

**Question for written answer
to the Commission**
Rule 130
Barbara Spinelli (GUE/NGL)

Subject: Effects of the General Court's orders on the EU-Turkey Statement

On 28 February 2017, the General court of the European Union ruled on the cases NF, NG and NM v. European Council (Cases T-192/16, T-193/16 and T-257/16) affirming that independently of whether the EU-Turkey Statement constitutes a political statement or, on the contrary, a measure capable of producing binding legal effects, it cannot be regarded as a measure adopted by the European Council, or, moreover, by any other institution, body, office or agency of the European Union, or as revealing the existence of such a measure that corresponds to the contested measure. Furthermore, the Court considered 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 European Union and the Turkish Prime Minister.

In view of the above, if the EU-Turkey Statement had to be considered an international instrument, what would be the legal basis for the involvement of the EU institutions in its implementation?

Does the Commission consider the commitments already made on the basis of this text to be compatible with the orders issued by the General Court?