

ORAL QUESTION H-0827/05
for Question Time at the part-session in October 2005
pursuant to Rule 109 of the Rules of Procedure
by Reinhard Rack
to the Commission

Subject: Ratification procedure of the Ankara Protocol by Turkey

Following the final votes of the European Parliament, after the submission by the Turkish Government to the Turkish Parliament of the Protocol extending the customs union to the ten new Member States and after its ratification, the Protocol will be transposed into the Turkish legislation and will have binding force erga omnes, i.e. inside and outside Turkey, regarding its relations with the EU and the third countries. If its ratification is recognised as a ratification of an international treaty by the Turkish Constitution, it will have constitutional force. If the submission of the Protocol is accompanied by Turkey's unilateral statement on Cyprus - even if the latter is considered by European legislation as devoid of legal effect- the unilateral statement will have the same force as the law, in the light of the foregoing.

What measures have the European institutions undertaken, especially the European Commission, in order to avoid a situation where the declaration is submitted for ratification and remains just a political declaration without legal implications?

Tabled: 30.09.2005
de