Partnership and Cooperation Agreement with Turkmenistan

1998/0031R(NLE) - 12/03/2019 - Text adopted by Parliament, single reading

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/HR’s 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.