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19 October 2000

## REPORT

on the 1999 Regular Report from the Commission on Turkey's progress  
towards accession  
(COM(1999) 513 – C5-0036/2000 – 2000/2014(COS))

Committee on Foreign Affairs, Human Rights, Common Security and Defence  
Policy

Rapporteur: Philippe Morillon



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## PROCEDURAL PAGE

By letter of 20 October 1999, the Commission forwarded to the European Parliament its 1999 Regular Report on Turkey's progress towards accession (COM(1999) 513 – 2000/2014(COS)).

At the sitting of 21 January 2000 the President of Parliament announced that she had referred this report to the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy as the committee responsible (C5-0036/2000).

At its meeting of 25 January 2000 the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy appointed Philippe Morillon rapporteur.

It considered the Commission report and the draft report at its meetings of 10 July and 10 October 2000.

At the latter meeting it adopted the motion for a resolution by 47 votes to 2, with 2 abstentions.

The following took part in the vote: Elmar Brok, chairman; Baroness Nicholson of Winterbourne, William Francis Newton Dunn and Catherine Lalumière, vice-chairmen; Philippe Morillon, rapporteur; Danielle Auroi (for Per Gahrton), Alexandros Baltas, Bastiaan Belder, Andre Brie, Gunilla Carlsson, Daniel Marc Cohn-Bendit, Ozan Ceyhun (for Elizabeth Schroedter, pursuant to Rule 153(2) of the Rules of Procedure), Andrew Nicholas Duff (for Bertel Haarder), Pernille Frahm (for Luigi Vinci), Jas Gawronski, Alfred Gomolka, Rosa M. Díez González, Pere Esteve, Michael Gahler, Vitalino Gemelli (for Gerardo Galeote Quecedo), Klaus Hänsch, Magdalene Hoff, Giorgos Katiforis (for Sami Nair), Efstratios Korakas, Rodi Kratsa (for Hughes Martin), Alain Lamassoure, Cecilia Malmström (for Francesco Rutelli), Pedro Marset Campos, Linda McAvan, Emilio Menéndez del Valle, Pasqualina Napolitano, Raimon Obiols i Germa, Arie M. Oostlander, Reino Kalervo Paasilinna (for Mario Soares), José Pacheco Pereira, Jacques F. Poos, Luís Queiró, Mechtild Rothe (for Jan Marinus Wiersma), Lennart Sacrédeus (for Jacques Santer), Tokia Saïfi (for Franco Marini), Jannis Sakellariou, Ioannis Souladakis, Francesco Enrico Speroni, Ursula Stenzel, Hannes Swoboda, Freddy Thielemans, Gary Titley, Johan Van Hecke, Geoffrey Van Orden, Matti Wuori and Christos Zacharakis.

The report was tabled on 19 October 2000.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## MOTION FOR A RESOLUTION

### **European Parliament resolution on the 1999 Regular Report from the Commission on Turkey's progress towards accession (COM(1999) 513 – C5-0036/2000 - 2000/2014(COS))**

*The European Parliament,*

- having regard to Turkey's application for accession to the European Union,
  - having regard to its resolution of 3 December 1998 on the communication from the Commission to the Council and the European Parliament on the further development of relations with Turkey and on the communication from the Commission to the Council entitled: European Strategy for Turkey – The Commission's initial operational proposals<sup>1</sup>,
  - having regard to the 1999 Regular Report from the Commission on Turkey's progress towards accession, published on 13 October 1999 (COM(1999)513 - C5-0036/2000),
  - having regard to its resolution of 2 December 1999 on the implementation of measures to intensify the EC-Turkey customs union<sup>2</sup>,
  - having regard to Council Regulation (EC) No 764/2000 of 10 April 2000 regarding the implementation of measures to intensify the EC-Turkey Customs Union<sup>3</sup>,
  - having regard to its resolution of 6 September 2000 on measures to promote economic and social development in Turkey<sup>4</sup>,
  - having regard to its resolution of 7 September 2000 on the Turkish bombardment of northern Iraq<sup>5</sup>,
  - having regard to Rule 47(1) of the Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0297/2000),
- A. recalling the decision taken on 13 December 1999 by the European Council meeting in Helsinki to grant Turkey the status of applicant country for accession to the European Union and to establish an accession partnership and a single financial framework with a view to helping Turkey's application to progress in accordance with the Copenhagen Criteria,

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<sup>1</sup> OJ C 398, 21.12.1998. p. 57.

<sup>2</sup> OJ C 194, 11.7.2000, p. 65.

<sup>3</sup> OJ L 94, 14.4.2000, p.6.

<sup>4</sup> Not yet published in the OJ.

<sup>5</sup> Not yet published in the OJ.

- B. whereas, following the granting to Turkey of applicant country status, the Union must now, by common agreement with the Turkish Government, devise and implement in an appropriate manner a credible comprehensive strategy with a view to accession,
- C. whereas accession negotiations cannot begin until Turkey complies with the criteria drawn up at the European Council meeting in Copenhagen,
- D. whereas a climate of mutual trust should be created between Turkey and the European Union so that Turkey does not perceive the Union as an 'exclusive Christian club' but as a community of shared values which embrace, in particular, tolerance for other religions and cultures, and whereas no formal cultural or religious conditions are attached to accession to the European Union,
- E. noting the legislative changes carried out along the path towards democratisation since the 1995 constitutional reform and the establishment in the Turkish Grand National Assembly of the Conciliation Committee, which is responsible for reforming the constitution,
- F. welcoming the signature by Turkey on 15 August and 8 September 2000 of four important UN conventions, on political, civil, social and cultural rights respectively, which must be ratified as soon as possible so that human rights and democratic pluralism may be guaranteed in that country,
- G. emphasising that, despite the progress already achieved along the path towards democratisation, human rights and the situation of minorities must continue to be improved by the implementation of those conventions,
- H. whereas, according to Lord Russell-Johnston, President of the Parliamentary Assembly of the Council of Europe, the confirmation by Ankara of the sentence imposed on former Prime Minister Necmettin Erbakan is not in conformity with the principles of democratic pluralism,
- I. whereas Resolution 1250 of the UN Security Council called on the Turkish and Greek Cypriot communities to begin negotiations in the autumn of 1999, and whereas no progress in that direction has been made, despite the encouraging contacts made under the aegis of the UN Secretary-General in December 1999 and in January 2000; regretting, on the contrary, the violation of the military status quo by Turkish occupation forces in the village of Strovilia since 1 July 2000,
- J. whereas the judgment of the European Court of Human Rights in 'Loizidou v Turkey' (No 15318/89), handed down on 28 July 1998 and ruling in favour of the plaintiff, has still not been implemented,
- K. whereas the election to the Presidency of the Republic of Mr Sezer, who has demonstrated his commitment to the rule of law, will make it easier for the necessary reforms to be successfully completed,
- L. noting Turkey's place in the economy of Europe - it had a GDP of USD 185 billion in 1999 - and the links already established between Turkey and the European Union, with

53% of Turkish exports going to current Member States of the European Union and Turkey being the sixth largest importer of EU products,

- M. whereas, in December 1999, the package of economic reforms demanded by the IMF with a view to introducing budgetary austerity and to curbing galloping inflation was approved by the Turkish Parliament,
- N. encouraging the Turkish Government, on the one hand, to commit itself to carrying out structural reforms which, ranging from dismantling state subsidies to reorganising pensions and accelerating privatisation, must therefore strengthen the bases of a free market economy accessible to all and, on the other, to continue its efforts to adopt Community legislation,
- O. recognising Turkey's important geostrategic position, having regard to its role within the Atlantic Alliance and its status of WEU associate member, but noting that geopolitical and strategic considerations must not be the decisive factors in negotiations about accession,
- P. welcoming the fact that Turkey has signalled its intention to commit military capabilities under the common European security and defence policy,
- Q. regretting and unequivocally condemning the recent incursion by the Turkish Air Force into Iraqi airspace when Kendakor was bombed on 15 August 2000,
- R. endorsing the view set out in the Commission report that Turkey has undertaken a significant process of self-evaluation as regards the level of harmonisation of its legislation with the *acquis communautaire* and that it is the only applicant country to have joined the Customs Union,
- S. welcoming the decision taken in this spirit on 5 July 2000 by the Turkish Parliament to include in the eighth five-year development plan the principles governing transposition of the *acquis communautaire* and to establish a Secretariat for the European Union responsible for coordinating the work required for such transposition,
- T. emphasising, however, that a sustained effort is still needed to push through the current reform of the Turkish Civil Code, with particular regard to parental and women's rights,
- U. expressing its concern about the bill seeking to make it possible to dismiss civil servants on ideological or religious grounds,
- 1. Welcomes the resumption of the institutional activities and the political dialogue in the Association Council, which met on 11 April 2000 after being suspended for three years, and welcomes in particular the recent implementation of the Association Council's conclusions with the initiation of an analytical review of the *acquis communautaire* through the establishment of eight subcommittees entrusted with the task of setting priorities for incorporation of the *acquis*; notes with satisfaction that the first meetings of three of those subcommittees have been successful and trusts that the remaining subcommittees' meetings will be held by the end of this year;

2. Encourages the Turkish Government to step up its efforts to achieve democratisation, with particular regard to reform of the Penal Code, independence of the judiciary, freedom of expression, the rights of minorities and the separation of powers, and especially the impact of the role of the army on Turkish political life;
3. Calls on the Turkish Government and Parliament to ratify and implement the UN conventions on political, civil, social and cultural rights which it signed recently;
4. Encourages in this respect the Turkish Parliament and Government to incorporate in the government programme the report drawn up by the Secretariat of the Turkish Supreme Coordination Council for Human Rights; welcomes the Turkish Council of Ministers' adoption of this report, on 21 September 2000, as a 'reference and working document'; and calls for the section on cultural rights to be reinserted into the report, with specific measures to protect the rights of minorities being added thereto;
5. Looks forward to the early abolition of the State Security Courts and welcomes the adoption of the law suspending the prosecution of, and penalties imposed on, press and broadcasting offences;
6. Calls, initially, for an amnesty with a view to achieving a reform of the Penal Code in the medium term so that it complies with the universal principle of freedom of expression;
7. Views the recent decision by the Constitutional Court on the law offering a reprieve to those who have committed press offences as a step that reinforces the rule of law; encourages the competent authorities to take this opportunity to continue their reforms in this direction, knowing that this process will logically lead them to a fundamental reconsideration of Article 312 of the Penal Code;
8. Calls, after the many promises made to this effect, for the death penalty to be abolished as soon as possible as part of the reform of the Penal Code and, pending such abolition, for the current moratorium on executions to be maintained;
9. Recalls the importance it attaches to the recognition of the basic rights of the cultural, linguistic and religious groups in Turkey, who form part of the country's multiethnic population;
10. Calls, therefore, on the Turkish Government and the Turkish Grand National Assembly to give fresh support to the Armenian minority, as an important part of Turkish society, because of the tragedy that befell them before the establishment of the modern state of Turkey;
11. Notes the decisions taken on 30 November 1999 to lift the state of emergency in the Province of Siirt and on 26 June 2000 in the Province of Van and calls on the Turkish Government to lift the state of emergency in the other provinces of the south-eastern region as well; calls for a separate solution to be found for the Kurdish problem, one accompanied by the requisite political, economic and social responses;
12. Urges the Turkish Government actually to redirect its policy with a view to improving the human rights situation of all its citizens, including those belonging to groups whose roots

go back deep into the country's past, and in order to find, for those of Kurdish origin, a political solution which respects the territorial integrity of Turkey;

13. Welcomes the Turkish Government's adoption in September 2000 of an action plan which aims to restore economic balances with a view to resolving regional disparities by committing appropriate resources and to promoting the reopening of hamlets and the reconstruction of villages so that their inhabitants may return to them, together with other measures aimed at boosting investment in the south-east;
14. Welcomes the decisions taken by the European Council meeting in Helsinki to set up a single financial framework which would be based on an appropriate level of resources and an accession partnership; calls on the Council and Commission to implement those two decisions as soon as possible and to reassess the amount of the European Union's financial assistance to Turkey, which should meet the needs of the pre-accession strategy;
15. Calls on the European Council, in accordance with the provisions of the European Union's political dialogue with the associated countries, to take note of the Turkish Government's request to be involved in one way or another in the process of developing the common foreign and security policy and welcomes Turkey's determination to contribute to improving European capabilities within the framework of the common European security and defence policy;
16. Calls on the Turkish Government, in accordance with Resolution 1250 of the UN Security Council, to contribute, without preliminary conditions being set, towards the creation of a climate conducive to negotiations between the Greek and Turkish Cypriot communities, with a view to reaching a negotiated, comprehensive, just and lasting settlement which complies with the relevant UN Security Council resolutions and the recommendations of the UN General Assembly, as reaffirmed by the European Council; hopes that this will be possible during the fifth round of proximity talks which will begin on 10 November 2000 and that those talks will result in bilateral negotiations, under the aegis of the UN, which will enable substantial progress to be made;
17. Calls on the Turkish Government to withdraw its occupation forces from northern Cyprus;
18. Calls on the Turkish Government, as it has proposed, to improve its relations with all its neighbours in the Caucasus within the framework of a Stability Pact for the region;
19. Calls on the Turkish Government, in cooperation with the Commission, to pursue its efforts with a view to enhancing the implementation of the pre-accession strategy as regards the incorporation of the *acquis communautaire*, notably by improving the situation in fields such as the single market, agriculture, transport, the environment and administrative organisation;
20. Welcomes the Turkish Government's recent statement that the reform process, which covers the amendments to the Turkish Penal and Civil Codes, including parental and women's rights, would be stepped up during the coming year;
21. Calls on the Turkish Government to comply with previous and future decisions of the European Court of Human Rights;

22. Takes the view that Turkey does not currently meet all the Copenhagen political criteria and reiterates its proposal for the setting up of *discussion forums*, consisting of eminent politicians from the European Union and Turkey as well as representatives of civil society, in order to promote the political dialogue and help Turkey progress along the path towards accession; welcomes the initiative taken by the former President of Turkey, Mr Demirel, to establish a Europe-Turkey Foundation, which might also be involved in that *forum*;
23. Calls on the Commission to devise and implement additional programmes in the field of education, given the exceptionally high proportion of the population (50%) under 25, in order to help foster understanding of the basic principles of the shared values of Europe;
24. Calls on the Council and the Commission to find ways to improve the effectiveness of MEDA Programmes for democracy in Turkey with a view to strengthening civil society there, consolidating the democratic system and supporting free and independent media in that country;
25. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and to the Turkish Government and Grand National Assembly.

## EXPLANATORY STATEMENT

On 13 December 1999, the Helsinki European Council decided to grant Turkey the status of applicant country for accession to the European Union and to set up an accession partnership and a single financial framework in order to help Turkey's application progress in accordance with the Copenhagen Criteria.

Since then, Turkey has made remarkable efforts in devising a programme to develop its judicial framework in order to meet EU demands in a more satisfactory manner, with particular regard to human rights.

One example is the report drawn up under the responsibility of Mr Demirok, Secretary of the Turkish Supreme Coordination Council for Human Rights, who has proposed a very wide-ranging raft of reforms to the Constitution. As Commissioner Verheugen pointed out on his last visit to Ankara, that report could be rapidly transformed into a government programme.

However, we must also note and acknowledge that an awareness of the importance of these reforms has caused considerable upheavals in the various political parties and in Turkish public opinion. Turkish citizens are realising that Turkey's accession to the EU will require not only the 'painless' revision of their institutions but also a partial renunciation of sovereignty, to which they remain jealously attached, and a radical change in habits and outlook.

This is why Parliament has proposed the setting up of a Europe-Turkey Forum involving expert representatives of the Turkish community and appointed MEPs who would consider in depth the issues involved. Turkish accession is too important a matter for the future of the Union and of Turkey itself for a decision to be taken in smoke-filled back rooms or behind closed doors. Lengthy debates will be needed, both in the European Parliament and in the national parliaments, and that is why it is generally accepted that the road will be long and difficult. The establishment of the Forum proposed by the European Parliament should allow us to overcome the initial obstacles encountered on this road.

The European Parliament will have to tell its Turkish partners very clearly in the debates in that Forum that they need have no fear of any European desire to interfere in their internal affairs and that, on the contrary, it is proposing a contract which is being thrashed out in the accession partnership and the Convention on the Charter of Fundamental Rights. It will be up to them to accept it or refuse it.

As things stand, it is also for the European Parliament to tell the Turkish people that there are, today, at least three conditions for accession which Turkey must meet.

Firstly, the need for identity must be respected: this need has been demonstrated particularly clearly in Europe by its citizens who wish to preserve their origins in the face of the ineluctable progress of globalisation. Aware that its diversity constitutes its wealth, Europe is determined to recognise this need for identity, and that is why it insists on the rights and also obligations of minorities. It is in this spirit that it is prepared to help Turkey find a solution to

the Kurdish problem in particular.

The second problem which will have to be solved as soon as possible concerns Cyprus. It is hard to understand today how it can remain divided by a wall, while in many other places, notably in Berlin and Sarajevo, such walls have crumbled over the past decade.

Finally, since the fight against terrorism may now be deemed to be over, the influence of the Turkish army in the drawing up of political decisions should be gradually reduced. That should lead to an end to excesses such as those we have seen in Cyprus and northern Iraq this year. Although it has force at its disposal, the military should not be the body which decides on how it should be used.

'Cedant Arma Togae'. The Latin tag still applies today.