



Procedure file

Basic information		
CNS - Consultation procedure Decision	1996/0020(CNS)	Procedure completed
EC/Turkey Customs Union: Community position in the Joint Committee		
Subject 6.40.05.08 Relations with Turkey		
Geographical area Turkey		

Key players			
European Parliament	Committee responsible		Rapporteur
	AFET Foreign Affairs, Security and Defense Policy		Appointed 07/05/1996
			PPE KITTELMANN Peter
	Former committee responsible		
	AFET Foreign Affairs, Security and Defense Policy		07/05/1996
			PPE KITTELMANN Peter
	Committee for opinion		Rapporteur for opinion
	RELA External Economic Relations		Appointed 21/02/1996
			PPE SCHWAIGER Konrad K.
	JURI Legal Affairs, Citizens' Rights		19/12/1996
Council of the European Union			PSE GEBHARDT Evelyne
	Former committee for opinion		
	RELA External Economic Relations		21/02/1996
			PPE SCHWAIGER Konrad K.
	LIBE Civil Liberties and Internal Affairs		The committee decided not to give an opinion.
Council of the European Union	Council configuration		Meeting
	Transport, Telecommunications and Energy		2059
	General Affairs		2047

Key events			
24/01/1996	Legislative proposal published	COM(1996)0018	Summary
16/02/1996	Committee referral announced in Parliament		
10/06/1996	Vote in committee		Summary

10/06/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0197/1996	
17/07/1996	Debate in Parliament		
18/07/1996	Decision by Parliament	T4-0405/1996	Summary
17/02/1997	Amended legislative proposal for reconsultation published	05372/1997	
19/02/1997	Formal reconsultation of Parliament		
24/09/1997	Vote in committee		
24/09/1997	Committee report tabled for plenary, reconsultation	A4-0276/1997	
17/11/1997	Debate in Parliament		
18/11/1997	Decision by Parliament	T4-0544/1997	Summary
24/11/1997	Debate in Council	2047	
11/12/1997	Act adopted by Council after consultation of Parliament		
11/12/1997	End of procedure in Parliament		
16/12/1997	Final act published in Official Journal		

Technical information

Procedure reference	1996/0020(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC before Amsterdam E 113
Stage reached in procedure	Procedure completed
Committee dossier	AFET/4/08683; AFET/4/07626

Documentation gateway

Legislative proposal		COM(1996)0018 OJ C 084 21.03.1996, p. 0014	24/01/1996	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0197/1996 OJ C 198 08.07.1996, p. 0005	10/06/1996	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0405/1996 OJ C 261 09.09.1996, p. 0124-0146	18/07/1996	EP	Summary
Amended legislative proposal for reconsultation		05372/1997	17/02/1997	CSL	
Committee final report tabled for plenary, reconsultation		A4-0276/1997 OJ C 325 27.10.1997, p. 0003	24/09/1997	EP	
Text adopted by Parliament after reconsultation		T4-0544/1997 OJ C 371 08.12.1997, p. 0015-0034	18/11/1997	EP	Summary

Additional information	
European Commission	EUR-Lex
Final act	
Decision 1997/833 OJ L 345 16.12.1997, p. 0052 Summary	

EC/Turkey Customs Union: Community position in the Joint Committee

- OBJECTIVE: to lay down the procedure for adopting the Community's position in the EC-Turkey Customs Union Joint Committee. -
 SUBSTANCE: The procedure is determined according to the purpose and content of the acts to be adopted by the Joint Committee. The Joint Committee is required to intervene when the free trade guaranteed by the Customs Union is or may be adversely affected by unilateral measures taken by either party. The basis for the powers in question is thus Article 113 of the EC Treaty. Community positions will therefore generally be adopted by a qualified majority on a proposal from the Commission. However, a streamlined procedure, involving the Commission alone, will be employed when the Community's position relates to enforcement of Community legislation, providing for technical adjustments where necessary, or assessment of a practice constituting an infringement of competition. ?

EC/Turkey Customs Union: Community position in the Joint Committee

The Committee on Foreign Affairs unanimously adopted the report by P. KITTELMANN (PPE, D) in support of the draft Council decision establishing a procedure for adopting the Community's position within the Customs Union Joint Committee with Turkey. The main amendment seeks to ensure that Parliament is informed of the decisions taken by the Joint Committee in the same way as under the regulation in application of the European Economic Area. ?

EC/Turkey Customs Union: Community position in the Joint Committee

In adopting the report by Mr Peter KITTELMANN (PPE, D), Parliament approved the proposal for a decision with the following amendments: - it called for the position to be taken by the Community within the Customs Union Joint Committee actually to relate to the simple transposition into the Customs Union of acts of Community law, and for an annual report to keep the EP informed of the decisions taken by the Joint Committee, - it specified that the Council should act in accordance with the procedures laid down for the adoption of internal rules for the area in question (and not merely by a qualified majority). ?

EC/Turkey Customs Union: Community position in the Joint Committee

In adopting the report by Mr Peter KITTELMANN (PPE, D), the European Parliament approved the reconsultation of the Council on the proposal for a decision laying down the procedure for adopting the Community's position within the EC-Turkey Joint Committee. Parliament had already delivered a favourable opinion on this proposal on 18 July 1996, but the Council decided to change the legal basis of the proposal and therefore asked Parliament for its opinion again, this time on the basis of Article 113 of the EC Treaty. To the extent that this change in the legal basis does not affect Parliament's right to information or the functioning of the Joint Committee itself, it was felt that the Council's new proposal could be approved. ?

EC/Turkey Customs Union: Community position in the Joint Committee

OBJECTIVE: to lay down the procedure for adopting the Community's position in the EC-Turkey Customs Union Joint Committee.
 COMMUNITY MEASURE: Council Decision 97/833/EC laying down the procedure for adopting the Community's position in the Customs Union Joint Committee set up by Decision No 1/95 of the EC-Turkey Association Council on implementation of the final phase of the Customs Union. SUBSTANCE: The procedure is laid down by reference to the object and substance of the acts to be adopted by the Joint Committee. The Committee is required to act when the free trade guaranteed by the Customs Union is, or may be, affected by unilateral measures by either party. Thus the powers concerned are based on Article 113 of the Treaty on European Union. Community proposals will therefore, as a rule, be adopted by a qualified majority on a proposal from the Commission. However, a less cumbersome procedure, involving only the Commission, is to be adhered to when the position concerns the application by Turkey of legislation to transpose Community acts, if necessary by means of technical adjustments, or concerns the assessment of anticompetitive behaviour. The decision states that the Commission's annual report on the implementation of the Customs Union is also to be forwarded to the European Parliament and to contain information on decisions taken by the Joint Committee. ENTRY INTO FORCE: 11.12.1997. ?