

Turkey's 2007 progress report

2007/2269(INI) - 21/05/2008 - Text adopted by Parliament, single reading

The European Parliament adopted by 467 votes to 62, with 61 abstentions, a resolution on Turkey's 2007 progress report concerning accession.

The own-initiative report had been tabled for consideration in plenary by Ria **OOMEN-RUIJTEN** (EPP-ED, NL) on behalf of the Committee on Foreign Affairs.

First of all, the Parliament welcomes the commitment of Prime Minister Erdogan that 2008 is going to be the year of reforms. It urges the Turkish government to fulfil its promises and to transform Turkey into a modern and prosperous democracy based on a secular state and a pluralistic society. Furthermore, it underlines the importance for Turkey of combating all forms of discrimination in line with Article 13 of the EC Treaty, which requires equality for all regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Towards a democratic and prosperous society: the Parliament believes that only a society which is guided by respect for human rights and fundamental freedoms and which is based on democracy and a socially oriented market economy can develop into a peaceful, stable and prosperous society. Therefore, it welcomes the fact that in 2007 democracy prevailed over attempts by the military to interfere in the political process. Turkey must now make further systematic efforts to ensure that the democratically elected political leadership bears full responsibility for policies, and that the armed forces respect this responsibility by fully and unambiguously acknowledging civilian control. In particular, the Turkish government is called to respect pluralism and diversity in Turkey, and to strive to modernise the country. However, the plenary is concerned about the implications of the AK Party closure case. Consequently, the Parliament expects the Turkish Constitutional Court to respect principles of the rule of law, European standards and the Guidelines on prohibition and dissolution of political parties and analogous measures. It also asks the Turkish parliament to bring the Constitution into line with these standards on the prohibition of political parties.

The Parliament considers the changes to Article 301 of the Penal Code (article on denigrating Turkish identity or insulting the country's institutions which was introduced in 2005 to replace Article 159 of the former Penal Code and regularly invoked to prosecute human rights defenders, journalists etc), adopted by the Turkish parliament on 30 April 2008, to be a first step towards a fundamental reform of the Turkish Penal Code. However, it looks forward to further initiatives and stresses that progress has to be achieved regarding freedom of expression, both in theory and in practice. In particular, the plenary deplores the fact that the number of persons prosecuted under legal provisions allowing for arbitrary restrictions on the expression of non-violent opinion has further increased in 2007. The Parliament is of the opinion that the repeal of **Article 301 of the Penal Code** and other legal provisions representing an illegitimate restriction on freedom of expression would be the best solution in order to ensure that Turkey fully guarantees freedom of expression and freedom of the press. The Parliament also calls for further progress regarding religious freedom, even though significant reforms were made as regards the latter in 2007. In particular, the Parliament calls for the immediate re-opening of the Greek Orthodox Halki Seminary and the public use of the ecclesiastical title of the Ecumenical Patriarch as well as further progress regarding the Law on the Ombudsman. The Parliament also recommends that Turkey should cooperate with the European Ombudsman and with national ombudsmen in EU Member States.

- **The Kurdish issue:** the Parliament urges the Turkish government to launch a political initiative favouring a lasting settlement of the Kurdish issue, based on tangible improvements in cultural, economic and social terms available to citizens of Kurdish origin, including real possibilities to

learn Kurdish within the public and private schooling system and to use it in broadcasting, in daily life and in access to public services. It regards a possible banning of the Democratic Society Party (DTP) as counterproductive to a political solution. At the same time, the Parliament calls on the democratic Kurdish parties and mayors to distance themselves clearly from the Kurdistan Workers' Party (PKK) and to engage constructively in the quest for a political solution to the Kurdish issue within the democratic Turkish state. It deplores, in particular, the many court cases brought against elected mayors and other politicians for using the Kurdish language, as well as the conviction of Leyla Zana (Kurdish activist). More generally, the Parliament asks Turkey to come up with an overall national strategy to address the issue of internally displaced persons, which would remove the current legal and practical deficiencies and provide the financial support needed in order to properly tackle the return and compensation of those concerned. As for the Commission, it should link the regional component of assistance given under the Instrument for Pre-Accession Assistance (IPA) to the drawing-up of a comprehensive strategy of the Turkish authorities as regards this region. Furthermore, the Parliament condemns the violence perpetrated by the PKK (for example, the attack in Diyarbakir in January 2008) as well as all forms of terrorism, reiterating its call for the PKK to declare and respect a ceasefire.

- **Women and secularism:** aware of the current development of a new secular Turkish constitution, the Parliament believes that this is the time for the issue of women in civil society to be brought to the forefront. To make this reform a success, it urges all political parties, ethnic and religious minorities and social partners to work together in the development of this text. It asks that the future constitution avoid the use of vague criteria such as "General Morality" and notes the disappointment and concern of part of the population that the lifting of the ban on wearing headscarves in Turkish schools and universities was not part of a broader package of reform based on a wide-ranging consultation of civil society. Overall, the Parliament welcomes the progress made by Turkey on protecting women against violence. However, further efforts must be made in this area, by providing more shelters for victims and stepping up training for law enforcement bodies. In addition, the Parliament is disappointed in the overall low rate of employment of women in Turkey (23.8%). Therefore, further efforts are required in order to increase the active involvement of women in politics and public life, in particular. The plenary also encourages the Turkish parliament to create a specialised parliamentary committee with legislative powers as an essential instrument for the improvement of women's rights in Turkey.
- **Torture and ill treatments:** although there has been a continued downward trend in the number of cases of torture reported, the Parliament fears that the anti-terror law and the law on police powers may weaken this positive record. Turkey must also step up its fight against torture perpetrated outside and inside its detention centres. Overall, the plenary believes that the Turkish police resort to using excessive force against demonstrators (e.g. at the 2008 May Day rally in Istanbul). It reaffirms that freedom of association and the peaceful operations of trade unions represent a fundamental right under the European Convention for the protection of Human Rights (ECHR).

Towards a growing economy: the Parliament welcomes the positive development of the Turkish economy. However, considerable efforts are required to tackle the problem of the black economy and to place the social security system on a sustainable footing. In addition, efforts must be made in terms of social dialogue, the respect of International Labour Organisation conventions and access to education. The Parliament expresses its concern about the level of corruption in Turkey and about the high extent of development disparities among Turkish regions (with sometimes very large differences between rural and urban areas). In terms of cohesion, the Parliament calls on Turkey to apply European standards to the construction of dams in the Munzur valley, the Allianoi, the Ilisu and to gold mining in Bergama. It also calls for better access to education as central to success.

Regional issues and external relations: the Parliament recalls Turkey's commitment to good neighbourly relations with Greece (e.g. the Aegean continental shelf) and Bulgaria (e.g. the property rights of Bulgarian Thracian refugees). In particular, it stresses the need to arrive at a comprehensive settlement of the Cyprus question based on the principles of the EU. In this respect, the Parliament welcomes the

improved relations achieved between Greece and Turkey over the last decade and the continuation of the good political climate, as witnessed during the recent official visit to Turkey of the Prime Minister of the Hellenic Republic, Kostas Karamanlis, which gives hope for further improvement of bilateral Greek-Turkish relations. It also calls on the Turkish government to end the economic blockade with Armenia, to restore full economic and political relations with this country, and to start a process of reconciliation, allowing for a frank and open discussion of past events. The plenary acknowledges Turkey's role as an important partner of the EU with a view to the realisation of EU foreign policy goals in the Black Sea region, Central Asia and the broader Middle East. It calls on the Commission and the Council to better exploit the potential of close EU-Turkey relations in these regions.

At the same time, the Parliament urges Turkey to sign the Rome Statute of the International Criminal Court.

- **Turkey – Iraq:** the Parliament reiterates its appeal to the Turkish government not to engage in any disproportionate military operations violating Iraq's territory. It urges Turkey to respect Iraq's territorial integrity, and urges the Government of Iraq and the Kurdish Regional Government of Iraq not to allow Iraqi territory to be used as a base for terrorist acts against Turkey.
- **Darfur and Afghanistan:** the Parliament regrets Turkey's objections to the implementation of the EU-NATO strategic cooperation based on the Berlin Plus Agreement. It is concerned about the negative consequences for the protection of the EU personnel deployed, notably the EU Police Mission in Afghanistan and the EULEX Mission in Kosovo. Therefore, it calls for those objections to be withdrawn by Turkey at the earliest possible date.

EU-Turkey relations: the Parliament urges the Turkish government to implement fully, and without delay, the provisions stemming from the EC-Turkey Association Agreement and the Additional Protocol thereto, recalling that non-fulfilment of Turkey's commitments will continue to seriously affect the process of negotiations. The Parliament recognises Turkey's ambition of becoming a Eurasian energy hub and calls on Turkey to fully support the Nabucco pipeline project (a European priority project). It reiterates the importance of bilateral and trilateral cross-border cooperation programmes (Turkey-Greece-Bulgaria) and also those carried out under the ENPI/CBC Black Sea Programme. Lastly, the Parliament calls on the Commission to start negotiations on an EU-Turkey visa facilitation agreement.