



Position Paper of the Greens/EFA group on **EU/Turkey relations**

adopted on 28/09/11

1. It's now been five years since the EU Member States opened accession negotiations with Turkey. In 1963, 1971, 1999 and 2004 the EU Member States repeatedly told Turkey that it would be eligible to join the Union as soon as it had a democratic constitution and had met the accession criteria. They unanimously guaranteed this by finally opening the accession negotiations on 3 October 2005.
2. The Greens /EFA group has always encouraged the process of Turkish accession and still supports the accession of Turkey to the EU as soon as Turkey fulfils the criteria for membership.

I. EU-Turkey membership accession negotiation in a deadlock

3. Over a period of five years of accession negotiations, only thirteen out of 35 chapters of the negotiations have been opened. Turkey has still not implemented, for the fifth consecutive year, the provisions stemming from the EC-Turkey Association Agreement and the Additional Protocol thereto, and at the same time the EU Council decision of 26 April 2004 concerning North Cyprus has still not been implemented.
4. In December 2006 the Council decided that eight negotiating chapters linked to the Customs Union cannot be opened. For the same reason, Cyprus unilaterally vetoed the opening of six additional chapters following the December 2009 GAERC Conclusions on Turkey's failure to implement the additional protocol to the Ankara Agreement. For reasons of domestic policy, France does not allow negotiations to continue on five chapters, which in France's view prejudge accession as the final outcome of the process. (See Annex on the state of play of accession negotiations)
5. Agriculture and rural development (chap. 11) being common to the French and the EU lists means that eighteen chapters have, up to now, been politically blocked. Negotiations have come to a halt just as Turkey is going through profound political changes and is discussing its new constitution.

I. i Inconsistent EU policy and misuse of its instruments towards Turkey

6. The EU's inconsistent approach to Turkey reflects Member States' divergent attitudes to Turkish accession. As an example, Turkey is being treated differently with regard to the liberalisation of visa policy. The policy developed by the EU towards the recent large enlargements in 2004 or the Balkans for instance, gives Turkey legitimate cause to feel strongly discriminated against and that it is subject to double standards. This is a growing feeling in Turkish public opinion and a source of major concern for EU credibility in the region.
7. The aim of the Copenhagen political criteria being to boost and implement a democratic transition process, the Member States' policies are depriving the EU of its most powerful instrument within enlargement policy. Negotiations on the 'Judiciary and Fundamental Rights' chapter have not even begun even though the EU is now urging judicial reform and Turkey is implementing a reform package in this area. The same inconsistent approach can be seen as regards the blocking of the 'Justice, Freedom and Security' chapter just when the EU is negotiating a readmission agreement. Again we see the same inconsistency in energy policy: just as the EU is trying to ensure security of supplies to Europe, the energy chapter remains blocked.
8. Looking at the Instrument for Pre-Accession, EU funds seem to mirror the EU's inconsistency towards Turkey. In its report on the assistance to Turkey in 2002-2006 (special report n° 16, 2009), the Court of Auditors identified weaknesses in the Commission's management of assistance, concerning in particular the establishment of priorities for assistance / the need to ensure that projects proposed and selected are those with the most added value in achieving the EU Accession Partnership priorities / effectiveness and efficiency of the project selection procedures.
9. The Greens/EFA group undertakes to require the European Commission and the Council to take a consistent political attitude and adopt parallel approaches towards all the candidate countries.
10. In this regard, the Greens/EFA group calls on the Council to give a mandate to the Commission to initiate a visa dialogue with Turkey on visa liberalisation, which is a necessary step towards people's mobility involving a candidate country;
11. The Greens/EFA group is deeply concerned by the political blockage of 18 chapters of negotiation, especially regarding chapters 22, 23 and 24 on respectively Regional Policy, Judiciary & fundamental rights and Justice, freedom & security, at a time when Turkish policy is dominated by constitutional and judicial reforms where European standards have to be followed and when the EU and Turkey are negotiating a readmission agreement; we therefore urge Member States to give a new political impetus to overcoming the existing political blockage.
12. In this respect, the Greens/EFA group calls on the Member States to maintain their common commitment in the EU-Turkey negotiation process and to come back to a coherent policy vis à vis Turkey, giving the opportunity for the EU to make full use of its enlargement policy leverage regarding Turkey's democratic transition, which is a

very decisive factor for the democratisation and stabilisation of Turkey and the neighbourhood countries. In this regard, we ask the European Commission to set up a clear hierarchy of objectives through the annual programmes under IPA-specific, measurable and achievable objectives for that assistance as well as realistic timescales.

13. The Greens/EFA group supports that EU pressure on Turkey for a full and non-discriminatory implementation of the Additional Protocol to the EC Turkey Association Agreement is necessary but regrets the current deadlock as detrimental to the interests of both sides, undermining the EU's credibility and increasingly damaging not only the close relationship between the EU and Turkey but also Turkey's accession perspective and the EU enlargement policy;
14. In this context, the Greens/EFA group clearly distinguishes between the kinds of sanctions imposed on Turkey. The Greens/EFA group considers the 2006 Council's decision to block the opening of eight chapters as the legitimate and consistent exercise of EU sanction policy but looks at most of the additional and unilateral blockages of chapters by MS in this framework as arbitrary and unfair measures which are thus counter-productive for EU policy as a whole towards Turkey and ineffective in creating the conditions for the necessary and expected changes in Turkey. EU policy should facilitate compromise processes for workable and sustainable solutions rather than being taken hostage by member countries' internal politics.

I.ii Cyprus issue

15. Fourteen chapters are blocked due to the Cyprus issue. The Greens support a global solution to the Cyprus issue within the framework of the UN negotiations. We support a federal, bi-communal and demilitarised Cyprus.
16. The Greens/EFA group calls on Turkey to open its ports and airports to Cyprus and for the EU to end to the isolation of Turkish Cypriots by implementing the Council decision of 26 April 2004.
17. The Greens/EFA group calls on the Turkish authorities to fully implement the agreement and protocols on custom union vis à vis Cyprus, and calls therefore on Turkey to open its ports and airports to Cyprus while also calling on the EU for an end to the isolation of Turkish Cypriots, possibly by having the Famagusta port as well as the Nicosia airport opened to both communities under EU management and by implementing the Council decision of 26th April 2004;

I.iii EU integration capacity

18. The preparation and success of ambitious Community policies does not prejudice the candidate countries but forms part of the regular activities of the European Commission and Member States. It is, therefore, up to the EU to make the necessary

preparations and to ensure that future enlargements are not jeopardised by the way the European institutions function and their ability to continue deepening EU integration.

19. The Greens/EFA group is committed to an integrated EU with wide-ranging and significant Community competences. That's why we include the scenario of Turkish accession in the designing/reforming of EU policies and demand that the Commission take technical measures and visible steps with a view to ensuring that Turkey adheres to Community policies without weakening them (notably within the framework of cohesion policy and the CAP reform).

I.iv Member States' approach to the EU institutions

20. Turkey's accession process reveals the way in which some Member States regard and approach the EU. It is not acceptable for the EU project that just one Member State, for reasons of domestic policy, can cast doubt on the EU's credibility and its decision-making capacity, whatever the issue in question. The question is whether the EU, as an institution, has the decision-making capacity and will to reform and strengthen itself.
21. The Greens/EFA group is convinced that, regardless of Turkish accession, the EU must pursue its institutional reforms and adopt an ambitious project for the future. We invite all Member States to pursue the common interest and respect the EU's political decisions.

II. Questioning the EU project through Turkey's accession

II.i EU identities, fundamental values and borders

22. Borders, identity, cultures and shared values are increasingly becoming the central questions in the European debate. These questions are long-standing and are independent of Turkey's accession process. At the same time, these issues acquire a special dimension when they arise in the context of the debate on Turkey's accession. The question of Europe's borders often comes up in relation to Turkey. Member States have responded to it on various occasions. It is a political issue, which each generation will have to resolve in its own fashion.
23. The Greens/EFA group is working towards a peaceful EU based on solidarity that systematically promotes, protects and respects universal human rights. In the longstanding debate on the EU's values, we are fighting for the right to freedom of opinion, conscience and religion and we will not allow new religious frontiers to be drawn across EU. This is a fight for equality and against all forms of discrimination based on race, colour, gender, sexual orientation, language, religion or social origin. It is a fight for a secular and democratic EU that includes Turkey.

24. The Greens/EFA group calls for the ratification of the Council of Europe's Framework Convention for the Protection of National Minorities by Turkey as we do for all EU Member States. In addition, we call for the development and the promotion by Turkey and the EU of a strategic plan for mother tongue education in Turkey.
25. The Greens/EFA group considers that a Turkey based on a democratic constitution is, particularly in terms of what Turkish history and civilisation can bring to the EU, a factor of enrichment for the future of the EU project.

II.ii Economy and energy

26. According to World Bank statistics, Turkey is the seventeenth largest economy in the world and the sixth largest economy in Europe, with industrial goods amounting to over 90% of its exports. According to the IMF, Turkish economic growth comes to 11.7%. Nevertheless, according to the OECD, average unemployment in Turkey reached 10.8% in April 2010 (youth unemployment stands at 25% + low level of participation of women in the labour market + collapse of rural employment) and the 2010 Millennium Development Goals Report on Turkey indicates that the extreme poverty ratio is 17.1%.
27. Turkey has become the EU's seventh largest trade partner and the EU is Turkey's largest trading partner, the Customs Union with Turkey remains one of the most advanced that the EU has with any third country.
28. The Greens/EFA group is concerned by the growing negative environmental, archaeological and social consequences of the Turkish approach to economic growth and calls on the Turkish Government to preserve Turkey's archaeological and environmental heritage by prioritizing smaller, ecologically and socially sustainable projects.
29. While there is a current trend to quit nuclear energy and to further engage in sustainable energy, it is worrying to note that Turkey goes in the opposite direction by ignoring these developments. At the same time Turkey's vast potential in renewable energy sources such as solar and wind remains largely untapped, for reasons of investor insecurity, administrative hurdles or insufficient support schemes. Finally Turkey still has to implement adequate policies to decouple economic growth from energy consumption and substantially increase its energy efficiency.
30. The Greens/EFA group is highly concerned about Turkey's aspiration to turn to nuclear energy, notably by the current nuclear power plant projects in Akkuyu and Sinop. The lack of public consultation and consideration of either local populations or civil society organisations shows a political unwillingness to build consensus in the decision-making process.

31. The Greens/EFA group supports the growing opposition of the Turkish population to the implementation of nuclear plants in Turkey, which is situated in a region dominated by an active fault line. We ask the Turkish authorities to abandon their nuclear energy program - which is dangerous, expensive and polluting. We instead encourage the Turkish authorities to engage in an alternative energy program by investing in sustainable energy sources that make full use of the rich biodiversity and natural resources so as to reach a sustainable, resources based, inclusive and efficient economy.
32. A further reason for serious concern is the legal framework enabling environmental protection legislation to be by-passed, notably regarding, inter alia, hydroelectric dams under construction in national protected areas.
33. The Greens /EFA group calls on the Turkish authorities to fully comply with its obligations under Turkish national laws and calls on the European Commission to make full use of all instruments in the ongoing negotiations of the Environmental chapter in this respect.

III. Copenhagen criteria: human rights and democratisation process

34. Over the past decade, Turkey has gone through a far-reaching process of democratisation accompanied by major constitutional reforms. Taboo subjects, such as the rights of the Kurds, are now being debated. Nevertheless, Turkey is still far from guaranteeing respect for international human rights standards and thus falls short of fulfilling the conditions for EU accession.
35. The Greens/EFA group sees Turkey's fulfilment of the Copenhagen Criteria as key to its own modernisation and for its EU accession. We welcome Turkey's progress with regard to reforms but still have major concerns regarding the human rights situation. Major priorities for the Greens/EFA group in this respect are: freedom of expression and media, impartiality of justice, human rights in the fight against terrorism, minority rights, migrants, asylum seekers the legal vacuum concerning refugee status and rights, women's rights, LGTB rights and the fight against discrimination, notably on the grounds of sexual orientation or gender identity.
36. The Greens /EFA group places specific emphasis on freedom of expression and especially freedom of the press as these rights are the cornerstone of a modern democracy. The problem is alarming - not only journalists, but also politicians, writers, lawyers, human rights defenders, pacific activists and trade unionists can be involved in litigation that mostly end up with decisions which violate human rights. The problem is particularly visible in respect of articles or research on issues like the Kurdish question or the Ergenekon network.
37. The Greens /EFA group is deeply concerned by a number of laws such as Articles 301-318- 220/6 in combination with 314/2 of the penal code, Article 7/2 of the anti terror law and law 5816 of 25/07/1951 that continue to limit freedom of expression; we urge

- the government to finalise the review of the legal framework on freedom of expression and to bring it, without delay, in line with the ECHR and the ECHR case law; we regret the repeatedly disproportionate closure of websites and ask the government to prepare amendments to the internet law (No. 5651) to ensure that it stops limiting freedom of expression and restricting the right of citizens to access information;
38. The Greens/EFA group supports the government's democratic opening of the Kurdish question and calls on the government and all political forces to put it into practice by seeking a broad political consensus in favour of dialogue and a peaceful resolution of the conflict, that guarantees the civil, political, economic, social and cultural rights of all citizens.
39. The Greens/EFA group is convinced that the Kurdish issue is a major issue to be tackled in the framework of the new Constitution to achieve peace, reconciliation and rule of law. We believe a peaceful solution of the Kurdish issue can only happen through democratic participation of all political parties and civil society organizations.
40. The Greens/EFA group supports the creation of a truth and reconciliation committee to recommend measures to bring an end to the conflict in Turkey.
41. The Greens/EFA group urges the EU to support Turkey to move forward to decentralisation and to encourage public participation in local government and foster a democratic governance model, notably by making full use of the relevant IPA funds and by opening the negotiation chapter 22 on regional policy;
42. The Greens/EFA group supports the movements for democratic transition within Turkey that are pacifically fighting for human rights enforcement and a democratic and secular state. That is why we regard the accession process as a crucial tool to support the democratic and peaceful actors of the democratisation process and to play a major role in establishing stability both in Turkey and within the region as a whole.
43. The Greens/EFA group calls for a new civil constitution that must, among others, enshrine a definition of citizenship that is neither ethnic nor denominational, ensure the most diversified and fruitful political life possible by reducing the 10 percent threshold for parliamentary representation and organize decentralization.

IV. Foreign policy: Turkey increasingly powerful on the international scene

44. Turkey has boosted its position on the international scene with important initiatives which lead to an in-depth discussion on the strategic position of Turkey and its alleged change of paradigm. Turkey has indeed been pursuing an active foreign policy for some years. Turkey's commitment to a 'zero problems' policy with its neighbours notably contributed to initiating a process of reconciliation with Armenia, although Turkey's commitment to the process has faded lately, notably through the addition of an extra condition -linked to the Karabah conflict- to the ratification of the Protocol. The mediation role of Turkey in the Middle East peace process had been useful, it has however been affected by the Gaza crisis. It remains however an important factor to be reactivated: As much as we expect a constructive attitude

from Israel, we also call upon Turkey to refrain from saber-rattling and any escalation. In this context, it is therefore important for Turkey to remain a source of inspiration for the region and to further engage in its mediation position. The ratification of the Rome Statute of the ICC by Turkey would be an important additional asset to strengthen its role in international fora.

45. The economic relationships with the neighbouring states are developing, Turkey abolished visa procedures for many Arab countries and regular political consultations and an active conflict management policy are defining Turkey's new foreign policy. Turkey and the European Union should therefore jointly respond to the challenge instead of unilaterally engaging in diplomatic brinkmanship.
46. With this renewed policy, Turkey is becoming an increasingly important political actor for the EU in a rather important region. Already today the EU is claiming its privileged relationships with Turkey in the region; however co-ordination with Turkey remains fraught with difficulties.
47. The Greens/EFA group believes Turkey's involvement on the international stage and its crucial role in the Middle East make Turkey a key player in helping the EU to build solidarity in tomorrow's world, especially in regard to energy, fighting climate change, disarmament and peace.
48. The Greens/EFA group calls on Turkey to renew its commitment to the process of reconciliation and rapprochement with Armenia by ratifying the protocols on bilateral relations without any additional condition; to recognize the victims of the massacres of the Armenian minority under the Ottoman Empire
49. The Greens/EFA group calls on Turkey and the EU to closely cooperate towards a diplomatic solution to the Iranian situation and reiterates its call for a nuclear free Middle East;
50. The current revolutions in the Mediterranean and Arab World will be long and difficult. In this context, not only does Turkey enjoy a privileged geostrategic position but it also maintains an open policy both politically and economically (for instance, visa liberalisations with Syria, Saudi Arabia, Jordan, Kuwait, Lebanon, Libya and Tunisia). Turkey can therefore play a significant role in these transformation processes. In the worst case, Turkey will be the country facing major migration movements, increasing the number of asylum seekers.
51. The Greens/EFA group considers that Turkey plays a significant positive role in the current democratic transition processes in the Arab countries ; we are convinced that Turkey because, among other things, of its widely secular approach, is an inspiration for the democratisation of these countries and we encourage Turkey to grow in this role by fully implementing the Copenhagen criteria;
52. The Greens/EFA group considers that the EU has to make full use of all the instruments of the EU-Turkey accession negotiations in order to share the responsibility and to support Turkish efforts in the relocation of asylum seekers guaranteeing them decent living conditions and full respect of their rights.

Annex

State of play of accession negotiations in short
September 2010/ note from the European Commission (internal)

CHAPTERS OPENED

- Science & Research (25): in June 2006 (*also provisionally closed*)
- Enterprise and industry (20) : in March 2007
- Statistics (18): in June 2007
- Financial Control (32): in June 2007
- Trans-European Networks (21): in December 2007
- Consumer and health protection (28): in December 2007
- Intellectual property (7): in June 2008
- Company law (6): in June 2008
- Information society and media (10): in December 2008
- Free movement of capital (4): in December 2008
- Taxation (16): in June 2009
- Environment (27): in December 2009
- Food safety, vet. & phytosanitary policy (12): in June 2010

DRAFT COMMON POSITIONS PENDING IN THE COUNCIL

- Education and Culture (26) presented September 2006**
- Economic and monetary policy (17) presented May 2007***

TURKEY TO MEET OPENING BENCHMARKS

Public Procurement (5)	Freedom to provide services (3) *
	Customs(29)*
Competition (8)	Financial services (9) *
Social policy & employment (19)	Agriculture & rural development (11) * and ***
	Free movement of goods (1) *

SCREENING REPORTS IN COUNCIL (NO AGREEMENT FOUND SO FAR)

COM proposed Opening benchmarks	No opening benchmarks proposed:
Justice, freedom & security (24)**	Financial and budgetary provisions (33)***
Judiciary & fundamental rights (23)**	Freedom of movement for workers (2)**
Regional Policy (22)***	Fisheries (13) *
Transport (14) *	Energy (15)**
External relations (30) *	

SCREENING REPORTS UNDER PREPARATION IN COM

Foreign, security and defence policy (31)**	
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* (Covered by the December 2006 Council decision: 8 chapters cannot be opened and none of them can be provisionally closed until Turkey opens up its ports and airports to goods from Cyprus, in accordance with the Customs Union)

** Opening vetoed by Cyprus

*** Continuation of negotiations vetoed by France

- *In December 2006 the Council decided that the following eight negotiating chapters linked to the Customs Union cannot be opened:*

Free movement of goods (1)
Freedom to provide services (3)
Financial services (9)
Agriculture & rural development (11)
Fisheries (13)
Transport (14)
Customs (29)
External relations (30)

- *Cyprus vetoes the opening of the following six chapters following the December 2009 GAERC Conclusions on Turkey's failure to implement the additional protocol to the Ankara Agreement:*

Freedom of movement for workers (2)
Energy (15)
Judiciary & fundamental rights (23)
Justice, freedom & security (24)
Education and Culture (26)
Foreign, security and defence policy (31)

- *France does not allow negotiations to continue on five chapters, which in France's view prejudge accession as the final outcome of the process:*

Agriculture & rural development (11)
Economic and monetary policy (17)
Regional Policy (22)
Financial and budgetary provisions (33)
Institutions (34)