Basic information

2004/2182(INI) INI - Own-initiative procedure	Procedure completed
Turkey's progress towards accession. Recommendation and 2004 report **Subject** 8.20.01 Candidate countries **Geographical area** Türkiye	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	EURLINGS Camiel (PPE-DE)	13/09/2004

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
INTA International Trade	The committee decided not to give an opinion.	
BUDG Budgets	DÜHRKOP DÜHRKOP Bárbara (PSE)	26/10/2004
CONT Budgetary Control	The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	27/10/2004

IMCO	Internal Market and Consumer Protection	The committee decided not to give an opinion.	
TRAN	Transport and Tourism	The committee decided not to give an opinion.	
REGI	Regional Development	The committee decided not to give an opinion.	
AGRI	Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH	Fisheries	The committee decided not to give an opinion.	
CULT	Culture and Education	The committee decided not to give an opinion.	
JURI	Legal Affairs	The committee decided not to give an opinion.	
LIBE	Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
AFCO	Constitutional Affairs	The committee decided not to give an opinion.	
FEMM	Women's Rights and Gender Equality	The committee decided not to give an opinion.	
PETI	Petitions	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Neighbourhood and Enlargement Negotiations	

Key events

Date	Event	Reference	Summary
06/10/2004	Non-legislative basic document published	COM(2004)0656	Summary
18/11/2004	Committee referral announced in Parliament		

30/11/2004	Vote in committee		Summary
06/12/2004	Committee report tabled for plenary	A6-0063/2004	
13/12/2004	Debate in Parliament		
15/12/2004	Decision by Parliament	T6-0096/2004	Summary
15/12/2004	Results of vote in Parliament		
15/12/2004	End of procedure in Parliament		

Technical information

Procedure reference	2004/2182(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFET/6/23948

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	BUDG	PE349.904	16/11/2004	
Committee report tabled for plenary, single reading		A6-0063/2004	06/12/2004	
Text adopted by Parliament, single reading		T6-0096/2004 OJ C 226 15.09.2005, p. 0071-0189 E	15/12/2004	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2004)0656	06/10/2004	Summary
Supplementary non-legislative basic document	SEC(2004)1201	06/10/2004	Summary
Document attached to the procedure	SEC(2004)1202	06/10/2004	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
		CDR0495/2004		

CofR	Committee of the Regions: opinion	OJ C 031 07.02.2006, p. 0011-0014	06/07/2005	

Turkey's progress towards accession. Recommendation and 2004 report

2004/2182(INI) - 06/10/2004 - Document attached to the procedure

COMMISSION'S IMPACT ASSESSMENT

1. IDENTIFICATION :

At parliament's request, the Commission has produced a detailed impact assessment on 'issues arising from Turkey's membership perspective'. This assessment identifies the main issues for the coming years.

2. OBJECTIVE :

It seeks to provide a broad overview of all the issues relating to Turkey's integration in the Union and the impact of its accession on Community policies such as internal market, agriculture (veterinary and phytosanitary issues) and fisheries, regional and structural policy, justice and home affairs and institutional and budgetary aspects.

Although fulfillment of the Copenhagen criteria was used as a basis for previous accessions, this analysis has not enabled the Commission to reach any definitive conclusions on the eventual accession of Turkey because:

- the future development of Union policies and the extent to which they might subsequently evolve;

- trends in the economic situation and structures over the next decade in both the EU and Turkey;

- the expansion of the Union to 27 members or even more with the possible entry of countries in the western Balkans.

3. POLICY OPTIONS :

In this context, the Commission is working on the basis of four working hypotheses:

- membership will be based on the political criteria currently in force in the Union;

- Turkey would integrate and apply the acquisby the date of accession, although certain transitional provisions and specific arrangements may be established;

- Turkey's accession negotiations will extend beyond the next financial perspective (2007-2013);

- the consequences of eventual membership of one or more of the Western Balkans countries are not considered.

4. IMPACTS :

4.1.*Geo-political dimension* : Turkey's accession would be different from previous enlargements because of the combined impact of the country's population, size, geographical location, economic, security and military potential, as well as cultural and religious characteristics. These factors could enable Turkey to contribute regional and international stability. The extension of the EU's borders to countries traditionally characterized by instability and tensions, in the Middle East and the Caucasus, would bring the problems of these regions higher onto the Union's foreign policy agenda. In addition, Turkey would be an important model of a country with a majority Muslim population adhering to fundamental principles underpinning the EU.

4.2.*Economic dimension* : the economic impacts would be positive but relatively small, both due to the modest size of the Turkish economy and to the degree of economic integration already existing before accession. Much will depend on future economic developments in Turkey. The launch of accession negotiations should help the continued efforts of Turkey to ensure macroeconomic stability and promote investment, growth and social development. Under these conditions, Turkey's GDP is expected to grow more rapidly than the EU average.

4.3.*Internal market and related policies* : Turkey’s integrationwould be beneficial but this would depend not only on the fulfillment of present obligations under the customs union but also on more horizontal reforms, such as strengthening corporate governance and regulatory frameworks, intensifying the fight against corruption, and significantly improving the functioning of the judiciary.

- a*griculture* : is one of the most important economic and social sectors in Turkey and would need special attention. Turkey would need time to make a number of agricultural sectors more competitive. Turkey would need considerable time in order to avoid substantial income losses for Turkish farmers;

- *cohesion* : the accession of Turkey would increase regional economic disparities in the enlarged EU in a way similar to the most recent enlargement, and would represent a major challenge for cohesion policy. Turkey would qualify for significant support from the structural and cohesion funds over a long period of time. A number of regions in existing Member States benefiting from structural funds support could lose their eligibility on the basis of current rules;

- *justice and home affairs* : with over three million, Turks constitute by far the largest group of third-country nationals legally residing in today's EU. Appropriate transitional provisions and a permanent safeguard clause could be considered to avoid serious disturbances on the EU labour market. However, the population dynamics of Turkey could make a contribution to offsetting the ageing of EU societies;

- *energy* : Turkey's accession would help to secure better energy supply routes for the EU. It would probably necessitate a development of EU policies for the management of water resources and the related infrastructure. Because of their sometimes considerable trans-boundary effects, good implementation by Turkey of other EU policies in the fields of environment, transport, energy and consumer protection would also have considerable positive effects for EU citizens elsewhere

4.4.*Institutions and budgetary aspects* : the budgetary impact can only be fully assessed once the parameters for the financial negotiations with Turkey have been defined in the context of the financial perspectives from 2014 onwards. The nature and amount of transfers to Turkey would depend on a number of changing factors, such as the EU's policies and any special arrangements agreed with Turkey in the negotiations, as well as the budgetary provisions in place at that time, and, in particular, the overall budgetary ceiling. However, it is clear that the budgetary impact on the basis of present policies would be substantial.

As to the institutions, under the planned Constitution Turkey’s accession would significantly affect the allocation of European Parliament seats of current Member States. In the Council, Turkey would have an important voice in the decision making process in view of its population share which would be reflected in the Council

Turkey's progress towards accession. Recommendation and 2004 report

2004/2182(INI) - 06/10/2004 - Supplementary non-legislative basic document

PURPOSE : to present the 2004 Regular Report on Turkey's progress towards accession.

CONTENT : this Report takes into consideration progress since the 2003 Regular Report. It covers the

period until 31 August 2004. It looks at whether planned reforms referred to in the 2003 Regular Report have been carried out and examines new initiatives. In addition, this Report provides an overall assessment of the situation for each of the aspects under consideration.

- Political criteria : Political reforms, in line with the priorities in the Accession Partnership, have been

introduced by means of a series of constitutional and legislative changes adopted over a period of three years (2001-2004). There have been two major constitutional reforms in 2001 and 2004 and eight legislative packages were adopted by Parliament between February 2002 and July 2004. New codes have been adopted, including a Civil Code and a Penal Code. Numerous other laws, regulations, decrees and circulars outlining the application of these reforms were issued. The government undertook major steps to achieve better implementation of the reforms. The Reform Monitoring Group, a body set

up under the chairmanship of the deputy Prime Minister responsible for Human Rights, was established to supervise the reforms across the board and to solve practical problems. Significant progress took place also on the ground; however, the implementation of reforms remains uneven.

As regards the enhanced political dialogue, relations with Greece developed positively. A series of bilateral agreements were signed and several confidence building measures adopted. A process of exploratory talks has continued. On Cyprus, over the last year Turkey has supported and continues to support the efforts of the UN Secretary General to achieve a comprehensive settlement of the Cyprus problem. The European Council of June 2004 invited Turkey to conclude negotiations with the Commission on behalf of the Community and its 25 Member States on the adaptation of the Ankara Agreement to take account of the accession of the new Member States. The Commission expects a positive reply to the draft protocol on the necessary adaptations transmitted to Turkey in July 2004.

- Economic criteria : Turkey has made further considerable progress towards being a functioning market economy, in particular by reducing its macroeconomic imbalances. Turkey should also be able to cope with competitive pressure and market forces within the Union, provided that it firmly maintains its stabilisation policy and takes further decisive steps towards structural reforms.

Economic stability and predictability have been substantially improved since the 2001 economic crisis. Previously high inflation has come down to historic lows, political interference has been reduced and the institutional and regulatory framework has been brought closer to international standards.

Thus, an important change towards a stable and rule-based economy has taken place. Key economic vulnerabilities, such as financial sector imbalances, have been tackled. Financial sector supervision has been strengthened. As a result, the shock resilience of the Turkish economy has significantly increased.

Important progress has been achieved in increasing the transparency and efficiency of public administration, including public finances. Furthermore, important steps have been taken in facilitating the inflow of FDI and in improving the legal framework for privatisation.

Turkey's alignment has progressed in many areas but remains at an early stage for most chapters.Further work is required in all areas, new legislation should not move away from the acquis. This report highlights the areas where more effort is needed:

- Free movement of goods : overall transposition of the acquis is advancing steadily, but is not complete, while implementation remains uneven. The public procurement Law still contains discrepancies with the acquis.

- Free movement of persons : no progress has taken place concerning this issue. Concerning the freedom to provide services, some progress could be recorded for financial services. Alignment remains limited with the acquis on the free movement of capital. The priority should be the adoption of anti-money laundering provisions, and the removal of restrictions to investment by foreigners. Improvements in this area would contribute to facilitate inflow of foreign direct investment.

- Company law : the alignment with the acquis remains very limited. However, important efforts have been undertaken to fight piracy with regards protection of intellectual and industrial property rights, but insufficient administrative capacity prevents remains a constraint. Concerning competition policy, the alignment with the acquis on anti-trust legislation is significant and progress continues in a satisfactory

manner. On the contrary, alignment with state aid acquis is very limited.

- Agriculture : little progress can be recorded since the previous Report in the area of agriculture. On the other hand, progress has taken place concerning in particular veterinary, phytosanitary and food, but transposition and administrative capacity are still insufficient to ensure effective implementation. Rural development, eradication of animal diseases and upgrading of the Administrations concerned should be regarded as priorities.

- Transport policy : some progress could be recorded in all transport modes, excepted air transport. Concerning in particular maritime transport, the detention rate remains much higher that the EU

average, and Turkey remains in the black list of the secretariat of the Paris Memorandum of Understanding on Port State controls.

- Tax policy : there has been limited progress in the area of indirect taxation, while no progress could be reported on direct taxation. Alignment is necessary in particular concerning VAT, the scope of exemptions and applied rates.

- Social and employment policy : progress has been made since the last report, in particular as concerns health and safety at work. Nevertheless, the main problematic areas remain gender equality, labour law, anti discrimination, and social dialogue. Enforcement and full implementation of the legislation also appear as major challenges.

- Education and training : some progress has been achieved in this area, especially concerning the enrolment of girls in less favoured regions.

- Industrial policy : there is a large alignment with the EC principles. However, further efforts remain necessary to improve SMEs' access to finance, and the business environment.

- Environmental policy : some progress has taken place in this area. However, the overall transposition of the environment acquis remains low. Administrative capacity needs further reinforcement and improved co-ordination among the administrations involved. The most intense efforts are needed for horizontal legislation, air and water quality, waste management, nature protection, industrial pollution and risk management.

- JHA : Turkey has continued to make efforts to align with the acquis in the area of justice and home affairs. Nevertheless, progress is required in important areas such as the reform of the judiciary and the fight against corruption. Co-operation both at national level among all relevant administrative bodies and with the EU should be improved on issues such as illegal migration and trafficking.

- CFSP : Turkey's foreign policy continues to be broadly in line with that of the EU, though less so when Turkey's neighbouring countries are concerned.

Lastly, it should be noted that implementation of legislation formally aligned with the acquis continues to be insufficient. Administrative capacity in most areas needs to be strengthened to ensure that the acquis is implemented and enforced effectively. In some cases, administrative reform should entail the establishment of new structures, for example in the field of state aid and regional development. Where regulatory bodies have been set up, they should be adequately empowered to perform their tasks, including adequate staffing and resources, and to ensure that their decisions are enforced. To this end, their autonomy should be safeguarded. Improved co-operation between the Commission and the Turkish administration in areas such as conformity assessment should be extended to other areas.

Turkey's progress towards accession. Recommendation and 2004 report

2004/2182(INI) - 06/10/2004 - Non-legislative basic document

PURPOSE : to present the European Commission's recommendation on Turkey's progress towards accession.

CONTENT : on the basis of a comprehensive report assessing the situation as regards human rights, democracy, the rule of law and the protection of minorities, the European Commission recommended to start accession negotiations with Turkey provided that certain key legislation which is in preparation enters into force.

The Commission suggests a three pillar strategy to approach the negotiations :

The first pillar concerns cooperation to reinforce and support the reform process in Turkey, in particular in relation to the continued fulfilment of the Copenhagen political criteria. In order to guarantee the sustainability and irreversibility of the political reform process, the EU should continue to monitor progress of the political reforms closely. This will be done on the basis of a revised Accession Partnership setting out priorities for the reform process. A general review of progress of the political reforms will take place on a yearly basis starting from end 2005. The pace of the reforms will determine the progress in negotiations. The Commission will recommend the suspension of the negotiations in case of a serious and persistent breach of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded. The Council would decide on such a recommendation with a qualified majority.

The second pillar concerns the specific way of approaching accession negotiations with Turkey. Accession negotiations will take place in the framework of an Intergovernmental Conference where decisions need unanimity and full participation of all EU members. The negotiations will be complex. For each chapter of the negotiations, the Council should lay down benchmarks for the provisional closure and, where appropriate, for the opening of negotiations, including a satisfactory track record of implementation of the acquis. Existing legal obligations in line with the acquis must be fulfilled before the opening of negotiations on related chapters. Long transition periods may be required. In addition, in some areas, such as structural policies and agriculture specific arrangements may be needed and, for the free movement of workers, permanent safeguards can be considered. The financial and institutional impact of Turkey's accession will be important. The EU will need to define its financial perspective for the period from 2014 before negotiations can be concluded.

Furthermore, the Commission will monitor, during the negotiations, the ability of the Union to absorb new members, and to deepen integration, taking fully into account Treaty objectives as regards common policies and solidarity.

The third pillar entails a substantially strengthened political and cultural dialogue bringing people together from EU Member States and Turkey. Civil society should play the most important role in this dialogue, which should be facilitated by the EU. The Commission will present proposals on how to support such a dialogue.

While convinced that the accession process will be essential in guiding further reforms in Turkey, the Commission underlines that accession negotiations are by its nature an open-ended process. The objective, accession, is clear but it cannot be guaranteed beforehand.

The report states that Turkey has substantially progressed in its political reform process, in particular by means of far reaching constitutional and legislative changes adopted over the last years, in line with the priorities set out in the Accession Partnership. However, the Law on Associations, the new Penal Code and the Law on Intermediate Courts of Appeal have not yet entered into force. Moreover, the Code on Criminal Procedure, the legislation establishing the judicial police and the law on execution of punishments and measures are still to be adopted.

Turkey is undertaking strong efforts to ensure proper implementation of these reforms. Despite this, legislation and implementation needs to be further consolidated and broadened. This applies specifically to the zero tolerance policy in the fight against torture and ill-treatment and the implementation of provisions relating to freedom of expression, freedom of religion, women's rights, ILO standards including trade union rights and minority rights.

CONCLUSION : in view of the overall progress of reforms attained and provided that Turkey brings into force the outstanding legislation mentioned above, the Commission considers that Turkey sufficiently fulfils the political criteria and recommends that accession negotiations be opened. The irreversibility of the reform process, in particular its implementation will need to be confirmed over a longer period of time.

Turkey's progress towards accession. Recommendation and 2004 report

2004/2182(INI) - 15/12/2004 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Camiel EURLINGS (EPP-ED, NL) on Turkey's progress towards accession. (Please see the summary of 30/11/04.) The resolution was adopted by 407 votes in favour, 262 against and 29 abstentions in a secret ballot. Considering the overall progress outlined in the Commission report, Parliament called upon the European Council to open the negotiations with Turkey without undue delay. The opening of negotiations is recommended so long as it is agreed that in the first phase of the negotiations, priority is given to the full implementation of the Copenhagen political criteria. Parliament welcomed the political reform process in Turkey and the adopted constitutional and legislative changes, but was none the less, of the opinion that the Turkish authorities still have to adopt and implement further reforms and put current reforms into practice in order to fully meet the Copenhagen political criteria.

Parliament was satisfied that Turkey has fulfilled a number of recommendations included in Parliament's resolutions, in particular, the complete abolition of the death penalty, the reform of criminal procedure, strengthening the rights of the defence, the reduction of the role of the National Security Council and the lifting of the state of emergency in the south-east. Parliament regretted, however, the reservations expressed on the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights.

It went on to welcome the fact that the Turkish Government has introduced legal changes which enable private language centres to offer courses in mother tongues other than Turkish (Kurdish, Circassian, Armenian et al.), to broadcast media programs and to open and operate stations which broadcast in other languages. It called on the Turkish government to lift all remaining restrictions in the area of broadcasting and education in minority languages. In addition, Parliament made the following requests:

- Turkey should drastically improve its perception of ethnic and religious minorities, for instance by highlighting their contributions to the cultural heritage of the country;

- it should apply EU environmental and human rights standards to large-impact projects like the construction of dams in the Munzur Valley and Ilisu;

- Turkish authorities must fully implement a 'zero-tolerance' approach at all levels and in all aspects to the complete eradication of torture;

- the electoral system needs to be reformed by reducing the threshold of ten per cent, thereby ensuring a wider representation of political forces in the Grand National Assembly, including predominantly Kurdish parties;

- the Turkish government is invited to take more active steps to bring about reconciliation with those Kurdish forces who have chosen to abandon the use of arms;

- the Turkish authorities must step up their efforts to ensure that women whose free access to primary or secondary education is hindered by difficulties stemming from their family or cultural environment are able to assert to the full their right to an education;

Parliament called on the Commission and the Council to report annually to the European Parliament and the national Parliaments of the EU Member States on the progress made by Turkey in fulfilling the political criteria, and to include in this report all verified cases of torture reported in that year and the number of Turkish asylum seekers accepted by the EU Member States during that year.

Finally, Turkey must continue the process of reconciliation with Armenia.