

Authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation in civil and commercial matters

2023/0028(COD) - 12/12/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 601 votes to 1, with 6 abstentions, a legislative resolution on the proposal for a decision of the European Parliament and of the Council on an authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation in civil and commercial matters.

The European Parliament adopted its position at first reading under the ordinary legislative procedure.

By letter of 8 December 2016, France requested an empowerment from the Union to negotiate a bilateral agreement with Algeria concerning judicial cooperation in civil and commercial matters. The aim was to modernise and consolidate the three bilateral agreements of 1962, 1964 and 1980 that are in force. France provided information to the Commission showing that, due to the exceptional economic, cultural, historical, social and political ties that it has with Algeria, France has a specific interest in negotiating a bilateral agreement with Algeria, the draft of which was transmitted to the Commission.

Under this Decision, **France is empowered to negotiate a bilateral agreement with Algeria concerning judicial cooperation in civil and commercial matters**, provided that the following negotiating guidelines are followed:

- France informs Algeria that the Commission may participate in the negotiations as an observer, and that the Commission will be informed of any progress and results achieved during the various stages of the negotiations;
- France encourages Algeria to consider acceding to the core conventions developed by the Hague Conference on Private International Law and to start an analysis of the most appropriate means to remove the obstacles which have prevented Algeria from acceding to the Hague Conventions;
- France informs Algeria that, following the conclusion of the negotiations, an empowerment from the European Parliament and the Council is required before France is allowed to conclude the agreement;
- France informs Algeria that the empowerment from the European Parliament and the Council to conclude the agreement, following a proposal from the Commission, may provide that the agreement is to have a limited validity in time, with the possibility that a mechanism of tacit renewal be indicated in the decision of the European Parliament and of the Council on the conclusion of the agreement;
- a provision is inserted in the agreement providing for a full or a partial denunciation of the agreement or a direct replacement of the relevant provisions of the agreement in the event of the conclusion of a subsequent agreement between the Union, or the Union and its Member States, on the one hand, and Algeria, on the other hand, or of Algeria's accession to the relevant Hague Conventions;
- the provisions of the agreement comply with the relevant Union acquis and the relevant Hague Conventions.

Parliament suggested that the act be cited as ‘the Cicurel Decision on an authorisation empowering France to negotiate a bilateral agreement with Algeria concerning judicial cooperation in civil and commercial matters’.