

**Priority question for written answer P-004054/2019
to the Commission**

Rule 138

Martina Michels (GUE/NGL)

Subject: Monitoring the proper use of IPA II funds for Turkey

In accordance with Council Regulation (EC) No 1085/2006 of 17 July 2006 and the subsequent implementing regulations, Turkey is receiving funds from the Instrument for Pre-Accession Assistance (IPA). The focus of the IPA II Regulation (in force until 2020) is on democracy and governance, civil society, the rule of law and fundamental rights, among other things.

Is the Commission following the human rights proceedings before the ECtHR at which politically-persecuted individuals are taking action against Turkey to uphold their fundamental rights?

The Turkish government, represented inter alia by the constitutional lawyer Prof. Talmon from Germany, took a stance, for example in the case before the ECtHR in *Selahattin Demirtaş v. Turkey* (No 2) (ref. 14305/17) on 17 September 2019, which was contrary to the standards in place for the award of IPA funds. With Prof. Talmon as its mouthpiece, it stated that the fundamental rights for members of the Turkish National Assembly whose immunity has been waived do not apply in full and that therefore no fresh right of appeal to the ECtHR would be justified.

Does the Commission see, in this stance taken by Turkey, any consequences for the assessment of the proper allocation of IPA II funds?

Does the Commission know whether the constitutional lawyer Prof. Talmon adopts a comparable restrictive stance towards the rule of law in other, similar procedures?