

EUROPEAN UNION



Committee of the Regions

RELEX-026

Brussels, 25 July 2005

OPINION
of the
Committee of the Regions
of 6 July 2005
on the
Recommendation of the European Commission on Turkey's progress towards accession
COM(2004) 656 final

THE COMMITTEE OF THE REGIONS,

having regard to the Communication from the Commission to the Council and the European Parliament – Recommendation of the European Commission on Turkey's progress towards accession (COM(2004) 656 final);

having regard to the European Commission's decision of 29 November 2004 to consult it under the first paragraph of Article 265 of the Treaty establishing the European Community;

having regard to its Bureau's decision of 28 September 2004 to instruct its Commission for External Relations to draw up an opinion on the European Commission's strategy on progress in the enlargement process;

having regard to the European Council presidency conclusions of 17 December 2004 to open accession negotiations with Turkey on 3 October 2005; the presidency conclusions of the Thessaloniki European Council of 19 and 20 June 2003; the conclusions of the Copenhagen European Council of 12 and 13 December 2002; and the conclusions of the Helsinki European Council of 10 and 11 December 1999;

having regard to the European Parliament's report on the regular report and the recommendation of the European Commission on Turkey's progress towards accession (COM(2004) 656 final) (A6-0063/2004 final);

having regard to its resolution of 18 November 2004 on the opening of negotiations for Turkey's accession to the EU (CdR 476/2004);

having regard to the conclusions adopted at the seminar between Turkish local authorities and the CoR Commission for External Relations held in Ankara on 11 October 2004 (the Ankara declaration, CdR 477/2004);

having regard to the European Charter of Local Self-Government which Turkey ratified in 1992;

having regard to its draft opinion (CdR 495/2004 rev. 1) adopted by the Commission for External Relations on 26 April 2005 (rapporteur: Ms Helene Lund, Local Councillor, Farum, DK/PES);

wishing to submit views on Turkey's progress towards accession from a local and regional perspective;

whereas:

1. the Council's decision to open negotiations with Turkey on 3 October 2005 has given that country a European outlook for the future. However, further substantial progress is needed. The negotiations must remain an open process;
2. Turkey is currently undergoing radical changes – in attitudes among other things. It can thus become an important role model for countries of the Middle East as a state with a mainly Muslim population that is committing itself to basic principles such as freedom, democracy, respect for human rights and fundamental freedoms, and the rule of law;
3. the Turkish authorities have abolished the death penalty, introduced a "zero-tolerance" policy on torture, lifted many restrictions on freedom of expression, assembly and religion, and guaranteed certain cultural rights for all Turkish citizens, including citizens of Kurdish extraction. Steps have also been taken to tackle corruption, which is a serious problem, not least in public administration. However, efforts on this front still need to be stepped up at all levels of government. Moreover, physical and mental violence against women is deemed completely unacceptable;
4. Turkey is a centralised state, where few tasks are devolved to elected local and regional authorities. Moreover, under the legally recognised principles and procedures, the state exercises considerable supervisory powers over local authorities. In many fields, government-appointed officials – including the governors – have more power than local and regional elected representatives. Administrative supervision of local authorities is exercised by the interior minister and the governors of the 81 provinces;
5. the Commission has put forward a three-pillar strategy. The first pillar concerns cooperation to reinforce and support the reform process in Turkey, in particular in relation to the continued fulfilment of the Copenhagen political criteria. The second pillar relates to the specific conditions for the conduct of accession negotiations with Turkey. The third pillar entails a substantially strengthened political and cultural dialogue bringing people together from EU Member States and Turkey. Help and support in building up Turkish civil society must be seen as a key factor in any Turkey accession;
6. the Committee of the Regions will be focusing on those areas that fall within local and regional authorities' remit, and its active involvement must centre on practical issues that can be resolved through genuine cooperation between local and regional partners in the EU and Turkey. In that regard, it will be useful to draw on experience of twinning and capacity-building projects at local and regional level;

adopted the following opinion at its 60th plenary session of 6 and 7 July 2005 (meeting of 6 July)

1. Views of the Committee of the Regions

The Committee of the Regions

- 1.1 **stresses** that Turkey will be subject to the same accession criteria as the other candidate countries and **welcomes** the reforms undertaken by the Turkish authorities over the past few years, which have helped Turkey towards meeting the Copenhagen criteria sufficiently to allow the opening of EU accession negotiations;
- 1.2 **acknowledges** that over the past few years, and especially since the 2002 elections, Turkey has carried out more reforms than in the decades that went before. The Turkish Parliament has introduced a range of reforms – including a package relating to public administration – and has also adopted a large number of laws, decrees and ordinances to put the reforms into practice; **notes** however, that some of these laws have been vetoed by the president and, as a result, have not yet entered into force;
- 1.3 **acknowledges** that Turkey has made substantial progress in its political reforms, not least by adopting far-reaching constitutional and legislative changes that have revamped the political and legal systems;
- 1.4 **draws attention** to the fact that further legislation is still to be adopted;
- 1.5 stresses that steps must be taken to ensure that the planned legislation does in fact enter into force and, above all, is appropriately implemented, and that effective action is taken against human rights abuses. The Republic of Cyprus must be officially recognised before negotiations begin;
- 1.6 **draws attention** to the fact that Turkey is a country with major regional disparities. This presents an additional challenge to assure any development designed to secure benefits right across the country;
- 1.7 **considers** that the reform package for public administration should be adopted as quickly as possible following appropriate consultation with local and regional authority organisations and civil society;
- 1.8 **wishes** to make a constructive contribution to implementing the three pillars of the Commission's strategy, particularly the third one, i.e. a substantially strengthened political and cultural dialogue bringing people together from EU Member States and Turkey. Civil society and regional and local authorities should play an important role in this dialogue, which should be facilitated by the Commission with concrete actions in order to make the dialogue effective;

- 1.9 **welcomes** civil society's increased involvement in civic life, and **underscores** the need to support the further development of civil society, including the right to freedom of assembly;
- 1.10 **considers** that enhanced cooperation and exchange of information and best practice at local and regional level fosters democracy and social and economic development;
- 1.11 **draws attention to** the following areas in which local and regional authorities can usefully help Turkey as it prepares for accession:
- a) upgrading and organising public administration, especially regional and local;
 - b) administrative management of public services;
 - c) regional and spatial planning;
 - d) urban planning;
 - e) agriculture, fisheries and rural development;
 - f) environment, resource management and civil protection;
 - g) the sub-regional dimension of transport and energy;
 - h) policies promoting SMEs;
 - i) policies promoting employment;
 - j) policies promoting equal rights and to combat discrimination on the grounds of gender or ethnic origin;
 - k) cultural and sporting initiatives;
 - l) policies for safeguarding and fostering cultural heritage;
 - m) policies to help bring people closer together;
 - n) education and training;
 - o) health and social care;
 - p) managing immigration flows, reception and integration policy;
 - q) housing;
 - r) security and safety measures;
 - s) public tendering procedures;
 - t) local democracy and civil participation;
- 1.12 **notes** that strengthening local and regional development is vital to fostering economic and social progress in all areas of Turkey and, in this context, considers that the devolution of state powers to regional and local government should be encouraged and requested;
- 1.13 **underscores** the need to involve the regional and local level at an early stage in the accession process, and to give high **priority to the environment** as one of the main areas of the EU *acquis* of importance for the regional and local level; **notes** that some progress has been made on the environment, and administrative capacity has been strengthened, but that further progress has to be made, not least in securing better coordination among the administrations concerned;

- 1.14 **considers** that local and regional authorities implement a large part of EU legislation and thus will have a key role to play in any Turkey accession. Through close cooperation on specific projects, the EU Member States' local and regional authorities can help carry through reforms and implement the EU *acquis* at local and regional level;
- 1.15 **acknowledges** the particular challenges arising from Turkey's membership with regard to the future application of the common agricultural policy, of the cohesion policy and of the free movement of workers;
- 1.16 **endorses** the Commission's views on the need for an impact assessment, an implementation plan and budgetary and financial frameworks;
- 1.17 **would like**, as with previous candidate countries, to see closer dialogue with the Turkish local authorities;
- 1.18 **stresses the importance** of zero tolerance of torture and ill-treatment; the rights and freedoms of all minorities; respect for all religions, especially the issue of equal legal treatment for all religions; zero tolerance of discrimination and violence against women; and compliance with ILO child labour standards;
- 1.19 **underlines** the importance of strengthening local and regional-level administrative capacity to ensure that the EU *acquis* is implemented and enforced effectively;
- 1.20 **considers** that the Turkish government has a manifest obligation to recognise all the Member States of the European Union fully and without reservations and to unconditionally respect the human rights and individual freedoms of all European citizens without exception.

2. **The Committee of the Regions' recommendations**

The Committee of the Regions

- 2.1 **asks** the Commission to actively involve local and regional authorities in the work of implementing its strategy's three pillars, particularly the third one: i.e. a substantially strengthened political and cultural dialogue bringing people together from EU Member States and Turkey;
- 2.2 **encourages** the Commission to launch an information campaign in close cooperation with local and regional authorities in order to inform EU citizens about relations with Turkey and to support exchange programmes that will help to increase mutual understanding between EU citizens and Turkish society;

- 2.3 **encourages** the Commission to draw on the experience of EU Member States' local and regional authorities in building up local democracy and developing local and regional administrations;
- 2.4 **recommends** that, in its next communication on Turkey – due at the end of 2005 – the Commission should also consider local and regional authorities' role in that country, including a request to establish an independent sub-national level that will be closely integrated into the drafting of strategies defining priorities for local and regional development and into subsequent implementation of EU Structural Fund programmes and other regional development initiatives;
- 2.5 **recommends**, as with previous candidate countries, the establishment of a joint consultative committee involving its own representatives and representatives of Turkish local and regional authorities;
- 2.6 **calls on** the Turkish government to step up the reform of devolved public administration, in as much as it is a key factor in the economic and social development of the area, with a view to its full, irreversible and sustainable implementation as quickly as possible;
- 2.7 **recommends** that the local and regional authorities be provided with the necessary financial and human resources to implement the reforms, and that particular attention be paid to the economic and social development of Turkey's least-favoured regions;
- 2.8 **considers** that the Turkish regions, especially those in the south-east of the country, will be able to draw on the structural and cohesion funds to foster social and economic development;
- 2.9 hence **calls for** specific initiatives to be put in place to support local and regional authorities' administrative capacity in the use of structural support; the Turkish government is likewise called upon to set aside the requisite resources for co-financing;
- 2.10 **calls for** local and regional elected representatives to be given more powers and a broader remit, and for a corresponding increase in the share of public expenditure assigned to local and regional authorities;
- 2.11 **calls for** the establishment of a legal framework for regional development policy;
- 2.12 **asks** the Turkish government to take steps to ensure that the country is able to implement EU legislation, including at local and regional level;
- 2.13 **asks** Turkey to do what is necessary to eliminate the concerns expressed in the Commission recommendation, not least with regard to respect for human rights, the full exercise of fundamental rights and freedoms by all including minorities;

- 2.14 **urges** the Turkish government to develop and expand the principle of local and regional self-government in accordance with the European Charter of Local Self-Government, and to guarantee full and direct participation of citizens;
- 2.15 **expects** the Turkish Government to act on its confirmation to ratify the Protocol on the adaptation of the Ankara Agreement prior to the actual start of the accession negotiations;
- 2.16 **urges** Turkey to fully respect international law and the principle of good-neighbourliness;
- 2.17 **intends** to present its views on Turkey's accession from a local and regional standpoint when the right opportunity arises in the future, and it urges the European Union to consult it whenever the regular reports are drawn up.

Brussels, 6 July 2005.

The President
of the
Committee of the Regions

The Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl