

# Procedure file

## Basic information

NLE - Non-legislative enactments Decision	<a href="#">2007/0049(NLE)</a>	Procedure lapsed or withdrawn
EC/Turkmenistan Partnership and Cooperation Agreement: accession of Bulgaria and Romania to the EU. Protocol		
See also <a href="#">1998/0031(NLE)</a>		
Subject 6.40.04.06 Relations with central Asian countries		
Geographical area Turkmenistan		

## Key players

European Parliament		
Council of the European Union European Commission	Commission DG External Relations	Commissioner ASHTON Catherine

## Key events

29/03/2007	Legislative proposal published	<a href="#">COM(2007)0141</a>	Summary
02/12/2009	Additional information		Summary
30/04/2016	Proposal withdrawn by Commission		

## Technical information

Procedure reference	2007/0049(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also <a href="#">1998/0031(NLE)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 218-p6a
Stage reached in procedure	Procedure lapsed or withdrawn

## Documentation gateway

Legislative proposal		<a href="#">COM(2007)0141</a>	30/03/2007	EC	Summary
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## Additional information

## EC/Turkmenistan Partnership and Cooperation Agreement: accession of Bulgaria and Romania to the EU. Protocol

**PURPOSE:** to include Romania and Bulgaria in the Protocol to the Partnership and Cooperation Agreement between the European Union and Turkmenistan .

**PROPOSED ACT:** Council and Commission Decision.

**CONTENT:** the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Turkmenistan ([AVC/1998/0031](#)), of the other part, signed in Brussels, on 25 May 1998 has not yet entered into force. As it was signed before the enlargement of the European Union to include the Republic of Bulgaria and Romania, a Protocol to the PCA therefore needs to be drawn up to allow the new Member States to accede to the Agreement when it will enter into force.

As authorised by the Council on 23 October 2006, the Commission has negotiated, on behalf of the Community and its Member States, with the Republic of Turkmenistan with a view to concluding a Protocol to the Partnership and Cooperation Agreement. The negotiations with the Republic of Turkmenistan have been completed and the text of the negotiated protocol is attached.

The Commission proposes that the Council should conclude the Protocol on behalf of the European Community and its Member States and gives its approval for conclusion of the Protocol by the European Atomic Energy Community.

## EC/Turkmenistan Partnership and Cooperation Agreement: accession of Bulgaria and Romania to the EU. Protocol

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council and Commission Decision on the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Turkmenistan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/Euratom/Art.101 2nd para, Act/Accession/Bulgaria-Romania/Art.6(2); Treaty/EC/Art.44(2), Art.47(2), Art.55, Art 57(2), Art.71, Art.80(2), Art. 93, Art. 94, Art. 133, Art.181A, Art.300(2) and (3). ? became Art 50 (2), Art 53(1), Art 62, Art 64(2), Art 79(2), Art 91, Art 100(2), Art 113, Art 115, Art 207(4) 1st para, Art 212, Art 218 (6) (a) of the TFEU. Please note that the numbering of the old legal bases corresponds to the consolidated versions of the Treaties that were applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).