



EUROPEAN PARLIAMENT

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*Committee on International Trade*

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**2010/0816(CNS)**

4.5.2010

# **AMENDMENTS**

## **3 - 9**

**Draft opinion**  
**Jan Zahradil**  
(PE440.219v01-00)

on the proposal for a Council decision establishing the organisation and functioning of the European External Action Service

Proposal for a decision  
(08029/2010 – C7-0090/2010 – 2010/0816(CNS))

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PE441.195v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_LegOpinion

**Amendment 3**  
**William (The Earl of) Dartmouth**

**Proposal for a decision**  
**Recital 1 a (new)**

*Text proposed by the Council*

*Amendment*

***(1a) The EEAS should not frustrate the foreign policy of individual Member States and the foreign policy of each Member State should in all circumstances prevail.***

Or. en

**Amendment 4**  
**Yannick Jadot**

**Proposal for a decision**  
**Article 5 – paragraph 3**

*Text proposed by the Council*

*Amendment*

3. The Head of Delegation shall receive instructions from the ***High Representative*** and the EEAS, and shall be responsible for their execution.

In areas where the Commission exercises the powers conferred *to* it by the Treaties, the Commission may also issue instructions to delegations, which shall be executed under the overall responsibility of the Head of Delegation.

3. The Head of Delegation shall receive instructions from the ***VP/HR*** and the EEAS, and shall be responsible for their execution.

In areas where the Commission exercises the powers conferred *on* it by the Treaties, the Commission may also, ***via the VP/HR***, issue instructions to delegations, which shall be executed under the overall responsibility of the Head of Delegation.

***The College of Commissioners should take the final decision in the event of any disagreement between the VP/HR and the responsible Commissioner.***

*(The change of "High Representative" to "Vice-President of the Commission/High Representative (VP/HP)" is horizontal and applies throughout the text of the Decision.)*

*Justification*

*A clear and unified line of command should be maintained throughout the EEAS also with regard to areas where the Commission exercises the powers conferred to it by the Treaties. The College is the adapted instance to preserve unity in case of conflicts.*

**Amendment 5**  
**Pawel Zalewski**

**Proposal for a decision**  
**Article 5 – paragraph 3**

*Text proposed by the Council*

3) The Head of Delegation shall receive instructions from the High Representative and the EEAS, and shall be responsible for their execution.

In areas where the Commission exercises the powers conferred to it by the Treaties, the Commission may also issue instructions to delegations, which shall be executed under the overall responsibility of the Head of Delegation.

*Amendment*

3) The Head of Delegation shall receive instructions from the High Representative and the EEAS, and shall be responsible for their execution.

In areas where the Commission exercises the powers conferred *on* it by the Treaties, the Commission, ***through the respective Commissioner assisted by its services***, may also issue instructions to delegations, ***via EEAS***, which shall be executed ***by the relevant Commission staff therein*** under the overall responsibility of the Head of Delegation. ***The heads (supervisors) of the trade units within the delegations shall be nominated by the Commissioner responsible for Trade, with the European Parliament playing an active role in the process, for example by conducting hearings of the nominees and expressing its opinion concerning the candidates.***

Or. en

*Justification*

*In accordance with Article 207 of the Lisbon Treaty, the Commission represented by the EU Commissioner for Trade assisted by relevant services shall in the area of the Common commercial policy be the only competent authority to issue instructions to EU Delegations and the relevant Commission staff therein.*

*The information flow from the Commission to the trade staff of the delegations shall omit neither the EEAS office, nor the heads of the delegations. A system of informative working relationships (i.e. in form of a designated front desk office at EEAS) should be put in place to ensure smooth communication and coordination of actions between the EEAS main office, DG Trade and the delegations and their trade staff.*

**Amendment 6**  
**Metin Kazak**

**Proposal for a decision**  
**Article 5 – paragraph 3 a (new)**

*Text proposed by the Council*

*Amendment*

***3a. In the area of trade, the Lisbon Treaty empowers the European Parliament to act as a co-legislator with the Council. Consequently, the European Parliament should be involved in the trade-related aspects of foreign and security policy in order to ensure democratic legitimacy and to exercise scrutiny over the Union's external action. The EEAS must ensure that the European Parliament has contact persons in EU delegations that deal with any trade-related aspect of the EU's external policy, so as to guarantee close cooperation with the European Parliament.***

Or. en

**Amendment 7**  
**Pawel Zalewski**

**Proposal for a decision**  
**Article 5 – paragraph 3 c (new)**

*Text proposed by the Council*

*Amendment*

***(c) The High Representative shall under no circumstances issue any instructions in the area of the common commercial policy as provided for by Article 207 of the***

***TFEU. The Head of Delegation shall represent EU and defend its trade interests within competencies defined for trade units. Exceptionally, it shall be open to Member States to represent their interests through the delegations, subject to the adoption of a joint decision in that regard by the Trade Commissioner and the trade minister of the Member State concerned.***

Or. en

*Justification*

*The information flow from the Commission to the trade staff of the delegations shall omit neither the EEAS office, nor the heads of the delegations. A system of informative working relationships (i.e. in form of a designated front desk office at EEAS) should be put in place to ensure smooth communication and coordination of actions between the EEAS main office, DG Trade and the delegations and their trade staff.*

**Amendment 8**  
**Pawel Zalewski**

**Proposal for a decision**  
**Article 5 – paragraph 3 f (new)**

*Text proposed by the Council*

*Amendment*

***(f) The budget of trade units within the delegations shall be determined by the relevant department of the Commission, on the basis of agreement between the Commission and the High Representative's Office.***

Or. en

**Amendment 9**  
**Pawel Zalewski**

**Proposal for a decision**  
**Article 5 – paragraph 3 g (new)**

*Text proposed by the Council*

*Amendment*

***(g) An adequate geographical balance at all staff grades shall be ensured during the recruitment process.***

Or. en