



**TURKEY EU RELATIONS IN THE POST HELSINKI PHASE
AND THE EU HARMONISATION LAWS ADOPTED BY THE
TURKISH GRAND NATIONAL ASSEMBLY IN AUGUST 2002**

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SEI Working Paper No 55

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First published in October 2002
by the **Sussex European Institute**
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TURKEY EU RELATIONS IN THE POST HELSINKI PHASE AND THE EU HARMONISATION LAWS ADOPTED BY THE TURKISH GRAND NATIONAL ASSEMBLY IN AUGUST , 2002

The recognition of Turkey as a candidate for accession at the Helsinki European Council in December 1999 ushered a new era in the relations between Turkey and the EU. For both parties, Helsinki marks a qualitatively new beginning and a process of strategic mutual transformation.

After the approval of the Accession Partnership by the Council and the adoption of the *Framework Regulation*, the Turkish Government announced its own *National Program for the Adoption of the EU acquis*¹ on March 19th, 2001. Progress towards accession continues along the path set by the National Program. The most pressing aim here is the opening of accession negotiations, which depends on the fulfilment of the Copenhagen political criteria. Attaining the membership goal obviously requires Turkey's effective and constant efforts. The timing of our membership will largely depend on the success of these efforts.

Within the last year, Turkey took a number of important steps towards this end. The most important among these is the major review of the Constitution. *Thirty-four Articles of the Turkish Constitution* have been amended and many of these amendments (22) actually coincide with the provisions of Turkish National Program. The package of constitutional amendments covers a wide range of issues, such as improving human rights, strengthening the rule of law and restructuring of democratic institutions. These form only a part of the deep political reform process that Turkey has initiated. They are being followed by complementary legislative and administrative measures to ensure their implementation.

Turkey has lately made some real progress deserving attention and the legislative package of harmonization adopted by the Turkish Grand National Assembly (TGNA) on 3 August 2002. This package which goes beyond alignment of Turkish legislation in line with the Constitutional amendments and the new Turkish Civil Code, is a turning point of historic importance embodying the Copenhagen political criteria in Turkey's accession process to the EU which will be analysed in this article.

The package ends years of state restrictions in key areas. For example, the death penalty, which will remain effect in times of war or during the threat of war, will be replaced with life imprisonment with no possibility of parole.

The reforms grant Kurds the right to broadcast and teach the Kurdish language. Another major change allows television and radio broadcasts in Kurdish on the condition they follow constitutional principles and do not incite violence. The rights reforms include ending punishments for criticism of the armed forces and other pillars of the Turkish establishment and outlawing organ and people smuggling.

¹ The Turkish and English versions are available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

The package also lifts certain restrictions on people's right to associate and form civic organizations, and imposes stricter penalties for human trafficking. It allows non-Muslim minority communities such as Greeks, Armenians and Jews greater rights over religious property such as churches.

The reforms also tighten regulations governing the police, who are frequently accused of human rights abuse and also introduced tough penalties for people and organ smugglers.

ACCESSION PARTNERSHIP, THE NATIONAL PROGRAM AND RECENT PROGRESS TOWARDS ACCESSION

As foreseen in the *Helsinki European Council conclusions*², the EU Commission started to prepare an Accession Partnership for Turkey, which was declared on March 8th, 2001. On the other hand, the framework regulation designed to furnish the legal basis for the *Accession Partnership*³ was adopted by the General Affairs Council on February 26th, 2001. The regulation aims at combining all EU financial assistance under a single program. The Accession Partnership was formally approved by the Council on February 26th, 2001. With the adoption of these two documents, an important legal procedure concerning Turkey's accession strategy was finalized.

After the approval of the Accession Partnership by the Council and the adoption of the *Framework Regulation*⁴, the Turkish Government announced its own *National Program for the Adoption of the EU acquis* on March 19th, 2001. The National Program was submitted to the EU Commission on March 26th, 2001. The National Program has been produced with a careful appreciation of the short and medium term priorities as spelled out in the Accession Partnership.

Following these important developments, the 40th Turkey-EU Association Council meeting was held in Luxembourg on June 26th, 2001. In this second Association Council meeting after Helsinki, progress achieved within the framework of Turkey's pre-accession strategy was evaluated and a number of decisions were taken, concerning Turkey's participation in *Community programs*⁵, providing Turkey with full access to TAIEX offices and the establishment of joint consultation mechanisms that will convene regularly in order to discuss trade matters related to the Customs Union.

Progress towards accession continues along the path set by the National Program. The most pressing aim here is the opening of accession negotiations, which depends on the fulfilment of the Copenhagen political criteria. Within the last year, Turkey took a number of important steps towards this end. The most important among these is the major review of the Constitution. *Thirty-four Articles of the Turkish Constitution*⁶

² http://europa.eu.int/council/off/conclu/dec99/dec99_en.htm

³ Accession Partnership Document: 2000 adopted by the General Affairs Council of the European Union in December 2000. The document can be accessed at <http://www.deltur.cec.eu.int>.

⁴ Framework Regulation is available at the website of Turkish Ministry of Foreign Affairs at <http://www.mfa.gov.tr/grupa/ad/adc/framework.regulation.htm>

⁵ Community programs are available at the website of Turkish Ministry of Foreign Affairs at <http://www.mfa.gov.tr/grupa/ad/adc/partipation.prog.htm>

⁶ The whole schedule and work to be done in respect to adopting the acquis is outlined in a massive worksheet known as Follow-Up Instrument on the Turkish National Program for the Adoption of the

have been amended and many of these amendments (22) actually coincide with the provisions of our National Program. The package of constitutional amendments covers a wide range of issues, such as improving human rights, strengthening the rule of law and restructuring of democratic institutions. These form only a part of the deep political reform process that Turkey has initiated. They are being followed by complementary legislative and administrative measures to ensure their implementation.

On the economic front, in line with the National Program and in response to the serious economic crisis that Turkey has been going through, numerous reform measures have been adopted. Therefore, considerable progress has been made in meeting the priorities envisaged in our National Program. Work on the harmonization of Turkish legislation with the *acquis* also continues unabated.

During the whole year, the EU on its side, worked to finalize its internal procedures on Turkey's participation to the Community programs and the adoption of the single framework for financial assistance to Turkey. The related decisions were finally adopted by the Council on 17 December 2001. With the single framework, from now on PHARE procedures will be applied in EU-Turkey financial cooperation. As far as Community programs is concerned, Turkey is able to participate in them as of 2002, with the completion of the *Framework Agreement*.

LAEKEN EUROPEAN COUNCIL

The *Laeken European Council*⁷ of 14-15 December 2001 had important implications for EU-Turkey relations in general and the accession process in particular. Foremost among these is the possibility of opening accession negotiations with Turkey, which for the first time has been explicitly mentioned at the highest levels. Turkey's recent concrete steps as regards European Security and Defense Policy, together with the recent developments in Cyprus also had a positive impact on this conclusion. Another important decision taken at Laeken is that Turkey will be taking part in the Convention on the future of Europe on an equal basis with the other candidates. This can be considered as a progressive step, in the sense that the EU considers Turkey to be part of a common future. Thus, a clear membership perspective along the lines of the other candidates has been given to Turkey.

CONVENTION ON THE FUTURE OF EUROPE

Having established the institutional framework necessary for an enlarged EU, the *Nice European Council* of December 2000 also called for a deeper and wider debate about the future development of the EU. To this end, a declaration on the "Future of the Union" was annexed to the Nice Treaty and the debate was formally launched in 2001. In 2004, an Intergovernmental Conference will be convened to finalize the debate.

Acquis (NPAA) (Secretariat General for EU Affairs, Ankara) This document is available on the website of the Secretariat at <http://www.abgs.gov.tr/>.

⁷ http://europa.eu.int/comm/laeken_council/index_en.htm

In order to structuralize this debate and prepare the groundwork for the forthcoming IGC, a “Convention”⁸ was set up at the Ghent Informal European Council meeting of 19 October 2001 and its rules of procedure were agreed upon. The Convention will consist of government representatives, members of national parliaments, members of the European Parliament, Commissioners and NGOs. Candidate countries will also be represented in the Convention on an equal footing with member states. In its preparatory work, the Convention will mainly focus on four themes: the status of the Fundamental Rights Charter, the role of national parliaments within the European architecture, sharing of responsibilities between the Union and member countries, the simplification of EU’s founding Treaties.

The status of the Convention was stipulated by a specific declaration adopted at the Laeken European Council. According to this declaration, the Convention hold its first meeting in 1 March 2002 and at the end of its preparatory work, submitted a report to the Council as a recommendation. Candidate countries took part in the Convention on equal basis as the member states; nevertheless they did not have the right to prevent a consensus.

In accordance with the Laeken European Council Conclusions, Turkey participated in the Convention on an equal status with the other candidate countries and joined the Convention’s work with two parliamentarians and a government representative.

SCREENING PROCESS

At the Association Council meeting of April 11th, 2000, 8 *sub-committees*⁹ were set up with the task of monitoring the process of analytical examination of the *acquis*. The sub-committees completed their second round meetings within July 2001.

Substantial progress has been made during these meetings. The *acquis* has become more tangible and meaningful for the Turkish bureaucracy. Yet in this process, the need for a more detailed evaluation of the *acquis* became apparent. Therefore, Turkey suggested initiating a formal screening exercise. The request was especially pronounced during meetings with the Commission officials, before the announcement of 2001 Progress Report.

The fact that the *Progress Report for 2001*¹⁰ did not propose the initiation of a screening process for Turkey was its most negative aspect. Initiating the screening process with Turkey would have been important in two aspects. Firstly, it would indeed provide a further technical capacity of developing the integration process. Secondly, beginning the screening process would give added impetus to the implementation of the reform measures undertaken by the government in the political and economic spheres.

⁸ <http://european-convention.eu.int/default.asp?lang=EN>

⁹ Information about 8 *sub-committees* is available at the website of Turkish Ministry of Foreign Affairs at <http://www.mfa.gov.tr/grupa/ad/adc/sub.com.analytical.htm>

¹⁰ *Progress Report for 2001* is available at the website of Turkish Ministry of Foreign Affairs at <http://www.mfa.gov.tr/grupa/ad/adc/2001.Regular.Report.pdf>

It is an unfortunate development that a number of EU Member States have made the initiation of the screening process a political issue and identified it with accession negotiations. The fact that there is a linkage between screening and membership negotiations is not challenged. However, there are no conditions to start a screening process, while to begin accession negotiations, political criteria must be fulfilled. Moreover, as the experiences of other candidate countries reveal, there are no uniform procedures for the initiation of the screening process. As the Helsinki European Council Conclusions pointed out, there should be no discrimination between the candidate countries and future steps for Turkey should also be similar to those of the other candidates.

Nevertheless, in the 2001 Progress Report, the Commission recommended starting a new phase in the pre-accession strategy by involving a detailed scrutiny of Turkey's legislation and its timetable for alignment with the *acquis*. While unsatisfactory in responding to her requests, Turkey will assess the Commission's proposal positively. The sub-committees will continue to monitor the progress.

2001 REGULAR REPORT AND STRATEGY PAPER

In 2001 European Commission prepared its fourth annual Progress Report for candidate countries. As all other reports, 2001 Progress Report for Turkey was announced on 13 November 2001. On the same day, the Commission also declared its *Strategy Paper*¹¹, introducing proposals on methods to be applied in the future, within the framework of the enlargement process.

Progress Reports evaluate the candidate states' progress towards membership only for that specific year. Compared to previous ones, there is a notable difference in 2001 Report for Turkey. It was drawn up in a more careful manner in view of the momentum created by the recent constitutional amendments. Those matters that were found wanting were also enumerated in the same way.

It is evident that some of the weaknesses pointed out in the Report concerning fundamental rights and freedoms will disappear as our National Programme comes to life with all its aspects. In fact, this assumption finds its place in the Report, which states that as the constitutional changes are reflected into the secondary legislation, these weaknesses will gradually disappear.

On the other hand, the steps taken in Turkey concerning improvements in the economic, social and cultural rights areas, training carried out in the human rights field and the modernization in the prison system were found to be positive by the EU Commission. This assessment is constructive and an encouragement for Turkey's ongoing reform process carried out in these fields. Turkey has lately made some real progress deserving attention and it is believed that individual cases ought not shadow these developments.

Turkey has lately made some real progress deserving attention and the legislative package of harmonization adopted by the Turkish Grand National Assembly (TGNA)

¹¹ Strategy Paper is available at the website of Turkish Ministry of Foreign Affairs at <http://www.mfa.gov.tr/grupa/ad/adc/EU.Commissions.Strategy.Paper.2001.pdf>

on 3 August 2002 is a clear reflection by the TGNA of the will of Turkish nation regarding EU membership. This package which goes beyond alignment of Turkish legislation in line with the Constitutional amendments and the new Turkish Civil Code, is a turning point of historic importance embodying the Copenhagen political criteria in Turkey's accession process to the EU.

AN ANALYSIS OF THE EU HARMONISATION LAWS ADOPTED BY THE TGNA ON AUGUST 3, 2002

1. Lifting of the death penalty¹²

The amendment abolishes the death penalty in the Turkish legal system except in times of war and imminent threat of war, in line with the Protocol No. 6¹³ to the European Convention on the Protection of Human Rights and Fundamental Freedoms.

Therefore, the changes completely meet the expectation in the Accession Partnership. In addition to that death penalty has not been practised in Turkey since 1984 but the Nationalists argued that this could save Ocalan, the PKK chieftain who was captured in 1999 so the abolishment of death penalty had been a very sensitive issue in Turkey.

2. Turkish Penal Code, Article 159

The amendment to this article aligns the limits of freedom of expression and thought to the norms of the European Convention and clarifies the article for the law enforcers.

Therefore, the expectation in the Accession Partnership that “legal and constitutional guarantees on freedom of expression be reinforced and the situation of those convicted for expression of non-violent views be given consideration in line with Article 10 of the European Convention on the Protection of Human Rights and Fundamental Freedoms”¹⁴ has been met. Thus, changes in line with the proviso in the Turkey's NPAA that “freedom of expression will be further developed” are also realized.

3. Turkish Penal Code, Article 201/a, 201/b

With the amendment, new definitions and measures are introduced to remedy the lack of a special provision in the Turkish Penal Code against trafficking of migrants which has recently come to prominence in both Europe's and Turkey's agenda, and especially forced labor or conditions akin to slavery, of foreigners arriving from other countries due to economic reasons. Thus, alignment with the provisions of the UN Palermo Convention against Transnational Organized Crime¹⁵ is achieved.

¹² An Analysis of the EU Harmonisation Laws adopted by the TGNA on August 3, 2002 is prepared by the Secretariat General for EU Affairs, Ankara. This document is available on the website of the Secretariat at <http://www.euturkey.org.tr/abportal/uploads/files/An%20Analysis>

¹³ <http://conventions.coe.int/treaty/en/Treaties/Html/114.htm>

¹⁴ <http://www.hri.org/docs/ECHR50.html>

¹⁵ UN Palermo Convention against Transnational Organized Crime

4. Amendments to the Law on Associations¹⁶

With the amendments to the Articles 11 and 12 of the Law on Associations, provisions facilitating the activities undertaken abroad by associations established in Turkey and the activities in Turkey of association founded abroad are introduced. With the change in Article 15 of the Law on Associations, the associations register and related procedures are combined within the Ministry of Interior. Article 39 of the Law on Associations is repealed to remove the restriction on civil servants founding associations. Furthermore, with the repeal of the Article 56 of the Law on Associations, the restrictions on persons categorized as students regarding associations are lifted.

With the amendment of the Article 40, civil society organizations are permitted to make preparatory work against earthquakes and similar natural disasters. With the amendments to Articles 45 and 47, the procedure of the “on-site inspection” procedures for the inspection of associations is replaced with the “written declaration” procedures and the submission of the declaration to the highest-ranking gubernatorial authority of the locale and the amendments to Article 62 facilitate the running of associations.

The amendments to Articles 46 and 73, matters regarding associations have been transferred from the purview of the Directorate General for Public Security to the Department of Associations established within the Ministry of Interior.

Important regulations on Associations were introduced previously by the new Turkish Civil Code and the second harmonization laws package. With this new amendment the scope of the freedom to found associations has been expanded and progress has been achieved in facilitating the activities of associations.

5. Amendments of Law on Meetings and Demonstration Marches¹⁷

The amendment to Article 3 of the Law on Meetings and Demonstration Marches maintains the existing prior permission procedure for foreigners participating in meetings, demonstration marches and activities in Turkey. However, a “notification” procedure is adopted for foreigners addressing meetings and crowds taking part in demonstration marches or to carry posters, placards, pictures, flags, inscriptions and equipment.

Furthermore with the change in Article 10, expanding freedoms of meetings and demonstration marches, the time-limit for advance “notification” for the organization of a meeting by Turkish citizens is reduced from 72 hours to 48 hours.

¹⁶ An Analysis of the EU Harmonisation Laws adopted by the TGNA on August 3, 2002 is prepared by the Secretariat General for EU Affairs, Ankara. This document is available on the website of the Secretariat at <http://www.euturkey.org.tr/abportal/uploads/files/An%20Analysis>

¹⁷ An Analysis of the EU Harmonisation Laws adopted by the TGNA on August 3, 2002 is prepared by the Secretariat General for EU Affairs, Ankara. This document is available on the website of the Secretariat at <http://www.euturkey.org.tr/abportal/uploads/files/An%20Analysis>

Therefore, the expectation in the Accession Partnership that “Legal and constitutional guarantees on the right to association and peaceful assembly be reinforced and the strengthening of the civil society be encouraged” has been met. Thus, the changes in line with the proviso of the Turkey’s NPAA on the “Review the legislation on the freedom of association and holding meetings and demonstration marches ”¹⁸ have been realized.

6. Law on Foundations, Article 1

With the amendment, a solution has been provided to the problem of the real property of the community foundations belonging to the minorities in Turkey. Thus, the alignment with the “prohibition on discrimination” of the Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms¹⁹ and with the “right to property” ensured by Article 1 of the Protocol No. 1 of the Convention²⁰.

Therefore, the expectation in the Accession Partnership that “Guarantee full enjoyment by all individuals without any discrimination and irrespective of their language, race, colour, sex, political opinion, philosophical belief or religion of all human rights and fundamental freedoms. Further develop conditions for the enjoyment of freedom of thought, conscience and religion”. Thus, amendments in line with the proviso in the Turkey’s NPAA that “take further practical measures, within the framework of the legislation on the protection of the public order, to facilitate religious practice for non-Muslim foreign nationals residing in Turkey and practices in other areas pertaining to these persons” has been realised.

7. Decree number 227 dated 8.6.1984 on the Organization and Duties of the Directorate General of Foundations, Supplementary Article 3

With the amendment activities of foundations, established abroad that wish to establish branches or already have established branches in Turkey, are regulated. This provides the legal basis needed for the activities in Turkey of foreign foundations.

8. Code of Civil Procedure, Articles 445 and 448 and Code of Penal Procedure, Articles 327 and 335²¹

Amendments to these articles introduce provisions that make retrial possible for civil and criminal law cases, in light of the decisions of the European Court of Human Rights. Thus, European Court of Human Rights’ jurisprudence may be directly applicable to our legal system and the means of redress of human rights of human violations will be reinforced.

¹⁸ The Turkish and English versions are available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

¹⁹ <http://www.hri.org/docs/ECHR50.html>

²⁰ <http://conventions.coe.int/Treaty/en/Treaties/Html/151.htm>

²¹ An Analysis of the EU Harmonisation Laws adopted by the TGNA on August 3, 2002 is prepared by the Secretariat General for EU Affairs, Ankara. This document is available on the website of the Secretariat at <http://www.euturkey.org.tr/abportal/uploads/files/An%20Analysis>

In this framework, the criteria in the Accession partnership to “strengthen opportunities to redress the consequences of human rights violations” has been fulfilled.

9. Act on the Establishment of Radio and Television Enterprises and Their Broadcasts, Articles 4/I, 4/f, 4/v, 26

With the amendment of Article 4/I of the Law, legal restrictions on broadcasting in the different languages and dialects traditionally used by Turkish citizens in their daily lives are lifted and the freedom to broadcast is ensured. The framework for such broadcasts will be determined through a regulation to be issued by the Supreme Council of Radio and Television.

With the amendment of 4/f and 4/v, the much-criticized broadcasting principle of “the private lives of individuals are not to become subjects of broadcasts with the exception of cases where this is necessary for the public good” and the abstract expression of “pessimism and desperation and encouragement of chaos and violent tendencies” are removed from the article to expand privacy of private life and freedom of expression.²²

With the change in Article 26, the matter of re-transmission has been clarified and alignment with the European Convention on Transfrontier Television is ensured.

In this framework the criteria “Strengthen legal and constitutional guarantees for the right to freedom of expression in line with article 10 of the European Convention of Human Rights” in the Accession Partnership has been fulfilled.

These amendments are also in line with the Turkey’s NPAA commitment of the “review the Act on the Establishment of Radio and Television Enterprises and Their Broadcasts” within the context of freedom of thought and expression.

10. Amendments to the Press Act

The scope of freedom of the press is expanded by the amendments removing the current prison sentences for offences related to the press. Furthermore, Article 31 and the Supplementary Article 3 have been removed from force to expand the scope of the freedom of thought and the press and to ensure alignment with international conventions in which Turkey participates.

In this framework, the criteria “Strengthen legal and constitutional guarantees for the right to freedom of expression in line with article 10 of the European Convention of Human Rights”²³ in the Accession Partnership has been fulfilled. These amendments are also in line with the commitment in Turkey’s NPAA to “review the Act on Press, in relation to the scope of the offences and penalties.”²⁴

²² Official Gazette, 08 August 2002 is available at the website of Turkish Prime Ministry at <http://van.basbakanlik.gov.tr/>

²³ <http://www.hri.org/docs/ECHR50.html>

²⁴ The Turkish and English versions of NPAA are available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

11. Amendments to the Law on Duties and Competences of the Police

The amendments introduce provisions for alignment with the most recent amendments to the Constitution on the individual freedom and security, the privacy of the private life, the inviolability of the domicile and gender equality. The amendments also provide, in parallel to technological and social developments, the reduction of the minimum employment age in certain places to 18 from a previous 21 and redefines audio-visual works.

These amendments are in line with Turkey's commitment in the Turkey's NPAA to "review the Act on the Duties and Competences of the Police."²⁵

12. Amendments to the Law on Foreign Language Education and Teaching

The amendments remove the legal restrictions on the learning of different languages and dialects traditionally used by Turkish citizens in their daily lives and provide that the Ministry of National Education will regulate the learning of these languages and dialects in private courses through a regulation to be issued.

In line with the expectation in the Accession Partnership²⁶, the legal restrictions are lifted and changes in line with the European Union norms are achieved.

13. Law on Free Zones, Provisional Article 1

The amendment repeals the provision on the 10-year-ban on strikes, lockouts and mediation in the free zones.

These amendments are in line with Turkey's commitment in the Turkey's NPAA to "review any restrictions there may be on rights of labour unions."²⁷

These legislative amendments enacted by the TGNA are the law of the land. Implementation, however, may entail the adoption of some additional regulatory instruments as in all countries where the rule of law prevails.

²⁵ The Turkish and English versions of NPAA are available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

²⁶ http://europa.eu.int/council/off/conclu/dec99/dec99_en.htm

²⁷ The Turkish and English versions of NPAA are available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

CONCLUSIONS

The legislative package of harmonization adopted by the Turkish Grand National Assembly (TGNA) on 3 August 2002 should be regarded as a turning point of historic importance embodying the Copenhagen political criteria in Turkey's accession process to the EU.

The package ends years of state restrictions in key areas. For example, the death penalty, which will remain effect in times of war or during the threat of war, will be replaced with life imprisonment with no possibility of parole.

The reforms grant Kurds the right to broadcast and teach the Kurdish language. Another major change allows television and radio broadcasts in Kurdish on the condition they follow constitutional principles and do not incite violence. The rights reforms include ending punishments for criticism of the armed forces and other pillars of the Turkish establishment and outlawing organ and people smuggling.

The package also lifts certain restrictions on people's right to associate and form civic organizations, and imposes stricter penalties for human trafficking. It allows non-Muslim minority communities such as Greeks, Armenians and Jews greater rights over religious property such as churches.

The reforms also tighten regulations governing the police, who are frequently accused of human rights abuse and also introduced tough penalties for people and organ smugglers.

The European Commission welcomed the adoption of the third EU Reform Package by the Turkish Parliament as an important signal of the determination of the majority of Turkey's political leaders towards further alignment to the values and standards of the European Union.²⁸

The Turkish Parliament adopted these important decisions in record time and with an overwhelming majority. The Commission welcomes in particular the abolition of the death penalty, the allowance of broadcasting in different languages and dialects used traditionally by Turkish citizens in their daily lives and the improved education possibilities for minority languages. These reforms are significant steps towards better protection of human rights and the rights of minorities in Turkey.

The Commission stresses that the overall reform package needs to be carefully analysed in order to fully assess its impact. That will be done in the Regular Report to be presented in autumn 2002. Moreover, much will depend on its practical implementation that will be closely monitored in the months to come.

Commissioner Günter Verheugen, responsible for EU Enlargement, said: "I welcome the courageous decision of the Turkish Parliament. This decision would not have been possible without a clear European perspective that the EU has developed for Turkey

²⁸ Turkish Ministry of Foreign Affairs Press Release is available at the website of Secretariat General for European Affairs at <http://www.abgs.gov.tr/>.

since the European Council of Helsinki in 1999. The Turkish decision also shows that the EU is right in being firm as regards human rights and the protection of minorities. Our position starts paying off. Not to give in on these issues makes our partners better understand why we so strongly defend our values and that they are precious for us. As regards the abolition of death penalty, no doubt, Turkey is now on our side." ²⁹

In the run up to the Copenhagen Summit, Turkey naturally expects all parties, particularly the European institutions, which appreciate that the reforms undertaken so far signify a fundamental overhaul and wish to contribute to the adoption of universal implementation at their highest level in Turkey, to take a stance supporting concretely Turkey's membership to the European Union.

Turkey has taken those steps required to fulfil the political criteria in a democratic environment. Now, the EU side is expected to give a date to Turkey in Copenhagen for the start of accession negotiations. Measures such as the elimination of problems encountered in the implementation of the Customs Union and increasing the amount of financial assistance extended to Turkey should also be rapidly realized so as to reinforce Turkey's accession process. These measures, however, will not be meaningful on their own unless a date for the opening of accession negotiations is set.

The stability and security as well as strategic, political, economic and social interests of Turkey and those of the European Union are complementary. At the Helsinki Summit both Turkey and the European Union reaffirmed that their partnership is destined towards Turkey's full membership to the EU. The pre-accession strategy developed for Turkey aims at the achievement of this objective. At the present stage, it is of utmost importance to consolidate Turkish-EU relations with a concrete step towards this common goal on the basis of mutual interest.

It is essential that the EU side commits itself publicly as well, in line with the common pledge, that Turkey's process of accession to the EU as a member has reached a point of no return by giving Turkey a date in Copenhagen for the opening of accession negotiations.

²⁹ Commissioner Günter Verheugen's speech after the adoption of the new Turkish amendments about political criteria is published in Turkish Daily News and is available at http://www.turkishdailynews.com/old_editions/08_03_02/dom.htm#d1

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