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*Plenary sitting*

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**A9-0149/2022**

18.5.2022

# **REPORT**

on the 2021 Commission Report on Turkey  
(2021/2250(INI))

Committee on Foreign Affairs

Rapporteur: Nacho Sánchez Amor

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the 2021 Commission Report on Turkey (2021/2250(INI))

*The European Parliament,*

- having regard to the Commission communication of 19 October 2021 on EU Enlargement Policy (COM(2021)0644) and to the accompanying Turkey 2021 Report (SWD(2021)0290),
- having regard to Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)<sup>1</sup>,
- having regard to the Negotiating Framework for Turkey of 3 October 2005 and the fact that, as with all accession countries, Turkey's accession to the EU depends on full compliance with the Copenhagen criteria, and to the need to normalise its relations with all EU Member States, including the Republic of Cyprus,
- having regard to the declaration issued by the European Community and its Member States on 21 September 2005 following the declaration made by Turkey upon its signature of the Additional Protocol to the Ankara Agreement on 29 July 2005, including the provision that the recognition of all Member States is a necessary component of the negotiations, and to the need for Turkey to proceed with the normalisation of its relations with all Member States and to fully implement the Additional Protocol to the Ankara Agreement towards all Member States by removing all obstacles to the free movement of goods, including restrictions on means of transport, without prejudice or discrimination,
- having regard to the EU-Turkey Statements of 18 March 2016 and 29 November 2015,
- having regard to the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation<sup>2</sup> (EU-Turkey Readmission Agreement),
- having regard to the Council conclusions of 26 June 2018, 18 June 2019 and 14 December 2021 on the enlargement and stabilisation and association process, to the Council conclusions of 15 July and 14 October 2019 on Turkey's illegal drilling activities in the Eastern Mediterranean, to the European Council conclusions of 12 December 2019, 1-2 and 15-16 October 2020 and 24 June 2021, to all other relevant Council and European Council conclusions, to the Statement of the EU foreign ministers of 15 May 2020 and the main results of their videoconference of 14 August 2020 on the situation in the Eastern Mediterranean, to the outcome of the informal meeting of EU foreign ministers in Gymnich of 27-28 August 2020, and to the

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<sup>1</sup> OJ L 330, 20.9.2021, p. 1.

<sup>2</sup> OJ L 134, 7.5.2014, p. 3.

Statement of the Members of the European Council of 25 March 2021 on the Eastern Mediterranean,

- having regard to Council Decision (CFSP) 2019/1894 of 11 November 2019 concerning restrictive measures in view of Turkey’s illegal drilling activities in the Eastern Mediterranean<sup>3</sup>, as renewed by Council Decision (CFSP) 2020/1657 of 6 November 2020<sup>4</sup> and Council Decision (CFSP) 2021/1966 of 11 November 2021<sup>5</sup>,
- having regard to Turkey’s membership of the Council of Europe and NATO,
- having regard to the Commission communication of 26 May 2021 on the Fifth Annual Report on the Facility for Refugees in Turkey (COM(2021)0255),
- having regard to the letter of the Commissioner for Human Rights of the Council of Europe of 25 February 2021 concerning the restriction of NGO activities and freedom of association in the name of counter-terrorism and to the letter of the Commissioner for Human Rights of the Council of Europe of 17 June 2021 concerning the human rights of LGBTI people,
- having regard to the relevant resolutions by the Committee of Ministers of the Council of Europe, including the interim resolutions of 2 February 2022 and 2 December 2021 on the execution of the judgment of the European Court of Human Rights in Kavala against Turkey, the interim resolution of 2 December 2021 on the execution of the judgment of the European Court of Human Rights in *Selahattin Demirtaş v Turkey* (No. 2), the interim resolution of 16 September 2021 on the execution of the judgment of the European Court of Human Rights in *Cyprus v Turkey*, and the resolution of 17 October 2007, the interim resolution of 9 March 2009 and the nine subsequent decisions on the execution of the judgment of the European Court of Human Rights in *Ülke v Turkey*,
- having regard to Article 46 of the European Convention on Human Rights, which states that the contracting parties undertake to abide by the final judgment of the European Court of Human Rights in any case to which they are parties, and to the ensuing obligation of Turkey to implement all judgments of the European Court of Human Rights,
- having regard to the relevant resolutions of the UN Security Council on Cyprus, including Resolution 186(1964) of 4 March 1964, which reaffirms the sovereignty of the Republic of Cyprus, Resolution 550(1984) of 11 May 1984 on secessionist actions in Cyprus and Resolution 789(1992) of 25 November 1992 urging all concerned in the Cyprus question to commit themselves to the confidence-building measures set out in the resolution, which consider attempts to settle any part of Varosha by people other than its inhabitants as inadmissible, and call for the transfer of that area to the administration of the United Nations,
- having regard to Law No 7262 of December 2020 on the Prevention of the Financing of

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<sup>3</sup> OJ L 291, 12.11.2019, p. 47.

<sup>4</sup> OJ L 372 I, 9.11.2020, p. 16.

<sup>5</sup> OJ L 400, 12.11.2021, p. 157.

the Proliferation of Weapons of Mass Destruction, which weaponises counter-terrorism measures to target civil society,

- having regard to the report of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe of 6 January 2021 on restrictions on NGO activities in Council of Europe member states,
  - having regard to the UNESCO statement of 10 July 2020 on Hagia Sophia, Istanbul,
  - having regard to the 2022 World Press Freedom Index published by Reporters Without Borders, which ranks Turkey 149th out of 180 countries, to the Amnesty International Report 2020/21, and to the Human Rights Watch World Report 2022,
  - having regard to its previous resolutions, in particular those of 19 May 2021 on the 2019-2020 Commission Reports on Turkey<sup>6</sup>, of 8 July 2021 on the repression of the opposition in Turkey, specifically the People’s Democratic Party (HDP)<sup>7</sup>, of 21 January 2021 on the human rights situation in Turkey, in particular the case of Selahattin Demirtaş and other prisoners of conscience<sup>8</sup>, of 26 November 2020 on escalating tensions in Varosha following the illegal actions by Turkey and the urgent need for the resumption of talks<sup>9</sup>, of 15 April 2015 on the centenary of the Armenian Genocide<sup>10</sup>, of 7 October 2021 on the implementation report on the EU Trust Funds and the Facility for Refugees in Turkey<sup>11</sup>, and of 24 November 2021 on the Council position on Draft amending budget No 5/2021 of the European Union for the financial year 2021 – Humanitarian support to refugees in Turkey<sup>12</sup>,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A9-0149/2022),
- A. whereas Turkey, as a candidate country for EU accession, is a key partner in relation to the economy and an important neighbour and strategic partner for the EU in essential areas of joint interest such as trade, migration, public health, climate, the green transition, security and counter-terrorism;
- B. whereas Turkey’s economic integration with the EU remained considerable in 2020, with the country representing the EU’s sixth largest trading partner, while the EU remains Turkey’s largest trading partner by far and its largest source of foreign direct investment; whereas Turkey is currently undergoing economic and financial difficulties, which are exacerbating the economic impact of the pandemic;
- C. whereas work on the EU’s security dimension has been progressing recently, gaining structure and substance, and whereas Turkey represents an extremely valuable partner as a NATO ally and a strategic partner that occupies a key location in Europe and plays

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<sup>6</sup> OJ C 15, 12.1.2022, p. 81.

<sup>7</sup> OJ C 99, 1.3.2022, p. 209.

<sup>8</sup> OJ C 456, 10.11.2021, p. 247.

<sup>9</sup> OJ C 425, 20.10.2021, p. 143.

<sup>10</sup> OJ C 328, 6.9.2016, p. 2.

<sup>11</sup> OJ C 132, 24.3.2022, p. 88.

<sup>12</sup> Texts adopted, P9\_TA(2021)0466.

an instrumental geostrategic role in the security architecture of the Black Sea and, in particular, in the security of Ukraine, which is facing Russian aggression;

- D. whereas Turkey hosts the largest refugee population in the world, with almost 4 million registered refugees from Syria, Iraq and Afghanistan, and whereas EU funding to these communities has demonstrated its value for assisting Turkey in swiftly responding to the humanitarian and development needs of refugees and their host communities;
- E. whereas following steps taken towards a de-escalation of tensions between the EU and Turkey, as well as between Turkey and some EU Member States in the Eastern Mediterranean, the European Council offered to nurture a more positive dynamic in EU-Turkey relations, provided that this continued to be met with constructive efforts; whereas, in particular, the European Council expressed a readiness to engage with Turkey in a phased, proportionate and reversible manner in a number of areas of common interest, provided that the de-escalation of recent tensions between the EU and Turkey, particularly in relation to the situation in the Eastern Mediterranean, is sustained and Turkey engages constructively and meets the established conditions set out in previous European Council conclusions, notably on good neighbourly relations and respect for human rights and international law;
- F. whereas being a candidate country presumes a willingness to progressively approach and align with the EU *acquis* in all aspects, including values, interests, standards and policies, to respect and uphold the Copenhagen criteria, to align with EU policies and objectives, and to pursue and maintain good neighbourly relations with the EU and all its Member States without discrimination; whereas an analysis of the EU's reports in recent years reveals that Turkey remains vastly distant from the EU's values and normative framework, a gap that is actually growing in fundamental areas such as respect for international law, the rule of law, human rights, individual liberties, civil rights and freedom of expression as well as good neighbourly relations and regional cooperation; whereas the links between Turkish civil society and pro-democratic forces and the EU remain strong, as the EU is deeply committed to providing support for Turkish citizens and organisations that promote European norms and values;
- G. whereas over the past year, EU-Turkey relations have on average remained stable, as enhanced cooperation and dialogue on a number of issues have coexisted with regular conflicts and tensions; whereas this resolution reflects this situation by welcoming positive developments and pointing to further potential in the relationship, while signalling remaining problems, in particular as regards the rule of law and fundamental rights in breach of the Copenhagen criteria, violations of international law, or ongoing provocations against the Republic of Cyprus; whereas if this resolution is to properly assess Turkey's progress or lack of progress on human rights and the rule of law, as the core of the accession process, it is important to describe the concrete mechanisms for the erosion of freedoms that, taken together, are leading to this general backsliding on European standards; whereas such an approach means going beyond merely drawing up a long list of the citizens and groups that are suffering as a result of these decisions to actually identifying the operators and bodies of the public authorities responsible for this worrying situation in their particular area of action; whereas criticism must be targeted rather than generic;

## ***General assessment and latest developments***

1. Reiterates its concern about the persistent gap between Turkey and the EU on values and standards, and the continuing lack of political will to carry out the necessary reforms to address, in particular, the serious concerns about the rule of law and fundamental rights that continue to negatively affect the accession process, in spite of Turkey's repeated declarations on the objective of EU accession; stresses that there has been a constant backsliding with regard to Turkey's commitments in relation to the accession process over the past two years; considers that without clear and significant progress in this field, Parliament cannot envisage any resumption of accession negotiations with Turkey, which have effectively been at a standstill since 2018; recalls that the accession process is and will remain a merit-based process that depends entirely on the objective progress achieved by each country;
2. Notes that despite a slight improvement in overall EU-Turkey relations over the past year and recent months in particular, with the Government of Turkey having adopted a more cooperative attitude, enhanced cooperation and dialogue on a number of issues have coexisted with regular conflicts and relations have remained challenging with neighbouring EU Member States, in particular Greece and the Republic of Cyprus; expresses the hope that the present difficulties can be overcome and replaced with a more sustained and genuine positive dynamic; welcomes the high-level dialogue between the EU and Turkey on climate change of 16 September 2021 and the fact that Turkey has formulated its own Green Deal, has put in place ambitious domestic climate policies and ratified the Paris Agreement on 6 October 2021; welcomes the high-level dialogue on migration and security of 12 October 2021, which focused on strengthening cooperation on managing migration, combating human trafficking and organised crime, and preventing terrorist attacks; welcomes the high-level dialogue on public health of 1 December 2021, where discussions centred on enhanced cooperation on cross-border health threats, including in the short term in the fight against the COVID-19 pandemic; commends, in this context, the mutual recognition of COVID-19 certificates in August 2021;
3. Notes that while accession talks remain at a standstill, Turkey has updated its national action plan for EU accession to cover the years 2021-2023; further notes the progress made by Turkey in aligning more closely with the EU *acquis* in areas such as competition legislation, its national qualifications system and the European Research Area, as well as Turkey's better performance in Horizon 2020 as a result;
4. Reiterates its firm conviction that Turkey is a country of strategic relevance in political, economic and foreign policy terms, a partner that is key for the stability of the wider region, and a vital ally, including within NATO, with which the EU wishes to pursue the restoration of relations based on dialogue, respect and mutual trust; welcomes, in this view, the recent statements expressed at the highest level by the Turkish authorities about the recommitment of the Turkish Government to the EU path, but urges the Turkish authorities to put their words into action and demonstrate this commitment with specific facts and decisions; believes that if conditions allow, dialogue with Turkish authorities and counterparts at all levels should be further reinforced as a means of helping to rebuild trust and diminish the possibility of future confrontations, in line with the European Council's position on engaging with Turkey in a phased, proportionate

and reversible manner; calls on the Council, in this regard, to reinstate the suspended high-level political dialogue and high-level sectoral dialogues on the economy, energy and transport, as well as the EU-Turkey Association Council, linked to improvements in the situation of fundamental freedoms and the rule of law;

5. Expresses its deep concern over the current economic situation in Turkey, which through currency devaluation, soaring inflation and a constantly rising cost of living is pushing an increasingly large number of people into hardship and poverty; notes that while the current situation has been developing over a number of years, it turned into a currency crisis in December 2021, exacerbating existing pandemic-related impacts in the economy; is concerned by interventions by the president and the ensuing lack of confidence in supposedly independent bodies such as the Central Bank and the Turkish Statistical Institute (TÜİK); notes, in this regard, that the operational independence of both institutions is a key criterion for EU accession; highlights, moreover, that Turkey's poor performance with regard to respect for the rule of law also has a severe impact on the country's reputational image and that the lack of legal certainty could seriously affect its ability to attract foreign investment; believes that a stronger and closer relationship with the EU would help to alleviate some of the hardships and help to improve the living standards of the Turkish population;
6. Notes that in October 2021 the Financial Action Task Force added Turkey to the list of jurisdictions deemed incapable of tackling money laundering, terrorist financing and proliferation financing; expresses the hope that Turkey can quickly demonstrate the necessary progress on improving the implementation of the relevant anti-money laundering/combating the financing of terrorism (AML/CFT) measures;
7. Expresses the will to strengthen and deepen mutual knowledge and understanding between the societies of Turkey and the Member States, promoting cultural growth and socio-cultural exchanges and combating all manifestations of social, religious, ethnic or cultural prejudice; expresses its full commitment to continue supporting Turkey's independent civil society in whatever circumstances and framework of relations that the future may bring;

### ***The rule of law and fundamental rights***

8. Deplores the continued deterioration of the human rights situation in Turkey, including backsliding on fundamental freedoms, democracy and the rule of law; considers that the current repressive form of rule, whose main pillars are abuse of the legal framework – particularly through the application of terrorism charges and the restriction of freedom of expression – and a lack of independence of the judiciary, is a deliberate, relentless and systematic government policy designed to suppress any critical activities, either directly or through a chilling effect; is appalled by the fact that in order to pursue this policy, the Turkish state authorities are ready to blatantly and persistently disregard their international and domestic legal obligations, such as those derived from Turkey's membership of the Council of Europe;
9. Insists that the crucial area of fundamental rights and freedoms, which is at the core of the accession process, cannot be disconnected and isolated from overall relations with the EU and stresses that for Parliament, it remains a severe obstacle to further progress



on any positive agenda that could be offered to Turkey, which should also be contingent upon full respect for international law and the fundamental principle of good neighbourly relations and regional cooperation;

10. Calls on Turkey to fully implement all judgments of the European Court of Human Rights in line with Article 46 of the European Convention on Human Rights, an unconditional obligation that derives from Turkey's membership of the Council of Europe and is enshrined in its constitution; condemns in the strongest possible terms the recent ruling by the 13th Heavy Penal Court of Istanbul imposing an aggravated life sentence on Osman Kavala after more than four and a half years of unjust, unlawful and illegitimate detention; believes that Mr Kavala has been convicted on unjustified charges for the purpose of silencing and deterring critical voices in Turkey; reiterates its call on the Turkish authorities to act in accordance with their international and domestic obligations and to abide by the final judgment of the European Court of Human Rights in this case and immediately release Mr Kavala; condemns and deplors the continued efforts and attempts to extend Mr Kavala's imprisonment through a series of complex evasive judicial tactics, including merging and disconnecting case files and constant irregularities; is appalled by the fact that the aggravated life sentence imposed by the court is based on Article 312 of the Turkish Criminal Code (attempting to overthrow the government by force and violence), despite the European Court of Human Rights having specifically dismissed this accusation in its rulings; takes note of the recurrent decisions by the Committee of Ministers of the Council of Europe urging Mr Kavala's release, which culminated in the historical launching of infringement proceedings against Turkey through interim resolutions in December 2021 and February 2022 over the country's refusal to abide by the final judgment of the European Court of Human Rights; notes that the infringement proceedings highlight the seriousness of Turkey's violations of its obligations as a member of the Council of Europe and an EU candidate country;
11. Reiterates its strong condemnation and regret over Turkey's withdrawal, by presidential decree, from the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), a decision that is particularly alarming given the continually large number of femicides and other forms of violence in the country, in a major setback to efforts to promote women's rights in the country; reiterates its call on the Government of Turkey to reverse this incomprehensible decision, which is a flagrant violation of fundamental European values and will form part of the evaluation on Turkey's accession process; calls on the Turkish authorities, in this regard, to pursue a zero-tolerance policy and to prevent and combat violence against all women and girls, to support the survivors, and to hold the abusers to account by fully implementing, in the meantime, Turkish Law No 6284 on the Protection of the Family and Prevention of Violence against Women and all measures identified in the relevant case law of the European Court of Human Rights; is deeply worried by the indictment filed by the Intellectual and Industrial Crimes Bureau of the Istanbul Chief Public Prosecutor's Office, which is seeking the closure of the We Will Stop Femicides Platform (KCDP), one of the largest and most prominent women's rights groups in Turkey fighting gender violence, accusing it of contravening public morality;
12. Notes the importance of upholding the freedom of assembly and demonstration in

Turkey, which is enshrined in its constitution and constitutes a positive obligation deriving from its status as a party to the European Convention on Human Rights; regrets the serious backsliding in the freedom of assembly and demonstration, which is increasingly under pressure in the light of the routine use and extension of bans on protests and demonstration by provincial governors, the excessive use of force against peaceful demonstrators and journalists amid general impunity of law enforcement officials, and the administrative fines and prosecutions handed out to demonstrators on charges of terrorism-related activities; is particularly worried by the ban imposed by the Governor of the province of Van that has been in place for over five years in Van; deplores the targeting of journalists at public protests by Turkish police forces, including under the April 2021 directive by the head of Turkey's General Directorate of Security (EGM) instructing Turkish police forces to prevent press recordings of protests and demonstrations, which was subsequently suspended by the Council of State; reiterates its call on the authorities to drop charges against the students of Boğaziçi University prosecuted for exercising their right to peaceful assembly, and highlights the importance of ensuring academic freedom and the autonomy of universities; is concerned, in this regard, by the recent decision to remove three elected deans from Boğaziçi University, whose current rector was appointed by presidential decree in August 2021; welcomes the statement by the European External Action Service (EEAS) on 4 February 2021, which recalled that the COVID-19 pandemic cannot be used as a means to silence critical voices and condemned the hate speech by high-level officials against LGBTI students;

13. Reiterates its serious concern about the disproportionate and arbitrary measures curtailing freedom of expression; takes note of the further decrease in the number of journalists in prison in Turkey and the increase in the number of acquittals in cases against journalists recently observed; demands the release and acquittal of all journalists, writers, media employees and social media users who remain unlawfully detained merely for exercising their profession and civil rights; welcomes the recent rulings of the Council of State halting the execution of some articles of the Press Card Regulations and the police circular that had banned audiovisual recordings at public demonstrations; expresses serious concern, meanwhile, about the continuing arbitrary arrests of journalists, media employees and social media users, the systematic use of vague terrorist offences to silence them, the increasing restrictions and censorship imposed on social media platforms and the practice of investigating and prosecuting people on charges such as allegedly disrespecting Islamic values; is particularly appalled by the gross abuse of Article 299 of the Turkish Penal Code on insulting the president, which can carry a jail sentence of between one and four years; finds it completely disproportionate that since 2014, the first year of President Erdoğan's term in office, more than 160 000 investigations have been launched, more than 35 500 cases filed and more than 12 800 convictions handed out for insulting the president; calls on the Turkish authorities to amend the law on insulting the president in line with the rulings of the European Court of Human Rights and to follow the recommendations of the Venice Commission in order to bring Turkish law on this matter in line with the European Convention on Human Rights; is particularly appalled by the case of journalist Sedef Kabaş, who has recently been sentenced to two years and four months' imprisonment by the Istanbul 36th Penal Court of First Instance for allegedly 'insulting the president' on a live broadcast on TELE1 TV on 14 January 2022; laments the treatment she has received since being arrested during a midnight raid on 22 January

2022 after having been publicly targeted by senior government officials and having spent 49 days in pre-trial detention, and denounces the fact that the indictment prepared by the Istanbul Chief Public Prosecutor's Office called for up to 12 years and 10 months in prison for different offences; finds this case a clear example of an abuse of Article 299 with the aim of having a chilling effect on any journalist or citizen who might express criticism towards the president or government; expresses concerns about the presidential circular on press and broadcasting activities published on 28 January 2022, as it could entail unlawful restrictions on fundamental rights and freedoms; is concerned that of all Council of Europe members, Turkey had the most judgments relating to violations of freedom of expression at the European Court of Human Rights in 2021 and regrets the fact that Turkey still ranks among the countries where freedom of the press is the most under attack;

14. Asserts that the continued prosecution, censorship and harassment of journalists and independent media remains an issue of concern in Turkey and needs to be addressed without delay, as it is eroding the democratic fibre of Turkish society; is concerned, moreover, by the targeting of journalists and opponents in the European Union; calls on the chair of the Turkish Radio and Television Supreme Council (RTÜK) to desist from the excessive imposition of fines and broadcasting bans restricting the legitimate freedom of expression of Turkish journalists and broadcasters; is concerned by RTÜK's threat to block the international media outlets Deutsche Welle, Euronews and Voice of America if they do not apply for broadcasting licences which would allow the watchdog to oversee their content; calls for RTÜK to cease its discriminatory punitive measures against independent broadcasters; regrets the fact that there is growing economic leverage on behalf of the government, including a lack of transparency surrounding the distribution of public funds (advertising, public tenders), which enables it to exert almost complete control of mass media; is worried by the spread of state propaganda from state-run and pro-government media outlets; calls on the chair of the Press Advertising Agency (BİK) to ensure that bans on public advertising do not serve to suppress independent media reporting, as occurred with the daily newspaper *Evrensel*, a historic low in Turkey's press history; calls on the Director of Communications for the Turkish Presidency to ensure that press card applications are processed swiftly and to put a stop to the use of criminal complaints and belligerent rhetoric against journalists; calls on the Grand National Assembly of Turkey to follow up on the judgment of the Turkish Constitutional Court of January 2022 requesting that Article 9 of the Internet Law be reformulated to protect the freedoms of expression and the press; is particularly alarmed by the case of the Turkish Cypriot journalist Ali Kışmir, who was recently prohibited from entering Turkey and faces court charges for expressing criticism against Ankara;
15. Takes note of Turkey's adoption in 2021 of the fourth and fifth judicial packages which, although steps in the right direction, are modest and do not address the main concerns; asserts, however, that the current problems stem not only from problematic legislation, but are often caused by a failure and lack of political will to implement existing adequate provisions; remains concerned about the continuing erosion of the rule of law and judicial independence and impartiality in Turkey, coupled with the chilling effect of the mass dismissals carried out by the government in recent years as well as public statements by executives about ongoing judicial cases, which undermine the judiciary's independence, impartiality and overall capacity to provide an effective remedy for

human rights violations; notes with regret, in this context, that the judicial reforms do not tackle these fundamental shortcomings; stresses that this is an area of utmost concern, as it represents the cornerstone of a functioning democratic system that works for the service and benefit of the population; notes the appointment to the Turkish Constitutional Court in January 2021 of a judge who had served just 20 days on the Court of Cassation and had previously acted as Istanbul Chief Public Prosecutor, where he was involved in the controversial cases brought against Osman Kavala, the Gezi Park protestors, and the journalists Can Dündar and Erdem Gül, among others; points out that the Council of Judges and Prosecutors (HSK) is the main element of concern with regard to the lack of judicial independence; reiterates its call for the shortcomings in the structure and selection process for members of this council to be addressed with a view to ensuring its independence and putting an end to its arbitrary decisions; strongly condemns the dismissals and forced removals of a large number of Turkish judges and prosecutors; recalls that any dismissals and appointments within the judiciary should be subjected to particularly exacting scrutiny, that the executive branch must be prohibited from interfering with or attempting to exert influence over the judiciary and that the appointment of the judiciary must respect the principles of independence and impartiality; is appalled by reports of a pattern of persecution of lawyers representing individuals accused of terrorism whereby the lawyers were prosecuted for the same crime as that attributed to their client, or a related crime, in a context where this constituted a clear obstacle to the enjoyment of the right to a fair trial and access to justice; urges the Turkish Government to guarantee the independent work of lawyers and to release anyone illegally detained simply for performing their legal duties; notes with deep concern that, despite the formal lifting of the state of emergency in July 2018, its impact on democracy and fundamental rights continues to be strongly felt and is still impacting many individuals, among the more than 152 000 civil servants, including teachers, doctors, academics (for peace), lawyers, judges and prosecutors, who were arbitrarily dismissed and permanently banned from working in the public sector or even in their profession as a whole; stresses that many of these dismissals continue to have devastating effects on those dismissed as well as their families, including a lasting social and professional stigma; has serious doubts about the functioning of the Inquiry Commission on the State of Emergency Measures as a mechanism for internal remedy due to its lack of independence and impartiality; notes that the arbitrary cancellations of passports, despite some incremental improvements, remain a major breach of the freedom of movement;

16. Expresses concern about the increasingly large number of applications being lodged before the Constitutional Court concerning violations of constitutional rights and the lack of changes implemented when such violations are revealed; notes the recent statements by the President of the Constitutional Court recognising that over 73 % of the more than 66 000 applications received in 2021 concerned the right to a fair trial and describing the situation as ‘dire’; questions the legality of the changes to the court’s procedural rules allowing decisions to be deferred by a year;
17. Notes the adoption of a new human rights action plan by the Turkish authorities in March 2021 as welcome in principle; notes, however, that it leaves a number of underlying issues unaddressed and that the government’s commitment will be measured by the extent to which the plan is implemented and the reforms are undertaken to ensure its application to all citizens without discrimination; urges the Turkish authorities to

step up their efforts to effectively address the dire situation of Kurds, Armenians and, in particular, the housing and education of the Roma community, who continue to have to contend with comparatively higher levels of poverty, unemployment, discrimination and exclusion;

18. Calls for the full implementation of the judgments of the European Court of Human Rights and the interim resolutions of the Committee of Ministers of the Council of Europe regarding conscientious objection; notes, in this regard, the action plan submitted by the Turkish authorities to the Committee of Ministers and encourages them to develop further measures to ensure, through the necessary legislation, a fair and accessible exercise of the right to conscientious objection to military service; expresses concern about the growing number of applications before the Constitutional Court regarding conscientious objection since the first application was lodged in 2017, which have been pending without any essential communication with the applicants; urges that the necessary legal amendments be made to cease the cycle of prosecutions and punishment as well as all the restrictions affecting conscientious objectors;
19. Calls on the Turkish authorities to promote positive and effective reforms in the area of freedom of thought, conscience and religion by enabling religious communities to obtain legal personality and education rights, and by applying the recommendations of the Venice Commission on the status of religious communities and all relevant rulings of the European Court of Human Rights and resolutions of the Council of Europe, including on the Greek Orthodox population of the islands of Gökçeada (Imbros) and Bozcaada (Tenedos); calls on the Turkish Government to step up ongoing efforts related, inter alia, to public recognition for the Alevi identity and the legal status and funding of Cemevis, in compliance with the relevant judgments of the European Court of Human Rights on compulsory religion and ethics classes and Alevi places of worship; calls on the Turkish authorities to fully respect the historical and cultural character of cultural and religious monuments and symbols, especially those classified as UNESCO World Heritage Sites; notes with concern the recent developments with regard to the historic Panagia Soumela Monastery, which is included on the UNESCO World Heritage Tentative List; stresses the need to eliminate restrictions on the training, appointment and succession of members of the clergy, to allow the reopening of the Halki Seminary, which has been closed since 1971, and to remove all obstacles to enable it to function properly; reiterates its call on Turkey to respect the role of the Ecumenical Patriarchate for Orthodox Christians all over the world and to recognise its legal personality and the public use of the ecclesiastical title of the Ecumenical Patriarch; regrets the fact that following its annulment in 2013, a new electoral regulation for non-Muslim foundations is still to be published, which has created serious problems for the proper administration of these foundations, as no elections can take place; notes with concern that hate speech and hate crimes against religious minorities, mainly Alevis, Christians and Jews, have continued to be reported and that investigations have remained ineffective; urges the Turkish authorities to effectively prosecute the offenders and to properly protect all religious minorities;
20. Regrets the sustained legal and administrative pressure by the Turkish Government on civil society and human rights defenders, lawyers, journalists, academics, trade unionists, ethnic and religious minorities and numerous Turkish citizens and the continuously shrinking space to operate freely in Turkey; denounces the arbitrary

closure of civil society organisations, including prominent human rights NGOs and media outlets; calls on Turkey to view critical or dissenting voices, including human rights defenders, lawyers, academics and journalists, as valuable contributors to social dialogue, rather than destabilising forces, to allow them to function in accordance with their duties and within their remit and scope, and to exercise their profession freely, as this provides for a healthier democracy and society overall; reiterates its call on the Turkish Government to review the Law on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction of December 2020, which grants the Turkish Interior Ministry and the president extensive authority to restrict the activities of NGOs, business partnerships, independent groups and associations and appears to be aimed at further limiting, restricting and controlling civil society; is concerned by the observations of both the Commissioner for Human Rights and the Parliamentary Assembly of the Council of Europe, which have pointed out that human rights organisations were the first to be audited pursuant to this law; calls for the EU and its Member States to exert greater pressure on the Turkish Government and to step up their support for human rights defenders and independent civil society in Turkey, including through the relevant financial instruments; calls on the Commission to provide, through the Instrument for Pre-Accession Assistance (IPA III) and relevant programmes of the Neighbourhood, Development and International Cooperation Instrument-Global Europe, sufficient funding for civil society, non-state actors and people-to-people contacts in order to prioritise the pro-democracy efforts which could help to generate the political will needed to strengthen EU-Turkey relations; calls on the Commission to explore the funding of local governments concerning projects of mutual interest; stresses that financial assistance under IPA III is based on conditionality linked to the ‘fundamentals first’ approach and reiterates, in this context, its demand that the IPA funding for reforms in Turkey must be disbursed with complete transparency and be managed directly by the EU or a recognised international institution;

21. Expresses deep concern about the state-sponsored deterioration in the human rights situation for LGBTI people, in particular with regard to physical attacks and hate crimes – especially against transgender persons – the protracted bans on Pride marches across the country, restrictions on the freedoms of assembly, association and expression, and censorship in the media and online, and urges the Turkish Government to protect their equal and legal rights; recalls the need to adopt measures to ensure that all citizens can safely enjoy these freedoms; highlights the Turkish Government’s increasingly homophobic stance and the use of hate speech against LGBTI people by high-level officials, which is aimed at stigmatising and criminalising the LGBTI community and can serve as a breeding ground for hate crimes and a powerful enabler of increased harassment, discrimination and potential violence; recalls that Turkey’s obligations under the European Convention on Human Rights entail a responsibility to combat discrimination and violence against LGBTI persons and urges the Turkish authorities to deliver on their commitments; calls for sexual orientation, gender identity and sex characteristics to be added as protected grounds in the anti-discrimination provision of the labour law; highlights the pattern of use of judicial proceedings to silence human rights defenders, NGOs and lawyers and to curtail activism, in particular LGBTI rights defenders; is concerned about the criminal investigations against the Istanbul, Ankara and Diyarbakır bar associations and the case involving the participants in the 2019 Pride march at Middle East Technical University in Ankara; welcomes the acquittal of the latter; is following with grave concern the ongoing trial against the executive board and

president of the Ankara Bar Association, in which the Ankara Chief Public Prosecutor's Office is seeking up to two years in prison for allegedly 'insulting a public officer' when criticising the head of the Directorate of Religious Affairs (Diyanet) for the openly homophobic statements he made on 14 April 2020, namely that 'Islam curses homosexuality [...] because it brings about disease and rots generations'; urges the Turkish authorities to put in place the necessary legal measures to end any discrimination based on sexual orientation and gender identity in line with Article 21 of the Charter of Fundamental Rights of the EU; calls on the authorities to align the criminal legislation concerning homophobic and transphobic hate crimes with General Policy Recommendation No 7 of the European Commission against Racism and Intolerance; urges Turkey to drop all charges against the peaceful participants of LGBTI events and to lift the protracted bans on Pride events;

22. Is deeply concerned about the constant attacks against opposition parties, particularly the HDP and others, including the Republican People's Party (CHP), such as applying pressure, forcing them to close and imprisoning their members, all of which undermines the proper functioning of the democratic system; stresses that democracy presupposes an environment in which political parties, civil society and the media can function without threats or arbitrary restrictions;
23. Notes with great concern that the HDP, its elected mayors and its party organisations, including its youth organisation, have been specifically and continuously targeted and criminalised by the Turkish authorities, leading to a situation where over 4 000 HDP members are currently in prison; continues to strongly condemn the continued detention since November 2016 of Selahattin Demirtaş and Figen Yüksekdağ, the former co-chairs of the HDP, and calls for their immediate release; is appalled by the Turkish authorities' continuous disregard for and failure to apply the rulings of the European Court of Human Rights that oblige Turkey to immediately release Selahattin Demirtaş; strongly condemns the indictment in pursuit of the closure of the HDP and the banning from political life of 471 individuals including most of the HDP's current leadership, which was filed by the Chief Public Prosecutor of Turkey's Court of Cassation and accepted by unanimity by Turkey's Constitutional Court in June 2021, and prevents them from conducting any kind of political activity in the next five years; recalls that the Constitutional Court has previously banned six pro-Kurdish political parties; notes with grave concern that the HDP dissolution case is the culmination of a crackdown on the party that has been going on for several years, and reiterates that banning the party would be a serious political mistake as it would deliver an irreversible blow to pluralism and democratic principles; further highlights the role of the Ankara 22nd Heavy Penal Court in the so-called Kobane case against 108 individuals including numerous HDP politicians; points to the special role of the public prosecutor and demands clarity, in particular, over the alleged political interference documented among the file; further questions how the court managed to examine and accept a 3 530-page document in a week without hearing the defendants;
24. Is concerned by the ongoing case against CHP Vice-Chair Gökçe Gökçen as part of an investigation against the party's entire executive board for the publication and distribution of a booklet; is shocked that of the three lawsuits filed against her, the Ankara Chief Public Prosecutor's Office charged Ms Gökçen with the crime of physically assaulting the president, which comes with a minimum five-year prison

sentence, in relation to the brochure's publication; notes that while this lawsuit has been dismissed by the Ankara 18th High Criminal Court, the other two lawsuits for slander, incitement towards hatred and defamation against the president are still ongoing; remains seriously concerned about the continuous political and judicial harassment of Canan Kaftancıoğlu, Istanbul provincial chair of the CHP, through a growing number of lawsuits against her; is concerned about the arbitrary nature of the protracted registration process for the Green Party of Turkey, which applied for a certificate of formation with the Turkish Interior Ministry on the day of its establishment in September 2020, but has not yet been issued with one;

25. Condemns the recurrent use of revocation of the parliamentary status of opposition MPs, which seriously damages the Turkish Parliament's image as a democratic institution; recalls, in this regard, the recent judgment by the European Court of Human Rights of 1 February 2022 that ruled that waiving the immunity of 40 HDP MPs in 2016 infringed their right to freedom of expression and assembly; is following with concern the case of the HDP MP for Diyarbakır Semra Güzel, who is accused of alleged 'membership of a terrorist organisation' in relation to pictures taken five years ago, and whose legislative immunity was lifted on 1 March 2022;
26. Reiterates its condemnation of the decision made by the Turkish authorities to remove over 150 democratically elected mayors from office on the basis of questionable evidence and their arbitrary replacement with unelected trustees appointed by the central government; condemns the fact that merely since the last local elections on 31 March 2019, 32 of the 65 democratically elected HDP mayors in south-eastern Turkey were removed by the government and many were replaced by trustees; strongly believes that these unlawful decisions undermine democracy at a local level and constitute a direct attack on its most basic principles, depriving millions of voters of democratically elected representation; calls on Turkey to restore the deposed mayors to office; strongly criticises the political, legislative and administrative measures taken by the Turkish Government to paralyse municipalities run by the mayors of opposition parties in Istanbul, Ankara and Izmir;
27. Takes note of the recent electoral reforms adopted without cross-party consensus, and the lowering of the electoral threshold from 10 % to 7 %, which is still too high; notes with concern the changes to the selection procedure for the provincial election boards responsible for vote counting and appeals processes, which was hitherto composed of the most senior judges but will be now selected by a lottery; reiterates its call on Turkey to improve the broader environment for elections throughout the country at all levels by ensuring a free and fair playing field for all candidates and parties and moving into line with the recommendations of the Venice Commission and the Organization for Security and Co-operation in Europe;
28. Recognises that Turkey has legitimate security concerns and the right to fight terrorism; stresses, nevertheless, that this is something that must be done with full respect for the rule of law, human rights and fundamental freedoms; reiterates its firm and unambiguous condemnation of the violent terrorist attacks by the Kurdistan Workers' Party (PKK), which has been on the EU list of terrorist organisations since 2002; notes the importance for Turkey, the EU and its Member States of cooperating closely in the fight against terrorism, including Daesh; urges the Turkish authorities to further



continue their efforts to develop close cooperation with the EU in the fight against terrorism, money laundering and terrorist financing and to bring their legislation on terrorism and related practices into line with European provisions; takes note of the ongoing negotiations for an international agreement on exchanges of personal data between Europol and the Turkish authorities responsible for combating crime and terrorism; expresses the hope that these negotiations uphold European standards of data protection and fundamental rights; calls on Turkey, once again, to align its data protection law with EU standards in order to be able to cooperate with Europol and to strengthen the body of regulations to be deployed in the fight against money laundering, terrorist financing and cybercrime;

29. Stresses that anti-terrorism provisions in Turkey are still too broad and are used in a discretionary manner for the repression of human rights and of any critical voices in the country, including journalists, activists and political opponents, and highlights that by abusing the anti-terrorist legislation, the authorities diminish the serious nature of this ever-present threat; notes that cases of enforced disappearances still occur in this context; is deeply concerned by the decision of the Minister of Interior to open a special investigation into the Istanbul Metropolitan Municipality for alleged terror links, implicating over 550 of its employees, and by the renewed judicial harassment against Öztürk Türkdoğan, a prominent human rights lawyer and Co-Chairperson of the Human Rights Association (İHD), who was tried by the Ankara 19th Heavy Penal Court on the accusation of ‘membership of an illegal armed organisation’ following his indictment by the Ankara Chief Public Prosecutor’s Office, but has finally been acquitted;
30. Remains deeply concerned by the situation of Kurdish people in the country and the situation in south-east Turkey with regard to the protection of human rights, freedom of expression and political participation; is particularly concerned about numerous reports of law enforcement officials engaging in torture and ill-treatment of detainees while responding to perceived and alleged security threats in south-east Turkey; condemns the police custody measures served against prominent civil society actors and political opponents in south-east Turkey and calls on Turkey to ensure the protection and safety of human rights defenders and to promptly initiate independent investigations into these cases; condemns the oppression of ethnic and religious minorities, including the prohibition of languages from groups such as the Kurdish community as a mother tongue in education and in all areas of public life by the Turkish Constitution; reiterates that this constitutes a violation of international law, which protects the rights of persons to assert their membership of an ethnic or religious minority and to express themselves in the traditional language of their minority; stresses the urgency of resuming a credible political process involving all relevant parties and democratic forces and leading to a peaceful settlement of the Kurdish issue;
31. Strongly condemns the forced extradition, kidnapping and abduction of Turkish citizens residing outside Turkey, a violation of the principle of the rule of law and basic human rights; urges the EU to address this worrying practice in its own Member States as well as in the candidate and associated countries; is concerned by the attempts by the Turkish Government to influence members of the Turkish diaspora in the EU, such as through the Presidency for Turks Abroad and Related Communities (YTB) and the Turkish-Islamic Union for Religious Affairs (DITIB), which could interfere with democratic processes in some Member States; remains worried that the racist right-wing extremist

movement Ülkü Ocakları, also known as the Grey Wolves, which is closely linked to the ruling coalition Nationalist Movement Party (MHP), is spreading not only in Turkey but also in EU Member States; calls for the EU and its Member States to examine the possibility of banning their associations in EU countries; calls on the Member States to closely monitor the racist activities of this organisation and to fight back to curtail its influence; calls on the strategic communications divisions of the EEAS to document suspicions of Turkish disinformation, particularly in Africa, the Western Balkans, and the Middle East and North Africa, and to report its findings to the European Parliament; expresses concern that Uyghurs living in Turkey continue to be at risk of detention and deportation to other countries that could then potentially hand them over to China, where they are likely to face grave persecution; calls on the Turkish authorities to hold off on ratifying its extradition treaty with China;

32. Reiterates its concern about Turkey's refusal to implement the recommendations of the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment; calls on Turkey to abide by a zero-tolerance policy on torture and to duly investigate persistent and credible reports of torture, ill-treatment and inhumane or degrading treatment during detention, interrogation or custody, in order to put an end to impunity and hold those responsible to account; welcomes the recent amendment to the regulation on prisons to replace the term 'strip search' with 'detailed search' and calls on the director of the General Directorate of Prisons and Detention Houses to ensure its full implementation 'with respect for human dignity and honour', as stated in the amended regulation, as there are still credible allegations on the continuation of this practice, including on minors visiting prisons; is deeply worried about the situation in Turkey's overcrowded prisons, which is exacerbating the deadly danger of the COVID-19 pandemic for prisoners; is deeply worried, moreover, about the arbitrary restrictions imposed on prisoners' rights to medical treatment and visitation; highlights that according to data from the Human Rights Association in Turkey (İHD), there are currently 1 605 people sick in prison, 604 of whom are seriously ill; deplores the continued incarceration of the former MP Aysel Tuğluk in spite of her dire health condition, which was determined by medical reports subsequently dismissed by the state-run Council of Forensic Medicine (ATK); calls for Aysel Tuğluk's immediate release; is appalled by the reported practice of pregnant and post-partum women being arrested and urges Turkey to release all women concerned and to end the practice of arresting pregnant women immediately before or after they have given birth; is concerned by the harassment of HDP MP Ömer Faruk Gergerlioğlu, who was recently prevented from travelling abroad and the subject of an investigation by the Kandıra Chief Public Prosecutor's Office – a case that was recently dropped – on charges of 'insulting the state and its bodies', 'influencing the expert' and 'praising the crime and the criminal' after calling for Aysel Tuğluk to be released;
33. Is appalled by the deafening silence of the Turkish Ombudsman in the face of the grave situation of fundamental rights in the country described above; calls on the Chief Ombudsman of Turkey to ensure that his institution becomes a useful tool for Turkish citizens and plays an active role in strengthening the culture of seeking legal remedies, as the institution has set out in its aims; regrets the fact that neither the Ombudsman nor the Turkish Human Rights and Equality Institution – the country's two main human rights institutions – are operationally, structurally or financially independent; urges the Turkish authorities to take the appropriate measures in order for these institutions to

comply, where relevant, with the Paris Principles and the Commission Recommendation on standards for equality bodies<sup>13</sup>; deplores the fact that certain members of the Human Rights and Equality Institution have demonstrated a negative attitude towards basic human rights, including gender equality, women's rights and LGBTIQ rights, and have expressed support for Turkey's withdrawal from the Istanbul Convention; invites the Human Rights Inquiry Committee of the Grand National Assembly of Turkey to fully exert its extensive powers to investigate and seek accountability concerning violations of human rights in the country and to propose legislative amendments to ensure that the national legislation is aligned with the international human rights conventions to which Turkey is a party;

34. Recalls that freedom for trade unions and social dialogue are crucial to the development and prosperity of a pluralistic society; regrets, in this context, the persistent legislative shortcomings on labour and trade union rights and stresses that the right to organise, the right to collective bargaining and the right to strike constitute fundamental workers' rights; is further concerned about the persistence of strong anti-trade union discrimination by employers and the dismissals, harassment and imprisonment to which the managers and members of some unions continue to be subjected; is also concerned by the systematic dismissals of workers attempting to organise; calls on the Turkish authorities to align themselves with the core International Labour Organization standards to which the country has committed itself, to remove obstacles limiting the enjoyment of trade union rights and to use social dialogue effectively, including for COVID-19 socio-economic recovery measures;

#### ***Wider EU-Turkey relations and Turkish foreign policy***

35. Expresses genuine appreciation for the Turkish authorities' clear support for the independence, sovereignty and territorial integrity of Ukraine and for their condemnation of the unjustified Russian invasion and military aggression against Ukraine; stresses the vital importance of strong EU-Turkey cooperation in foreign and security policy in today's challenging times and welcomes, in this perspective, Turkey's firm alignment with NATO and the EU; stresses that Turkey is a NATO ally and strategic partner with which we share major interests; commends Turkey's decision to invoke the 1936 Montreux Convention demanding that all Black Sea and non-Black Sea states halt passage through its straits; welcomes, moreover, Turkey's ongoing financial and humanitarian assistance to Ukraine, as well as the Turkish Government's open disposition to act as a mediator among the parties to the conflict; invites Turkey to reconsider, in light of the graveness of the situation, its principled position concerning the non-application of sanctions against the Russian authorities responsible for this serious breach of international law as well as oligarchs and officials close to them; highlights, in this view, its expectation that Turkey, in coherence with its position on the Russian aggression against Ukraine, will avoid becoming a safe haven for Russian capital and investments, thus clearly circumventing EU sanctions; encourages Turkey to close its airspace to Russian aircraft;
36. Commends the efforts made by Turkey to continue hosting the largest refugee population in the world; welcomes, in this regard, the continued provision of EU

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<sup>13</sup> Commission Recommendation (EU) 2018/951 of 22 June 2018 on standards for equality bodies, OJ L 167, 4.7.2018, p. 28.

funding for refugees and host communities in Turkey, and expresses its commitment to sustaining this support in the future; calls on the Commission to ensure the utmost transparency and accuracy in the allocation of funds under the successor to the Facility for Refugees in Turkey, ensuring that the funds are primarily given directly to the refugees and host communities and managed by organisations that guarantee accountability and transparency; supports an objective assessment of the cooperation between the EU and Turkey on refugees and migration matters and underlines the importance of both sides complying with their respective commitments under the EU-Turkey Joint Statement of 2016 and the EU-Turkey Readmission Agreement vis-à-vis all Member States, including the resumption of the readmission of returnees from the Greek islands, which was interrupted in March 2020, or the activation of the Voluntary Humanitarian Admissions Scheme; insists that the respect for fundamental freedoms needs to be at the centre of the implementation process of the EU-Turkey Statement; greatly commends the essential contribution of civil society and local authorities in Turkey to the integration of refugees; supports better and greater access to protection services for specific vulnerable groups; calls on the Turkish Government to enhance access to the labour market for Syrian refugees and to put measures in place to avoid the risk of statelessness for a generation of Syrian children born in Turkey; recognises the migratory pressure Turkey is facing, but firmly objects to any instrumentalisation of migrants by the Turkish Government; is concerned by continued reports of summary push-backs of Afghans and others apprehended attempting to cross the border, and arbitrary deportations to Syria; deplores the human smuggling and human rights violations to which refugees have been subjected in Turkey; insists that returns of refugees should only happen on a voluntary basis and in safety and urges Turkey to provide greater access to deportation centres for international and national organisations in order to monitor and provide assistance to those in the process of being returned; notes with concern signs of increasing racist and xenophobic attacks against foreigners, as well as the use of an anti-refugee narrative and mounting anti-immigration sentiment in Turkish politics and society; notes that a continuing increase in asylum applications was registered in Cyprus in 2021 and recalls Turkey's obligation to take any necessary measures to prevent the creation of new sea or land routes for illegal migration from Turkey to the EU;

37. Reiterates its support for the current Customs Union and calls on Turkey to respect its obligations, including eliminating non-tariff barriers to free movement; believes that strengthening trade relations could bring concrete benefits to citizens in Turkey and the EU, and therefore supports the Commission's proposal to start negotiations on upgrading a mutually beneficial Customs Union, accompanied by an effective and efficient dispute settlement mechanism; warns, however, that such a modernisation of the Customs Union would need to be based on strong conditionality related to human rights and fundamental freedoms, respect for international law and good neighbourly relations, and that it can only be envisaged upon Turkey's full implementation of the Additional Protocol to extend the Ankara Agreement towards all Member States without reserve and in a non-discriminatory fashion; stresses that both parties must be fully aware of this democratic conditionality from the outset of any negotiations, as Parliament will not give its consent to the final agreement without results in this field;
38. Notes that visa liberalisation would constitute an important step towards facilitating people-to-people contacts and is of great importance for Turkish citizens, particularly

for students, academics, business representatives and people with family ties in EU Member States; reiterates its support for the visa liberalisation process once the established conditions have been met and encourages the Turkish Government to work towards harmonising its visa policy with that of the EU and to fully comply with the 72 criteria identified in the visa liberalisation roadmap in a non-discriminatory manner towards all Member States; stresses that there has been very little real progress on the six outstanding benchmarks still to be fulfilled by Turkey; notes that the new action plan on human rights envisages expediting fulfilment of the remaining benchmarks; stresses that the revision of Turkey's anti-terrorism legislation and data protection law are key conditions for ensuring fundamental rights and freedoms;

39. Regrets the recent reshuffle in the Commission's Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) by Commissioner Varhélyi, which has seen the unit in charge of Turkey integrated with the units responsible for the 'Neighbourhood South'; regards this move, allegedly undertaken for the purposes of efficiency and streamlining the internal organisation, as a serious political mistake which has also been highly criticised not only by the Turkish Government but all pro-European Turkish actors;
40. Welcomes the Turkish Government's decision to ratify the Paris Climate Agreement, its pledge to become carbon neutral by 2053, and its announcement to adapt to the European Green Deal; considers the implementation of the European Green Deal an important opportunity for the EU and Turkey to align their trade and climate policy and calls for the EU to closely coordinate and support Turkey in this context for ambitious climate protection measures; notes the conducive role the EU agencies and the EU's industrial alliances can play in the cooperation between the EU and Turkey on the green transformation; calls on Turkey to maintain progress in aligning with the EU directives and *acquis* relating to the environment and climate action; calls on the Turkish Government to follow up on its announcement and develop a national strategy and action plan to meaningfully reduce CO<sub>2</sub> emissions; commends the work of environmental rights defenders and warns against the dire environmental impact of major public infrastructure projects; takes note of the beginning of construction of the Istanbul Canal in 2021 and underscores warnings from environmentalists and the Chamber of Environmental Engineers that the canal will imperil Istanbul's tenuous water supply and devastate the surrounding ecosystem, including the natural equilibrium between the Black Sea and the Sea of Marmara; calls on the Turkish authorities to take immediate action to protect the Sea of Marmara and ban any infrastructure projects that would further contribute to pollution of the water body; welcomes, in this regard, the Turkish Government's decision to grant the Sea of Marmara special environmental protection status; reiterates its call on the Turkish Government to halt its plans for the Akkuyu nuclear power plant and to consult with the governments of neighbouring countries over any further developments in the Akkuyu project, which will be located in a region prone to severe earthquakes, thereby posing a major threat not only to Turkey but also the Mediterranean region as a whole;
41. Acknowledges that Turkey can pursue its own foreign policy in line with its interests and goals, but expects this policy to be defended through diplomacy and dialogue based on international law and, as a candidate country, to be increasingly aligned with that of the EU; is of the opinion that EU-Turkey cooperation in foreign and security policy is of

fundamental importance and that future EU security structures, particularly in the neighbourhood, require strategic cooperation and improved communication with Turkey in order to be effective; believes that increased EU-Turkey cooperation can be achieved on multiple foreign policy areas such as on Ukraine and Afghanistan; recalls further that the EU and NATO remain the most reliable long-term partners for Turkey in international security cooperation and calls on Turkey to maintain political coherence in the fields of foreign and security policies in view of its role as a member of NATO and status as an EU candidate country; regrets, in this context, the fact that of all candidate countries Turkey is the least aligned (14 %) with the common foreign and security policy (CFSP) and common security and defence policy (CSDP), and reiterates its call on Turkey to reverse this trend as a matter of priority given the great potential of joint action with regard to different challenges in the region and globally; notes with concern, in this regard, that Turkey's foreign policy has clashed with the EU's priorities under the CFSP in recent years, including as regards the Caucasus, Syria, Libya and Iraq;

42. Commends the recent rapprochement between Turkey and Armenia with regard to the decision to start bilateral contacts, the appointment of special representatives and the resumption of flights between the two countries; considers this attempt a highly positive development which has a positive impact on prosperity and security in the region; encourages both sides to pursue these efforts with a view to fully normalising their relations and calls for the EU to actively support this process; encourages Turkey to pave the way for genuine reconciliation between the Turkish and Armenian peoples, including settling the dispute of the Armenian Genocide, and to fully respect its obligations to protect Armenian and other cultural heritage; expresses the hope that this may lead to a dynamic of normalisation of relations in the South Caucasus; further welcomes Turkey's diplomatic efforts to normalise relations with various countries in the Middle East, especially Israel; encourages Turkey, once again, to recognise the Armenian Genocide;
43. Notes some decrease in tensions in the Eastern Mediterranean in recent times, but remains fully aware that these positive dynamics could be reversed at any moment while the underlying issues remain unresolved; deplors, in this context, the recent statements by the Turkish authorities disputing Greece's sovereignty over some of its islands, which are counterproductive and undermine de-escalation efforts; continues to urge Turkey and all stakeholders involved to engage in a bona fide peaceful settlement of disputes and to refrain from any unilateral action or threats; continues, in particular, to call on all sides to show genuine collective engagement to negotiating the delimitation of exclusive economic zones (EEZs) and the continental shelf in good faith and in line with international rules and principles; condemns, in this regard, the harassment by Turkish warships of research vessels performing surveys within the EEZ delimited by the Republic of Cyprus; condemns, furthermore, Turkey's violations of Greek national airspace, including overflights of inhabited areas and territory, actions which violate both the sovereignty and sovereign rights of EU Member States in contravention of international law; expresses its total solidarity with Greece and the Republic of Cyprus; reaffirms the right of the Republic of Cyprus to enter into bilateral agreements on its EEZ and to explore and exploit its natural resources in full compliance with international law; notes with regret that the *casus belli* declared by the Turkish Grand National Assembly against Greece in 1995 has yet to be withdrawn; welcomes the continuation of exploratory talks between Greece and Turkey, which seek

to address the delimitation of the continental shelf and the EEZ in line with international law; reiterates its call on the Turkish Government to sign and ratify the UN Convention on the Law of the Sea, which is part of the EU *acquis*; supports the invitation extended to Turkey by the Government of the Republic of Cyprus to negotiate in good faith the maritime delimitation between their respective coast lines, or to have recourse to the International Court of Justice, and calls on Turkey to accept Cyprus's invitation; welcomes the Turkish contribution to the security of gas supply through the connection of the Trans-Anatolian Pipeline (TANAP) with the completed Trans Adriatic Pipeline (TAP); reiterates its support for the European Council's proposal for a multilateral conference on the Eastern Mediterranean and underscores that the Green Deal and the energy transition could provide important opportunities for achieving cooperative, sustainable and inclusive energy solutions in the Eastern Mediterranean; calls for the Eastern Mediterranean to be made a genuine catalyst in the external dimension of the Green Deal;

44. Regrets the fact that the Cyprus problem remains unresolved and stresses that a solution in line with the relevant UN Security Council resolutions and within the agreed framework will have a positive impact on Turkey's relations with the EU; strongly reaffirms its view that the only sustainable solution to the Cyprus issue is that of a fair, comprehensive and viable settlement, including of its external aspects, within the UN framework, on the basis of a bi-communal, bi-zonal federation with a single international legal personality, single sovereignty, single citizenship and political equality, as set out in the relevant UN Security Council resolutions and in accordance with international law and on the basis of respect for the principles on which the Union is founded; deplores the fact that the Turkish Government has abandoned the agreed basis of the solution and the UN framework to defend on its own a two-state solution in Cyprus; calls on Turkey to abandon this unacceptable proposal for a two-state solution; further calls on Turkey to refrain from any unilateral action which would entrench the permanent division of the island and to refrain from action altering the demographic balance; condemns the fact that Turkey continues to violate UN Security Council resolutions 550(1984) and 789(1992), which call on Turkey to transfer the area of Varosha to its lawful inhabitants under the temporary administration of the UN, by supporting the opening of the town of Varosha to the public; takes the view that this move undermines mutual trust and hence the prospect of a resumption of direct talks on a comprehensive solution to the Cyprus problem; calls on the Turkish Government to return to dialogue based on the UN format, which represents the only viable path towards reconciliation; urges that negotiations on the reunification of Cyprus be resumed under the auspices of the UN Secretary-General as soon as possible from where they left off at Crans-Montana in 2017; reiterates its call on Turkey to fulfil its obligation of full, non-discriminatory implementation of the Additional Protocol to the Ankara Agreement towards all Member States, including the Republic of Cyprus; regrets the fact that Turkey has still not made progress towards normalising its relations with the Republic of Cyprus; underlines the fact that cooperation remains essential in areas such as justice and home affairs as well as aviation law and air traffic communications with all EU Member States, including the Republic of Cyprus;
45. Calls on Turkey to give the Turkish Cypriot community the necessary space to act in accordance with its role as a legitimate community of the island, a right guaranteed by the Constitution of the Republic of Cyprus; calls on the Commission to step up its

efforts to engage with the Turkish Cypriot community, recalling that its place is in the European Union; calls for all parties involved to demonstrate a more courageous approach in bringing the communities together; stresses the need for the EU *acquis* to be implemented across the entire island following the comprehensive solution of the Cyprus problem and highlights, meanwhile, that the Republic of Cyprus is responsible for stepping up its efforts to facilitate the engagement of Turkish Cypriots with the EU; praises the important work of the bi-communal Committee on Missing Persons (CMP) and reiterates its appreciation for the fact that, following the worst phase of the pandemic, Turkey is gradually providing the CMP with access to the relevant sites once again, including military areas; calls on Turkey to enhance its efforts in providing crucial information from its military archives as well as access to witnesses in closed-off areas; calls on Turkey to cooperate with the relevant international organisations, especially the Council of Europe, in preventing and combating illicit trafficking and the deliberate destruction of cultural heritage;

46. Reiterates its condemnation of the Turkish military interventions in Syria, which violate international law and undermine the stability and security of the whole region; calls on Turkey to end its illegal occupation of northern Syria and Afrin and reiterates that security concerns cannot justify unilateral military action in a foreign country; denounces the fact that Turkey and local Syrian factions are abusing civilians' rights and restricting their freedoms with impunity in the Turkish-occupied territories; condemns the illegitimate transfer of Syrian refugees to northern Syria in order to reshape the demographic character of a mainly Kurdish area in Syria; denounces the fact that Turkey is continuing to illegally transfer Syrian nationals to Turkey to face trial on terrorism charges that could lead to life imprisonment; condemns the ongoing Turkish attacks and continued military presence on Iraqi territory, in particular the attacks on the Yazidi-majority Sinjar region, which are preventing the return of Yazidis and Christians who fled Daesh in 2014;
47. Calls on Turkey to fully commit to the peaceful resolution of the conflict in Libya under the auspices of the UN; notes that the persistent foreign interference in Libya continues to seriously challenge the implementation of the UN-led Berlin process; calls on Turkey to fully adhere to the arms embargo imposed by the UN Security Council, to fully cooperate with the EU Naval Force Mediterranean Operation (EUNAVFOR MED) IRINI and to allow for efficient cooperation between the latter and NATO's Operation Sea Guardian; reiterates its condemnation of the signature of the two memoranda of understanding between Turkey and Libya on comprehensive security and military cooperation and on the delimitation of maritime zones, which are interconnected and are clear violations of both international law and the relevant UN Security Council resolutions and the sovereign rights of EU Member States; calls on Turkey to adopt a more constructive approach for the stabilisation of Somalia and to increase its political and operational coordination with the EU on this matter;

#### ***The way forward for EU-Turkey relations***

48. Insists that democracy, the rule of law and fundamental rights should remain at the heart of EU-Turkey relations under any framework, which should be firmly underpinned by the principles of international law, multilateralism and good neighbourly relations; reaffirms that the accession process and its values-based approach has been the main



framework for EU-Turkey relations, the most powerful tool to exercise normative pressure, and the best framework to sustain the democratic and pro-European aspirations of Turkish society and promote convergence with the EU; notes that it does not find arguments at this stage to modify its conditional position concerning the formal suspension of the accession negotiations with Turkey; notes that by deciding to openly defy the binding rulings of the European Court of Human Rights in relation to the case of Osman Kavala and others, the current Turkish Government has deliberately demolished any aspirations of reopening the EU accession process in the present circumstances; encourages both sides to review the current state of their relationship through a comprehensive high-level dialogue and to explore complementary ways in parallel to the accession process, such as through a modernised Association Agreement, in order to re-engage in a revamped, balanced and reciprocal partnership that is strongly conditional on democracy, the rule of law and fundamental rights and freedoms;

49. Notes that the current state of EU-Turkey relations is prone to producing unsatisfactory results; calls for a rebalancing of the relationship by building on the solid grounds for cooperation driven by mutual interests, and by building confidence to address the lack of trust, while refraining from unilateral action or inflammatory statements;
50. Believes that the EU should continue to pursue all possible instances of dialogue, common understanding and convergence of positions with Turkey; invites Turkey to engage in constructive and bona fide dialogue, including on issues of foreign policy where Turkey and the EU have been on opposing terms, with a view to once again finding common ground and a common understanding with the EU, restarting dialogue and cooperation on good neighbourly relations, and relaunching the process of reforms in Turkey; notes that the varying priorities of the EU institutions set out in the existing frameworks governing EU-Turkey relations make it very difficult to find an effective way to move forward; deplores the lack of a long-term strategy, a coherent policy and consistent leadership towards Turkey in the EU; calls on the Presidents of the Commission and the European Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to demonstrate stronger, strategic and values-based leadership, with appropriate accountability towards Parliament; urges the EU institutions and the Member States to formulate a coherent and streamlined approach to this matter, as it concerns one of our largest neighbours and most important partners, including close cooperation among all EU institutions; calls on the EEAS to intensify transatlantic dialogue and cooperation with the Biden administration with regard to relations with Turkey;
51. Considers that, as a necessary step in order to improve the overall state of relations, both sides need to use respectful language, make efforts to fight existing prejudices and misconceptions, and allow for a more objective and complete consideration of the other side's image in the respective public opinion, reversing the mutually deteriorating perceptions; calls, in this view, on the Commission to launch a communication policy towards Turkish society aimed at raising awareness about the EU; stresses that a belligerent, revisionist and aggressive rhetoric only reinforces extreme positions on both sides and that a purely confrontational approach plays into the hands of those who are aiming to pull Turkey and the EU apart;
52. Calls for Turkey to be further integrated as a neighbouring country in the EU's forward-

looking long-term policy agendas on the crucial green and digital transitions as well as on health, and calls on the Commission to remain open to other policy areas that may be of interest to both sides, such as how Turkey could be further integrated in EU value chains; is encouraged by Turkish society's continued active participation in EU programmes, notably in education, innovation, youth and sport, which forge closer people-to-people partnerships and help to synchronise the green and digital transitions between the EU and Turkey; welcomes, in this regard, the agreements granting Turkey association status to Horizon Europe, Erasmus+ and the European Solidarity Corps for the period 2021-2027; notes the Commission's creation of a Turkey investment platform; calls for this platform to be fully aligned with EU policy priorities and conditionality within the newly established European Fund for Sustainable Development plus (EFSD+) in order to identify and coordinate among European and international financial institutions appropriate investment opportunities at both national and local levels with a view to the green and digital transitions; emphasises that Parliament's close involvement with the EFSD+ strategic board, which is responsible for steering investments and approving the creation of EFSD+ investment windows, is of key importance to ensuring democratic oversight of this process;

53. Welcomes the fact that the Grand National Assembly of Turkey finally agreed to hold an EU-Turkey Joint Parliamentary Committee meeting, which took place in March 2022 – the first such meeting since December 2018; retains the view that parliamentary dialogue remains a crucial part of EU-Turkey relations and expresses the hope that the EU-Turkey Joint Parliamentary Committee will continue to function properly again;

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54. Instructs its President to forward this resolution to the President of the European Council, the Council, the Commission, and the President, Government and Parliament of the Republic of Turkey, and calls for the Commission's Turkey 2021 Report and this resolution to be translated into Turkish and duly submitted to Parliament.

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	12.5.2022
<b>Result of final vote</b>	+: 54 -: 7 0: 13
<b>Members present for the final vote</b>	Alviina Alametsä, Alexander Alexandrov Yordanov, Maria Arena, Petras Auštrevičius, Traian Băsescu, Malin Björk, Anna Bonfrisco, Fabio Massimo Castaldo, Susanna Ceccardi, Włodzimierz Cimoszewicz, Katalin Cseh, Tanja Fajon, Anna Fotyga, Michael Gahler, Giorgos Georgiou, Sunčana Glavak, Raphaël Glucksmann, Klemen Grošelj, Bernard Guetta, Márton Gyöngyösi, Sandra Kalniete, Peter Kofod, Dietmar Köster, Andrius Kubilius, Ilhan Kyuchyuk, Jean-Lin Lacapelle, David Lega, Miriam Lexmann, Nathalie Loiseau, Leopoldo López Gil, Antonio López-Istúriz White, Claudiu Manda, Thierry Mariani, Pedro Marques, David McAllister, Vangelis Meimarakis, Sven Mikser, Francisco José Millán Mon, Javier Nart, Gheorghe-Vlad Nistor, Urmas Paet, Demetris Papadakis, Kostas Papadakis, Tonino Picula, Manu Pineda, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Jacek Saryusz-Wolski, Mounir Satouri, Andreas Schieder, Radosław Sikorski, Jordi Solé, Sergei Stanishev, Tineke Strik, Dominik Tarczyński, Hermann Tertsch, Dragoș Tudorache, Hilde Vautmans, Harald Vilimsky, Idoia Villanueva Ruiz, Viola Von Cramon-Taubadel, Thomas Waitz, Witold Jan Waszczykowski, Charlie Weimers, Bernhard Zimniok, Željana Zovko
<b>Substitutes present for the final vote</b>	Vladimír Bilčík, Marc Botenga, Erik Marquardt, Gabriel Mato, Paulo Rangel, Ramona Strugariu

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

54	+
NI	Fabio Massimo Castaldo, Márton Gyöngyösi
PPE	Alexander Alexandrov Yordanov, Traian Băsescu, Vladimír Bilčík, Michael Gahler, Sunčana Glavak, Sandra Kalniete, Andrius Kubilius, David Lega, Miriam Lexmann, Leopoldo López Gil, Antonio López-Istúriz White, David McAllister, Gabriel Mato, Vangelis Meimarakis, Francisco José Millán Mon, Gheorghe-Vlad Nistor, Paulo Rangel, Radosław Sikorski, Željana Zovko
Renew	Petras Auštrevičius, Katalin Cseh, Klemen Grošelj, Bernard Guetta, Ilhan Kyuchyuk, Nathalie Loiseau, Javier Nart, Urmas Paet, Ramona Strugariu, Dragoș Tudorache, Hilde Vautmans
S&D	Maria Arena, Włodzimierz Cimoszewicz, Tanja Fajon, Raphaël Glucksmann, Dietmar Köster, Claudiu Manda, Pedro Marques, Sven Mikser, Tonino Picula, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Andreas Schieder, Sergei Stanishev
Verst/ALE	Alviina Alametsä, Erik Marquardt, Mounir Satouri, Jordi Solé, Tineke Strik, Viola Von Cramon-Taubadel, Thomas Waitz

7	-
ECR	Charlie Weimers
ID	Peter Kofod, Jean-Lin Lacapelle, Thierry Mariani, Harald Vilimsky, Bernhard Zimniok
The Left	Malin Björk

13	0
ECR	Anna Fotyga, Jacek Saryusz-Wolski, Dominik Tarczyński, Hermann Tertsch, Witold Jan Waszczykowski
ID	Anna Bonfrisco, Susanna Ceccardi
NI	Kostas Papadakis
S&D	Demetris Papadaki
The Left	Marc Botenga, Giorgos Georgiou, Manu Pineda, Idoia Villanueva Ruiz

Key to symbols:

+ : in favour

- : against

0 : abstention