EC/Russia Partnership and Cooperation Agreement

1994/0151(AVC) - 30/05/1995 - Legislative proposal

By letter dated 30 May 1995, the Council forwarded to Parliament the text of a new proposal for a decision aimed at adopting the EC-Russia partnership agreement and called on Parliament to give its opinion on the proposal. Pending a decision as to whether or not certain articles of the legal basis for this decision were to be added, the Council forwarded the amended text of the decision to the EP so that it could begin its work on the proposal but reserved the right to determine the appropriate definitive basis at a later stage. Parliament would be informed of the final text as soon as the Council had made its decision. The amendments related to the following points: - inclusion in the legal basis of Article 54(2), the last sentence of Article 57(2), Articles 66, 73c(2), 75, 84(2), 99, 100 and 100a as well as Articles 113 and 235 in conjunction with Article 228(2) and the second line of Article 228(3); - reference in the recitals to the Community's obligations under the agreement, justifying the addition of several articles in the legal basis: the agreement affected in particular the arrangements laid down by Community acts in the areas of establishment, transport and the treatment of enterprises. It also imposed obligations regarding capital movements and payments between the Community and Russia. Insofar as the agreement affected Directive 90/434/EEC on the system of taxation applicable to mergers and Directive 90/435/EEC on the system of taxation applicable in the case of parent companies and subsidiaries of different Member States, based on Article 100, that Article should also be used as a legal basis. Finally, certain provisions of the agreement imposed on the Community obligations in the field of the provision of services that went beyond the cross-border framework; - in the body of the text of the decision, a reference to the Cooperation Committee was added. Its position was to be determined by the Council, on the basis of a proposal from the Commission, or by the Commission itself, in accordance with the relevant provisions of the TEU. In addition, the recommendations of the Cooperation Council and the Cooperation Committee would by published in the OJ on a case-by-case basis.