

Procedure file

Basic information		
NLE - Non-legislative enactments Decision	1998/0031R(NLE)	Procedure completed
Partnership and Cooperation Agreement with Turkmenistan		
Accompanying procedure 1998/0031(NLE)		
Subject 6.40.04.06 Relations with central Asian countries		
Geographical area Turkmenistan		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Foreign Affairs	 MĂNESCU Ramona Nicole	11/03/2015
		Shadow rapporteur	
		 BETTINI Goffredo Maria	
		 DEMESMAEKER Mark	
		 ALI Nedzhmi	
		 MESZERICS Tamás	
		 CASTALDO Fabio Massimo	
	Committee for opinion	Rapporteur for opinion	Appointed
	 International Trade	The committee decided not to give an opinion.	
 Budgets	The committee decided not to give an opinion.		
Council of the European Union			

Key events			
04/02/2019	Vote in committee		
08/02/2019	Committee report tabled for plenary	A8-0072/2019	Summary

12/03/2019	Results of vote in Parliament		
12/03/2019	Decision by Parliament	T8-0146/2019	Summary
12/03/2019	End of procedure in Parliament		

Technical information

Procedure reference	1998/0031R(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Interim report under consent procedure
Legislative instrument	Decision
Legal basis	Rules of Procedure EP 105-p5
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFET/8/12737

Documentation gateway

Committee draft report	PE629.670	31/10/2018	EP	
Amendments tabled in committee	PE632.017	12/12/2018	EP	
Committee report tabled for plenary, single reading	A8-0072/2019	08/02/2019	EP	Summary
Text adopted by Parliament, single reading	T8-0146/2019	12/03/2019	EP	Summary

Partnership and Cooperation Agreement with Turkmenistan

The Committee on Foreign Affairs adopted an interim report by Ramona Nicole Mănescu (EPP, RO) on the draft Council and Commission decision on the conclusion by the European Union and the European Atomic Energy Community of the Partnership and Cooperation Agreement establishing a Partnership between the European Communities and their Member States, of the one part, and Turkmenistan, of the other part.

Short-term feasible and credible benchmarks

Members called on the Council, the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to urgently set the following short-term benchmarks to measure the sustainable progress made by the Turkmenistan authorities, on the basis of the recommendations of the United Nations, the OSCE and the EBRD, and before giving their approval to the PCA.

These recommendations focus in particular on the political system, the rule of law and good governance, human rights and fundamental freedoms:

- clear separation between the executive, legislative and judicial branches and, in particular, the possibility and guarantee of effective public participation in the State's decision-making processes, including consultation with international experts on the conformity of Turkmenistan's Constitution with these democratic principles;
- removal of restrictions on the reporting and operation of non-governmental organizations;
- implementation of the commitments made by the Turkmen Government in its National Human Rights Action Plan (NHRAP) for the period 2016-2020;
- end to the secret detention, enforced disappearance, forced labour and torture and the disclosure of the fate of missing persons;
- ensuring unhindered access to various sources of information, including international media;
- an end to persecution and intimidation of independent journalists and civil society and human rights activists;
- put an end to the informal and arbitrary system of travel bans.

Long-term recommendations

The report also makes long-term recommendations for sustainable and credible progress in the political system, rule of law, governance, human rights and freedom, which should be taken into account after the entry into force of the PCA:

- respect for the principles of political pluralism and democratic accountability, with properly functioning political parties and other

organisations, free from interference;

- continued implementation of reforms at all levels in accordance with the UN Sustainable Development Goals and in all areas of the administration, especially in the judiciary and in law enforcement;
- strong and effective safeguards against high-level corruption, money laundering, organised crime and drug trafficking;
- full implementation of the law prohibiting child labour;
- respect for the peaceful and legitimate exercise of the right to freedom of expression, freedom of association and freedom of religion or belief;
- general freedom of movement, both within and outside the country.

Monitoring mechanism

The Vice-President/High Representative is invited to publicly implement and support the human rights monitoring mechanism, which will allow Parliament to be duly informed by the European External Action Service (EEAS) of the implementation of the PCA, after its entry into force.

Lastly, the report welcomed the VP/HRs announcement from November 2018 regarding the setting up of a fully-fledged EU Delegation in Ashgabat. This should help to strengthen the Union's diplomatic capacity in the country and facilitate indirect contacts with citizens of the country, thereby considerably strengthening the capacity to monitor the human rights situation.

Partnership and Cooperation Agreement with Turkmenistan

The European Parliament adopted by 589 votes 54 with 23 abstentions, a resolution on the draft Council and Commission decision on the conclusion by the European Union and the European Atomic Energy Community of the Partnership and Cooperation Agreement establishing a Partnership between the European Communities and their Member States, of the one part, and Turkmenistan, of the other part.

A Partnership and Cooperation Agreement (PCA) with Turkmenistan was initialled in 1997 and signed in 1998. 14 Member States of the 15 original signatories have since ratified the PCA (the United Kingdom being the last remaining one). Turkmenistan ratified the PCA in 2004. Accession to the PCA by those Member States that acceded to the EU after the agreement had been signed is subject to a separate protocol and ratification procedure. Once fully ratified, the PCA would be concluded for an initial period of 10 years, and then renewed annually, enabling the EU to resile from the agreement should serious doubts arise concerning respect for human rights or other serious infringements.

Short-term feasible and credible benchmarks

Parliament called on the Council, the Commission and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to urgently set short-term benchmarks to measure the sustainable progress made by the Turkmenistan authorities, on the basis of the recommendations of the United Nations, the OSCE and the EBRD, and before giving its approval to the PCA.

These recommendations focus in particular on the political system, the rule of law and good governance, human rights and fundamental freedoms:

- clear separation between the executive, legislative and judicial branches and, in particular, the possibility and guarantee of effective public participation in the State's decision-making processes, including consultation with international experts on the conformity of Turkmenistan's Constitution with these democratic principles;
- removal of restrictions on the reporting and operation of non-governmental organizations;
- implementation of the commitments made by the Turkmen Government in its National Human Rights Action Plan (NHRAP) for the period 2016-2020;
- an end to the secret detention, enforced disappearance, forced labour and torture and the disclosure of the fate of missing persons;
- allowing visits by the UN and international and regional human rights organisations;

ensuring unhindered access to various sources of information, including international media;

- an end to persecution and intimidation of independent journalists and civil society and human rights activists;
- an end to the informal and arbitrary system of travel bans.

Long-term recommendations

The resolution also makes long-term recommendations for sustainable and credible progress in the political system, rule of law, governance, human rights and freedom, which should be taken into account after the entry into force of the PCA:

- respect for the principles of political pluralism and democratic accountability, with properly functioning political parties and other organisations, free from interference;
- continued implementation of reforms at all levels in accordance with the UN Sustainable Development Goals and in all areas of the administration, especially in the judiciary and in law enforcement;
- strong and effective safeguards against high-level corruption, money laundering, organised crime and drug trafficking;
- full implementation of the law prohibiting child labour;
- respect for the peaceful and legitimate exercise of the right to freedom of expression, freedom of association and freedom of religion or belief;
- general freedom of movement, both within and outside the country.

Monitoring mechanism

The Vice-President/High Representative is invited to publicly implement and support the human rights monitoring mechanism, which will allow

Parliament to be duly informed by the European External Action Service (EEAS) of the implementation of the PCA, after its entry into force.

Members also wanted to see closer interaction with the European Parliament and civil society in preparation for the annual Human Rights Dialogues, and debriefings, and consultation with the European Parliament when preparing updates of the EU Human Rights Country Strategy for Turkmenistan.

Lastly, Parliament welcomed the VP/HRs announcement from November 2018 regarding the setting up of a fully-fledged EU Delegation in Ashgabat. This should help to strengthen the Union's diplomatic capacity in the country and facilitate indirect contacts with citizens of the country, thereby considerably strengthening the capacity to monitor the human rights situation.