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COVER NOTE

From: Mr David McAllister, the Chair of the Committee of Foreign Affairs (EP),
and Mr Bernd Lange, Chair of the Committee on International Trade (EP)

date of receipt: 24 February 2017

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

Subject: Request for transmission of the Council Decisions and related negotiating
directives for the new agreements with Armenia and Azerbaijan

Delegations will find attached a letter from the Committee on Foreign Relations and Committee on International Trade of the European Parliament requesting transmission of the Council Decisions and related negotiating directives for the new agreements with Armenia and Azerbaijan.



Committee on Foreign Affairs
The Chair

Committee on International Trade
The Chair **D 302877 22.02.2017**

Ref.: D(2017)6662

Mr Jim Cloos
Deputy Director General
General and Institutional Policy
Council of the European Union General Secretariat
Rue de la Loi 175
1048 Brussels



Subject: Requesting the transmission of the Council Decisions and related negotiating directives for the new agreements with Armenia and Azerbaijan

Dear Mr Cloos,

As per Article 5.4 of the Inter-institutional Agreement of 12 March 2014 (2014/C 95/01), we would hereby wish to request the transmission of the following documents:

- the 2015 Council Decision authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to open negotiations and negotiate with the Republic of Armenia a Framework Agreement, including the related negotiating directives,
- the two 2016 Council Decisions authorising the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy to open negotiations and negotiate a Comprehensive Agreement with the Republic of Azerbaijan, including the related negotiating directives,

in view of a consultation, on a need to know basis, by the Members of the Foreign Affairs Committee, the Chairs of the relevant Interparliamentary delegations (with Armenia and Azerbaijan) and the Chair of the relevant multilateral assembly (Euronest).

We would request the trade parts of these documents to also be made available to the Members of the International Trade Committee, on a need-to-know basis.

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Moreover, we would like to inform you that according to Article 4.4 of the above-mentioned agreement, access to the Decisions and related negotiating directives will only be granted, under the conditions set in Paragraphs 4 (a), (b) and (c), to officials of the European Parliament and other Parliament employees working for political groups designated in advance, as follows:

- Committee, interparliamentary delegation, Legal Service officials and their hierarchy,
- Advisors of the political groups working directly with the relevant committees,
- Officials working on external policies in the Private Office of the President and the Secretary General.

Finally, we would be grateful if, in the future, these documents were sent to the European Parliament without requiring such requests, in line with Article 218(10) TFEU, according to which the "European Parliament shall be immediately and fully informed at all stages of the procedure". Due to the infringement of Article 218(10) TFEU (lack of information of the European Parliament), the European Court of Justice has, in the past, already annulled the Council decisions on the signing and conclusion of several agreements.

Yours sincerely,



David McAllister



Bernd Lange

CC: Ms Federica MOGHERINI, Vice-President of the European Commission/
High Representative of the Union for Foreign Affairs and Security Policy

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