

EUROPEAN PARLIAMENT

DELEGATION TO THE EU-TURKEY **JOINT PARLIAMENTARY COMMITTEE**

INFORMATION NOTE

ON THE WORK OF THE EU-TURKEY JOINT PARLIAMENTARY COMMITTEE

**DIRECTORATE-GENERAL FOR
EXTERNAL POLICIES OF THE UNION**

June 2004

BACKGROUND

The Association Agreement ("Ankara Agreement") which was signed between the Community and Turkey in 1963 and entered into force on 1 December 1964, and the Additional Protocol signed on 23 November 1970 and in force since 1 January 1973, laid down the basic objectives of EC/EU-Turkish relations, such as the continuous and balanced strengthening of trade and economic relations and the establishment, in three phases, of a Customs Union. Another objective of the Ankara Agreement is the free movement of workers for socio-economic reasons. However, it has not been possible to achieve this particular objective according to the agreed timetable. With Decision No 1/95 of the Association Council (31 December 1995), the final phase of the customs union began and this gave significant impetus to Turkey's efforts to align its national legislation with that of the Community.

The legal base for the activities of the EU-Turkey Joint Parliamentary Committee is Article 27 of the same Ankara Agreement which calls upon the Association Council to facilitate cooperation between the European Parliament and the Turkish Grand National Assembly.

The EU-Turkey JPC was established on the basis of the European Parliament's resolution of 14 May 1965 and the resolutions of the Turkish Grand National Assembly and the Turkish Senate, adopted respectively on 22 June and 14 July 1965 and on the basis of a decision by the EEC-Turkey Association Council of 1965.

TASKS OF THE JOINT PARLIAMENTARY COMMITTEE

In accordance with the European Parliament's resolution of 14 May 1965, it is the task of the JPC to deliberate on all matters relating to Turkey's relations with the European Communities, in particular on the basis of the annual report of the Association Council¹. The Committee has held discussions on the relations between the Community, later the Union, and Turkey. After the entry into force of the Customs Union on 31 December 1995 it has also scrutinised its application and implementation.

In accordance with the practice established in November 1989, the Joint Parliamentary Committee has also dealt with specific cases of alleged human rights violations at the request of the EP Subcommittee on Human Rights, in the presence of relevant Turkish ministers and authorities. It was agreed at the 44th meeting that a mechanism would be established for regular exchange of information on specific human rights cases in Turkey and the European Union.

WORKING METHODS

The EU-Turkey JPC normally meets twice a year, alternately in Turkey and in one of the work places of the European Parliament.

The chairmanship rotates between the delegations from one meeting to another (rule 2). The members of the Association Council, the European Commission, representatives of the Council

¹ The last one is from 11 June 1996 covering the period up until the entry into force of the Customs Union. The Association Council has not met since April 1997. The latest meeting of the Association Committee was held on 30 March 1999.

of the EU and representatives of the Member States and Turkey's governments are allowed to attend the meetings of the committee which are usually, after the opening statements, held in camera (rule 5).

The Joint Parliamentary Committee may adopt recommendations, which have to be approved by a majority of each delegation (rule 6) However, it is in fact the case that the Committee did not approve any recommendations between its 40th and 44th meetings. In June 2003 at the 50th meeting of the Committee the co-chairmen agreed a joint statement. In April 2004 at the 52nd meeting the committee agreed on a joint statement which welcomed the political reforms being undertaken by the Turkish government; it called for closer links to be developed between Turkey and the EU; and it gave support to the proposals put forward by the UN Secretary General towards uniting Cyprus.

INTERPARLIAMENTARY CONTACTS 1980-1994

The financial co-operation and relations between the European Community and Turkey were frozen and the 4th Financial Protocol was blocked after the military coup of 12 September 1980. Consequently interparliamentary relations were also suspended from 1980 until after the elections were held on 29 November 1987. The European Parliament adopted a resolution on 15 September 1988 deciding to resume the work of the Joint Parliamentary Committee as one of the working bodies of the EC-Turkey Association².

The EP delegation was chaired 1989-1991 by Mr Alman Metten (PES, NL) and 1992-1994 by Mr Marc Galle (PES, B).

Meetings

▪ 27 th meeting	Strasbourg	16-19 January 1989
▪ 28 th meeting	Ankara	24-26 April 1989
▪ 29 th meeting	Brussels	27-29 November 1989
▪ 30 th meeting	Antalya	22-23 March 1990
▪ 31 st meeting	Istanbul	7-9 November 1990
▪ 32 nd meeting	Brussels	20-22 March 1991
▪ 33 rd meeting	Brussels	18-20 December 1991

²

It should be noted that Turkey had submitted its application for membership of the European Community on 14 April 1987 whereupon the European Commission issued an opinion in 1989. This opinion concluded that "it would not be useful to open accession negotiations with Turkey straight away" for economic and political reasons and because of the situation in Cyprus and the dispute between Greece and Turkey.

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|----------------------------|----------|---------------------|
| ▪ 34 th meeting | Istanbul | 29-30 June 1992 |
| ▪ 35 th meeting | Brussels | 25-27 November 1992 |
| ▪ 36 th meeting | Antalya | 5-7 May 1993 |
| ▪ 37 th meeting | Brussels | 11-13 October 1993 |

MEETINGS 1994-1999

The European Parliament decided to suspend the contacts with the Turkish Grand National Assembly after the 37th meeting and this was confirmed by a resolution of 29 September 1994 protesting against the trial of six members of the Turkish Parliament (PE 182.023). In a resolution of 15 December 1994 unofficial contacts with members of the Turkish Parliament were authorised. The European Parliament decided to resume the activities of the JPC on 15 November 1995. On invitation of the President of the Turkish Grand National Assembly the enlarged bureau of the EP delegation made a visit to Ankara from 30 November to 2 December 1995. Less than a fortnight after the visit, the European Parliament gave its assent to the Customs Union (13 December 1995).

The Delegation of the European Parliament to the EU-Turkey Joint Parliamentary Committee was chaired in the last legislature 1994-1996 by Mr René-Emile Piquet (GUE/NGL, F), and 1997-1999 by Mr Pieter Dankert (PES, NL).

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|----------------------------|----------|---------------------|
| ▪ 38 th meeting | Ankara | 24-26 June 1996 |
| ▪ 39 th meeting | Brussels | 19-20 November 1996 |
| ▪ 40 th meeting | Ankara | 15-16 April 1997 |
| ▪ 41 st meeting | Brussels | 9-10 February 1998 |
| ▪ 42 nd meeting | Ankara | 20-22 April 1998 |
| ▪ 43 rd meeting | Brussels | 9-10 November 1998 |
| ▪ 44 th meeting | Istanbul | 17-19 February 1999 |

The topics of the meetings have reflected current developments in the relations between Turkey and the EU. The EU-Turkey Joint Parliamentary Committee has discussed on several occasions the Kurdish question and the EP delegation has always upheld the principle of cultural pluralism and the condemnation of human rights violations. The situation in Cyprus and the blockage of various financial instruments in the institutions of the European Union have also been frequently addressed.

The 38th meeting of the JPC was overshadowed by the refusal of the Turkish authorities to let the European Parliament delegation visit the imprisoned 1995 Sakharov Prize laureate, Ms Leyla Zana, member of the Turkish Grand National Assembly.

On 4 March 1998, following the request of the Luxembourg European Council (12 and 13 December 1997), the Commission adopted its Communication on a European Strategy for Turkey, which was welcomed by the Cardiff European Council (15 and 16 June 1998), where it was felt that the Communication, "taken as a package, ... provides the platform for developing the relationship on a sound and evolutionary basis".

This document and the response of the Turkish Authorities were discussed in detail during the meetings of the Joint Parliamentary Committee.

The three JPC meetings held in 1998 also discussed in detail the report of the European Commission on the functioning of the Customs Union and the European Strategy for Turkey adopted at the Cardiff European Council. The two rapporteurs of the Foreign Affairs Committee on the above mentioned subjects, Messrs. McMillan-Scott (EPP, UK) and Swoboda (PES, A) also participated in the 42nd and 43rd meetings.

The 44th meeting held in Istanbul in February 1999 literally only hours after the capture of Mr Abdullah Öcalan, the leader of the Kurdistan Workers Party (PKK) discussed, apart from this matter, other general topical issues in EU-Turkish relations. The JPC did not adopt any recommendations, but the chairman of the EP delegation called on Turkey to respect its obligations as a member of the Council of Europe and to ensure that Mr Öcalan would have a fair and public trial with free access to legal defence and that the death penalty would not be applied. He also expressed his serious doubts on the independence of the State Security Courts and urged the Turkish Parliament to amend the relevant law and demilitarise this type of court. The chairman of the EP delegation also recalled in his statement that Turkey's aspiration to become a member of the European Union would be assessed according to the same criteria as all applicant countries and that the merits of each applicant country would be evaluated individually. The EP delegation also supported the acceleration of the procedures leading to the implementation of the Commission's proposals on financial support and underlined the importance of opening the Community programmes SOCRATES, Youth for Europe and LEONARDO DA VINCI to Turkey for the benefit of Turkish youth.

MEETINGS 2000-2001

During this period the EP delegation was chaired by Mr Daniel Cohn-Bendit (Green France). The Delegation of the Turkish Grand National Assembly was led by Dr Kurşat Eser (MHP-National Movement Party).

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|----------------------------|----------|---------------------|
| ▪ 45 th meeting | Brussels | 5-6 June 2000 |
| ▪ 46 th meeting | Antalya | 20-22 November 2000 |
| ▪ 47 th meeting | Brussels | 26-27 June 2001 |
| ▪ 48 th meeting | Istanbul | 26-27 November 2001 |

At the end of 1999 the European Council meeting in Helsinki agreed that Turkey should be given the status of candidate for EU membership. This decision was preceded by a meeting of the Bureau of the Joint Parliamentary Committee in Ankara, which planned the committee's work in the light of this major development.

On December 2nd 1999 the European Parliament also adopted a resolution recognising Turkey's eligibility for EU membership but insisting that she also abide by the same criteria for membership as all other candidates in terms of respect for human rights, democracy and the participation of civil society in the process of preparation for accession.

At the beginning of 2000 the Bureau had intended to convene the 45th Joint Parliamentary Committee meeting in Ankara but following the refusal of the Turkish authorities to accede to a request by the Chairman of EP delegation to visit Leyla Zana in prison, the delegation decided not to travel to Turkey. Some weeks later, Mr Cohn-Bendit visited Ms Leyla Zana and the normal rhythm of JPC meetings was resumed. Moreover, at the 45th JPC meeting detailed recommendations concerning the development of EU Turkey relations were adopted for the first time. These recommendations are attached. In the three following meetings, no such text was adopted.

On November 15th 2000, the European Parliament adopted its resolution on Turkey's application for accession to the European Union and the state of negotiations, based on the report drawn up by Mr Philippe Morillon on behalf of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. The report encouraged 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. It also called on the Turkish Government to withdraw its occupation forces from northern Cyprus and 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. When this resolution was adopted in the plenary session, an amendment was accepted calling on the Turkish authorities to recognise the genocide of the Armenians during the First World War. The adoption of this amendment led to the resignation of the rapporteur and there was concern that it might affect the work of the Joint Parliamentary Committee. In fact, the 46th Joint Parliamentary Committee meeting took place a few days later but the agenda was revised to include a detailed discussion of Turkey's views on this subject.

At the 47th Joint Parliamentary Committee meeting attention concentrated on the preparations by Turkey for EU accession in particular the EU-Turkey Accession Partnership.

In June 2001 the European Parliament sent an ad hoc delegation to look at the situation in certain prisons in Turkey following dozens of deaths of prisoners and law enforcement officers in December 2000 (during the transfer from traditional to modern F-type prisons). The ad hoc delegation was chaired by Mr Daniel Cohn-Bendit and included a number of Joint Parliamentary Committee Members. In their report, the delegation accepted the need to move the prisoners to F-type prisons but called for the release of people detained on purely political grounds. The organisations concerned were strongly advised to call off the hunger strikers.

On October 25th 2001 the European Parliament adopted the Lamassoure report in which the European Parliament welcomed the initiation of the process of constitutional reform in Turkey and urged Turkey to adopt as soon as possible a precise timetable for the fulfilment of the political criteria established in Copenhagen. The resolution supported Turkey's right to be involved in the debate on the future of Europe (Turkey has the same status in the Convention set up after Laeken as the other candidate countries).

The 48th Joint Parliamentary Committee meeting looked at the Commission's 2001 Progress Report and the Lamassoure Report and the critical views of Turkish MPs were heard.

The meeting also considered the situation in Cyprus, the problems with regard to Turkey's concerns about the EU Security and Defence Policy. Whilst both sides expressed their views very strongly the common objective to advance Turkey's objective to EU membership was also emphasised.

During their visits and during the meetings of the Bureau and the Joint Parliamentary Committee in Turkey, the EP delegation has always taken the opportunity to meet with representatives of a wide variety of non-governmental organisations, ranging from representatives of the industrialists to human rights activists.

MEETINGS 2002-2004

The EP delegation during this period was chaired by Mr Joost Lagendijk (Greens/EFA, Netherlands). The delegation of the Turkish Grand National Assembly was chaired by Dr Kursat Eser (MHP-National Movement Party) until the elections of November 2002 and subsequently by Professor Aydin Dumanoglu (AKP).

49th meeting	Brussels	17-18 June 2002
50th meeting	Istanbul	16-17 June 2003
51st meeting	Brussels	2-3 December 2002
52nd meeting	Izmir	6-7 April 2004

Other meetings

Bureau visit	Brussels	15 April 2002
Ad hoc delegation "HADEP"	Diyarbakir/Ankara	7-10 May 2002
Bureau visit	Ankara	24-26 November 2002
Bureau visit	Brussels	19 March 2003
Ad hoc Leyal Zana	Ankara	23-25 April 2003 (et seq)
Bureau visit	Strasbourg	22 October 2003
Bureau visit	Brussels	25 February 2004

In December 2002 the European Council declared that it would decide in December 2004 whether to open accession negotiations with Turkey. This outcome was a disappointment for the Turkish government, which had lobbied strongly for a definite date for the opening of accession negotiations. The decision to be made by European leaders at the end of this year, which will be based on a report by the Commission, is currently at the centre of EU-Turkey relations and the Turkish side has once again pressed strongly for a positive outcome. To date the AKP government and its predecessor have introduced seven separate packages of legislative reform in order to align Turkish legislation to EU standards. This has included the abolition of the death penalty, measures to combat torture, and improvements in minority rights. The European Parliament has monitored the state of EU-Turkish relations and the progress of Turkey towards membership throughout this period both at the JPCs and in ongoing contacts.

In the light of proposals by the Turkish authorities to ban the mainly Kurdish HADEP party an ad hoc delegation visited southeast Turkey and Ankara in May 2002. This examined the situation of the Kurdish population and sought in particular to determine whether there were any organic links between the mainly Kurdish HADEP party and the PKK armed insurgents. The delegation concluded that no such links existed and urged the Turkish authorities to ensure full rights for the Kurds. The delegation visit followed up on an European Parliament resolution of 28 February 2002, which had called for the case being pursued against HADEP to be dropped. However in March 2003 the Turkish High Court decided to ban HADEP, a decision that was subsequently condemned by the EU.

The 49th JPC took place in Brussels in June 2002 and the main issues on the agenda were Cyprus; the fight against terrorism; European Security and Defence Policy; the situation in the Middle East.; and the Convention on the future of Europe.

The imprisonment of Sakharov Prize winner Leyla Zana and three other MPs from the former DEP party remained a contentious issue in relations between the European Parliament and the Turkish authorities. In March 2003 an ad hoc delegation was authorised to observe the retrial of the four defendants. The retrial was made possible by reforms of the Turkish judicial system that incorporated the rulings of the European Court of Human Right into Turkish law. Between April 2003 and April 2004 at least one member of the ad hoc delegation attended the monthly hearings. The delegation strongly condemned the decision by the State Security Court in April 2004 to confirm the sentences and criticised the conduct of the trial. However on 9 June 2004 the four defendants were released pending an appeal, which will begin in July 2004. The move was welcomed by the European Commission.

On 5 June 2003 the European Parliament adopted a resolution on the progress by Turkey towards accession (the Oostlander report) in which it welcomed the progress made by Turkey towards fulfilling the political criteria for EU membership but stated that the conditions for the opening of accession negotiations were not yet in place. It called on the Turkish government to set up a new political and constitutional system, which guaranteed the principles of a secular system as well as civilian control over the military. There was concern over the army's "excessive role" in Turkey, which was seen as slowing down its "development towards a democratic and pluralist system". It called for the National Security Council to be abolished in its current form in the long term and for the Turkish parliament to have full control over the military budget. The resolution called for a new Turkish constitution to be based on European democratic foundations, with proper respect for human rights and the rights of individuals and minorities. MEPs also called for the revision of the decision by the Turkish Constitutional Court to ban HADEP; and for energetic measures to eradicate torture and implement international standards for prisons. Effective access should be ensured for all citizens, irrespective of origin, to radio and television broadcasting and education in Kurdish and other non-Turkish languages.

In June 2003 the 50th JPC met in Istanbul. Items discussed included the problems faced by Turkey hindering its accession to the EU; implementation of the pre-accession strategy for Turkey; security and Defence Policy issues; the Convention on the future of Europe; and inter-institutional cooperation between the European Parliament and the Turkish Grand National Assembly. Similar

topics were discussed at the 51st JPC, which took place in Brussels in December of that year.

In November 2003 the Commission's latest progress report commended Turkey's 'significant progress' in meeting the Copenhagen political criteria, but stressed that the emphasis must now be on the implementation of the reforms. The Brussels European Council in the following month endorsed these conclusions.

On 1 April 2004 Parliament adopted another resolution on Turkey's progress towards EU accession. The European Parliament praised the strong motivation and political will demonstrated by the AKP government in introducing reform. However they stated that such reforms could only be judged on the basis of how they were implemented at all levels of the judicial and security system and the civil and military administration. The report criticised the continuing influence of the army across society, continuing torture practices and mistreatment, the intimidation of human rights defenders, discrimination against religious minorities and the fact that trade union freedom was not fully guaranteed. It also condemned the political persecution of such political parties as HADEP and DEHAP. Parliament was unhappy with the way the re-trial of Leyla Zana and her colleagues was progressing and called for an amnesty for prisoners of conscience. The government was urged to come forward as soon as possible with a proposal for the abolition of the state security courts and take further steps to revise the role of the National Security Council. The 10% threshold for obtaining seats in parliament should be abolished in order to ensure a wider representation. Turkey should also speed up the implementation of cultural rights allowing education in and use of languages other than Turkish in the media. The Kurdish regions should be provided with the necessary means to stimulate their socio-economic development.

The European Parliament also called on Turkey to implement without delay outstanding decisions of the European Court of Human Rights and to withdraw its forces from the northern part of Cyprus according to a specific timetable. Settlement of the Cyprus conflict was an essential condition for progress on Turkey's EU membership application. The Commission should carry out a study on the impact on the EU of Turkey joining. In conclusion the resolution declared that it was up to Turkey to decide whether it was prepared to accept the political principles and values of the EU as appropriate for Turkey's state and society

The following week on 5 and 6 April 2004 the 52nd JPC convened in Izmir. The members examined the advancement and implementation of the reforms in Turkey and discussed the Cyprus issue in the run up to the referendum in the island on the Plan of the United Nations Secretary General. The joint statement that was adopted welcomed the political reforms being undertaken by the Turkish government; it called for closer links to be developed between Turkey and the EU; and gave support to the proposals put forward by the UN Secretary General towards uniting Cyprus.

Multilateral Dialogue/ Meetings of the Presidents of the European Parliament with the Presidents of the parliaments of the countries participating in the enlargement process

Following the meeting of the European Council in Essen and the establishment of the Structured Dialogue between the EU and the Associated countries, Klaus Hänsch, President of the European

Parliament, initiated a series of meetings with his counterparts from the Parliaments of the Associated countries. The first meeting took place in Strasbourg on 5 April 1995 and was attended by the first 6 Associated countries of Central and Eastern Europe. In principle, the meetings have since taken place on a biannual basis in the capitals of one of the candidate countries or in Brussels. They now include the Presidents of the Parliaments of all the 13 countries participating in the enlargement process. Following the Helsinki meeting Turkey has been invited to participate in the Presidential Parliamentary meetings recently taken place.

The main issues on the agenda of these meetings have been closer co-operation between the European Parliament and the parliaments of the Associated countries, the reforms of the EU policies, developments in the enlargement process and the constitutional development of the EU.

Since 1999 the following meetings of Presidents took place:

- 7th meeting of Presidents, April 1999, Sofia, Bulgaria
- 8th meeting of Presidents, November/ December 1999, Brussels, Belgium
- 9th meeting of Presidents, April 2000, Ljubljana, Slovenia
- 10th meeting of Presidents, November 2000, Limassol, Cyprus
- 11th meeting of Presidents, May 2001, Bratislava, Slovakia
- 12th meeting of Presidents, December 2001, Brussels, Belgium
- 13th meeting of Presidents, May 2002, Riga, Latvia
- 14th meeting of Presidents, November 2002, Brussels, Belgium
- 15th meeting of Presidents, April 2003, Brussels, Belgium
- 16th meeting of Presidents, February 2004, Budapest, Hungary. At this meeting the presidents of the parliaments of the Western-Balkan countries were present for the first time.

Encl. : 52nd EU-Turkey JPC meeting - Joint Statement