



Council of the
European Union

115245/EU XXV. GP
Eingelangt am 15/09/16

Brussels, 15 September 2016
(OR. en)

12230/16

TU 10
MED 34
WTO 255
INST 368

COVER NOTE

From:	Bernd Lange, Chair of the Committee on International Trade (EP)
date of receipt:	28 June 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

Subject:	Request for transmission of directives for the negotiation of a bilateral Deep and Comprehensive Free Trade Area as part of the Euro-Mediterranean Association Agreement with Tunisia
----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Delegations will find attached a letter from the INTA Committee of the European Parliament requesting transmission of the directives for the negotiation of a bilateral Deep and Comprehensive Free Trade Area as part of the Euro-Mediterranean Association Agreement with Tunisia.

SECRÉTARIAT GÉNÉRAL DU
CONSEIL DE L'UNION EUROPÉENNE
SGE16/06571

Reçu le 28 -06- 2016

DEST. PRINC. M. SCHIAVO
DEST. COPISTES
..... M. CLOOS
.....

Committee on International Trade
The Chairman

EXPO-COM-INTA D(2016)29670

D 312223 24.06.2016

Mr Jeppe TRANHOLM-MIKKELSEN
Secretary-General
Council of the European Union

Mr Marten VAN DEN BERG
Chair of the Trade Policy Committee's Full Members
Council of the European Union

Mr Ivan LANCARIC
Incoming Chair of the Trade Policy Committee's Full Members
Presidency of the Council
Rue de la Loi 175, 1048 Brussels

Dear Mr Tranholm-Mikkelsen, dear Mr van den Berg, dear Mr Lancaric,

In our respective capacities as Chairman of the International Trade Committee (INTA) and Standing Rapporteur for Maghreb countries, we are writing to request the transmission to the European Parliament of the negotiating directives (mandate) relating to the negotiations for a deep and comprehensive free trade agreement with Tunisia, without delay, and also to explore the feasibility to declassify the mandate, i.e. to make it public.

The negotiations started in November 2015 on the basis of a mandate adopted by the Council on 14 December 2011 which has still not been sent to the European Parliament, and this seriously deprives the Parliament from its right of scrutiny.

As you know, the European Parliament's right under Article 218(10) TFEU to be "immediately and fully informed at all stages of the procedure" for negotiating international agreements is also enshrined in the Interinstitutional Agreement of 12 March 2014 between the European Parliament and the Council concerning the forwarding to and handling by the European Parliament of classified information held by the Council on matters other than those in the area of the common foreign and security policy.

www.europarl.europa.eu

Also, the judgment of the Court of Justice of 14 June 2016 (Case C-263/14), related to the Agreement between the EU and Tanzania on conditions of transfer of suspected pirates, clearly recognises the duty of the Council to inform the Parliament and determines the scope of information to be provided, including negotiating directives.

As you know, the European Parliament has been actively committed to supporting the Tunisian economy, in particular when endorsing recently two important pieces of legislation aimed at offering an additional duty free quota of Tunisian olive oil for imports into the Union, and providing Tunisia with a further macro-financial assistance.

Moreover, the Parliament welcomed in its resolution of 25 February 2016 the opening of negotiations for a free trade agreement with Tunisia, provided that these negotiations seek the stability of Tunisia and the consolidation of democracy, and that Tunisian and European civil society are properly consulted.

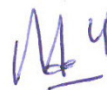
In the light of the above, we therefore request the Council to grant access to the negotiating mandate for trade negotiations with Tunisia to all Members of the INTA Committee, as the competent Parliament's committee.

In addition to this request, and in line with Paragraph 25 of the Parliament's resolution of 25 February 2016, we also urge the Council to explore ways to make the mandate public. We consider that the declassification of the negotiating mandate, mirroring what has been done for TTIP and TiSA, would contribute to consolidate the legitimacy of EU trade policy and reassure the general public about the purpose and scope of these negotiations. Such a disclosure will also be in line with the recommendations of the Commission in its communication "Trade for all", which invites the Council to disclose all free trade agreements' negotiating directives.

Yours sincerely,



Bernd Lange
Chair of the Committee on
International Trade



Marielle De Sarnez
Standing Rapporteur for
Maghreb countries