

EU primary law

Primary law, which is among the sources of law of the EU, of which we are a member, briefly covers the founding treaties. Along with the founding treaties, the annexes, protocols, and the instruments that amend or supplement these treaties are also within the scope of primary law.

Considering that the EU does not yet have a constitution, the founding treaties in question are considered the Constitution of the EU.

These founding treaties prevail over the national constitutions of the states that are parties.

The unification treaties and the accession treaties of candidate countries are also considered constitutional.

In the cases of *Van Gend en Loos*, *Costa v. EEL*, and *Nold*, the Court of Justice of the European Community (CJEU) ruled that in the event of conflict between the founding treaties of EU law and the constitutions of the member states, Community law, not national constitutions, shall apply.

Primary law is supranational and is not the same as international treaties. Primary law applies not only to EU member states but also to citizens of member states. However, international treaties, by their very nature, are binding only between contracting states and do not have jurisdiction over the citizens of the contracting states.

The following agreements can be listed as Primary Law:

1) European Coal and Steel Treaty of the European Community and its annexes (1951). This Treaty ceased to be in force on 23 July 2002.

2) Treaty on the European Economic Community (EEC) (or Treaty of Rome, 1957)

3) European Atomic Energy Treaty (Euratom, 1957)

4) Treaty on Joint Organs for the European Communities (1957)

5) Treaty on the establishment of a single Council and Commission of the European Communities (1957)

6) First Budget Treaty (1970)

7) Treaty concerning the accession of the United Kingdom, Denmark and Ireland to the EEC (1972)

8) Budget Agreement (1975)

9) Treaty on Greece's accession to the EEC (1979)

10) Spain and Portugal Treaty on their participation in communities (1985)

11) Single European Act (1986)

12) Treaty on European Union (Maastricht Treaty, 1992)

13) Treaty on the accession of Sweden, Finland and Austria to the EU (1993)

14) Amsterdam Treaty (1997)

15) EU Declaration of Fundamental Rights (2000)

The Founding Treaties listed above, namely Primary Law, are at the top of the hierarchy of norms of EU law, and the Secondary Law rules determined by the Community institutions cannot contain provisions contrary to the founding treaties.

Treaty of Rome
According to Article 249, the acts defined as Secondary Law are defined as Regulations, Directives, Decisions and Recommendations and Opinions.

Turkey had the opportunity to become acquainted with EU law for the first time thanks to the Azem Plan.

We will begin to hear these concepts more frequently in the coming period. So, we thought we'd briefly reiterate them.