



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

4.12.2013

B7-0000/2013

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 110(2) of the Rules of Procedure

on the 2013 Progress Report on Turkey
(2013/2945(RSP))

Ria Oomen-Ruijten

on behalf of the Committee on Foreign Affairs

B7-0000/2013

**European Parliament resolution on the 2013 Progress Report on Turkey
(2013/2945(RSP))**

The European Parliament,

- having regard to the Commission 2013 Progress Report on Turkey (SWD(2013)0417),
- having regard to the Communication from the Commission to the European Parliament and the Council entitled ‘Enlargement Strategy and Main Challenges 2013-2014’ (COM(2013)0700),
- having regard to its previous resolutions, in particular of 10 February 2010 on Turkey’s 2009 progress report, of 9 March 2011 on Turkey’s 2010 progress report¹, of 29 March 2012 on Turkey’s 2011 progress report² and of 18 April 2013 on Turkey’s 2012 progress report³,
- having regard to the Negotiating Framework for Turkey of 3 October 2005,
- having regard to Council Decision 2008/157/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey⁴ (“the Accession Partnership”), as well as to the previous Council decisions on the Accession Partnership of 2001, 2003 and 2006,
- having regard to the Council conclusions of 14 December 2010, 5 December 2011 and 11 December 2012,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to Rule 110(2) of its Rules of Procedure,
- having regard to the fact that accession negotiations with Turkey were opened on 3 October 2005 and that the opening of such negotiations is the starting point for a long-lasting and open-ended process based on fair and rigorous conditionality and the commitment to reform,
- having regard to the fact that Turkey has committed itself to the fulfilment of the Copenhagen criteria, adequate and effective reforms, good neighbourly relations and progressive alignment with the EU; having regard to the fact that these efforts should be viewed as an opportunity for Turkey to continue its process of modernisation,
- having regard to the fact that the EU should remain the benchmark for reforms in Turkey,

¹ Texts adopted, P7_TA(2011)0090.

² Texts adopted, P7_TA(2012)0116.

³ Texts adopted, P7_TA(2013)0184.

⁴ OJ L 51, 26.2.2008, p. 4.

- having regard to the fact that full compliance with the Copenhagen criteria and EU integration capacity, in accordance with the conclusions of the December 2006 European Council meeting, remains the basis for accession to the EU,
- having regard to the fact that, in its conclusions of 11 December 2012, the Council endorsed the Commission's new approach to place the rule of law at the heart of the enlargement policy and confirmed the centrality in the negotiating process of Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom and security), which should be tackled early in the negotiations to allow clear benchmarks and sufficient time to introduce the necessary changes in legislation, reforms of institutions and thus solid track records of implementation,
- having regard to the fact that, in its 2013 Enlargement Strategy, the Commission concluded that, for its economy, strategic location and important regional role, Turkey is a strategic partner for the European Union and a valuable component of EU economic competitiveness and that important progress on reforms was made in the preceding twelve months; having regard to the fact that the Commission called for further reforms and the promotion of dialogue across the political spectrum in Turkey and in Turkish society at large,
- having regard to the fact that Turkey, for the eighth consecutive year, has still not implemented the provisions stemming from the EC-Turkey Association Agreement and the Additional Protocol thereto,
- having regard to the fact that, for its own benefit, and with a view to enhancing stability and promoting good neighbourly relations, Turkey needs to step up its efforts to solve outstanding bilateral issues, including unsettled legal obligations and land and maritime border and airspace disputes with its immediate neighbours, in accordance with the provisions of the UN charter and with international law,
- having regard to the fact that Turkey has the potential to play a pivotal role in diversifying energy resources and routes for oil, gas and electricity transit from neighbouring countries to the EU and that there is a potential for both Turkey and the EU to benefit from Turkey's rich renewable energy resources in creating a sustainable low-carbon economy,

Credible Commitment and Strong Democratic Foundations

1. Welcomes the 2013 Progress Report on Turkey and shares the Commission's conclusion that Turkey is a strategic partner for the European Union and that important progress on reforms was made in the preceding twelve months; underlines the importance and urgent need of further reforms and the promotion of dialogue across the political spectrum and in society more broadly, as well as the respect of fundamental rights in practice;
2. Notes the transformative power of negotiations between the Union and Turkey, which have provided Turkey with a clear reference for its reform process; stresses therefore the importance of credible negotiations based on a mutual commitment by Turkey and the Union to effective reforms furthering the democratic foundations of Turkish society, promoting fundamental values and producing positive change in the institutions, in legislation and, in the mentality of society; welcomes, therefore the opening of Chapter

22;

3. Stresses the importance of achieving a common understanding between Turkey and the EU on the relevance for both the EU and Turkey of the readmission agreement and the roadmap leading to visa liberalisation; recalls that Turkey is one of the key transit countries for irregular migration to the EU and therefore calls on Turkey to sign and implement the readmission agreement without further delay; calls on the Commission in parallel to take steps towards visa liberalisation and stresses the clear benefits of facilitating access to the EU for business people, academics, students and representatives of civil society;

Fulfilling the Copenhagen criteria

4. Points to the crucial role of a system of checks and balances for any modern democratic State and the fundamental role that the Turkish Grand National Assembly must play at the centre of Turkey's political system in providing a framework for dialogue and consensus-building across the political spectrum; expresses concern about political polarisation and the lack of readiness on the part of government and opposition to work towards consensus on key reforms; urges all political actors, the government and the opposition to work together to enhance a pluralistic vision in State institutions and to promote the modernisation and democratisation of the State and society; calls on the political majority to actively involve the minority in the deliberation process on relevant reforms and take into consideration, whenever possible, their interests and views in an inclusive manner;
5. Stresses the urgent need for further progress in implementing the 2010 constitutional amendments, in particular the adoption of laws on the protection of personal data and military justice, and of laws introducing affirmative-action measures to promote gender equality;
6. Commends the Conciliation Committee for reaching consensus on 60 constitutional amendments and calls on its Members to continue their work on a new Constitution for Turkey as this is essential for the reform process in Turkey; stresses the importance of achieving consensus in the framework of the constitutional reform process on an effective system of separation of powers and an inclusive definition of citizenship; underlines that Turkey, as a Member State of the Council of Europe, could benefit from active dialogue with the Venice Commission on the constitutional reform process; stresses that the rules governing the election and composition of the High Council of Judges and Prosecutors should be fully in line with the criteria of the Venice Commission;
7. Welcomes the democratisation package presented by the Government on 30 September 2013 and calls on the Government to duly consult the opposition and relevant civil society organisations in the preparation of the implementing legislation and to continue with its reform efforts towards revision of the electoral system, including the lowering of the 10% threshold, and the adequate inclusion of all components of Turkish society; calls on the Government to ensure that the legislation on hate crimes offers protection for all citizens, including minorities and LGBTI;
8. Takes the view that the protests in Gezi Park testify both to the existence in Turkey of a

vibrant civil society and also the need for further vital reforms on the promotion of fundamental values; highlights the importance of including civil society more structurally in the decision making process; deeply regrets the loss of life amongst the protesters and the police forces, the excessive use of force by the police and the violent acts by a number of protesters; welcomes the on-going administrative investigations launched by the Ministry of Interior and the inquiries by the Ombudsman into complaints related to the events in Gezi Park and expects them to fully address the concerns without delay; calls on Turkey to adopt adequate internal review procedures and to establish an independent supervisory body for police offences; is of the opinion that the Gezi Park events underline the need for far-reaching reforms in order to ensure respect for freedom of assembly;

9. Expresses concerns at the very limited coverage of the Gezi Park events by Turkish media and the dismissal of journalists who criticised the Government's reactions to such events; recalls that freedom of expression and media pluralism are at the heart of European values and that an independent press is crucial to a democratic society; reiterates once again its concern at the fact that most media are owned by and concentrated in, large conglomerates with a wide range of business interests and points out to the worrying widespread phenomenon of self-censorship by media owners and journalists; expresses concern at the particularly high number of journalists currently in pre-trial detention and calls on Turkey's judicial authorities to review and address these cases as soon as possible;
10. Notes the concerns in Turkish society about the excessively wide scope and the shortcomings of the proceedings in the Ergenekon case, which, like in the Sledgehammer case, undermined the acceptance of the ruling; stresses, once again, in light of the above, that the KCK case must demonstrate the strength and the proper, independent, impartial and transparent functioning of Turkey's democratic institutions and judiciary, as well as the firm, unconditional commitment to respect for fundamental rights;
11. Notes that the implementation of the third judicial reform package has led to the release of a significant number of detainees and welcomes the fourth judicial reform package as another important step towards a judiciary in Turkey in line with EU standards and values; notes, in particular, (i) the new, important distinction between freedom of expression and incitement to violence or to committing acts of terrorism, (ii) the limitation of the offence of praising a crime or a criminal to instances where there is a clear and imminent danger to public order and (iii) the narrowing down of the scope of the offence of committing a crime in the name of an organisation, without being a member of it, to armed organisations only;
12. Welcomes the initiatives taken by the High Council of Judges and Prosecutors to promote the training of a large number of judges and prosecutors in the field of human rights and to promote a thorough, operational understanding of the ECtHR case law; encourages the Government to adopt the Human Rights Action Plan based on the ECtHR case law and aimed at addressing issues raised in judgements of the Court where Turkey was found to have violated ECHR provisions; encourages the Government to continue with ambitious judicial reforms built on the need to advance the defence and the promotion of fundamental rights; stresses, in this regard, the need to reform the anti-terror law as a

matter of priority;

13. Reaffirms its support to the Commission's new approach of opening Chapters 23 (judiciary and fundamental rights) and 24 (justice and home affairs) early in the negotiation process and closing them at the end; stresses that delivering the official benchmarks for the opening of such Chapters to Turkey would provide a clear roadmap for and give a boost to the reform process; calls, therefore, on the Council to make renewed efforts for the opening of Chapters 23 and 24; calls on Turkey to cooperate as much as possible to this effect;
14. Commends the decision by the Assembly of Foundations to return the lands of the historic Mor Gabriel Monastery to the Syriac community in Turkey, in compliance with the pledge taken by the Government in the Democratisation package; stresses the importance to continue the process of reform in the area of freedom of thought, conscience and religion by enabling religious communities to obtain legal personality, by eliminating all restrictions on the training, appointment and succession of clergy, by complying with the relevant judgments of the ECtHR and the recommendations of the Venice Commission and by eliminating all forms of discrimination or barriers based on religion; notes that progress has been particularly slow in extending the rights of the Alevi minority; underlines the importance of lifting all obstacles to a speedy reopening of the Halki Seminary;
15. Expresses support for the database on violence against women currently under preparation by the Ministry for Family and Social policies; asks to complement existing legislation on the creation of shelters for women who are victims of domestic violence with adequate follow-up mechanisms where municipalities fail to establish such shelters; supports the efforts of the Minister for Family and Social policies to raise penalties for forced early marriages, which must be eradicated; renews its concern at the low level of women's participation in the labour force, in politics and at senior level in the administration and encourages the Government to adopt adequate measures to promote a more central role of women in the economic and political fabric of Turkey;
16. Strongly supports the Government's initiative to strive for a settlement of the Kurdish problem on the basis of negotiations with the PKK; encourages the Government to devise the reforms directed at promoting the social, cultural and economic rights of the Kurdish community on the basis of adequate consultation of relevant stakeholders and the opposition; calls on the opposition to actively support the negotiations and the reforms as an important step for the benefit of Turkish society at large; calls on the Turkish authorities to cooperate closely with the European Commission to assess which programs under IPA could be used to promote sustainable development in the South East in the framework of negotiations on Chapter 22;
17. Is of the opinion that social dialogue and involvement of social partners are vital for the development of a prosperous society; Underlines the importance of further progress in the areas of social policy and employment, in particular to remove all obstacles to the effective functioning of trade unions, to establish a national employment strategy, address undeclared work, widen the coverage of social protection mechanisms, and increase employment rates among women and people with disabilities;

Building good neighbourly relations

18. Notes the continuing efforts by Turkey and Greece to improve their bilateral relations including through bilateral meetings; considers it regrettable, however, that the *casus belli* threat declared by the TGNA against Greece has not been withdrawn;
19. Calls on the Government of Turkey to sign and ratify the United Nations Convention on the Law of the Sea (UNCLOS) without further delay and recalls the full legitimacy of the Republic of Cyprus's exclusive economic zone;
20. Reiterates its strong support for the reunification of Cyprus, based on a fair and viable settlement for both communities; asks Turkey to actively support the negotiations aimed at a fair, comprehensive and viable settlement under the auspices of the UN Secretary-General and in accordance with the relevant UNSC resolutions; calls on Turkey to begin withdrawing its forces from Cyprus and to transfer the sealed-off area of Famagusta to the UN in accordance with UNSC Resolution 550 (1984); calls on the Republic of Cyprus to open the port of Famagusta, under EU customs supervision, in order to promote a positive climate for the successful solution of the ongoing reunification negotiations, and to allow Turkish Cypriots to trade directly in a legal manner that is acceptable to all; takes note of the proposals by the Government of Cyprus to address the above issues;
21. Welcomes Turkey's decision to grant the Committee on Missing Persons access to a fenced military area in the northern part of Cyprus and encourages Turkey to allow the Committee to access relevant archives and military zones for exhumation; calls for special consideration for the work done by the Committee on Missing Persons;
22. Stresses the importance of a coherent and comprehensive security approach in the Eastern Mediterranean, and calls on Turkey to allow political dialogue between the EU and NATO by lifting its veto on EU-NATO cooperation including Cyprus, and calls, in parallel, on the Republic of Cyprus to lift its veto on Turkey's participation in the European Defence Agency;
23. Urges Turkey and Armenia to proceed to a normalisation of their relations by ratifying, without preconditions, the protocols on the establishment of diplomatic relations, by opening the border and by actively improving their relations, with particular reference to cross-border cooperation and economic integration;

Advancing EU-Turkey cooperation

24. Deplores Turkey's refusal to fulfil its obligation of full, non-discriminatory implementation of the Additional Protocol to the EC-Turkey Association Agreement towards all Member States; recalls that this refusal continues to have a profound effect on the negotiation process;
25. Notes that Turkey continues to be the EU's sixth biggest trading partner and that the EU is Turkey's biggest with 38% of Turkey's total trade going to the EU and almost 71% of FDI coming from the EU; welcomes the ongoing Commission evaluation of the EU-Turkey Customs Union with the aim of assessing its impact on both parties and ways to

update it;

26. Believes that, in view of Turkey's strategic role as an energy hub, consideration should be given to the value of opening negotiations on Chapter 15 on energy; underlines that energy and climate efficiency priorities need to be addressed;
27. Welcomes Turkey's commitment to the provision of humanitarian assistance to Syrian refugees; notes that a large number of foreign fighters in Syria gain access to Syria via Turkey and asks Turkey to increase border patrols, restrict the entry of fighters and arm flows to groups credibly found to be implicated in systematic human rights violations; believes that the EU and Turkey should actively seek to develop a joint strategic vision to promote a political solution in Syria and support political and economic stability in the region, with particular reference to Jordan, Lebanon and Iraq;

o

o o

28. Instructs its President to forward this resolution to the Council, the Commission, the HR/VP, the Secretary General of the Council of Europe, the President of the ECtHR, the Governments and Parliaments of the Member States and the Government and Parliament of the Republic of Turkey.