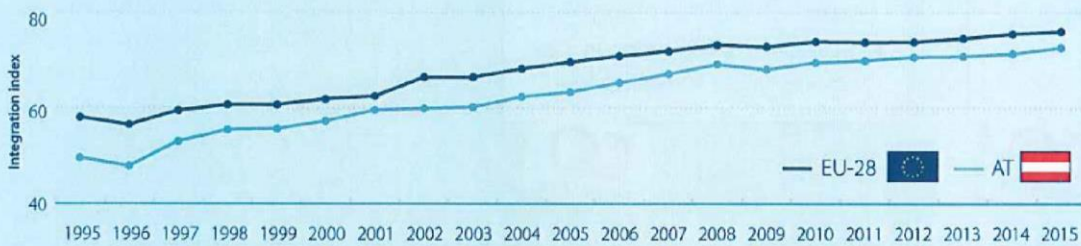
### U.S. Services Imports from Austria, 2016

Sources: Bureau of Economic Analysis; United Nations; U.S. Commerce Department; U.S. Census Bureau; International Monetary Fund.

# Austria

## SINGLE MARKET INTEGRATION

### Evolution



### Overall ranking



Source: LE Europe analysis

Note: The summary indicator measures the degree of integration of the Member State into the Single Market. It combines information on different aspects of the Single Market freedoms, the adoption of EU legislation by Member States, and information on the extent to which the economic performance of Member States is similar to the EU economy limit. For further details on the construction of the index as well as the rank relative to other Member States for the components of the indicator, see annex to this note.

### Ranking across indicators

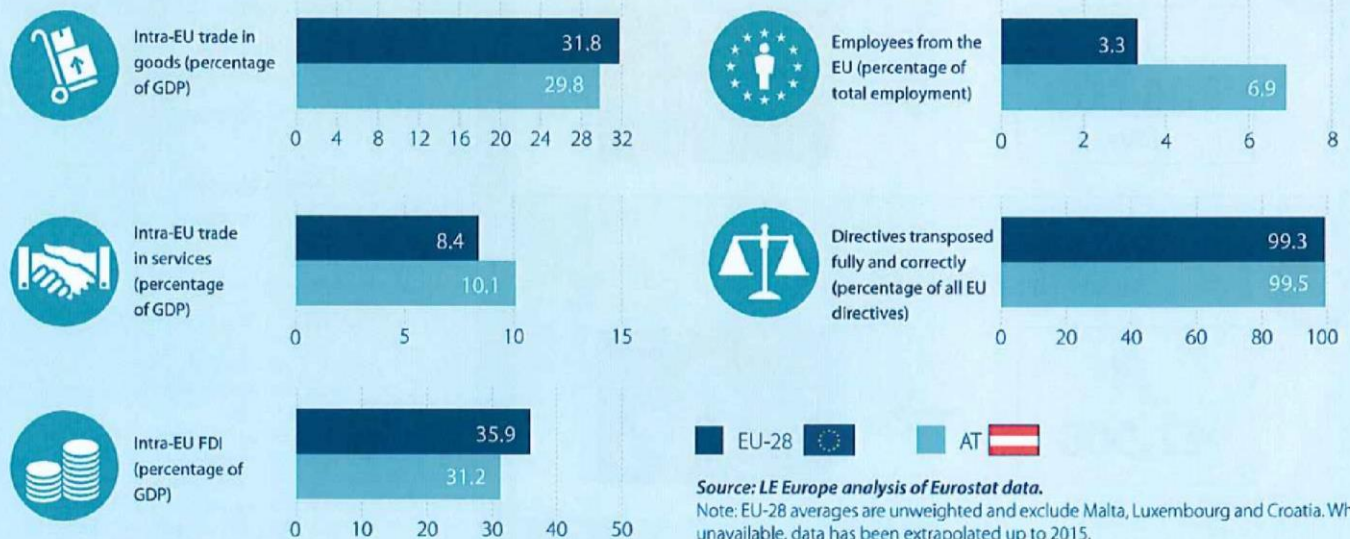


Source: LE Europe analysis of Eurostat data.

Note: The indicators of free movement of goods and services reflect a number of aspects of intra-EU trade in goods and services. The indicator of free movement of capital focuses on intra-EU FDI flows. The indicator of homogeneity shows the extent to which a Member State's economic performance and key policy variables converge (or diverge) from the EU average. The indicator of transposition conformity measures the performance of Member States in implementing EU law. Detailed information on each of these indicators is provided in the report.

### Current state

Austria's integration (relative to the average among Member States) is mixed regarding the four freedoms, and is higher than average regarding the implementation into national law of EU directives:



Source: LE Europe analysis of Eurostat data.

Note: EU-28 averages are unweighted and exclude Malta, Luxembourg and Croatia. Where unavailable, data has been extrapolated up to 2015.



## IMPACT

The impact of the Single Market on Austria since 1990



## FURTHER BENEFITS

- Boosting integration to the level of the most integrated Member State
- Increasing integration in the services Single Market by 50%



## RECOMMENDATIONS

The recommendations below offer concrete steps for Austria to integrate further into the Single Market. They are based on a review of all ongoing European Commission cases against Member States (for lack of or incorrect implementation of EU directives; and breach of EU law). The cases with the greatest impact on the functioning of the Single Market form the basis for the country-specific recommendations.

**Goods and Services Single Market:**

Transpose in full Directives 2014/24/EC, 2014/25/EC on public procurement and concessions) into national law.<sup>(a)</sup>

**Services Single Market and free movement of people:**

Transpose Directive 2013/55/EU on the recognition of professional qualifications.<sup>(b)</sup>

**Services Single Market:**

Eliminate requirements imposed on certain service providers which run counter to the Services Directive (Directive 2006/123/EC). [These are requirements for patent attorneys, legal form and excessive shareholding requirements for architects, engineers, patent attorneys and veterinarians, and restrictions on multidisciplinary companies for architects, engineers and patent attorney].<sup>(c)</sup>

**Digital Single Market:**

Implement measures of cost reduction in deploying high-speed electronic communications networks (Directive 2014/61/EU).<sup>(d)</sup>

(a) Infringement package, May 2016, European Commission.

(b) Infringement package, September 2016, European Commission.

(c) Infringement package, November 2016, European Commission.

(d) Infringement package, May 2016, European Commission.

**GDP per capita**

2.6%



0.6%

**Consumption**

€1,100  
per household



€250  
per household

**Employment**

105,000  
jobs



24,000  
jobs

**Investment (in millions)**

€2,000



€450

Note: Approximate numbers above. For exact figures, see report.

# 8. Profile of the Republic of Austria

## Republic of Austria



**Time zone:**  
CET: +01:00 / UTC: +02:00

**Calling code:**  
+43

**Capital city:**  
Vienna

**Population:**  
8,754,413 (July 2017 est.)

**Population growth rate:**  
0.47% (2017 est.)

**Major languages:**  
German 88.6%; Turkish 2.3%

## History

Once the center of power for the large Austro-Hungarian Empire, Austria was reduced to a small republic after its defeat in World War I. Following annexation by Nazi Germany in 1938 and subsequent occupation by the victorious Allies in 1945, Austria's status remained unclear for a decade. A State Treaty signed in 1955 ended the occupation, recognised Austria's independence, and forbade unification with Germany. A constitutional law that same year declared the country's "perpetual neutrality" as a condition for Soviet military withdrawal. The Soviet Union's collapse in 1991 and Austria's entry into the EU in 1995 have altered the meaning of this neutrality. A prosperous, democratic country, Austria entered the EU Economic and Monetary Union in 1999.

## Government

**Head of state:** Alexander Van Der Bellen (since 26 January 2017)

**Head of government:** Chancellor Sebastian Kurz (since 18 December 2017)

**Executive:** The President is directly elected by absolute majority popular vote in 2 rounds if needed for a 6-year term (eligible for a second term).

**Legislature:** Bicameral Federal Assembly or Bundesversammlung consists of the Federal Council or Bundesrat (62 seats; members appointed by state parliaments with each state receiving 3 to 12 seats in proportion to its population; members serve 5- or 6-year terms) and the National Council or Nationalrat.

**Current government:** Legislative elections were held in Austria on 15 October 2017. The Austrian People's Party (ÖVP) emerged as the largest party in the National Council, winning 62 of the 183 seats. The Social Democratic Party (SPÖ) finished second with 52 seats, slightly ahead of the Freedom Party of Austria (FPÖ), which received 51 seats. NEOS finished fourth with 10 seats, and PILZ (which split from the Green Party at the start of the campaign) entered parliament for the first time and came in fifth place with 8 seats. The Green Party failed to cross the 4% threshold and was ejected from parliament, losing all of its 24 seats.

**Major ethnic groups:**  
Austrians 91%; Former Yugoslavs  
4%

**Independence declared:**  
12 November 1918

**Joined the European Union:**  
1 January 1995

**Joined the Eurozone:**  
1 January 1999

**(First) Presidency of the Council  
of the European Union:**  
1 July – 31 December 1998

**Trio partners:**  
Bulgaria (January – June 2018)  
and Estonia (July – December  
2017)

- Thematic priorities:**
- Union for jobs, growth and competitiveness;
  - Union that empowers and protects all its citizens;
  - An energy Union with a forward-looking climate policy;
  - A Union of freedom, security and justice;
  - The Union as a strong global actor

**Presidency of the Council of the  
European Union:**  
1 July – 31 December 2018



## **Economy**

**GDP (per capita):** \$49,200 (2017 est.)

**GDP (purchasing power parity):** \$434.1 billion (2017 est.)

**GDP (real growth rate):** 2.3% (2017 est.)

**GDP (composition by sector of origin):**  
Services: 70.5%; Industry: 28.2%; Agriculture: 1.2% (2017 est.)

**Unemployment rate:** 5.8% (2017 est.)

**Budget surplus/deficit:** -1% of GDP (2017 est.)

**Public debt:** 81.7% of GDP (2017 est.)

**Inflation rate:** 1.6% (2017 est.)

**Exports:** \$157.5 billion (2017 est.)

Machinery and equipment, motor vehicles and parts, paper and paperboard, metal goods, chemicals, iron and steel, textiles, foodstuffs.

**Imports:** \$157.6 billion (2017 est.)

Machinery and equipment, motor vehicles, chemicals, metal goods, oil and oil products, natural gas; foodstuffs

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 more than €2 trillion in 2017, directly supports more than 4.7 million jobs in Europe, and generates billions of euros annually in income, trade and research and development.

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