

P7_TA-PROV(2013)0184

2012 progress report on Turkey

European Parliament resolution of 18 April 2013 on the 2012 Progress Report on Turkey (2012/2870(RSP))

The European Parliament,

- having regard to the Commission’s 2012 Progress Report on Turkey (SWD(2012)0336),
 - having regard to the communication from the Commission to the European Parliament and the Council entitled ‘Enlargement Strategy and Main Challenges 2012-2013’ (COM(2012)0600),
 - having regard to its previous resolutions, in particular those of 9 March 2011 on Turkey’s 2010 progress report¹, 29 March 2012 on Turkey’s 2011 progress report², 22 May 2012 on a 2020 perspective for women in Turkey³, and 22 November 2012 on Enlargement: policies, criteria and the EU’s strategic interests⁴,
 - having regard to the Negotiating Framework for Turkey of 3 October 2005,
 - having regard to Council Decision 2008/157/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey⁵ (‘the Accession Partnership’), as well as to the previous Council decisions on the Accession Partnership of 2001, 2003 and 2006,
 - having regard to the Council conclusions of 14 December 2010, 5 December 2011 and 11 December 2012,
 - having regard to the Charter of Fundamental Rights of the European Union,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas accession negotiations with Turkey were opened on 3 October 2005 after the Council had approved the Negotiating Framework, and whereas the opening of such negotiations is the starting point for a long-lasting and open-ended process based on fair and rigorous conditionality and the commitment to reform;
- B. whereas Turkey has committed itself to reforms, good neighbourly relations and progressive alignment with the EU, and whereas these efforts should be viewed as an opportunity for Turkey itself to continue to modernise and to consolidate and further improve its democratic institutions, the rule of law and the observance of human rights and fundamental freedoms;
- C. whereas the EU should remain the benchmark for reforms in Turkey;

¹ OJ C 199 E, 7.7.2012, p. 98.

² Texts adopted, P7_TA(2012)0116.

³ Texts adopted, P7_TA(2012)0212

⁴ Texts adopted, P7_TA(2012)0453.

⁵ OJ L 51, 26.2.2008, p. 4.

- D. whereas full compliance with the Copenhagen criteria and EU integration capacity, in accordance with the conclusions of the December 2006 European Council meeting, remain the basis for accession to the EU, which is a community based on shared values, sincere cooperation and mutual solidarity among all its Member States;
- E. whereas the positive agenda was launched in May 2012 to support and complement the negotiations, without replacing them, through enhanced cooperation in a number of areas of joint interest;
- F. whereas in its conclusions of 11 December 2012 the Council endorsed the Commission's new approach of placing the rule of law at the heart of enlargement policy and confirmed the centrality in the negotiating process of Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom and security), which should be tackled early in the negotiations in order to allow clear benchmarks and maximum time to establish the necessary legislation, institutions and solid track records of implementation;
- G. whereas in its 2012 Enlargement Strategy the Commission concluded that, in terms of its economy, strategic location and important regional role, Turkey is a key country for the European Union and that the accession process remains the most suitable framework for promoting EU-related reforms in Turkey; whereas the Commission expressed concern regarding Turkey's lack of progress on the fulfilment of the political criteria;
- H. whereas Turkey, for the seventh consecutive year, has still not implemented the provisions stemming from the EC-Turkey Association Agreement and the Additional Protocol thereto;
- I. whereas negotiating chapters for which technical preparations have been concluded should be opened without delay according to established procedures and in line with the Negotiating Framework;
- J. whereas there is an economic interdependence between the European Union and Turkey, with trade between the EU and Turkey totalling EUR 120 billion in 2011;
- K. whereas the EU is Turkey's largest trading partner and Turkey is the EU's sixth-largest trading partner; whereas foreign direct investment (FDI) by EU Member States in Turkey accounts for 75 % of total FDI inflow;
- L. whereas the Commission has assessed that, in the area of economic policy, Turkey's overall level of preparedness is advanced and that its capacity for economic policy formulation and coordination is adequate;
- M. whereas Turkey has the potential to play a pivotal role in diversifying energy resources and routes for oil, gas and electricity transiting from neighbouring countries to the EU; whereas in creating a sustainable low-carbon economy, there is potential for both Turkey and the EU to benefit from Turkey's rich renewable energy resources;
- N. whereas EU dialogue and cooperation with Turkey on stability, democracy and security, with particular reference to the broader Middle East, are of strategic importance; whereas Turkey has strongly and repeatedly condemned the Syrian regime's violence against its civilians and is providing vital humanitarian assistance to Syrians fleeing from the violence taking place across the border;

- O. whereas Turkey and Armenia need to proceed to a normalisation of their relations by ratifying, without preconditions, the protocols agreed on and by opening their common border;
- P. whereas the *casus belli* threat declared by the Turkish Grand National Assembly (TGNA) against Greece in 1995 should be withdrawn; whereas it is important that Turkey and Greece conduct a new round of talks to improve their relations;

Constructive dialogue and common understanding

1. Believes that renewed mutual engagement in the context of the negotiation process is needed in order to maintain a constructive relationship; stresses the importance of creating the conditions for a constructive dialogue and the foundations of a common understanding; notes that this should be based on common values of democracy, the rule of law and respect for human rights; commends the Commission and Turkey for the implementation of the positive agenda, which proves how, in a context of mutual engagement and clear objectives, Turkey and the EU could advance their dialogue, achieve common understanding, and produce positive change and necessary reforms;
2. Stresses Turkey's strategic role, politically and geographically, for the EU's foreign and neighbourhood policies; recognises Turkey's role as a neighbour and an important regional player, and calls for further reinforcement of the existing political dialogue between the EU and Turkey on foreign policy choices and objectives; regrets that the alignment of Turkey with CFSP declarations continued to be low in 2012; encourages Turkey to develop its foreign policy in the framework of dialogue and coordination with the EU; calls on Turkey and the EU to cooperate more closely on strengthening the forces of peace and democracy in the southern neighbourhood, a region of critical importance both for the EU and for Turkey;
3. Expresses support for dialogue and re-established relationships between Turkey and Israel;
4. Welcomes the Council decision to invite the Commission to take steps towards visa liberalisation in parallel with the signing of the readmission agreement; urges Turkey to sign and implement the readmission agreement without further delay and to ensure that, until this agreement enters into force, existing bilateral agreements are fully implemented; recalls that Turkey is one of the key transit countries for irregular migration to the EU; acknowledges the steps undertaken by Turkey to prevent irregular migration, and underlines the important need for Turkey to intensify cooperation with the EU on migration management, the fight against human trafficking, and border controls; stresses, once again, the importance of facilitating access to the EU for business people, academics, students and representatives of civil society from Turkey; supports the efforts of the Commission and the Member States to implement the visa code, to harmonise and simplify visa requirements and to create visa facilitating centres in Turkey; reminds the Member States of their obligations under the association agreement, in line with the ruling of the European Court of Justice of 19 February 2009 in the Soysal case¹;
5. Welcomes the recent adoption of the draft law on foreigners and international protection and expects this legislation to address existing concerns about the continued arbitrary

¹ Case 228/06 *Mehmet Soysal and Ibrahim Savatli v Bundesrepublik Deutschland* [2009] ECR I-01031.

refusal of access to the asylum procedure and the practice of repatriation of refugees, asylum-seekers and other people who may be in need of protection; underlines the importance of aligning with international standards the detention regulations that were found to be unlawful by the European Court of Human Rights (ECtHR) in the case of *Abdolkhani and Karimina vs Turkey*;

Fulfilling the Copenhagen criteria

6. Commends the Turkish Constitution Conciliation Committee for its commitment to drafting a new Constitution and for the inclusive process of consulting civil society in a manner that reflects the diversity of Turkish society; expresses concern at the apparently slow progress made by the Committee so far; encourages the Committee to continue its work and to tackle – in an inclusive, representative and collegial way, and in line with the criteria and values of the EU – key issues such as (a) ensuring the separation of powers and an adequate system of checks and balances; (b) clarifying relations between the state, society and religion; (c) introducing an inclusive system of governance that secures the human rights and fundamental freedoms of all citizens; and (d) formulating an inclusive concept of citizenship; calls on all political parties, and on the actors concerned, to take a constructive approach in the negotiation of the new Constitution; is of the opinion that the involvement of, and dialogue with, the Venice Commission would produce positive results and support the constitutional process;
7. Stresses the need for further progress in implementing the 2010 constitutional amendments, in particular the adoption of laws on the protection of personal data and military justice, and of laws introducing affirmative-action measures to promote gender equality; notes that the presence and the powers of the Turkish Minister of Justice and his Undersecretary in the High Council of the Judges and Prosecutors (HCoJP) give cause for considerable concern regarding the independence of the judiciary; welcomes the entry into force of legislation providing for the right of individuals to petition the Constitutional Court, as foreseen by the 2010 constitutional amendments;
8. Reaffirms the fundamental role that the TGNA plays as the centre of Turkey's democratic system, and stresses the importance of securing the support and commitment of all political parties for the reform process, in particular as regards the valuable legal framework to protect and enhance the fundamental rights of all communities and citizens and to lower the 10 % threshold for representation in the TGNA; commends the work of the Turkish Human Rights Inquiry Committee, and asks for a more central role for the EU Harmonisation Committee in promoting the alignment of new legislation with the Union's *acquis* or with European standards during the legislative process;
9. Stresses that the reform of the Turkish judiciary system is central to the efforts to bring about democratic consolidation in Turkey and an indispensable prerequisite for Turkey's modernisation, and that such reform must lead to a modern, efficient, fully independent and impartial judicial system guaranteeing due process of law for all citizens; welcomes the third judicial reform package as a step towards a comprehensive reform process in the area of the judiciary and fundamental rights; stresses, however, the crucial importance of continuing the reform process by (a) addressing the excessively broad definition of criminal offences and, in particular, what constitutes an act of terrorism under the Penal Code or the Anti-Terror Law, with the urgent need to introduce a clear distinction between, on the one hand, the promotion of terrorism and the incitement to violence and, on the other hand, the

expression of non-violent ideas, in full compliance with ECtHR case law, in order to safeguard freedom of expression, freedom of assembly, including student protests, and freedom of association; (b) addressing the issue of excessively long pre-trial detention periods; (c) addressing the need to allow full access to the prosecution file for defence lawyers; (d) setting criteria to promote the quality and consistency of evidence; and (e) reviewing the role and scope of special courts; welcomes, in this regard, the adoption of the fourth reform package by the TGNA and looks forward to its speedy implementation;

10. Underlines the importance of providing effective protection for human-rights defenders; draws particular attention to the trial of Pinar Selek, which has lasted almost 15 years and, despite three acquittal decisions, resulted in a life sentence pronounced on 24 January 2013 by Istanbul Heavy Penal Court No 12; takes the view that this trial is an example of the shortcomings of Turkey's justice system;
11. Welcomes the changes to the code of criminal procedure and to the law on the execution of punitive and security measures to allow the use in court of languages other than Turkish, and looks forward to the rapid implementation of the new rules; welcomes the entry into force on 19 January 2013 of the law on payment of compensation for long trial durations and late, partial or non-execution of court verdicts, and expresses the hope that the domestic remedy foreseen will decrease the number of pending cases against Turkey at the ECtHR;
12. Is concerned about the ongoing trials and the long pre-trial detention periods affecting activists, lawyers, journalists and opposition parliamentarians, noting that this constitutes interference in legal political activities and with the right to political association and participation; welcomes the abolition of the special courts established by the Government of Turkey in 2005 as adopted by the TGNA, but regrets the fact that the closure will not affect ongoing prosecutions;
13. Notes that, in a culture of tolerance, minority rights should be fully recognised; expects that due process of law will be followed in the appeal made by the Prosecutor for a dismissal of the January 2012 Court decision on the Hrant Dink murder case based in part on the argument that the murder was committed by an organisation;
14. Calls on the Government of Turkey, with a view to increasing the efficiency of judicial proceedings and addressing the ongoing backlog of cases, to bring its regional courts of appeal, which were legally due to be operational by June 2007, into operation as soon as possible and to focus on training judges and prosecutors for this purpose;
15. Notes that Parliament's ad hoc delegation for the observation of trials of journalists in Turkey will continue to monitor the trials of journalists and will follow judicial reforms in Turkey that address freedom of expression and of the media;
16. Encourages Turkey to adopt the Human Rights Action Plan, prepared by the Turkish Ministry of Justice in cooperation with the Council of Europe and based on the case law of the ECtHR, in order to address issues raised in judgments of the ECtHR where Turkey was found to violate the provisions of the European Convention on Human Rights (ECHR), and calls for its implementation; supports the Ministry of Justice and the HCoJP in providing judges and prosecutors with human rights training; welcomes the establishment by the HCoJP of new assessment criteria for judges and prosecutors which will reward respect for the provisions of the ECHR and judgments of the ECtHR;

17. Calls on Turkey to reaffirm its commitment to the fight against impunity, to expedite efforts to accede to the Rome Statute of the International Criminal Court (ICC) and to align its national legislation fully with all obligations under the Rome Statute, including by incorporating provisions to cooperate promptly and fully with the ICC;
18. Recalls that freedom of expression and media pluralism, including on the internet, are core European values and that a truly democratic society requires genuine freedom of expression, including the right of dissent; highlights the special role of public-service media in strengthening democracy and calls on the authorities to ensure their independence, sustainability and compliance with European Union standards; underlines, once again, the importance of abolishing legislation providing for disproportionately high administrative tax fines on the media, leading, in some cases, to their closure or to self-censorship, and the urgent need to reform the internet law; stresses the importance of tackling restrictions on fundamental freedoms in the broader context of the rule of law, in terms of both the wording and the application of the law; is concerned, in particular, that the penal code and anti-terror law are used to prosecute non-violent statements when they are perceived as supporting the aims of a terrorist organisation; stresses the need to amend Articles 26 and 28 of the Turkish Constitution, which limit freedom of expression on the basis of national security, public order and national unity; reiterates, therefore, its previous calls to the Government of Turkey to finalise the review of the legal framework on freedom of expression and to bring it, without delay, into line with ECtHR case law;
19. Takes note of the concern of the OSCE Representative on Freedom of the Media regarding the high numbers of trials of journalists and of journalists in prison, and calls on the Government of Turkey to ensure that trials are carried out in a transparent manner and with proper conditions and procedural rights for the defendants;
20. Is concerned that the Turkish act on the establishment of radio and television enterprises and their broadcasts contains restrictions which do not comply with the EU Audiovisual Media Services Directive;
21. Notes with concern that most media are owned by and concentrated in large conglomerates with a wide range of business interests; reiterates its call for the adoption of a new media law addressing, inter alia, the issues of independence, ownership and administrative control;
22. Encourages Turkey, with a view to completely eradicating torture and ill-treatment by the security forces, to set up the National Prevention Mechanism called for in the Optional Protocol to the Convention against Torture, ratified in 2011;
23. Calls on Turkey to place constitutional restrictions only on those political parties that advocate the use of violence as a means of overthrowing the constitutional order, in line with the Venice Commission recommendations;
24. Fully supports the Commission's new approach of opening the chapters on the judiciary and fundamental rights, and on justice and home affairs, early in the negotiation process and closing them as the very last ones; stresses that official benchmarks would provide a clear roadmap and give a boost to the reform process; calls on the Council, therefore, to make renewed efforts for the opening of Chapters 23 and 24;
25. Welcomes the Turkish law on the Ombudsman and the appointment of a first Head Ombudsman, who is to ensure the credibility of the institution through his decisions;

stresses that the Head Ombudsman should promote public confidence in transparency and accountability in public services; recalls that the Head Ombudsman, and the members of the board of the Ombudsman, should be elected from among candidates who are non-partisan and impartial; calls on the board of the Ombudsman to ensure that the regulation on the internal decision-making process guarantees the independence and impartiality of the institution;

26. Encourages Turkey to continue the process of civilian oversight over the security forces; calls for an amendment of the law on provincial administrations to give civilian authorities broader oversight of military operations and the gendarmerie's law-enforcement activities; stresses the importance of setting up an independent law-enforcement complaints agency to investigate complaints of human rights abuses, ill-treatment and possible wrongdoing by Turkish law-enforcement agencies; takes the view that the legal provisions on the composition and powers of the Supreme Military Council need to be reformed;
27. Notes that in the 'Sledgehammer' trial a first-instance court sentenced 324 suspects to 13 to 20 years after lengthy pre-trial detention periods; stresses that investigations of alleged coup plans, such as the 'Ergenekon' and 'Sledgehammer' cases, and the investigation of the Kurdish organisation Koma Civakên Kurdistan (KCK), must demonstrate the strength and the proper, independent, impartial and transparent functioning of Turkey's democratic institutions and judiciary, as well as their firm, unconditional commitment to respect for fundamental rights; is concerned about the allegations regarding the use of inconsistent evidence against the defendants in such cases; regrets the fact that these cases have been overshadowed by concerns about their excessively wide scope and the shortcomings of the proceedings, and is concerned about the adverse effects on society;
28. Welcomes the law setting up the Turkish National Human Rights Institution (TNHRI); calls for its implementation without delay, in order to promote and monitor the effective implementation of international human rights standards; stresses the importance of using all EU instruments available in the field of human rights promotion to actively support the setting-up and proper functioning of the TNHRI and the empowerment of civil society organisations;
29. Stresses the importance of active and independent civil society organisations (CSOs) for democracy; underlines the importance of dialogue with CSOs and stresses their crucial role in contributing to enhanced regional cooperation on social and political matters; is therefore worried that CSOs continue to face fines, closure proceedings and administrative obstacles to their operations, and that consultation of CSOs remains the exception rather than the rule; welcomes the Turkish Government's improved cooperation with NGOs, but calls for their broader consultation in policy-making, including the formulation of policies and legislation, and in monitoring the activities of the authorities;
30. Stresses that more progress is needed in the areas of labour and trade union rights; calls on Turkey to continue working on new legislation in this area to ensure that it is in line with the EU acquis and ILO conventions, especially as regards the right to strike and the right to bargain collectively; stresses the importance of opening Chapter 19 on social policy and employment;
31. Welcomes the Law on protection of the family and prevention of violence against women; commends the National Action Plan to combat Violence against Women (2012-2015) and stresses the need to enforce it effectively nationwide; calls on the Ministry for Family and

Social Policies to continue its efforts to increase the number and quality of shelters for women and minors in danger; stresses the importance of providing women who have been victims of violence with concrete alternatives and self-sustainment prospects; commends Turkey's efforts, at all levels, to fight against 'honour killings', domestic violence and the phenomenon of forced marriages and child brides, and underlines the importance of a zero-tolerance attitude towards violence against women, and the importance of continuously stepping up prevention measures; is concerned, however, by the fact that, despite such efforts, violence against women is still a regular occurrence, and asks that those who fail to protect and assist victims be identified and prosecuted; stresses the importance of tackling poverty amongst women and of increasing the social inclusion of women; calls on the Ministry to continue actively to promote women's rights, education – including by bridging the gender gap in secondary education – and participation in the labour market (which remains low), in politics and at senior level in the public as well as private sector, if necessary by introducing reserved quotas and by reviewing certain specific laws regulating employment in Turkey; encourages the Government of Turkey to revise the law on political parties and the law on elections in order to make the inclusion of women a priority for political parties; notes that Turkey's 2023 employment target for women is 35 %, while in the EU 2020 strategy the target is 75 %; encourages Turkey to strive to achieve an ambitious employment target for women;

32. Expresses concern that the draft law on antidiscrimination does not address discrimination based on sexual orientation and identity; stresses the urgent need for comprehensive anti-discrimination legislation and the establishment of an anti-discrimination and equality board to protect individuals against discrimination based on ethnicity, religion, gender, sexual orientation, sexual identity, age or disability; expresses concern at the frequent attacks on transgender persons and the lack of protection provided to lesbian, gay, bisexual and transgender (LGBT) persons against acts of violence; calls on Turkey to combat homophobia and to adopt an action plan to promote full equality of rights, including labour rights, and full acceptance of LGBT persons; underlines the need for hate-crime legislation that includes heavier sentences for crimes based on any form of discrimination;
33. Urges the Turkish authorities to take strong and effective measures to combat expressions of anti-Semitism, thus setting an example for the region;
34. Welcomes the continued implementation of legislation amending the 2008 law on foundations and broadening the scope of the restoration of the property rights of non-Muslim communities; calls on the relevant authorities to assist the Syriac community in resolving the difficulties they face in dealing with property and land registration matters; calls for a solution for the large number of properties of the Latin Catholic Church that remain confiscated by the state; notes that progress has been particularly slow in extending the rights of the Alevi minority; recalls the urgent need to continue vital and substantial reform in the area of freedom of thought, conscience and religion, in particular by enabling religious communities to obtain legal personality, by eliminating all restrictions on the training, appointment and succession of clergy, by recognising Alevi places of worship and by complying with the relevant judgments of the ECtHR and the recommendations of the Venice Commission; calls on Turkey to ensure that the Saint Gabriel Monastery is not deprived of its lands and that it is protected in its entirety; believes that a broader composition of the Directorate General for Religious Affairs, so as to include representatives of religious minorities, would prove beneficial, as it would promote an inclusive concept of society; calls on Turkey to remove the reference to religion from

national identity cards and to guarantee that religious education respects the religious diversity and plurality of Turkish society;

35. Recalls that education plays a pivotal role in the process of building an inclusive and diverse society based on respect for religious communities and minorities; urges the Government of Turkey to pay special attention to educational materials in schools, which should reflect the ethnic and religious plurality, and the plurality of beliefs, of Turkish society, eliminate discrimination and prejudice and promote full acceptance of all religious communities and minorities, and stresses the need for unbiased learning materials;
36. Welcomes the direct political dialogue that the Government of Turkey has recently opened with Abdullah Öcalan; deems that a perspective for negotiations has been opened which could lead to a historic agreement that would settle the Kurdish conflict in a peaceful and democratic way; encourages the conflict parties, therefore, to transform these talks into structured negotiations as soon as possible; underlines the constructive role that all political parties, media and civil society in Turkey must play if the peace process is to succeed, and praises the cross-party and civil-society support for this initiative; notes that Turkey has continued to demonstrate resilience to the terrorist attacks by the Kurdistan Workers' Party (PKK); considers that true and sincere political dialogue is necessary, and calls on Turkey to invest renewed efforts in working towards a political solution to the Kurdish issue; asks all political forces to ensure an appropriate political platform for, and to debate in a constructive way, the Kurdish issue, and to facilitate a real opening to the claims for basic rights in the constitutional process that reflects the pluralism in Turkey and in which all citizens can find themselves and their rights fully recognised; asks all political forces to work in alliance towards the goal of reinforced political dialogue and a process of further political, cultural and socio-economic inclusion and participation of citizens of Kurdish origin, in order to guarantee their rights to freedom of expression, association and assembly, and to promote the peaceful inclusion of citizens of Kurdish origin in Turkish society; welcomes the new legislation that opens the possibility for people's native language to be used in trials and the positive discussion on the use of Kurdish in education; recalls that a political solution can be built only on a truly democratic debate on the Kurdish issue, and expresses concern at the large number of cases launched against writers and journalists writing on the Kurdish issue and the arrest of several Kurdish politicians, mayors and members of municipal councils, trade unionists, lawyers, protestors and human rights defenders in connection with the KCK trial; underlines the importance of promoting a discussion of the Kurdish issue within democratic institutions, particularly the TGNA;
37. Welcomes the initiatives to reopen the Greek orphanage of Büyükada as an international cultural centre, and underlines the importance of lifting all obstacles to a speedy reopening of the Halki Seminary; welcomes and expects the speedy implementation of the declaration by the Government of Turkey regarding the reopening of a Greek minority school on the island of Gökçeada (Imbros), which constitutes a positive step towards the preservation of the bicultural character of the Turkish islands of Gökçeada (Imbros) and Bozcaada (Tenedos), in line with Resolution 1625 (2008) of the Parliamentary Assembly of the Council of Europe; notes, however, that further steps are needed to address the problems encountered by members of the Greek minority, particularly with regard to their property rights;
38. Strongly condemns the terrorist attack on the US Embassy in Ankara on 1 February 2013, and presents its condolences to the family of the deceased Turkish citizen; recalls that, while

further measures to counter terrorist actions should be taken in order to ensure the security of the state and its people, they should not come at the expense of human and citizens' rights;

39. Calls on the Turkish authorities to ensure that the circumstances of the massacre of Uludere, in Sirnak Province, on 28 December 2011 are fully clarified and that those responsible are brought to justice;
40. Welcomes the incentives package seeking to increase investment and economic development in the least developed regions of Turkey, including the south-east of the country, and the continuation of the South East Anatolia project; takes note of the verdict of the Higher Administrative Court (Danistay) on the annulment of the permit to construct the Ilisu Dam, based on environmental impact studies and applicable law; calls on the Government of Turkey to preserve this archaeological and environmental heritage by prioritising smaller, ecologically and socially sustainable projects;
41. Reiterates the need to strengthen cohesion among Turkish regions and between rural and urban areas in order to open up opportunities for the population at large and to promote economic and social inclusion; highlights the particular role of education and the need to tackle persistent and substantial regional disparities in the quality of education and enrolment rates; calls for steps conducive to the opening of Chapter 22 on regional policy;
42. Welcomes the establishment of an Ombudsperson for children's rights and the adoption of Turkey's first strategy on the rights of the child; expresses concern at the disproportionately high poverty rate among children and child labour rate, particularly in rural areas; stresses the need for a comprehensive strategy to combat child poverty and child labour, especially in seasonal agricultural work, and to continue to promote access to education for boys and girls alike; is concerned that the number of active juvenile justice courts has decreased, and urges Turkey to provide alternatives to detention for minors; calls on the Government of Turkey to continue to improve the conditions of the detention centres for minors; recalls the importance of independent monitoring and protection mechanisms to protect rights and prevent abuse;
43. Welcomes the improvement in the overall business environment in Turkey, especially through the entry into force of the new Turkish Commercial Code and the consistent support for small and medium enterprises (SME) provided by the SME Development Organisation (KOSGEB); calls for greater partnership between Turkish and EU businesses;
44. Reminds Turkey that tens of thousands of EU citizens and residents who have been victimised by the fraud committed by the 'Green-Funds' still await redress, and calls on the authorities to take all necessary measures to accelerate the process;

Building good neighbourly relations

45. Notes the continuing intensified efforts by Turkey and Greece to improve their bilateral relations, including through bilateral meetings; considers it regrettable, however, that the *casus belli* threat declared by the Turkish Grand National Assembly against Greece has not yet been withdrawn; reiterates that Turkey must commit itself unequivocally to good neighbourly relations and to the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice;

urges the Government of Turkey to end the repeated violation of Greek airspace and Turkish military aircraft flights over Greek islands;

46. Takes the view that Turkey missed an important opportunity to start a process of engagement and normalisation of relations with Cyprus during the latter's Presidency of the Council of the European Union; recalls that the EU is based on the principles of sincere cooperation and mutual solidarity amongst all its Member States and respect for the institutional framework; stresses that progress towards the normalisation of Turkey's relations with the Republic of Cyprus is urgently needed in order to give new momentum to the EU-Turkey accession negotiations;
47. Regrets that Turkey refused to convene the 70th Joint Parliamentary Committee meeting during the second half of 2012 as planned, thus missing another opportunity to enhance the interparliamentary dialogue between the EU and Turkey;
48. Emphasises that the United Nations Convention on the Law of the Sea (UNCLOS) has been signed by the EU, the 27 Member States and all other candidate countries and that it is part of the *acquis communautaire*; calls, therefore, on the Government of Turkey to sign and ratify the convention without further delay; recalls the full legitimacy of the Republic of Cyprus's exclusive economic zone, in accordance with UNCLOS;
49. Expresses once again its strong support for the reunification of Cyprus, based on a fair and viable settlement for both communities; underlines the urgent need for an agreement between the two communities on how to proceed with the substantive settlement negotiations, so that the negotiating process, under the auspices of the UN Secretary-General, can soon regain momentum; calls on Turkey to begin withdrawing its forces from Cyprus and to transfer the sealed-off area of Famagusta to the UN in accordance with UNSC Resolution 550 (1984); calls on the Republic of Cyprus to open the port of Famagusta, under EU customs supervision, in order to promote a positive climate for the successful solution of the ongoing reunification negotiations, and to allow Turkish Cypriots to trade directly in a legal manner that is acceptable to all;
50. Takes the view that the Committee on Missing Persons is one of the most sensitive and important projects in Cyprus, and recognises that its work affects equally the lives of thousands of people on both sides of the island; encourages Turkey and all parties concerned to intensify further their support for the Committee on Missing Persons in Cyprus; takes the view that dialogue and a common understanding on issues such as full access to all relevant archives and military zones are required; calls for special consideration for the work done by the Committee on Missing Persons;
51. Calls on Turkey to refrain, in accordance with the principles of international law, from any new settlement of Turkish citizens in Cyprus, as this would continue to change the demographic balance and reduce the allegiance of its citizens on the island to a future common state based on its common past;
52. Stresses the importance of a coherent and comprehensive security approach in the Eastern Mediterranean, and calls on Turkey to allow political dialogue between the EU and NATO by lifting its veto on EU-NATO cooperation including Cyprus, and consequently calls on the Republic of Cyprus to lift its veto on Turkey's participation in the European Defence Agency;

53. Urges Turkey and Armenia to proceed to a normalisation of their relations by ratifying, without preconditions, the protocols on the establishment of diplomatic relations, by opening the border and by actively improving their relations, with particular reference to cross-border cooperation and economic integration;

Advancing EU-Turkey cooperation

54. Deplores Turkey's refusal to fulfil its obligation of full, non-discriminatory implementation of the Additional Protocol to the EC-Turkey Association Agreement towards all Member States; recalls that this refusal continues to have a profound effect on the negotiation process;

55. Reiterates its condemnation, in the strongest terms, of the terrorist violence committed by the PKK, which is on the EU list of terrorist organisations, and by all other terrorist organisations; expresses its full solidarity with Turkey in this regard and with the families of the many victims of terrorism; calls on the Member States, in close coordination with the EU counter-terrorism coordinator and Europol, to intensify cooperation with Turkey in the fight against terrorism and organised crime as a source of financing of terrorism; calls on Turkey to adopt a data protection law so that a cooperation agreement can be concluded with Europol, and judicial cooperation with Eurojust and the EU Member States can be further developed; takes the view that the assignment of a Turkish police liaison officer to Europol would help improve bilateral cooperation; welcomes the adoption of legislation on the financing of terrorism in line with the Financial Action Task Force (FATF) recommendations;

56. Supports Turkey's commitment to democratic forces in Syria and the provision of humanitarian assistance to the increasing number of refugees from Syria who have fled the country; recognises the fact that the repercussions of the rapidly deteriorating situation in Syria on the security and stability of the region are multiplying; asks the Commission, the Member States and the international community to continue to support Turkey's efforts to cope with the growing humanitarian dimension of the Syrian crisis; underlines the importance of a common understanding between the EU and Turkey on how to deliver the available humanitarian assistance to the displaced Syrians currently on Turkish territory or waiting at its borders; underlines that beyond humanitarian assistance, the EU and Turkey should actively seek to develop a joint strategic vision to achieve reinforced leverage to end the tragic crisis in Syria;

57. Welcomes the decision to enhance cooperation between the EU and Turkey on a number of important energy issues, and calls on Turkey to commit to this cooperation; believes that, in view of Turkey's strategic role and considerable renewable energy resources, initial consideration should be given to the value of opening negotiations on Chapter 15 on energy with a view to furthering the EU-Turkey strategic dialogue on energy; underlines the need for more enhanced cooperation on the strategy for the EU energy corridors towards the EU; considers that both the enhanced EU-Turkey energy cooperation and eventual negotiations on Chapter 15 should also encourage the development of renewable energy potential and cross-border electricity transmission infrastructure;

58. Considers that Turkey is an important partner in the Black Sea region, which is of strategic importance to the EU; encourages Turkey to further support, and actively contribute to, the implementation of EU policies and programmes in this region;

59. Calls on the Commission to continue its support for civil society organisations and people-to-people activities through adequate funding of the Civil Society Dialogue, the EIDHR and Lifelong Learning programmes, including culture- and media-related activities;
60. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy / Vice- President of the Commission, the Secretary-General of the Council of Europe, the President of the European Court of Human Rights, the governments and parliaments of the Member States and the Government and Parliament of the Republic of Turkey.