



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : General Secretariat of the Council
to : Delegations

Subject : Summary report on the 59th meeting of the delegation for EU-Turkey Joint
Parliamentary Committee, held in Brussels on 27 and 28 May 2008

The meeting was chaired by Mr LAGENDIJK (Greens/ALE, NL) and Mr YAKIS (Turkish Parliament)

I. Announcements by the Chair

Mr LAGENDIJK (Greens/ALE, NL) announced that the Legal Service of the European Parliament had prepared an internal note on the Framework Agreement on Xenophobia. The delegations decided that Mr ELEKDAG, Member of the Turkish Parliament, would meet with the Legal Service of the European Parliament to exchange views.

Mr YAKIS stated that the requests made by the European Parliament to which Turkey needed to provide follow up should be drawn up in a list at the end of every joint meeting, so that both parties could come back to the issues in question and try to resolve them at the next meeting.

II. Customs Union

Mr ELVAN gave a presentation on the Customs Union. The Customs Union Treaty was due to be signed before the opening of new negotiations, which had been the case since 1996. The Treaty brought many benefits to Turkey, which had the opportunity to incorporate the Community Acquis in the areas of industry and the economy. Turkey also gained access to new markets, but a few problems still remained : the obtaining of visas for businessmen, the restriction of road transport and the restrictions applying to certain agreements. The real problem for Mr ELVAN, was Articles 54 to 60 of the Customs Union. These Articles related to the fact that Turkey should be consulted by the EU when it envisaged new legislation, when measures had to be taken and on which basis Turkish specialists should be consulted and involved in the decision making process of concluding new Free Trade Agreements (FTA). Turkey had not had the opportunity to conclude trade agreements with Mexico and other countries in Asia, although an EU-Mexico agreement existed. Goods from Mexico transited through the EU and came into Turkey without paying taxes. Turkey wanted to sign trade agreements with these countries as well but it was not possible. At the same time they had to adhere to the terms of the Customs Union and their commitments to the EU.

A Commission representative stated that the Customs Union not only concerned the tariff barriers, but there were also customs provisions rules, state aid rules, intellectual property rules and the harmonisation rules that needed to be considered. According to the Commission, some issues had still not been solved by Turkey such as the implementation of their commitments on state aid. This was needed to achieve fair trade. The safeguard of intellectual property rules in Turkey constituted an adverse factor for European trade. The Commission stressed that a lot of work and enforcement had to be done, but they hoped to open Chapter Seven of the negotiations in June. As regards the FTA, the Commission understood the problems Turkey was experiencing. On that subject, Commissioner Mandelson had already contacted the partners to remind them of their obligations. Turkey was asked to give its opinion before the EU concluded new FTAs. The reopening of Article 16 should be discussed with the Member States, but it was out dated and the Member States could raise the dispute settlement issue. The distribution of transport quotas belonged entirely to Member States' competence. The Commission could only inform the Member States of Turkey's concerns.

The Commission would be prepared to discuss a visa facilitation agreement, but it coincided with the readmission agreement with the EU. To clear the imbalance, Turkey should first sign the readmission agreement and tackle illegal immigration. Currently Turkish experts were involved in certain committees of the Customs Union but to be more involved, the relevant Directives needed to be implemented. The Commission further replied that the problems that Turkey was experiencing in concluding the FTA with the Asian countries because of the Customs Union depended on the alignment of Turkey with other countries.

Mr DILEK referred to the problem of transport quotas, which engendered an unfair competition for Turkey. Belgium, especially, was reluctant to raise the quotas on Turkish transport.

Ms SOMMER (EPP-DE, DE) replied that harmonisation would take time and that the European Union could not manage everything. She wanted to know the position of the parties vis-à-vis the extension of the Customs Union to Cyprus.

Mr MATSAKIS (EPP-DE, CY) supported the facilitation of visa allocations, but he also wanted to know why the Turkish government did not want to sign the readmission agreement. The EU stood for the free movement of goods but Turkey was maintaining an embargo on Cyprus. Mr LANGEN (EPP-DE, DE) shared the view of Mr MATSAKIS on visas and asked the Commission to solve the problem.

Mr ÖMAN expressed the Turkish will to include the service sector in the Customs Union agreement. In accordance with the EU's rules on trade, Turkey was forced to follow the rules, but on the other hand they were not protected against imports from China. He wanted to have a reaction from the Commission on the trade deficit in Turkey. He also asked why the Commission had decided to assign category 2 to "boron" which was not particularly dangerous according to Turkey. He considered that the Commission should review its decision.

Mr ASZÖY stated that the free movement of goods was being hindered. He understood why the Member States decided on transport quotas but they formed a barrier to free movement. He pointed out that a lot of industrial goods were produced by EU companies in Turkey. Therefore Member States should take appropriate measures.

Mr ELVAN argued that the Greek part of Cyprus had not put any effort into resolving the conflict. The Turkish side had made some proposals but had been isolated for the last 35 years. He agreed that mistakes had been made but a recent proposal by Turkey could put an end to the isolation of the northern part of the island. Joint efforts could solve the problem. Regarding the visa issue, the Commission should find a solution.

The Commission replied that they could not take the initiative to negotiate on visas. Turkey should first tackle the readmission agreement problem.

Mr ELEKDAG stated that the relations should be strengthened in order to solve the problems and rebuild trust. For the Customs Union, sustainable political will was needed. Some articles should be reviewed and confidence needed to be revived. Turkey could not sign the FTA without the EU, but the EU needed Turkey to conclude new FTAs.

Ms KOPPA (PSE, GR) wanted to know what Turkey planned to do with the Ankara Protocol. She argued that the opening of the harbours could not be envisaged before the Cyprus question was solved. Ms SOMMER (EPP-DE, DE) considered that these issues were in fact related to the Customs Union. Turkey needed to negotiate with 27 Member States and not with 26.

Mr YAKIS stated that the Cyprus problem should be discussed at another time. He asked the EU to review the visa issue, and Turkey should discuss the readmission agreement so that progress could be made. According to him, Turkey would open the harbour if the EU lifted its embargo consistent with the agreement of April 2004.

Mr SIVACIAGLU stated that a number of the EU's FTAs had not been signed by Turkey. Goods from Mexico and Brazil transited through the EU and came to Turkey. Turkey should be able to impose sanctions to avoid problems. Mr KAYATÜRK stated that between 2004 and 2007 a lot of capital had been transferred to Turkey. Turkey had high interest rates and a lot of investment, but they were not able to produce goods. That was the reason why Turkey wanted to conclude an FTA with third countries.

Mr IRBEC stated that the visa problems encountered by Turkish businessmen formed an imbalance as Turkey first needed to sign the readmission agreement. He found it unfair that European citizens could enter Turkey without a visa while Turkish businessmen needed a visa to enter the EU.

A Turkish expert stated that Turkey had been able to make progress in incorporating the Community Acquis, a quantity of legislation had been adopted and a number of anti-dumping measures had been put into place. He added that Turkey took account of the Commission's comments. FTA's with North Africa, the Middle East and the Balkan States had been concluded. Turkey, as a partner of the Barcelona process, had increased its investments in these regions, but in some cases unfair competition was experienced with countries like Ukraine. Turkey wanted to be informed and consulted on new FTA negotiations. He concluded that intellectual property rules formed a part of the Turkish action plan and that they would strengthen the legislation.

The Commission's representative answered, on the subject of boron, that the experts decided on the labelling of such products. Free trade was important but there were limitations which had to be applied to safeguard public health. The Turkish deficit in FTAs did not affect the Turkish economy that much. Turkey enjoyed a trade surplus even with Mexico and Egypt. Mr LAGENDIJK (Greens/ALE, NL) concluded the meeting with the points that needed to be reviewed at the next meeting : the examination of an impact assessment by DG Trade, the scope of the services expressed by the Turkish government and the consideration of visas for Turkish businessmen.

III. Report of Ms OOMEN-RUIJTEN (EPP-DE, NL)

The meeting on 28 May 2008 started with the review of the report by Ms OOMEN-RUIJTEN (EPP-DE, NL). The report gave rise to a long and lively debate on democracy and secularisation. The Turkish delegation had other views on democracy : according to Mr KAYATÜRK, democracy was not only based on elections. He stated that in Turkey there were two groups, those who wanted some changes and those who wanted to maintain the status quo. Mr DILEK considered that having secularism and being Muslim could be combined. He thought that secularism was not the only problem in Turkey, there needed to be greater openness for companies to invest and export more. Mr IRBEC referred to the Turkish people who had been killed in Germany. He noted that these events should be addressed together.

Ms OOMEN-RUIJTEN (EPP-De, NL) argued, in response to the comments by the Turkish Parliamentarians, that Turkey should first apply the rule of law before they could join the European Union. Therefore there needed to be an independent legal system, the separation of religion and state, and the recognition of religious minorities ; the Kurds should also cooperate. She believed that the elections which took place under the new constitution had been fair, but the constitution was afterwards changed which meant that there were still issues that had not been solved. According to Ms OOMEN-RUIJTEN, a secular state had to be in place before elections were held. She found that concessions had to be made by different parties before they could come to an agreement.

IV. Intercultural dialogue and problems with social integration

The topic was introduced by Mr CIGLIK. He explained that political, social and cultural differences between the different parties needed to be understood. The Turkish population in the EU suffered from high rates of unemployment. The problem was due, according to him, to low educational levels among the immigrants. Discrimination was caused by a lack of mutual recognition and understanding. Mr ELEKDAG agreed with him, saying that intolerance was the most menacing threat between the EU and the Islamic world, caused by mutual misperception. Turkey could play an important role, being part of Western and Eastern society. He referred to the fact that Turkey was the only country where a multiparty democracy in a secularist society succeeded. Mr HACALOGLU considered that a culture of tolerance should reign in the EU and in Turkey. Turkey formed a cultural mosaic and wanted to maintain a culture of tolerance and peace. The intercultural dialogue in Turkey could be improved. According to him, secularism formed the basis of freedom of expression, freedom of movement, tolerance, equality and non-discrimination.

Mr CLAEYS (NI, BE) referred to the problems with Turkish immigrants in Germany. The problem of an inadequate knowledge of the language of the host country caused unemployment. Not only immigrants were in the wrong, but also governments. The latest visit of Prime Minister ERDOGAN to Germany had been very controversial. He had called on the Turkish immigrants to integrate as little as possible. Mr CLAEYS (NI, BE) believed that there lay the EU's problem : the immigrants did not integrate enough. He also wanted to know why Turkey was a member of the Organisation of the Islamic Conference (OIC) and how they could reconcile a secular state with Islamism.

Mr LAGENDIJK (Greens/ALE, NL) considered that there needed to be a balance between democracy and secularisation. He wanted to know how Turkey could modernise and find a balance between democracy and secularism. The EU's external relations neighbourhood policy was not always effective, but the relationship between Islam and democracy influenced the relationship with other neighbours.

Ms ERABATUR considered that the Member States of the EU had to ensure better integration of Turkish immigrants. Regarding gender equality, there was no full integration in the host countries which caused problems with radicalisation and the veil which was not tolerated everywhere. Problems occurred on both sides, but only intercultural dialogue could prevent them. Mr CIGLIK found that assimilation was a crime, because it involved neglecting and abandoning the immigrant's original culture and religion. But on the other hand integration, especially language acquisition, should be promoted. According to Mr IRBEC, Turkish immigrants in Germany should have more access to Turkish schools were they could learn both German and Turkish.

Ms UCA (GUE/NGL, DE) stated that language and religion were important. A battle against traditional violence had to be waged.

Mr ELVAN stated that the separation of religion and state was important for everyone in the government because it was a guarantee for all political parties and all groups in the population.

Ms HENNIS (ALDE, NL) considered that forced marriages should be prohibited. The problem of military service should also be resolved.

Ms DEMIRKIRAN considered that the host country should have respect for the religion and beliefs of immigrants, but an immigrant should learn the language of, and adapt to, the situation in the host country.

V. Regional Cooperation

This subject could not be discussed owing to time pressure.

VI. Next meeting

The date of the next meeting has still to be decided, but the meeting will be held in Turkey.