



**REPUBLIC OF TURKEY  
MINISTRY FOR EU AFFAIRS**

**PRESS STATEMENT BY MINISTER FOR EU AFFAIRS AND  
CHIEF NEGOTIATOR ÖMER ÇELİK ON 2016 TURKEY REPORT  
(9 NOVEMBER 2016)**

Distinguished Members of the Press,

- The European Commission has announced the 2016 Turkey Report today. This is the 19<sup>th</sup> of the progress reports prepared for Turkey since 1998.
- Country reports are the working documents which address the progress made in a year by a negotiating, candidate or potential candidate country regarding alignment with the Copenhagen Criteria. Therefore these documents are critical by nature.
- If the Commission was to publish a similar report for any member state, it would also involve a number of criticisms. Moreover, it is being questioned today how closely the developments in most EU member states are aligned with the Copenhagen Criteria.
- We are open to any kind of criticism and would like to benefit from any objective assessment in the Commission's country reports.
- Before the publication of the report, we put in serious efforts in the Commission to ensure that it would be written in an objective language and not to be used for political aims.
- Unfortunately I have to state here that despite all these efforts, this year's report, in particular the political criteria and Chapter 23 on Judiciary and Fundamental Rights, is far from objectivity and does not reflect the facts.
- It is obvious that Turkey has encountered unprecedented threats over the last one year period covered by the report.
- The resistance we have put up as a nation during 15 July 2016 coup attempt to embrace democracy and freedoms has been an unprecedented inspiration for both the Turkish democracy and the world's democratic history.
- We have considered this resistance and struggle of our people who have internalized the rule of law, the respect for human rights and democracy, the

values on which the EU is founded, as a new gain in terms of the said common values we share with the EU.

- Consequently, we would have expected that this year's report would be a road map reinforcing the Turkey-EU association and paving the way for the negotiation process.
- However, 2016 Turkey Progress Report is quite far from playing a constructive and leading role for further progress in Turkey's EU process and its reform efforts.
- This Report, which has been written in a tone distant from the accession negotiations perspective and which doesn't present any concrete proposals in various areas of cooperation, has been drafted with an understanding that doesn't serve the Turkey- EU relations well.

Dear Members of the Press,

- We are pleased that the EU has condemned the coup attempt and has expressed its unconditional support for the democratic institutions in Turkey in the Report. However, I would like to express in particular that we don't agree with the criticisms regarding our multidimensional and comprehensive fight against FETÖ terrorist organization, the perpetrator of the coup attempt.
- Unfortunately, the EU has still not understood the extent of the serious and concrete threat FETÖ terrorist organization constitutes in respect to democracy, rule of law and fundamental rights and freedoms of our citizens.
- Criticisms included in the Report demonstrate that the EU, which has caused great disappointment with its attitude after 15 July, continues its groundless concerns about the measures taken following the coup attempt.
- Our European friends have to understand that Turkey fights to protect its democratic order, rule of law, fundamental rights and freedoms of its citizens, and social peace in the aftermath of the treacherous coup attempt of 15 July.
- Turkey expects the EU to read the realities regarding the FETÖ terrorist organization correctly and demonstrate the necessary sensitivity regarding this illegal structure and its activities.
- The EU must be aware of the fact that Turkey, whilst fighting with this serious threat against its democracy, continues its commitments to human rights, principle of rule of law, and to the obligations of international conventions.
- Among the founding member of the Council of Europe, Turkey has complied with Article 15 of the European Convention on Human Rights, and thus being

aware of the Convention and of the case-law of the European Court of Human Rights, it has not deviated from the principle of rule of law under any circumstances.

- In Turkey, human rights and fundamental freedoms are duly respected and the principle of the rule of law is strictly observed.
- We see that while reforms made in the last years have been evaluated as positive, criticisms have focused on the independence of judiciary and the freedoms of expression and media.
- The EU should understand that it is vital to eliminate FETÖ from the institutions of the State, in particular in terms of the independence and impartiality of judiciary.
- We see that some of the comments in the Report, regarding Political Criteria and Chapter 23 on Judiciary and Fundamental Rights, do not duly reflect Turkey's reforms in these fields and are also unfair and excessive; besides, such comments overlook the balance between freedom and security which is a must for democracies where rule of law prevails.
- A similar problem is observed in the field of the freedom of expression. Being a journalist, writer or an academician does not mean that one is granted the right to immunity. I once again would like to emphasize that we will not allow lending support to terrorist organisations and making their propaganda under the guise of a journalist.
- I hereby would like to remind that statements praising, inciting and encouraging terrorism and violence do not fall within the scope of the freedom of expression, as also referred to in the case law of the European Court of Justice.
- The EU has not given the expected support to Turkey after the attempted coup and acted in a prejudiced manner. Besides, it unfortunately insists on not understanding the sensitivity of Turkey with regard to terrorism.
- The expression of "Turkey's disproportionate use of force" in its fight against PKK, the terrorist organisation is unacceptable. Turkey's fight against terrorism is a legitimate and determined struggle governed by rule of law and it is a natural right for a sovereign state.
- As proportionality is out of question with regard to the fight against DEASH, a reference made to disproportionate use of force in our fight against any terrorist organisation, in particular against FETO and PKK, cannot be accepted.

- Besides, the PKK attacks targeting our security forces and civilians are defined in the Report as "insurgency led by the PKK and PKK-affiliated groups". Furthermore the indication of "war-like conditions prevailed in some provinces" aims to create a perception of an on-going civil war in our country. We perceive this attitude as a double standard of the EU in the field of terrorism.
- We don't believe that criticism about the detention and arrest of HDP members of Parliament is righteous. First of all I would like to remind that the law no. 6718 which allows the immunity of members of parliament from other parties in addition to the ones in question, to be lifted in particular conditions has been negotiated in the Constitutional Commission of the Parliament upon the proposal of members of parliament and adopted by the General Assembly. Adoption of this law is completely in line with Venice criteria.
- Within this framework, the decisions for detention were implemented under the orders given by the judicial authorities; upon their refusal to give testimony of some parliamentarians against whom there have been incriminations and whose immunities were lifted.
- It should be understood that, the measures taken were not directed towards the will of the voters/parliamentarians but towards those who support the terrorist organization.
- The parliamentarians who are the members of other political parties and whose immunities were lifted before testified upon a call. But, with only one exception, the HDP parliamentarians did not respond the call intentionally.
- They, by opposing to the decisions of the judicial bodies, prevented the functioning of the judicial system. We expected from the EU to make a call to the HDP parliamentarians to cooperate with the judicial bodies instead of criticising Turkey after their disregardful manners that do not recognize the principle of the rule of law.
- By not responding to the calls of the judicial bodies, the HDP parliamentarians wanted to make this issue an instrument for their and PKK's propaganda.
- The EU Institutions, as it is seen in the report, made the mistake to consider this PKK propaganda as the truth. In fact, when viewed objectively, it will be understood that, there are people for whom the prosecutor, after examining the files comprehensively, did not take the decision for a detention and also there are people who were released by the decision of the court.

- Including the parliamentarians, it is legal to carry out the judicial procedures for those who are equal in front of the Constitution and it is essential to protect a democratic society.
- We wish that the EU, instead of repeatedly calling on the Republic of Turkey for a political settlement, had called on the MP's of the HDP to distance themselves from a terrorist organisation that killed our citizens every day.
- Turkey is a state governed by the rule of law and no one is privileged before the law. Turkey undertakes one of its main obligations by carrying out investigations into structures that threaten the independence of the judiciary and the national will.
- Before going onto an assessment of the economic criteria, I would like to underline one matter in particular. We find it difficult to understand why, while the EU sets forth such serious criticisms and lists its expectations and recommendations, Chapter 23 on Judiciary and Fundamental Rights and Chapter 24 on Justice, Freedom and Security have not been opened to accession negotiations.
- The political blocks on Chapters 23 and 24 in the accession negotiations despite all criticisms indicate political irresponsibility.
- In the absence of a platform to discuss matters in these chapters within the framework of the accession negotiations, we will consider the criticisms set out by the EU in these areas only as "excuses" to prevent Turkey from becoming a member.

Dear Members of the Press,

- Turkey's economy, which has continued to grow in the past seven years despite the global economic crisis and the unfavourable developments in its region, has also not been affected by the coup attempt.
- Under economic criteria, the report highlights the economic development of Turkey and the existence of a functioning market economy within the framework of Copenhagen criteria; and it points that the advanced economic integration between Turkey and the EU continued to develop in 2015 and Turkey has become the 5<sup>th</sup> greatest trade partner of the EU.
- We regretfully observe that the economic criteria in the report contain excessive number of political statements that has ever been made.

Dear Members of the Press,

- The section of the report on “the ability to assume the obligations of membership”, which is an important dimension of the Turkey-EU accession process confirms our Government’s political determination in the process of harmonisation with the EU acquis.
- Thanks to more than 2000 pieces of legislation issued in the past 14 years for alignment with the EU acquis, many critical steps that directly affect daily life have been taken and Turkey has got closer to EU standards.
- With regard to alignment with the EU acquis, the progress report confirms that progress has been achieved at various levels in 26 of the 33 chapters. With reference to the overall level of alignment, the progress report indicates that the alignment is advanced in 30 chapters.
- This high level of alignment clearly proves that Turkey continues the work for alignment despite political blocks against itself.

Dear Members of the Press,

- I would like to especially highlight that we are determined to implement the necessary reforms, as we did in the past, on our path towards EU membership, which is a strategic objective for Turkey.
- When the problems of far-right ideology and xenophobia facing the EU as well as various radical groups posing a threat to our region and Europe are taken into account, the importance of seeking a solution to such problems by building a new bridge between Turkey and the EU can be understood better.
- It is time to build new bridges between Turkey and the EU and to strengthen our dialogue mechanism.
- We might turn all areas into an advantage for Turkey-EU relations. We can start a new period of constructive criticism and positive attitudes.
- It is very important to speak constructively, which will feature conciliation, mutual understanding and tolerance and to exert joint efforts to consolidate our dialogue.
- It should not be forgotten that every decision that the EU takes about Turkey is actually a decision that it takes regarding itself. The EU needs to understand that Turkey's EU membership is not an issue of Turkey's future, rather an issue of the EU and whole region's future.

- As a matter of fact, the importance of the cooperation between Turkey and the EU has been consolidated in the solution of the most critical problems such as fight against terrorism and irregular migration facing the EU today.
- We need to act with common sense bearing in mind that we share the same challenges heading towards Europe's future.

I would like to thank you all for your participation.