

Procedure file

Basic information		
AVC - Assent procedure (historic)	1995/0813(AVC)	Procedure completed
EC/Turkey: negotiation and conclusion of an agreement on the Customs Union		
Subject 6.40.05.08 Relations with Turkey		
Geographical area Turkey		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AFET Foreign Affairs, Security and Defense Policy		21/03/1995
		GUE/NGL CARNERO GONZÁLEZ Carlos	
	Committee for opinion	Rapporteur for opinion	Appointed
	RELA External Economic Relations		11/04/1995
		PPE SCHWAIGER Konrad K.	
Council of the European Union	LIBE Civil Liberties and Internal Affairs		17/07/1995
		PSE SCHULZ Martin	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	1830	06/03/1995
	General Affairs	1827	06/02/1995
	Economic and Financial Affairs ECOFIN	1782	19/09/1994

Key events			
06/02/1995	Debate in Council	1827	
28/04/1995	Initial legislative proposal published	SEC(1995)0541	
09/06/1995	Legislative proposal published	07092/1995	Summary
10/07/1995	Committee referral announced in Parliament		
06/12/1995	Modified legislative proposal published	07092/2/1995	
11/12/1995	Vote in committee		
11/12/1995	Committee report tabled for plenary, 1st reading/single reading	A4-0322/1995	

13/12/1995	Debate in Parliament		Summary
13/12/1995	Decision by Parliament	T4-0596/1995	Summary
22/12/1995	Act adopted by Council after consultation of Parliament		
22/12/1995	End of procedure in Parliament		
13/02/1996	Final act published in Official Journal		

Technical information

Procedure reference	1995/0813(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	International agreement
Legal basis	EC before Amsterdam E 238
Stage reached in procedure	Procedure completed
Committee dossier	AFET/4/06813

Documentation gateway

Initial legislative proposal		SEC(1995)0541	28/04/1995	EC	
Legislative proposal		07092/1995	09/06/1995	CSL	Summary
Document attached to the procedure		07093/1995	09/06/1995	CSL	
Modified legislative proposal		07092/2/1995	06/12/1995	CSL	
Committee report tabled for plenary, 1st reading/single reading		A4-0322/1995 OJ C 017 22.01.1996, p. 0016	11/12/1995	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0596/1995 OJ C 017 22.01.1996, p. 0035-0043	13/12/1995	EP	Summary

Final act

[Decision 1996/213](#)
[OJ L 035 13.02.1996, p. 0001](#) Summary

EC/Turkey: negotiation and conclusion of an agreement on the Customs Union

OBJECTIVE: implementation of the final stage of the Customs Union with Turkey. SUBSTANCE: on 6 March 1995, the EC-Turkey Association Council gave its agreement in principle on the decision implementing the final phase of the Customs Union with Turkey. The European Parliament was now requested to give its assent to this draft decision, which took the form of a common position of the Community within the EC-Turkey Association Council. The main characteristics of this agreement were as follows: - the establishment of 1 January 1996 as the date for the definitive completion of the Customs Union including all the relevant technical aspects: . the free movement of goods and the elimination of customs duties and taxes with equivalent effect after this date and quantitative restrictions on the import and export of goods by both parties; gradual transposition by Turkey of Community legislation on the abolition of technical barriers to trade and on product conformity with EC legislation requirements; . commercial policy: implementation of measures that were substantially similar to those of the Community's commercial policy; . extension of the CCT to include Turkey and granting of tariff preferences (except for certain products agreed by the Association Council up to 1 January 2001); . temporary derogation for the dismantling of tariffs for certain processed agricultural products listed in Annex I to the Decision; - protection of intellectual, industrial and commercial property (implementation of the TRIPS agreement no later than three years after the entry into force of the Customs Union); - respect for the competition principles that characterised the Community, together with the gradual harmonisation of Turkish legislation in this area with the *acquis communautaire*; - fixing of the earliest date possible after the entry into force of the Customs Union for the opening up of the parties' respective government procurement markets. The decision also included: . institutional provisions (establishment of a EC-Turkey Customs Union Joint Committee to ensure the proper functioning of the agreement), . provisions relating to the settlement of disputes, . a safeguard clause. ?

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The rapporteur, Mr CARNERO GONZALEZ (GUE/NGL, E), stated that at the present moment in time Turkey was still not a democratic state. In 1995 human rights violations, executions, arbitrary arrests and torture reached their highest levels in Turkey. The rapporteur therefore feared that if the EP voted in favour of this proposal it could be interpreted as support for the conservative powers that did not want any changes; he therefore did not support moving to the final phase of the customs union between the EU and Turkey. Pointing out that the winner of the Sakharov Prize, Mrs Leyla ZANA, could not be present in the Hemicycle because she was being held in a Turkish prison, Mr CARNERO GONZALEZ stated that Turkey had not fulfilled the minimum conditions imposed by the European Parliament itself for ratification of the customs union. Other Members also opposed ratification, including Mr PUERTA, on behalf of the GUE/NGL Group, Mr SOUCHET, on behalf of the EDN Group, Mr SCHULZ, on behalf of the PSE members who disagreed with the majority who were in favour of ratification, and Mrs ROTH, who, on behalf of the Greens, proposed postponing the vote. Commissioner van den Broek stated that the Commission and the Council believed that the customs union would help the democratisation process and that they should not underestimate the efforts of the Turkish authorities to show their commitments in this respect. He also stressed that there was the risk of an upsurge in Islamic fundamentalism if ratification did not take place. For all of these reasons, the Council and the Commission urged Parliament to ratify the agreement in order to show its support for the reforms undertaken by the Turkish authorities and its solidarity with the Turkish people.

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By 343 votes to 149 and 36 abstentions, Parliament adopted the report by Mr CARNERO GONZALEZ (GUE, E), thus giving assent to the Customs Union agreement between the European Union and Turkey. ?

EC/Turkey: negotiation and conclusion of an agreement on the Customs Union

PURPOSE: the putting in place of the Customs Union with Turkey. COMMUNITY MEASURE: Decision 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union (96/142/EEC). CONTENT: The main provisions of this Council Decision are the following: - The free movement of goods and commercial policy. Products from third countries shall be considered to be in free circulation in the Community or in Turkey if the import facilities have been complied with and any custom duties or charges having equivalent effect which are payable have been levied in the Community or in Turkey, and if they have not benefited from a total or partial reimbursement of such duties or charges; - Elimination of customs duties and charges having equivalent effect. Customs duties shall be wholly abolished between the Community and Turkey on the date of entry into force of this Decision. Also, the Community and Turkey shall refrain from introducing any new customs duties on imports or exports or any charges having equivalent effect from that date; - Elimination of quantitative restrictions or measures having equivalent effect; - After entry into force of this Decision, Turkey shall, in relation to countries which are not members of the Community, apply provisions and implementing measures which are substantially similar to those of the Community's commercial policy; - Upon entry into force of this Decision, Turkey shall, in relation to countries which are not members of the Community, align itself to the Common Customs Tariff; - Processed agricultural products not covered by Annex II of the Treaty establishing the European Community; - Approximation of laws. This relates to the protection of intellectual, industrial and commercial property as well as competition rules. - Approximation of legislation. This relates to trade defence instruments, government procurement, direct taxation and indirect taxation. - Institutional provisions. This relates to the EC-Turkey Customs Union Joint Committee, consultation and decision procedures, settlement of disputes and safeguard measures. ENTRY INTO FORCE: This Decision shall enter into force on 31.12.1995. ?