Question for oral answer O-000014/2017 to the Commission
Rule 128
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on behalf of the Verts/ALE Group
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Subject: Effects of the General Court’s Orders on the EU-Turkey Statement

In its Orders in Cases T-192/16, T-193/16 and T-257/16 NF, NG and NM v European Council issued on 28 February 2017, the General Court of the European Union considered that, as part of the EU-Turkey statement adopted on 18 March 2016, neither the European Council nor any other institution of the EU decided to conclude an agreement with the Turkish Government on the subject of migration, and therefore invoked a lack of jurisdiction to hear and determine the actions brought by the claimants. The Court further specified that, ‘even supposing that an international agreement could have been informally concluded during the meeting of 18 March 2016 […] that agreement would have been an agreement concluded by the Heads of State or Government of the Member States of the EU and the Turkish Prime Minister’.

1. In light of the above, should the EU-Turkey Statement be considered an international agreement concluded by the Member States, what would be the legal basis for the involvement of the EU institutions in its implementation?

2. How does the Commission assess the compliance of its actions in implementing the EU-Turkey Statement since its entry into force on 20 March 2016 and the commitments already made on the basis of the statement with the Orders issued by the General Court on 28 February 2017?

3. What is the Commission’s assessment of the Orders and is it planning to appeal in accordance with Article 56 of the CJEU Statute?

Tabled: 6.3.2017
Forwarded: 8.3.2017
Deadline for reply: 15.3.2017