

**Question for written answer P-011360/2012
to the Commission
Rule 117
Andrew Duff (ALDE)**

Subject: Accession of the EU to the European Convention on Human Rights

Following on from my previous Written Question P-010089/12, and given that the Commission (or in the case of foreign policy, the High Representative) will represent the Union before the European Court of Human Rights (ECtHR), who will decide whether the Union becomes a co-respondent to proceedings in respect of a violation of Union law?

What decision-making procedure will be used in Council for reaching opinions as and when the Council is consulted by the Commission on proceedings before the ECtHR?

Is the Commission aware of the need to consult also with Parliament before making submissions to the ECtHR on matters concerning a provision of Union law or an international agreement to which Parliament has given its consent in accordance with Article 218 of the Treaty on the Functioning of the European Union?

How will the rules ensure consistency in ECtHR proceedings between the submissions of the Commission and of a Member State where the Union is a co-respondent or where Member States collectively are co-respondents in a case concerning the possible violation of Union law?

Will the Commission remind the Council that Parliament needs to give its consent to the agreement on the accession of the EU to the ECHR?