

CPS

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Editorial

EU's Expectations of Turkey's Reform Program

The 2008 Turkey Progress Report published by the European Commission criticized Turkey's limited progress on political reforms while its economic reforms were praised. The main difference between this year's and last year's reports is that there is stronger political criticism against Turkey this year; such as the Commission's reaction towards the ruling party, "Despite its strong political mandate, the government did not put forward a consistent and comprehensive programme of political reforms." The pace of EU-oriented reforms in Turkey was slow, with few actual achievements and the reforms expected from Ankara were not implemented. The main issues underlined by Brussels included freedom of expression, rights of religious minorities and implementation of cultural rights. On the other hand, the major positive side of the Report was the acknowledgement of Turkey's strategic importance for the EU.

The Rising Strategic Importance of Turkey

EU Commissioner for Enlargement, Olli Rehn, who presented the Progress Report, firstly emphasized the strategic importance of Turkey. The recent conflict between Russia and Georgia has shown the EU the value of the strategic position of Turkey. As regards EU's energy needs, the geopolitical location of Turkey is also of key importance. The statements of Rehn in favour of Turkey's EU membership annoyed those who were lobbying against Turkey in the European Parliament.

"Prevent the crisis"

Another issue pointed out in the report warned that "polarization of Turkish society must be avoided by fostering reconciliation." The European Union's executive body points to Turkey's domestic "political crisis" as the main reason for the slowdown in its EU reform momentum. In this regard, the Commission called to put an end to the lack of compromise between main political parties. The Commission argues that the revision of Law on political parties could prevent a potential crisis in the future.

"Compliments for Turkish economy"

Brussels declares Turkish economic growth a more positive force than its political developments. First, it is widely acknowledged that the Turkish economy has shown good resistance to the global financial crisis. However, it was also noted that the second wave of the crisis could negatively affect the country's fragile economy.

"Let's declare 2009 Reform Year"

Consequently, the EU front is awaiting a coherent and comprehensive political reform program for the judiciary system and constitution. The same reforms must also be implemented in the economic arena. The EU has sent a clear message: "let's put an end to the crisis and address the important points."

Duygu Leloğlu
BRÜKSEL

Progress Report

Reference to the closure case against AK Party

On March 14 2008 the Chief Public Prosecutor applied to the Constitutional Court for the governing AK party to be closed and for 71 former and present party officials, including the President of the Republic and the Prime Minister, to be banned from joining a political party for five years. The charges brought against the party were based on 'anti-secular activities'. On July 30, the Constitutional Court could not reach the required majority to close down the party. However, the Court decided that the Party conducted activities against secularity and it was agreed to cut 50% of the Party's funds. Another closure case was also opened against DTP, based on its activities against the integrity of the country. This case is still pending before the Constitutional Court.

Ergenekon

In 2007 an investigation was launched into the criminal network known as Ergenekon. Many people were arrested, including retired army generals, and charged with attempting to overthrow the Government, forming a terrorist organization and weakening the operation of the Government by use of violence. The investigation was criticized for insufficient protection of the right of defence and the length of the detention periods.

Legislative and Executive Functions

With regard to the legislative and executive functions, in general, the President played a positive role by calling for further political reforms. The Government did not establish a consistent and comprehensive program with regard to political and constitutional reforms. Furthermore, the lack of cooperation and dialogue between the main political parties had a negative effect on the functioning of the political institutions. The operation of the newly elected Parliament was affected by the closure cases against two political parties.

Criticism of the New Constitution

The Government assigned a group of academicians to the revision of the 1982 Constitution and alignment of fundamental rights in Turkey with international standards. However, no draft has been presented to the public or to the parliament on this issue and no timetable has been set. Instead, Articles 10 and 42 of the Constitution were amended with the support of the governing AK Party, MHP and DTP in order to abolish the headscarf ban for university students. Upon the request of the opposition parties, CHP and DSP, the Constitutional Court annulled the amendments based on Article 2 of the Constitution.

Praise to Gul

The new President made efforts to be conciliatory towards political figures and civil society in the country. While he developed good working relations with the Government he also called for the acceleration of EU reforms. He also continues his active role in foreign policy, becoming the first Turkish President to visit Armenia. He was invited by the Armenian President to normalize bilateral relations and to establish a dialogue.

Call to the Government for Continuation of Reforms

The Government expressed its commitment to the EU accession process and to political reforms. However, despite its strong political mandate, the government did not put forward a consistent and comprehensive program of political reforms. On September 1, 2008 the Government announced a draft National Programme for the Adoption of the Acquis, and started a consultation process with civil society and the opposition. The Programme remains to be adopted. The staff and resources of the Secretariat General for EU Affairs (EUSG), the main coordinating body in charge of EU affairs, remain weak.

Criticism Concerning the Military

Report indicates that no progress has been made in ensuring full civilian supervisory functions over the military and parliamentary oversight of defence expenditure. Senior members of the armed forces have made statements on issues which are beyond their area of responsibility.

Political control over the military was applied in practice in the context of military operations aimed at terrorist targets in Northern Iraq. Such operations were authorised by the parliament and decided upon by the government. However, the armed forces have continued to exercise significant political influence via formal and informal mechanisms.

Call for Independence and Impartiality of the Judiciary

The report states that the work to date on the draft judicial reform strategy has been a positive development. The Ministry of Justice needs to continue to expand consultations with all stakeholders, including civil society, and build necessary broad support for a sound strategy. However, concerns remain regarding the independence and impartiality of the judiciary. On some occasions senior members of the judiciary made public political comments which may compromise their impartiality in future cases. With regard to the independence of the judiciary, there has been no progress in the composition of the High Council of Judges and Prosecutors.

Fight against Corruption Inadequate

The report says there has been limited progress in the area of anti-corruption and that corruption remains a widespread issue. There has been limited progress towards strengthening the legal framework and institutional set-up to fight corruption. The Government failed to prepare a comprehensive anti-corruption strategy. Corruption incidents, involving, in particular, real estate agencies, local government and universities, were frequently reported by the media. In the context of a fraud case against the charity association Deniz Feneri in Germany, the Regional Court of Frankfurt am Main convicted three of the charity's managers for having misused funds collected as donations. The Court also stated that part of the funds have been channelled to entities based in Turkey. In this context, the Ankara prosecutor initiated an investigation and asked the Ministry of Justice to request the necessary documents from the German Court.

Furthermore, there have been statements by senior figures strongly criticising the press, in particular following press reports on alleged corruption cases and the fight against terrorism.

Human Rights and Protection of Minorities

The recent closure cases against the AKP and the DTP illustrate that the current legal provisions applicable to political parties do not provide political figures with an adequate level of protection from the state's interference in their freedom of association and freedom of expression.

The institutional framework for human rights promotion and enforcement does not meet the independence requirement and lacks financial autonomy and transparency. Furthermore, the establishment of the Ombudsman has been outstanding.

There have been limited efforts in the prevention of torture and ill-treatment. A comprehensive set of safeguards is in place. However, allegations of torture and ill treatment during detention or outside official places of detention are a cause for concern. Efforts to prevent torture and ill-treatment need to be enhanced.

The number of applications to NGOs in relation to cases of torture and ill-treatment has increased, in particular outside official places of detention.

With the amendment of Article 301 there has been some progress in the efforts to strengthen the safeguards for freedom of expression. However, only a consistent track record of implementation will show whether or not the revised article is adequate.

Freedom of religion and freedom of worship continue to be generally respected. Overall, there has been some progress, particularly on adoption of the Law on foundations. However, the implementation of the Law, together with the resolution of the outstanding property-related issues regarding non-Muslim minorities remains a challenge.

With regard to gender equality and women's rights, some progress has been made on combating honour killings and domestic violence. However, these issues remain a serious problem, and efforts need to be stepped up.

Turkey has also made limited progress in the area of cultural rights. As regards minority rights and cultural rights, Turkey has made limited progress on ensuring respect for and protection of minorities in accordance with European standards. Children whose mother tongue is not Turkish cannot learn it in the Turkish public schooling system. According to the Law on political parties, the use of languages other than Turkish remains illegal in political life. In this context, a large number of investigations and court cases have been launched against officials and executives of the Democratic Society Party (DTP).

Praise in Foreign Policy

Turkey has enhanced its positive role of regional stabilisation, in particular as regards the Caucasus and the Middle East. Turkey supports the EU's efforts to ensure stability in Iraq and has maintained close diplomatic relations with this country. Turkey intensified diplomatic exchanges with Iraqi authorities and, for the first time, engaged in official contacts with the Kurdish regional government. As for relations with the Southern Caucasus, Turkey maintains close relations with Azerbaijan and Georgia. While Turkey kept its land border with Armenia closed, Turkey's President paid the first ever Turkish presidential visit to Erevan, raising hopes for a new start in bilateral relations. Turkey has underlined the importance of Georgian territorial integrity and sovereignty. At the same time, Turkey kept communication channels with Russia open. Turkey played a conciliatory role and proposed to set up a "Caucasus Co-operation and Stability Platform."

Praise to Turkey's Resistance to Global Crisis

Although economic growth has slowed, due to a combination of weaker aggregate demand and higher uncertainty linked to the global financial crisis and domestic political developments, overall economic performance demonstrated that the foundations and resilience of the Turkish economy are substantially stronger today than some years ago. Macroeconomic stability has been broadly preserved during the reporting period. Financial market turbulence and domestic political developments added some uncertainty to the business environment, but at the same time underlined the economy's improved shock resilience so far.

News

Ireland Looking for a Way Out

Ireland is still looking for a way out, following the rejection of the Lisbon Treaty during the referendum held in June. During the EU Summit on October 15th Brian Cowen, Irish Prime Minister, had asked the leaders of the Member States to give time to Ireland until December. Cowen said, despite the four months since the referendum, the political debate still continues in the country and he hoped for new possibilities for Ireland to solve the issue by the summit in December. The pressure is increasing on Ireland to find a solution to the problem before the elections for the European Parliament, which is to be held next year in June. Notably, the EU is hoping the Lisbon Treaty will be enforced before the Parliamentary elections. Nicolas Sarkozy, the President of France, currently holding the EU Presidency, promised to visit Ireland in the coming weeks to support the Irish Prime Minister.

Czech Presidency Defines its Priorities

Czech Republic, the coming holder of the EU Presidency, has started to set its priorities. The Western Balkans, Russia and the Eastern Partnership are among the first priorities of the next EU presidency. Tomas Pojar, Czech Foreign Minister, said it is not possible to have a projection on EU-Russia relations in the coming months. Stating that relations with the EU and former Soviet countries are among the priorities, the Czech Minister said an unexpected crisis may come up and we need to be ready for the worst case scenario.

Meanwhile the process of Western Balkans' integration to the EU will continue. Moreover, visa procedures applied for those countries may be abandoned. Unlike France, Czech Republic does not make a correlation between the Lisbon Treaty's entering into force and the EU enlargement process. Meanwhile, Nicholas Sarkozy, President of France, the current holder of EU presidency previously mentioned that the enlargement couldn't continue if the Lisbon Treaty does not enter into force. Czech Foreign Minister also stated that the process of Turkish Accession to the EU depends on ongoing peace negotiations in Cyprus.

EU Membership for Iceland?

Following the global economic crisis, the EU opens the door for Iceland, which is considering becoming a member. Olli Rehn, the Enlargement Commissioner, stressed that accession negotiations with Iceland may be completed quickly if the country applies for EU membership. Rehn added that Iceland is a democratic European country and a member of the European Economic Area. However, the Commissioner also stressed that Iceland's integration to the EU may create some problems in terms of Common Fisheries Policy. According to a public opinion poll conducted by Frettabladid, one of the major newspapers in the country, 70% of Icelanders are in favour of a referendum before accession to the EU. The poll also showed that 49% of people in Iceland are in favour of EU membership and 27% are against it.

EU's R&D Investment Growth is more than the US

According to the Industrial R&D Investment Scoreboard, published annually by the European Commission, EU companies' R&D investments increased 8.8% compared to an 8.6% increase in US firms' investments. EU companies are among the first three in the World top ten list of firms investing in R&D. Nokia is 3rd with 5.3 billion Euros invested in R&D, followed by Volkswagen at number nine and Daimler at number 10. The biggest R&D investor in the World is Microsoft, with 5.6 billion Euros.

Liberalization in the EU Energy Sector

Meeting on the 10th of October 2008, the Energy Council of the EU agreed on the 3rd law package liberalizing the EU's gas and electric internal market. The agreement is now in the hands of the European Parliament waiting for approval. European Commission President Jose Manuel Barroso and Energy Commissioner Andris Piebalgs have stated their content with the agreement which was presented to the Energy Council in 2007 as the EU Gas and Electric legal package. The agreement aims to give European citizens fair prices and a more transparent competitive energy market benefiting small and large businesses with new job opportunities. The European energy ministers also reached agreement on the fair competition and third country (Gazprom) issues which were previously left unsolved. All of the parties involved agreed upon the fair competition clause being added to the document. Concerning the third country clause, if a third country is to invest in a Member State's Transmission System Operator (TSO) by way of investment or takeover, the national regulator will have a say in the System Operator's certificate acquisition. In this framework, the national regulator will analyze the investment made by the third country and see if it threatens energy security of the country and then will make a final decision on the third country takeover with the opinion of the Commission taken into consideration.

Green Light for Environmentally Friendly Automobiles

The European Parliament has supported the European Commission's proposal to encourage environmentally friendly and energy saving automobiles through the public procurement. The agreement was made on the document which was approved by the EU member states. The preliminary directive sees energy usage, CO₂ emissions, and other emissions which cause pollution by motorized land vehicles to be put through specific criteria in the public procurement process. The preliminary draft is expected to become law soon.

ECHA Chemical List Formed

Agreement has been reached on the first group of "very high concern" chemicals, to get special attention under the REACH regulation.

Executive Director Dancet stressed that these are "only the first substances of very high concern identified through the formal process" with new proposals being prepared and the candidate list being updated. The 15 chemicals are characterized as carcinogenic, very persistent, bioaccumulative and toxic as well as toxic for reproduction. After the publication in the official journal, companies will be obliged to inform their consumers within 45 days if such chemicals are present in their products sold in the EU market.

With the current system, the chemicals on the candidate list will be put on a priority list and scrutinized before they are authorized. The priority list will be drafted and based on the candidate list to be officially published in the autumn of 2009. Greenpeace and WWF have voiced their opinions and criticized the fact that the list of harmful chemicals needs to be much longer.

Temporary Workers in EU to Receive Equal Treatment

The three million plus temporary workers residing in the EU will receive the same treatment as permanent workers. The European Parliament approved via a vote made last month on the Council's common position on the subject last September. This brings an end to the social struggle which has been going on for six years. The temporary workers will now receive equal treatment on wage, vacation and working times. The new arrangement also puts an end to the differing policies within Europe. For example, while the temporary workers in Germany, the

Netherlands, and Spain are regulated by legislation, Ireland and England are much more flexible on this issue. The member state governments have three years to impose the new agreements into their national law.

EU Determines its Position on Climate Change for the Poznan Conference

Taking place on the 20th of October 2008, the EU Environment Ministers agreed upon the EU position for the upcoming UN Climate Change Conference to be held in Poznan. Although there was indefiniteness on the subject, the EU ministers managed to find common ground on the conference which deals with the Kyoto Protocol (to end in 2012) and the Copenhagen Conference, which is to follow and possibly set the ground for a new protocol. While Environment Commissioner Dimas mentioned that there is still time for the start of the conference, he declared that the EU is ready to respect its commitments and should make this clear to third countries. While President Bush will be attending the conference, the EU ministers believe that the new American administration will provide more clarity on the US stance.

EU: Turkish Economy to Rise again in 2010

In its evaluation of the 2008-2010 economic period, the European Commission stated that the Turkish economy had a slowing down period due to the opening of the legal case against the AK Party and this slowdown will not be overcome until 2010. The Commission, in its two page analysis of Turkey, criticized the country for economics and politics being too intertwined. The report analyses economic developments in the EU Member States and accession countries for the upcoming two years. The criticism by the Commission held true especially in the timeframe of the legal case which underlined the fact that the court case caused more political instability in Turkey and once the global crisis had been added to the equation, a slowdown of the economy in 2009 seems to be inevitable. With outside demand slowing down and credit opportunities diminishing, the Turkish economy is expected to have difficult days in the upcoming year with the level of employment estimated to decrease by 1%. The story is different for 2010 with the economy estimated to pick up once again with growth rising to 4% and inflation dropping. The Commission did not refrain from warning Turkey of the global crisis, stating that if the financial crisis deepens and gets worse than expected, the Turkish economy will have to straighten itself out.

Agenda

6 November

- EU-Western Balkans 6th Balkan Forum, Zagreb
- COREPER II

7 November

- The Summit of EU Heads of Government and State
- COREPER I
- EU Security and Defence Committee

9 November

- EU-Mediterranean Work and Employment Ministers Conference

10 November

- EU-Jordan 7th Partnership Council
- General Affairs Council
- EU Security and Defence Committee

11 November

- AB-OSCE Ministers Meeting, Brussels
- EU Political and Security Committee
- COREPER I

12 November

- COREPER I
- COREPER II

13 November

- The Council of European Economic Area, Brussels

14 November

- AB-Russia Summit, Nice
- Meeting of EU Ministers Responsible for Gender Equality, Lille
- COREPER I
- EU Security and Defence Committee

16 November

- Europe-Mediterranean Health Ministers Conference

17 November

- Plenary in the European Parliament, Strasbourg (17-20 November)

18 November

- EU Security and Defence Committee

19 November

- EU Agriculture and Fisheries Council, Brussels
- COREPER I
- COREPER II

20 November

- EU Education, Youth and Culture Council, Brussels
- Interparliamentary Council Meeting for Energy and Sustainable Development, Strasbourg

21 November

- EU Economy Council (budget), Brussels
- EU Security and Defence Committee

22 November

- EU-ACP Joint Parliamentary Assembly, New Guinea

25 November

- Europe-Africa Ministers Meeting on Immigration and Development, Paris
- Informal Meeting of EU Ministers Responsible for Education and Professional Formation
- COREPER II
- EU Security and Defence Committee

26 November

- COREPER I
- COREPER II

27 November

- EU Justice and Internal Affairs Council, Brussels
- EU Transportation, Telecom and Energy Council, Brussels

28 November

- Annual Energy Charter Conference, Athens
- COREPER I
- AB Security and Defence Committee

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