

EUROPEAN PARLIAMENT

2004



2009

Committee on International Trade

2007/2286(INI)

14.1.2008

OPINION

of the Committee on International Trade

for the Committee on Constitutional Affairs

on the Treaty amending the Treaty on European Union and the Treaty
establishing the European Community
(2007/2286(INI))

Draftsman: Carlos Carnero González

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SUGGESTIONS

The Committee on International Trade calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Considers that, in comparison to the existing Treaties, the Treaty of Lisbon is a significant step forward for the Common Commercial Policy (CCP);
2. Stresses that the two amended Treaties have the same legal value, and emphasises, in the interest of coherence, efficiency, transparency, and democracy, that they should always be interpreted in the same manner;
3. Welcomes the fact that the Lisbon Treaty maintains the improvements made in the Draft Treaty establishing a Constitution for Europe in the provisions related to the CCP and, in particular, the following:
 - a) the recognition of the CCP as an exclusive competence of the Union, which implies full and comparable participation by all the institutions of the Union in CCP decision-making;
 - b) the extension of the scope of the CCP to trade in services and all trade-related areas, including commercial aspects of intellectual property and foreign direct investment;
 - c) the recognition of the lowering of barriers (other than customs barriers) among the policy objectives of the CCP (Article 188b of the Lisbon Treaty/Article 131 of the EC Treaty);
 - d) the application of the ordinary legislative procedure (i.e. qualified majority voting and co-decision with Parliament) to legislative acts relating to the CCP;
 - e) the Council meeting in public when debating and adopting EU legislation and in particular CCP legislation;
 - f) the fact that, since the ordinary legislative procedure applies, Parliament's consent is now mandatory as a general rule for all agreements concluded pursuant to the CCP, whether implementing measures are required or not;
 - g) the application of the assent procedure prior to the ratification of agreements dealing predominantly with external trade.
4. Welcomes the fact that, with regard to the negotiation and conclusion of international agreements under the CCP, the Lisbon Treaty provides that the Commission will be under a legal obligation to inform Parliament of the progress of negotiations on a par with the special "Article 188n of the Lisbon Treaty (Article 133 of the EC Treaty) - Committee" of the Council;
5. Expressly deprecates the fact that the Lisbon Treaty does not provide Parliament with the right to approve the mandate of the Commission to negotiate a trade agreement and

stresses the imbalance - regarding the role and powers of Parliament - between the internal and the external competence in the areas of the CCP;

6. Therefore calls on the Commission to include far-reaching social and environmental clauses and standards in the bilateral or regional trade agreements; and emphasises that no Free Trade Agreement should be signed without a Partnership and Cooperation Agreement;
7. Welcomes the explicit requirement that the CCP shall serve the principles and objectives of the Union's external action, inter alia the protection of its fundamental interests, support for democracy and the rule of law, and the promotion of sustainable development;
8. Welcomes the setting up of a 'double-hatted' High Representative of the Union for Foreign Affairs and Security Policy, who will ensure that all external action of the Union is consistent and coherent; considers that the pursuit of trade policy objectives will contribute to global interdependence, international stability and security;
9. Notes, in this regard, that the Union's external action also covers the CCP and that the High Representative should not only ensure the right balance between the intergovernmental logic of the Common Foreign and Security Policy (CFSP) and the supranational logic of the CCP, but also ensure that the intergovernmental logic of CFSP does not contaminate the CCP;
10. Notes that the negotiation and conclusion of agreements in the field of foreign direct investment, services and of commercial aspects of intellectual property is subject to the same voting requirements as internal legislation; notes also the requirement for unanimity, under specific conditions, in the field of cultural, audiovisual, social, educational and health services, which will no longer fall within the scope of mixed competence;
11. Calls on the European Council, the Council and the Commission to consider the negotiation of a new Inter-Institutional Agreement that provides Parliament with a substantive definition of its roles and involvement in every stage leading to the conclusion of an international agreement;
12. Calls on the Commission to provide Parliament with all the necessary information relating to the CCP and the negotiation of commercial agreements or the negotiation of the commercial components of any agreement, including all proposals and draft proposals for negotiating mandates and/or directives, in sufficient time for the European Parliament as well as national parliaments to be able to express their views and for the Commission to be able to take due account of those views;
13. Calls on the Commission, with regard to the transparency of operations of the Article 188n of the Lisbon Treaty (Article 133 of the EC Treaty) Committee, to make available all documents to Parliament's Committee on International Trade;
14. Calls on the Commission to refrain from making substantive changes to basic legislative acts, or from adding details affecting the political will expressed in basic legislative acts, when adopting implementing legislation in the commercial policy field in future; stresses, therefore, that Parliament's role in the area of CCP is very important in

ensuring democratic legitimacy and accountability;

15. Calls on the Council to provide Parliament with the agenda of the External Relations Council; and requests that Parliament's representatives fully participate in all COREPER II meetings that deal with matters falling within the scope of the ordinary legislative procedure;
16. Calls on the future High Representative of the Union for Foreign Affairs and Security Policy and the Vice-President of the Commission to consider with Parliament adequate methods of keeping Parliament fully informed of and consulted on the Union's external action.

RESULT OF FINAL VOTE IN COMMITTEE

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| Date adopted | 14.1.2008 |
| Result of final vote | + : 13 - : 1 0 : 0 |
| Members present for the final vote | Francisco Assis; Carlos Carnero González; Françoise Castex; Christofer Fjellner; Ignasi Guardans Cambó, Helmuth Markov; David Martin; Georgios Papastamkos; Tokia Saïfi; Iuliu Winkler; Corien Wortmann-Kool |
| Substitute(s) present for the final vote | Harlem Désir, Pia Elda Locatelli, Carl Schlyter |
| Substitute(s) under Rule 178(2) present for the final vote | |