



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

08.01.2015

B8-0000/2014

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 123(2) of the Rules of Procedure

on 2014 Commission Progress Report on Turkey
(2014/2953(RSP))

Kati Piri

B8-0000/2014

European Parliament resolution on 2014 Commission Progress Report on Turkey (2014/2953(RSP))

The European Parliament,

- having regard to the Commission 2014 Progress Report on Turkey (SWD(2014)0307),
- having regard to the Commission communication of 8 October 2014 entitled ‘Enlargement strategy and main challenges 2014-2015’ (COM(2014)0700),
- having regard to its previous resolutions, in particular those of 10 February 2010 on Turkey’s progress report 2009¹, 9 March 2011 on Turkey’s 2010 progress report², 29 March 2012 on the 2011 progress report on Turkey³, 18 April 2013 on the 2012 progress report on Turkey⁴, 13 June 2013 on the situation in Turkey⁵, and of 12 March 2014 on the 2013 progress report on Turkey⁶,
- having regard to the Negotiating Framework for Turkey’s accession to the EU 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 Turkey⁷ (‘the Accession Partnership’), and to the previous Council decisions of 2001, 2003 and 2006 on the Accession Partnership,
- having regard to the Council conclusions of 14 December 2010, 5 December 2011, 11 December 2012, 25 June 2013 and 16 December 2014,
- having regard to Article 46 of the European Convention on Human Rights (ECHR) which states that the contracting parties undertake to abide by the final judgements of the European Court on Human Rights (ECtHR) in any case to which they are parties,
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the World Bank report of 28 March 2014 entitled “Evaluation of the EU-Turkey Customs Union”,
- having regard to the Commission report on the progress of Turkey in fulfilling the requirements of its visa liberalisation roadmap (COM(2014)0646),

¹ OJ C 341 E, 16.12.2010, p. 59.

² OJ C 199 E, 7.7.2012, p. 98.

³ OJ C 257 E, 6.9.2013, p. 38.

⁴ Texts adopted, P7_TA(2013)0184.

⁵ Texts adopted, P7_TA(2013)0277.

⁶ Texts adopted, P7_TA(2014)0235.

⁷ OJ L 51, 26.2.2008, p. 4.

- having regard to Rule 123(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 a commitment to reform,
- having regard to the fact that the EU remains committed to further enlargement as a key policy to promote peace, democracy, security and prosperity in Europe; having regard to the fact that each candidate country will be judged by its own merits,
- 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 strengthen its institutions and continue its process of modernisation,
- having regard to the fact that the EU should remain the benchmark for reforms in Turkey,
- having regard to the fact that full compliance with the Copenhagen criteria and the EU's 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 the rule of law in the accession process - including, in particular, the separation of powers, the fight against corruption and organised crime, freedom of expression and the media, the rights of women, the rights of (national) minorities, and tackling discrimination against vulnerable groups such as the Roma and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons - is of central importance,
- having regard to the fact that in its communication entitled 'Enlargement strategy and main challenges 2014-2015' the Commission concluded that Turkey is a strategic partner for the European Union, in economic and energy security terms, and that cooperation on foreign policy issues with Turkey is crucial,
- having regard to the fact that, for the ninth consecutive year, Turkey has still not implemented the provisions stemming from the EC-Turkey Association Agreement and the Additional Protocol thereto; having regard to the fact that this refusal continues to have a profound negative effect on the negotiation process,
- having regard to the fact that Turkey needs to step up its efforts to resolve outstanding bilateral issues, including unsettled legal obligations and disputes with its immediate neighbours over land and maritime borders and airspace, in accordance with the provisions of the UN Charter and with international law,

Strategic importance of EU-Turkey relations

1. Welcomes the Commission's 2014 progress report on Turkey and shares its conclusion that Turkey is a strategic partner for the EU and that active and credible accession negotiations would provide the most suitable framework for exploiting the full potential of EU-Turkey relations; stresses that the accession process is a unique opportunity for Turkey to develop a strong pluralistic democratic system, with solid institutions, for the benefit of all citizens of Turkey;
2. Underlines that an effective and closer relationship between the EU and Turkey - considering their geographical proximity, the large Turkish community living in the EU, the close economic ties and common strategic interests - is to the benefit of both; calls on Turkey to place the accession process at the centre of its domestic policy choices, and, in particular, of the reform process; takes the view that the EU should seize this opportunity to become the main anchor of the process of further democratisation in Turkey by promoting universal values and European regulatory standards as benchmarks for the reform process;
3. Welcomes the renewed commitment of the Government of Turkey to the EU accession process and looks forward to the concrete follow-up of its recently adopted EU Strategy which aims to reinvigorate Turkey's accession process; notes that in November 2013 negotiations on Chapter 22 (Regional Policy) were opened; supports the willingness expressed by the new European Commission to step up its engagement with Turkey in view of shared interests and common challenges;
4. Underlines the importance of people-to-people contacts for creating a favourable environment of cooperation; stresses, therefore, that it is of utmost importance that advancements are made on visa liberalisation, that in the period leading to visa liberalisation visa facilitation for business people is foreseen, and that student and academic exchange programmes are actively promoted;

Rule of Law and Democracy

5. Notes that Turkey continued to implement the reforms from previous years; welcomes, in this regard, the changes to the legal framework regarding political parties and election campaigns, which now permits political campaigning in languages other than Turkish, legalises party co-chairmanship and eases the rules governing the local organisation of political parties; reiterates the importance of lowering the 10% electoral threshold, which would enable opportunities of political participation of all components of society in Turkey;
6. Takes the view that a new Constitution promoting a pluralistic, inclusive and tolerant society is needed in order to underpin the reform process; praises the work done by the constitutional conciliation committee, which reached consensus on 60 constitutional amendments before being dissolved; calls for the constitutional reform process to continue and is of the opinion that a new constitution should be based on widespread consensus across the political spectrum and in society as a whole;

7. Welcomes the new strategy devised by the Government of Turkey to channel all new legislation through the EU Affairs Ministry; recommends, in this regard, whenever possible, close consultation with the Venice Commission and a more intensive dialogue with the European Commission on new legislation under preparation and on the implementation of existing laws, in order to ensure compatibility with the EU acquis;
8. Recommends that structured civil society consultation mechanisms should be developed as part of the legislative and policy making processes; praises the vibrant civil society in Turkey; notes that reforms are needed to more effectively guarantee the freedom of association, allowing civil society organisations to operate freely without restrictions and to improve their access to funding;
9. Strongly supports efforts by the Government to achieve a comprehensive and sustainable solution for the Kurdish issue on the basis of negotiations with PKK; encourages the Government to enhance the social, cultural and political rights of the citizens of Kurdish origin; welcomes the law 'to bring a stronger legal foundation to the settlement process,' adopted by the TGNA on 11 June 2014, encompassing measures to eliminate terrorism, strengthen social inclusion, reintegrate those who leave the PKK and lay down their arms, and prepare public opinion for the return of former fighters; takes the view that a successful resolution of the Kurdish issue would make a positive contribution to stability and the protection of human rights in Turkey; therefore, encourages all political parties to support this process; calls on the Commission to provide technical support and to dedicate resources available under the Instrument for Pre-Accession (IPA), inter alia, to programmes of socio-economic integration and education in the South East as a way to reinforce the Kurdish settlement process; notes that negotiations on Chapter 22 (Regional Policy) could assist Turkey in defining an effective programme of cohesion for the South East.
10. Notes the Corruption Perceptions Index 2014 released by Transparency International on 3 December 2014, which points to a perceived stark increase in corruption in Turkey during the past year and now ranks Turkey as 64th on the index; regrets how the Turkish government reacted to the allegations of corruptions made in December 2013 and is of the opinion that there should be a transparent and independent investigation into the accusations made in December 2013; stresses the need for an adequate legal framework for the fight against corruption, which does not only erode people's trust in democracy, but can also harm economic development and a favourable investment climate;
11. Stresses that recent amendments to the Law on the High Council of Judges and Prosecutors (HCJP) and the subsequent numerous reassignments and dismissals of judges, prosecutors and police officers raised serious concerns about the independence, impartiality and efficiency of the judiciary and the separation of powers; welcomes the abolition of Article 10 of the anti-terror law; is concerned, however, that the scope of the anti-terror law is still excessive; recalls the need to reform Article 314 of the criminal code, so that only those who are members of or contribute to the activities of a terrorist or armed organisation can be prosecuted; calls for a judicial reform strategy in line with European standards to be adopted, in cooperation with all relevant stakeholders; welcomes the first step taken towards the reduction of the maximum length of pre-trial detention

from 10 to 5 years, but stresses that further reduction is needed; underlines the importance of setting up regional courts of appeal;

12. Welcomes a number of important decisions taken by the Constitutional Court of Turkey protecting the rule of law and fundamental rights, such as the freedom of expression, which has illustrated the resilience of the constitutional system; notes, in addition, that the Constitutional Court's rulings highlighted the mishandling of the investigations and subsequent trials in the Energekon and Slegehammer cases; welcomes that the Constitutional Court continues to receive individual applications;
13. Expresses concern about the high degree of political polarisation in Turkey; underlines that regarding key, long-term reform processes such as the EU negotiations, a new constitution and the Kurdish settlement talks, the ruling party and the opposition should strive to cooperate and reach consensus, and actively include civil society in decision making processes;

Human rights and fundamental freedoms

14. Welcomes the adoption in March 2014 of the Action Plan for the Prevention of Violations of the European Convention on Human Rights (ECHR) as a significant step towards aligning Turkey's legal framework with ECtHR and expects the Government to take further steps to implement its recommendations;
15. Notes that most investigations about the events in Gezi park in May/June 2013 and allegations about the disproportionate use of force and police abuse are still pending; calls for the completion of effective and impartial investigations into all cases of alleged ill-treatment by state officials and to bring those responsible to justice; underlines the need for subsequent adoption of clear rules on the use of force in line with international standards; strongly urges the lifting of restrictions on peaceful assembly and stresses that other laws, such as anti-terrorism legislation, should not be used to prevent people from their right to peacefully protest; calls on the Turkish government to provide for adequate checks and balances on the power of law enforcement agencies; recommends that Turkish authorities set up an independent and effective police complaints mechanism;
16. Underlines the need to revise the law on the National Human Rights Institution (NHRI) of Turkey in order to make it an independent body, adequately resourced, accountable to the public and with the participation of civil society groups; takes note of the recommendations in the report issued by the Ombudsman, including the demand for the gradual and proportionate use of force by police, and only as a last resort and under supervision; stresses the importance of reinforcing the right of initiative of the Ombudsman, its capacity to conduct on-the-spot checks and guarantees for the adequate follow-up to the Ombudsman's decisions;
17. Strongly believes that the Government of Turkey should address media freedom as a matter of priority and provide an adequate legal framework guaranteeing pluralism in line with international standards regrets efforts by the Turkish government to ban access to social media, its restrictive approach to the freedom of expression, and the pressure put on the media outlets and journalists;

18. Deplores the detention of a number of journalists and media representatives on 14 December 2014; recalls that a free and pluralistic press is an essential component of any democracy, as are due process and judicial independence; stresses, therefore, the need, as regards this latest round of arrests, in all cases (i) to provide ample and transparent information on the allegations against the defendants, (ii) to grant the defendants full access to the incriminating evidence and full defence rights, and (iii) to ensure the proper handling of the cases to establish the veracity of the accusations without delay and beyond reasonable doubt;
19. Takes the view that, in keeping with the EU commitment to the rule of law and fundamental values, reforms in the areas of, respectively, the judiciary and fundamental rights and justice, freedom and security are urgently needed in Turkey; believes further that delivering the official opening benchmarks and the subsequent opening of Chapters 23 (judiciary and fundamental rights) and 24 (justice, freedom and security) are the best way to promote truly effective reforms and to ensure that the reform process in Turkey is shaped on the basis of European values and standards; reiterates its call to the Council to make renewed efforts to communicate the official opening benchmarks and, ultimately, upon fulfilment of the set criteria, to open Chapters 23 and 24; calls on Turkey to cooperate as much as possible to this end; calls on the Commission to promote without delay further dialogue and cooperation with Turkey in the fields covered by chapters 23 and 24 to promote a common understanding on the reforms needed;
20. Welcomes the decision that reforms related to the rule of law and fundamental rights, home affairs and civil society are to receive increased funding under the Instrument for Pre-Accession (IPA) 2 for the period 2014-2020; Calls, in addition, on the European Commission to also dedicate resources available under the Instrument for the Promotion of Democracy and Human Rights (EIDHR) to support freedom of expression and media pluralism in Turkey;
21. Commends Turkey for its active contribution to the coming into force on 1 August 2014 of the Council of Europe's Convention on preventing and combating violence against women and domestic violence (Istanbul Convention); expresses, however, concern at the persistent high levels of violence against women; calls on the Turkish authorities to provide sufficient shelters for the protection of women who are victims of violence; recommends the Government to adopt laws introducing affirmative-action measures to promote gender equality in the political, economic, social, cultural, civil or any other field;
22. Recalls the importance of an adequate implementation of all ECtHR rulings on freedom of thought, conscience and religion; stresses, in this regard, the need to promote dialogue with the Alevi community and to give proper recognition to Cem houses as places of worship, and to allow the reopening of the Halki Monastery; asks Turkey's relevant authorities to address all outstanding issues related to the restitution of land belonging to Mor Gabriel monastery and other Syriac church land claims; recalls the importance of giving adequate implementation to the Venice Commission recommendations on Imvros and Tenedos;
23. Calls on Turkey to undertake serious efforts to protect the rights of the LGBTI Community and takes the view that the creation of a specific body to combat

discrimination, hate speech, racism, xenophobia, anti-semitism and intolerance would reinforce individual rights in Turkey; calls to enact comprehensive anti-discrimination legislation, including the prohibition of discrimination on the grounds of ethnicity, sexual orientation, and gender, and to include the prohibition of such discrimination in a new constitution;

24. Expresses regret over the loss of many lives following the Soma and Ermenek mine disasters; welcomes the ratification by Turkey of the International Labour Organisation (ILO) convention on safety and health in mines and calls for its swift implementation; stresses the importance of addressing the issues of occupational health and safety in all sectors and urges the monitoring of fatal workplace accidents to be more transparent; takes the view that social dialogue and the involvement of social partners are vital to the development of a prosperous and pluralistic society, and underlines the importance of further progress in the areas of social policy and employment, based on adequate and timely implementation of the conventions of the ILO; takes note of legislative shortcomings on labour and trade union rights; stresses that the right to organise, to enter into collective bargaining and the right to strike for private sector employees and civil servants will have to be aligned with the EU acquis and international standards; urges the Government of Turkey to prepare a roadmap to improve legislation and bring it in line with ILO standards; stresses the importance of opening Chapter 19 on social policy and employment as a way to provide adequate technical assistance to Turkey in the field of labour reform and promote European standards;

Shared interests and common challenges

25. Underlines the important benefits of the Customs Union (CU) between the EU and Turkey; recalls that, since the start of the CU in 1996, the value of bilateral trade between Turkey and the EU has increased more than fourfold, with a parallel significant rise of Foreign Direct Investment from the EU to Turkey and deeper integration between Turkish and European firms for the benefit of both; points to the recent evaluation of the CU by the World Bank, which stresses the need to introduce a number of reforms to maintain an environment conducive to close economic cooperation also for the future; points, in particular, to the need (i) to widen the CU to agricultural products, services and public procurement, (ii) to create favourable conditions for continued growth in trade, including the facilitation of visas for business travellers, and (iii) to introduce closer consultation and information sharing mechanisms between the EU and Turkey on the impact on Turkey of Free Trade Agreements signed by the EU with third countries, including the TTIP agreement with the USA;
26. Takes the view that political dialogue between Turkey and the EU should be complemented by a regular, structured high level economic dialogue on issues of common concern, including trade relationships with third countries; underlines, in this regard, the interaction between the proper functioning of the rule of law and economic development; believes that progress on Chapter 17 (economic and monetary policy) would be helpful in developing and reinforcing Turkey's economic, institutional and legal framework in this area, with particular regard to the independence of the Central Bank; recalls the Commission's statement that economic cooperation would be greatly enhanced by

opening of negotiations of Chapter 5 (public procurement), Chapter 8 (competition) and Chapter 19 (employment and social policy);

27. Reaffirms its support to the entry into force on 1 October 2014 of the readmission agreement with the EU; encourages the Commission to continue to monitor progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap, so that, in parallel with the implementation of the readmission agreement, the process of visa liberalisation can equally advance; reiterates Turkey's obligation to implement the agreement and the visa liberalisation vis-a-vis all Member States; welcomes the entry into force of the Law on Foreigners and International Protection and the establishment of the General Directorate for Migration Management (GDMM) in April 2014 as a substantial steps towards alignment with EU standards on international protection of regular and irregular migrants;
28. Recalls Turkey's strategic importance for EU's energy security; points to the three Southern Gas Corridor projects approved at the end of 2013, which will enhance the security of gas supply for Turkey and access to the EU as the main energy market; takes the view that in a context of increasingly competing energy markets and the need for diversified energy sources, Turkey, with its huge potential of renewables, could provide an important contribution to the EU's energy security and its ambitions regarding energy diversification;
29. Recalls Turkey's strategic position in the region and its relevance for a comprehensive strategy seeking to address security and stability in its Eastern and Southern Neighbourhoods, with particular reference to Syria and Iraq; points to the fact that the very serious developments in the region make it crucial that dialogue and cooperation with the EU on foreign policy issues is increased; notes Turkey's readiness to play an active role in the international coalition against ISIL; stresses the need to continue the EU-Turkey regular counter-terrorism dialogue as part of our common efforts to fight terrorism in all its forms; underlines the importance of more frequent high-level dialogue and consultation between the EU and Turkey on foreign policy issues in order to ensure that our policies complement one another; is of the opinion that the opening of chapter 31 on foreign, security and defence policy would provide a much needed framework for structured dialogue, cooperation and coordination on foreign policy issues;
30. Praises Turkey for its continued assistance to the estimated 1.6 million refugees from Iraq and Syria, and for maintaining an open border policy for humanitarian purposes; welcomes the Temporary Protection Directive adopted in October 2014, granting a secure legal status for refugees and enabling them to receive identity cards and access the labour market; calls on the EU to continue its financial support for humanitarian aid to Syrian and Iraqi refugees in Turkey; points to the maximum capacity reached by refugee camps and the strain of having to find a dwelling on refugees' life and resources; takes the view that the EU should provide active support to the Government of Turkey in defining long-term assistance programmes for refugees and to promote access to education, health care and (legal) employment; calls on the Commission to increase resources available under IPA-2 and the Instrument contributing to Stability and Peace (IcSP) to help provide adequate assistance to the local communities affected by the large inflows of refugees;

calls also on EU Member States to provide (temporary) resettlement places to the most vulnerable refugees, in the spirit of genuine responsibility-sharing;

Building good neighbourly relations

31. Notes the continuing efforts by Turkey and Greece to improve their bilateral relations, including through regular high-level meetings;
32. Calls on the Turkish Government to sign and ratify the United Nations Convention on the Law of the Sea (UNCLOS), some provisions of which are implemented as part of the 'acquis communautaire', without further delay, and underlines the Republic of Cyprus' legitimate right to enter into bilateral agreements concerning its exclusive economic zone; calls on Turkey to respect the sovereign rights of all Member States, including those relating to the exploration and exploitation of natural resources when in line with the EU acquis and international law;
33. Reiterates its strong support for the reunification of Cyprus, on the basis of a fair, comprehensive and viable settlement for both communities in accordance with relevant UN Security Council resolutions; calls on the leaders of both communities to resume negotiations under the auspices of the UN Secretary-General at the earliest convenience and expresses its strong support to the efforts made by the UN Special Adviser on Cyprus to create the conditions for the resumption of talks; calls on Turkey to actively support the negotiations on reunification;
34. 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;

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35. Instructs its President to forward this resolution to the Council, the Commission, the VP/HR, 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.