



Basic information	
1995/0057(NLE) NLE - Non-legislative enactments Decision	Awaiting committee decision
EU/Belarus agreement: partnership and cooperation agreement Subject 6.40.04 Relations with the Commonwealth of Independent States (CIS) Geographical area Belarus	



Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	AFET	Foreign Affairs		
	Former committee responsible		Former rapporteur	Appointed
	AFET	Foreign Affairs		
	AFET	Foreign Affairs		
	AFET	Foreign Affairs		
	AFET	Foreign Affairs		
	AFET	Foreign Affairs, Security and Defense Policy	MARSET CAMPOS Pedro (GUE/NGL)	23/09/1999
	Committee for opinion		Rapporteur for opinion	Appointed
	TRAN	Transport and Tourism		
	Former committee for opinion		Former rapporteur for opinion	Appointed
	INTA	International Trade		

	INTA International Trade	The committee decided not to give an opinion.	
	INTA International Trade		
	TRAN Transport and Tourism		
	TRAN Transport and Tourism		
	TRAN Transport and Tourism		
	INTA International Trade		
	TRAN Transport and Tourism		
Council of the European Union	Council configuration	Meetings	Date
	General Affairs	1830	1995-03-06
	General Affairs	1989	1997-02-24
	General Affairs	2003	1997-04-29
European Commission	Commission DG	Commissioner	
	External Relations	ASHTON Catherine	

Key events			
Date	Event	Reference	Summary
22/02/1995	Preparatory document	COM(1995)0044 	Summary
08/05/1995	Modified legislative proposal published	COM(1995)0137 	Summary
24/07/1995	Legislative proposal published	07804/1995	Summary
18/09/1995	Committee referral announced in Parliament		
24/02/1997	Debate in Council		
29/04/1997	Debate in Council		
16/09/2004	Committee referral announced in Parliament		
19/10/2009	Resumption of business from the previous parliamentary term		
02/12/2009	Additional information		Summary

20/10/2014	Resumption of business from the previous parliamentary term		
13/11/2024	Resumption of business from the previous parliamentary term		

Technical information	
Procedure reference	1995/0057(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 212 Treaty on the Functioning of the European Union TFEU 218-p6a
Stage reached in procedure	Awaiting committee decision
Committee dossier	AFET/10/00004

Documentation gateway			
Council of the EU			
Document type	Reference	Date	Summary
Document attached to the procedure	04890/1995	28/02/1995	
Legislative proposal	07804/1995	24/07/1995	Summary
Supplementary legislative basic document	N4-0359/1995	24/08/1995	Summary
European Commission			
Document type	Reference	Date	Summary
Preparatory document	COM(1995)0044 	22/02/1995	Summary
Modified legislative proposal	COM(1995)0137 	08/05/1995	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

EU/Belarus agreement: partnership and cooperation agreement

1995/0057(NLE) - 24/07/1995 - Legislative proposal

In a letter addressed to the President of the European Parliament dated 24 July 1995 the Council forwarded to Parliament the draft decision concluding the agreement, while at the same time bringing to its attention that doubts still remained as to the inclusion of certain articles in the legal basis of the agreement. The Council reserved the right to determine the appropriate legal basis in a definitive manner at some later stage and undertook to inform

Parliament of this in good time. Nevertheless, it was sending the text of the agreement to Parliament in order that the latter might carry out its work. As the wording stood at present, the legal basis of the agreement was as follows: - Article 95 of the ECSC Treaty; - Articles 54 (second paragraph) and 57 (second paragraph) of the EC Treaty (final sentence); - Articles 66, 73c (second paragraph) of the EC Treaty; - Articles 75 and 84 (second paragraph) of the EC Treaty; - Articles 99, 100, 100a, 113 and 235, in conjunction with Article 228 (second and third paragraphs, second line), of the EC Treaty; - Article 101 of the EURATOM Treaty.

EU/Belarus agreement: partnership and cooperation agreement

1995/0057(NLE) - 24/08/1995 - Supplementary legislative basic document

In a letter addressed to the President of the European Parliament dated 24 August 1995 the Council forwarded to Parliament the definitive draft decision concluding the EC-Belarus cooperation agreement, on the understanding that the legal uncertainties affecting the agreement had been removed. The definitive legal basis is therefore as follows: - Article 95 of the ECSC Treaty; - Articles 54 (second paragraph) and 57 (second paragraph) of the EC Treaty (final sentence); - Articles 66, 73c (second paragraph) of the EC Treaty; - Articles 75 and 84 (second paragraph) of the EC Treaty; - Articles 99, 100, 113 and 235, in conjunction with Article 228 (second and third paragraphs, second line) of the EC Treaty; - Article 101 of the EURATOM Treaty. The position which the Community is to adopt within the Cooperation Council and Committee is to be determined by the Council, at the Commission's instigation, or, if necessary, by the Commission in accordance with the EC, ECSC and EURATOM Treaties.

EU/Belarus agreement: partnership and cooperation agreement

1995/0057(NLE) - 22/02/1995 - Preparatory document

This proposal for a decision aimed to enable the conclusion of a partnership and cooperation agreement between the Community and its Member States and Belarus. It was a mixed agreement covering areas of Community and national responsibility. It was concluded for an initial period of 10 years. It established political dialogue. It also contained provisions concerning trade in goods, conditions relating to employment, establishment and the activities of companies, the cross-border provision of services, payments and capital, competition, the protection of intellectual, industrial and commercial property, legislative cooperation, economic and financial cooperation and cultural cooperation. The agreement included a conditionality clause on human rights, permitting the suspension of the agreement, even on a unilateral basis, in cases of violation of its key elements, including respect for democratic principles and human rights and the principles of the market economy. The provisions relating to customs cooperation would be the subject of a separate protocol. The agreement would be managed via a three-fold structure: a cooperation council, a cooperation committee and a parliamentary cooperation committee; This agreement was drawn up in the context of the future creation of a free trade area. In 1998, the Council would assess the situation to determine whether or not the negotiations on such an area could begin. This agreement replaced the economic and trade cooperation agreement concluded between the Community and the USSR in 1989 with regard to the precise interests of Belarus. It was concluded by the Council on behalf of the Community and with the agreement of the European Parliament (in accordance with Article 228(2) and (3), second paragraph, of the TEU, which provided for the consent of the European Parliament).

EU/Belarus agreement: partnership and cooperation agreement

1995/0057(NLE) - 06/03/1995

The Council adopted the decision to sign the Partnership and Cooperation Agreement with the Republic of Belarus ; that Agreement was signed in the afternoon of the same day (see Press Release 5220/95, Presse 60).

EU/Belarus agreement: partnership and cooperation agreement

1995/0057(NLE) - 08/05/1995 - Modified legislative proposal

Given the Court of Justice's opinion 1/94 of 15 November 1994 on the European Community's competence to conclude the agreements resulting from the Uruguay Round, the procedure envisaged for the present agreement had proven to be inappropriate. Similarly, the provisional application of the Energy Charter (signed on 17 December 1994) required that the legal basis of the agreement be changed whilst respecting the differences between the contents of the partnership and cooperation agreement and the Charter. The legal bases to be added further to Articles 113 and 235 of the EC Treaty and Article 101 of the ECSC Treaty initially envisaged (in conjunction with Article 228), were the following: - Article 54(2) and the last sentence of Article 57(2), as with the Energy Charter: the requirements set out in the agreements relating to establishment affected the rules adopted by the Communities on issues relating to the stock exchange and accounting as well as banking and insurance matters; - Article 73c(2) of the EC Treaty, as with the Charter: the requirements set out in the agreement relating to the free movement of capital and payments have concerned the Community since the entry into force of the second stage of EMU; - Articles 75 and 84(2) of the EC Treaty: contrary to the Charter, the agreement would have a certain impact on Community transport regulations (primarily in the maritime sector). According to the Commission, it was not necessary to add any other legal bases, particularly since Article 235 more or less supported the economic cooperation provided for in the agreement. It was not a question of purely extending significantly the provisions in the 1989 agreement. Community competence was not exclusive; rather it should operate in tandem with that of the Member States. The Court's reflections as to the conditions in which exclusive competence could be based on Article 235 through the application of the AETR case law were thus not relevant in this case. Furthermore, the ECSC Consultative Committee had been consulted with regard to the conclusion of the partnership agreement with Belarus (on 31 March 1995).