

**Question for written answer E-006423/2014  
to the Council**

Rule 130

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Subject: Approval of Council Regulation (EU) n° 833/2014 of 31 July 2014

Council Regulation (EU) n° 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions in destabilising the situation in Ukraine, adopted under Article 215 TFEU in the framework of the common foreign policy, has sparked off a trade war, prompting Russia to take extremely harsh commercial countermeasures.

From the wording of the regulation, which imposes restrictions on exports of dual-use goods and technologies and related services, and its frequent references to the provisions of Council Regulation (EC) n° 428/2009 of 5 May 2009, adopted under Article 133 TEC (now Article 207 TFEU), it can be inferred that this measure falls principally within the framework of the common commercial policy and only incidentally within the framework of the common foreign policy.

In view of this:

1. Why did the Council infringe the Treaty by failing to involve the European Parliament in the adoption of the Regulation, which, given its substance, should have taken place under the codecision procedure in accordance with Article 207 TFEU?
2. What action will it take to remedy this inadmissible situation arising from the choice of the wrong legal basis?