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Editorial

'First Move' to Expand Freedom of Expression

Article 301 of the Turkish Penal Code has become a symbol for the European Union to gauge the progress of reforms in Turkey. Reports drafted so far by European Union (EU) institutions have repeatedly criticized and called on Ankara to abolish Article 301, which is considered a major impediment to freedom of speech. EU officials are clearly tired of bringing the same issue to the table year after year. Ankara recently made a move on the issue -- just when home politics had escalated. However, instead of changing the article in accordance with the EU request, Turkey amended it. According to the amended article, those who insult the Turkish nation, as opposed to Turkishness, will still face a punishment. The amendment also requires the approval of the justice minister before cases can be tried. The EU camp is glad to see some kind of change, however anxious to see its implementation.

EU's Deliberate Reaction

The EU gave a deliberate reaction concerning the change in Article 301. While the Slovenian Presidency said "This is a constructive step forward... and indication of Turkey's continuing commitment to the reform process," the European Commission stressed 'now they are looking forward to the implementation of reforms.' There are three reasons behind this deliberate approach by the EU. First, the EU is disappointed by the slowed pace of reforms in Turkey. The EU would like to see the reforms proceed to the next stage and make sure that the reform process does not remain incomplete. Secondly, the amendments to Article 301 do not secure total freedom of speech. Brussels is anxious if the so-called "nationalist" public prosecutors in Turkey, initiated legal procedures against a number of authors, politicians and journalists on the basis of Article 301, may still use other articles of the code to their advantage. For this reason, it is crucial for Ankara to avoid make-up reforms and to finally revise the Penal Code in compliance with freedom of expression and fundamental rights. The new civil Constitution is expected to guarantee the rights of all citizens living in Turkey. Otherwise these reform initiatives by Ankara will not generate adequate credibility. The third and most important reason is that the current political turmoil in the country does not inspire confidence that a total reform process is in progress. Social frictions are another source of concern, which Jose Manuel Barroso, President of the European Commission, emphasized during his official visit to Turkey last month when he said that the reforms can only be effective if dialogue and compromise is provided among Turkey's citizens and politicians,.

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News

Turkey- EU Troika Foreign Ministers Meeting

Turkey and the EU Troika Foreign Ministers Meeting was held in Ankara on May 6, with the participation of Ali Babacan Foreign Minister and Chief Negotiator of Turkey, Dimitrij Rupel Slovenian Foreign Minister, Jean Pierre Jouyet French Secretary of State Responsible for EU Affairs, Olli Rehn Member of the Commission responsible of Enlargement and Helga Schmidt representative of the EU Council. The agenda of the meeting covered issues including the intervention of Turkish police in the protests on May 1; the law suit calling for the closure of AKP; recent changes to Article 301 of the Turkish Criminal Code; the Cyprus Issue; and PKK, the terrorist organization. During the press briefing held after the meeting, Commissioner Olli Rehn stressed that the Commission believes the police used inappropriate force against the protestors on May 1st and they expect Turkey to start an enquiry on this issue. Rehn also called for union rights in the country to be brought in accordance with EU standards and ILO. Rehn also stressed that worries regarding the lawsuit against AKP continue and that democratic laicism must be respected for the accession process not to be negatively affected. On the other hand, Slovenian Foreign Minister, Rupel, stated that he is pleased with the recent changes to article 301 of the Turkish Criminal Code. However, the implementation of the new law is important. In response to a question on the continuing accession negotiations between Turkey and EU, Jean Pierre Jouyet said "France has no intention of breaking up Turkey's negotiation process... The French presidency will be impartial, fair and objective". The French Secretary of State added that their position on the preconditions for opening new chapters in negotiations with Turkey will reflect these principles. In his remarks on the meeting Ali Babacan said the government is determined to pursue democratic reforms.

European Parliament Report on Turkey to be Debated During EP Plenary Session

The European Parliament's (EP) latest consultative report on Turkey will be voted and adopted this month in the Plenary Session. A number of expressions referring to the concerns over the forthcoming case to close Turkey's ruling Justice and Development Party (AKP) have been added to the Draft Report that has been adopted, with 53 votes in favor and 2 against, during the vote in EP's Committee on Foreign Affairs. The report, drafted by Dutch parliamentarian Ria Oomen-Ruijten (Group of the European People's Party), called on Turkey to pursue investigations into the "Ergenekon Affair", to "fully reveal its networks reaching into the State structures and to bring those involved to justice". The report also requires speeding up the process of reforms and is critical of the lack of implementation of new reforms on freedom of expression, including Article 301 of the Turkish Penal Code. The Report welcomes Turkey's new Foundations Law, which regulates the rights of religious minorities and requests that the European Commission investigates the effects of this change on the rights of religious minorities in line with European Union standards. The Report also calls for the reopening of Heybeliada (Halki) School for Clerics and the permission for the use of the title "ecumenical patriarch". In the report, the Turkish government is also called upon to take political initiative aimed at a permanent resolution for the Kurdish issue, and DTP (Democratic Society Party) deputies and mayors are asked to participate constructively in the political resolution process on the Kurdish issue. The PKK is also urged to declare and respect an unconditional ceasefire. The Armenian lobby groups in the European Parliament continue to push for the inclusion of a reference to the alleged genocide into the Final version of the Report, even though the Report is not legally binding. The forthcoming Turkey 2008 Report, considered an important indicator of European public opinion, is expected to be harsher in tone compared to previous reports.

New Chapters on Negotiations with Turkey to be opened in June

The European Union was unable to begin negotiations with Turkey on a new chapter last month due to technical problems. Meanwhile, the union had opened the chapter on energy and transportation with Croatia on April 21. Thus far Croatia has opened 18 chapters out of 35. The Slovenian Presidency is expected to open the chapter on intellectual property rights and company law with Turkey on June 17, prior to the commencement of the French Presidency term. Last Month, in his speech at the European Parliament, Slovenian President Danilo Turk said that the EU must fulfill its obligations on the accession of Turkey and Balkan countries, and give a "European Perspective" to Ukraine and Moldova. Turk also stated that in order to become a global Strategic power, the EU needs Turkey. He also said the accession negotiations with Turkey must continue; otherwise, the EU will lose credibility.

European Commission Proposes Amendments to "Green Line Regulation"

The European Commission adopted a proposal aiming to further facilitate trade on the island of Cyprus. The Proposal provides for a complete lifting of duties on all agricultural products being traded across the Green Line. So far, duties were paid for a range of agricultural products, which was putting a significant burden on traders in the northern part of Cyprus.

Furthermore, in order to encourage the economic development of the Turkish Cypriot Community, the Commission proposes to increase the total maximum value of traded from 135 € to 260 €. This rule would not apply to cigarettes and alcohol.

The Green Line Regulation, adopted on April 29, 2004, aims to regulate the free movement of persons and goods across the Green Line. The scope of the Regulation was extended in 2005. Meanwhile, the European Commission welcomed the opening of Lokmaci crossing, which was closed for the past 44 years. In the statement issued by the Commission, the opening of this barricade is considered an encouraging step between Turkish and Greek Cypriot communities. EU Enlargement Commissioner Olli Rehn stated that this recent initiative shows that the two communities are ready to put aside the difficulties of the past and to launch together the negotiations for the reunification of the island under the auspices of United Nations.

European Parliament Requires Accession Negotiations with Macedonia

The European Parliament (EP) required the EU to begin accession negotiations with the Former Yugoslav Republic of Macedonia (FYROM) before the end of this year if FYROM is to fulfill its conditions, which include eight articles put forth by the European Commission. The document, which was prepared by Dutch parliamentarian Erik Meijer and approved in the plenary meeting of the EP last month as a Recommendation, will be evaluated during the EU summit in June. The EP required a date for the beginning of negotiations with FYROM. Greece and Macedonia have turned to the United Nations to help resolve the issue of naming the country. Greece have not accepted the name of the country, since Macedonia has been independent, indicating that it has a region with the same name as Macedonia. For now the EU has adopted the name Former Yugoslav Republic of Macedonia (FYROM).

Sarkozy: In Case Of Turkish Accession, I Will Call For a Referendum

Despite the recent constitutional change accepted by the French government, President Nicolas Sarkozy said that Turkish accession to the European Union will be decided in referendum.

The French President had recently elaborated the constitutional change, which abandoned the precondition of having a referendum for the accession of candidate countries including Turkey to EU, on state channel France 2: 'Referendum is not abandoned completely, but it won't be an automatic precondition. For example, I would like to see the Balkan countries as members of EU one day. Notably, accession to European Union will make those countries more stable. The only reason for my opposition to Turkish accession is Turkey is not in Europe, but only the small beautiful part of it, which is Istanbul. We cannot say that Cappadocia is in Europe, can we? If one day the Turkish accession to EU is in question, I will call for a referendum. A country, which has borders to Iran and Syria cannot be in Europe. Turkey and Croatia cannot be put into the same category, as Switzerland.' The new reform package, which will be debated in French Parliament as of May 20, foresees the abandonment of the automatic precondition of referendum for the ratification of newly acceding countries to the EU. The new law also allows the president to choose between referendum and parliamentary ratification in such a case.

Pre-Registration Period for Chemical Substances to Begin

The fees and charges payable under the new EU regulation 'REACH' on chemical substances were announced in the Official Journal of the EU. The Registration fee for chemical substances less than 10 tones is set at 1600 Euro and for those exceeding 1000 tones the payable fee is 31000 Euro. This arrangement stipulates a 90% reduction for small enterprises and 25% for those companies that cooperate. The implementation of the rules, which have been determined by the Committee composed of the representatives of the EU Member States, will be conducted by the European Chemicals Agency in Helsinki, Finland. Prior to the Registration, thousands of enterprises which import or produce chemical substances have to pre-register 'free-of charge' by December 1, 2008 in order to continue their activities. It is expected that 180,000 pre-registrations will be sent to ECHA by the end of the year. The pre-registration process will ensure that data related to chemicals in circulation in the EU is brought together in one place. The Registration process, for which there is a charge, runs from June 2008 to May 2018. Authorities expect nearly 30 thousand chemical substances to be registered during this period. The main aims of the REACH Regulation are to reduce the potential risks of hazardous chemicals to human health and the environment, ensuring free movement of chemical substances in Europe as well as increasing competition.

EU Adopts New Legislation to Increase Ambient Air Quality

The Council of Ministers, the decision making body of the EU, after a compromise last month, adapted the new directive on reducing particulates (PM_{2,5}) in ambient air that are harmful to human health. According to the new legislation, which is considered a major milestone towards cleaner air, particulates in the air are to be reduced by 20% by 2020, with 2010 as the reference year. The Member States will reduce the exposure level of harmful particulates in the same area to 20 micrograms/m³ by the year 2015. This new legislation concerning PM_{2,5} particulates, which will be legally binding for EU Member States by 2015, does not change the standards regarding air quality. However, it brings flexibility to the Member States in the areas where there were mandatory arrangements.

The European Commission Supports SMEs

The European Commission finalized the process of public consultation, which begun in order to facilitate increasing the conditions of growth and employment of SMEs. The parties that contributed to the consultation have a number of requirements from the EU aiming to provide facilitation of SMEs. Also, the parties concerned underlined that proximity principle should be applied completely and SMEs should have access to public procurement and internal markets. In addition, the parties required the EU to facilitate access to the qualified labor force and support SMEs that are trying to become a global enterprise. The results of the consultation period will be used to prepare a Small Business Act, which is part of the Lisbon Strategy for growth and jobs for the years 2008-2010.

Automobile Price Report Released

The European Commission published its first six-month report of car prices in the EU since 1992. The initiative, triggered by consumer complaints regarding big price differences in the automotive sector, intends to alleviate the difficulties faced by consumers willing to buy automobiles. The report covers the prices of 25 different automobile manufacturers, including 100 models and contains information provided by car consumers. Basic abatement and the prices in sum with the tax are displayed separately within the report.

Energy Wars in Europe Intensify

In order to decrease its dependency on Russia's natural gas reserves, the European Union considers the Nabucco Pipeline Project, which will be completed in 2013 with a capacity of 30 billion cubic meters, as a 'priority project'. In the meantime, the 'energy wars' are intensifying. Greece recently joined the South Stream Project, which is being led by Russia. Vladimir Chizhov, the Russian ambassador to the EU, in his interview with 'Euronews' television stated that the implementation of the Nabucco Project, which is currently facing difficulties in its search for natural gas, depends on the use of Iranian gas by the European Union. Chizhov said: 'European countries should decide whether they are going to buy gas from Iran or to side with the countries who bomb Iran.' The European Union, which has officially agreed only with Azerbaijan so far, has accelerated its diplomatic meetings with natural gas producer countries. The European Commission President Jose Manuel Barroso, met the Iraqi President, Nuri al-Maliki last month and was promised 5 billion cubic meters of natural gas per year from Iraq for the Nabucco Project. In a written statement, the European Commission said the EU and Iraq are ready to sign the draft energy memorandum of understanding at any time.

European Commission Highlights the Role of Nuclear Energy

Andris Piebalgs, Member of the European Commission Responsible for Energy, in the 2008 European Nuclear Assembly's opening session stressed the vital role of nuclear energy in order to reach the EU's targets in reducing greenhouse gas emissions. Piebalgs underlined the importance of energy in the struggle against climate change and in security of energy supply. He added that cooperation among EU countries should be strengthened regarding nuclear energy security and nuclear waste. According to Piebalgs, in order to reach the EU's 2030 electricity supply targets, new nuclear power stations should be built and that Europeans should come to terms with the key importance of nuclear energy.

European Commission Publishes Insurance Block Exemption Regulation

The European Commission began public consultation related to Insurance Block Exemption Regulation (BER) in order to increase the operation of the Regulation. Industry, national regulators, competition authorities and consumer groups are included in this consultation period and the effect on the insurance market will be measured by this period. The results will affect the Commission's decision on BER and whether it will continue or not, by March 2010. According to EU competition rules, enterprises should apply the restrictive practices of the EU in their agreements. Companies that fall within the context of BER, are exempted from restrictions such as blocking agreements aiming to collect statistical information.

A New Initiative from the Commission on Customs

The European Commission has started a new initiative regarding the strategy on the development of a Customs Union over the long term. The executive body of the union prepared a document that includes objectives related to the development of customs as of 2013. Coordination of working methods and the transition to modernized systems such as electronic customs are mentioned among the objectives. The document also suggests that every year more than one strategic plan needs to be developed and that the EU must include all related participants. According to Laszlo Kovacs, member of the European Commission responsible for Taxation and Customs, the EU made important progress in terms of modernizing customs over the past year. However, a long-term strategy is needed.

Agenda

5 May

- Informal Meeting of EU Transport Ministers
- Informal High Level Energy Working Group Meeting

6 May

- EU Troika – Turkey Meeting, Ankara
- EU Political and Security Committee (PSC)

7 May

- COREPER I
- COREPER II
- Conference: "The European Union and South East Europe: A Common Vision for Connecting People", Belgrade
- European Parliament Plenary Sessions, Brussels

8 May

- European Parliament Plenary Sessions, Brussels
- EU Political and Security Committee (PSC)

9 May

- Europe Day

13 May

- COREPER II
- EU Euro Group Meeting
- EU Political and Security Committee (PSC)

14 May

- COREPER I
- EU Economic and Financial Affairs Council, Brussels

15 May

- EU – LAC (Latin America & Caribbean) Summit, Peru
- COREPER II, informal meeting
- EU – USA Open Skies Agreement (2nd stage of negotiations)

16 May

- COREPER I
- EU Political and Security Committee (PSC)

17 May

- EU – Latin and Central American countries summit

18 May

- EU Military Committee (18-20 May)

19 May

- Bilateral EU – USA Workshop "How can systems biology advance cancer research?" (19-20 May)
- Europol Management Board, Brdo (19-21 May)
- Agriculture and Fisheries Council, Brussels (19-20 May)

20 May

- EU Political and Security Committee (PSC) (20-21 May)
- EP Plenary Session – Appearance of the EU Council representative before the EP (20-21 May)

21 May

- COREPER II

22 May

- EU Troika -Ukraine, Brdo
- European Nuclear Forum, Prague
- COREPER II

23 May

- COREPER I

25 May

- Informal Meeting of Agriculture and Fisheries Council, Brdo (25-27 May)

26 May

- EU-Gulf Cooperation Council, Brussels
- EU-Russia Permanent Partnership Council on Science and Research, Brdo
- General Affairs and External Relations Council (GAERC) including Defence Ministers and Development Ministers (26-27 May)

27 May

- EU Turkey Association Council (poss.), Brussels

28 May

- COREPER I
- COREPER II

29 May

- Competitiveness Council, Brussels

30 May

- EU Political and Security Committee (PSC)

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The information in this document was compiled from various EU information sources.