



TEXTS ADOPTED

P9_TA(2021)0243

2019-2020 Reports on Turkey

European Parliament resolution of 19 May 2021 on the 2019-2020 Commission Reports on Turkey (2019/2176(INI))

The European Parliament,

- having regard to the Commission communication of 6 October 2020 on EU Enlargement Policy (COM(2020)0660) and to the accompanying Turkey 2020 Report (SWD(2020)0355),
- having regard to the negotiating framework for Turkey of 3 October 2005, and the fact that, as is the case for all candidate countries, Turkey's accession to the EU depends on full compliance with the Copenhagen criteria, and the need to normalise its relations with all EU Member States, including the Republic of Cyprus,
- having regard to the Commission communication of 29 May 2019 on EU Enlargement Policy (COM(2019)0260) and to the accompanying Turkey 2019 Report (SWD(2019)0220),
- having regard to the Commission communication of 5 February 2020 entitled 'Enhancing the accession process – A credible EU perspective for the Western Balkans' (COM(2020)0057),
- having regard to the declaration issued by the then European Community and its Member States on 21 September 2005 following the declaration made by Turkey upon its signature on 29 July 2005 of the Ankara Protocol, which includes a provision stating 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 extend the Ankara Agreement to all Member States by removing all obstacles to the free movement of goods, including restrictions on means of transport, without prejudice and discrimination,
- having regard to Article 46 of the European Convention on Human Rights, which states that the contracting parties undertake to abide by the final judgments of the European Court of Human Rights (ECtHR) in any case to which they are parties, and therefore to the obligation of Turkey to implement all judgments of the European courts, including the ECtHR,

- having regard to the Council conclusions of 26 June 2018 and 18 June 2019 on 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, to the statement of the EU foreign ministers of 15 May 2020 and their videoconference of 14 August 2020 on the situation in the Eastern Mediterranean, to the outcome of the informal meeting of EU foreign affairs ministers in Gymnich of 27-28 August 2020, and to all previous relevant Council and European Council conclusions,
- having regard to the UNESCO statement of 10 July 2020 on Hagia Sophia, Istanbul,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 22 March 2021 on the state of play of EU-Turkey political, economic and trade relations (JOIN(2021)0008),
- having regard to the report by the Commissioner for Human Rights of the Council of Europe of 19 February 2020 following her visit to Turkey from 1 to 5 July 2019,
- having regard to the relevant resolutions of the UN Security Council (UNSC) on Cyprus, including resolution 550 (1984) and resolution 789 (1992),
- having regard to the EU-Turkey Statement of 18 March 2016,
- having regard to the Commission communication of 30 April 2020 on the Fourth Annual Report on the Facility for Refugees in Turkey (COM(2020)0162),
- having regard to the 2020 World Press Freedom Index published by Reporters Without Border, which ranks Turkey 154 out of 180 countries, and to the Bertelsmann Transformation Index Turkey Country Report 2020,
- having regard to its resolution of 15 April 2015 on the centenary of the Armenian Genocide¹,
- having regard to the opinions of the Council of Europe’s Venice Commission, in particular those of 10-11 March 2017 on the amendments to the constitution adopted by the Grand National Assembly on 21 January 2017 and to be submitted to a national referendum on 16 April 2017, on the measures in the recent Emergency Decree Laws with respect to freedom of the media, and on the duties, competences and functioning of the criminal peace judgeships, of 6-7 October 2017 on the provisions of the Emergency Decree Law No 674 of 1 September 2016 which concern the exercise of local democracy in Turkey, of 9-10 December 2016 on Emergency Decree Laws Nos 667-676 adopted following the failed coup of 15 July 2016, and of 14-15 October 2016 on the suspension of the second paragraph of Article 83 of the Constitution (parliamentary inviolability),
- having regard to its previous resolutions on Turkey, in particular those of 13 March 2019 on the 2018 Commission Report on Turkey², of 19 September 2019 on

¹ OJ C 328, 6.9.2016, p. 2.

² OJ C 23, 21.1.2021, p. 58.

the situation in Turkey, notably the removal of elected mayors¹, of 24 October 2019 on the Turkish military operation in northeast Syria and its consequences², and of 17 September 2020 on the preparation of the special European Council summit focusing on the dangerous escalation and the role of Turkey in the Eastern Mediterranean³, and of 26 November 2020 on escalating tensions in Varosha following the illegal actions by Turkey and the urgent need for the resumption of talks⁴,

- having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Petitions,
 - having regard to the report of the Committee on Foreign Affairs (A9-0153/2021),
- A. whereas Turkey has been linked to the EU by an association agreement since 1964⁵ and whereas a customs union was established in 1995; whereas the European Council granted the status of candidate country to Turkey in December 1999 and whereas accession negotiations were opened in 2005; whereas Turkey has consequently enjoyed, since 1999, the most ambitious and mutually demanding model of relations the EU can offer to a country, which is candidate status to become a member of the EU; whereas as a candidate country and as an important partner of the EU, Turkey is expected to respect and uphold the Copenhagen criteria and to uphold the highest standards of democracy, respect of human rights and the rule of law, including compliance with the international conventions acceded to by the EU; whereas this presumes the need to commit, tangibly, in the framework of an advancing accession process, to the reforms required under the various chapters that are opened and the need, therefore, to progressively align with the EU *acquis* and to approach in all aspects the values, interests, standards and policies of the EU; whereas being a candidate country entails the need to pursue and maintain good neighbourly relations with the EU and its Member States indiscriminately; whereas, as a candidate country, and in the framework of the accession process, Turkey undertook a series of important reforms, which, for a period of time, provided hope for progress towards the achievement of EU membership; whereas during all these years, the accession process was strongly supported by the EU both politically and financially;
- B. whereas respect for the principles of the rule of law and international law, including in particular the separation of powers and the fight against corruption and organised crime, freedom of association and peaceful protest, freedom of expression, and the rights of ethnic minorities and other minorities and communities, is an essential component of good relations between the EU and Turkey;
- C. whereas an analysis of the Commission's reports on Turkey since 2014, in particular its 2019 and 2020 reports, reveals that the Government of Turkey has unfortunately increasingly and rapidly distanced itself from the EU's values and its normative framework, contrary to what would be expected of a candidate country, not only through domestic democratic backsliding, but also through aggressive foreign policy

¹ Texts adopted, P9_TA(2019)0017.

² Texts adopted, P9_TA(2019)0049.

³ Texts adopted, P9_TA(2020)0230.

⁴ Texts adopted, P9_TA(2020)0332.

⁵ Agreement of 12 September 1963 establishing an Association between the European Economic Community and Turkey (OJ L 361, 31.12.1977, p. 29).

moves, including illegal actions against EU Member States; notes that these reports state that Turkey did not implement the recommendations of the previous reports, pointing to a lack of commitment from the Turkish side and calling into question its wish for accession; whereas the concern about and critical assessment of the general backsliding in Turkey has also been shared by other relevant international organisations such as the Council of Europe and by international human rights organisations; whereas this is also reflected by the increasing number of cases and critical rulings by the ECtHR; whereas this backsliding has been observed in three main areas: the deterioration in the rule of law and fundamental rights, the institutional framework and related reforms, and a foreign policy that is increasingly conflictual and inclined to military options instead of dialogue and diplomacy; whereas in all these three areas, there has been a clear divergence from EU standards, policies and interests;

- D. whereas in its previous annual report, Parliament stressed its concerns about developments in Turkey and the serious backsliding and asked Turkey to refrain from any actions which would violate the sovereignty and sovereign rights of EU Member States, as well as any provocations which would impair the prospect of a constructive and sincere dialogue, and called on the Commission and the Member States to formally suspend accession negotiations with Turkey in accordance with the negotiating framework; whereas Parliament remains committed to democratic and political dialogue with Turkey; whereas Parliament repeatedly called for the opening of Chapter 23 on the Judiciary and Fundamental Rights and Chapter 24 on Justice, Freedom and Security at a time when the Turkish Government had pledged to conduct serious reforms; whereas Parliament has substantially cut the pre-accession funding for Turkey, in the light of its democratic backsliding and inability to adhere to the rule of law; whereas the Commission has indicated that, in terms of financial resources for programmes in Turkey, the EU is now offering the bare minimum of support for civil society and relevant stakeholders, such as journalists and human rights defenders;
- E. whereas, in spite of this principled stance by Parliament and all of the current circumstances, the European Council, in its conclusions of 1-2 October 2020, offered Turkey a renewed and broad positive agenda, provided that constructive efforts by Turkey to stop illegal activities vis-à-vis Greece and Cyprus are sustained, mutual concessions are made, tensions are lowered and aggressive behaviour stops in a further attempt to restore our relations; whereas, in the same conclusions, the European Council highlighted that in the event of renewed unilateral actions or provocations in breach of international law by Turkey, the EU will use all the instruments and options at its disposal, including in accordance with Article 29 of the Treaty on European Union and Article 215 of the Treaty on the Functioning of the European Union, in order to defend its interests and those of its Member States, and take decisions as appropriate; whereas Turkey has recently agreed to resume exploratory talks with Greece to seek to address the outstanding issues affecting relations between Turkey and Greece and concerning Greece's sovereign rights; whereas this is a positive development which could mark the beginning of a new period of dialogue and cooperation between Turkey and the EU and its Member States; whereas more positive steps and initiatives, and above all real actions, beyond declarations, by Turkey would greatly contribute to a renewed understanding on the future of bilateral relations; whereas under these circumstances, it is important to promote confidence building and a broader scope of reflection on the future of relations between Turkey and the EU and allow diplomacy to deliver on the aspirations and expectations vis-à-vis EU-Turkey relations, while maintaining a high degree of vigilance and dialogue on the situation of human rights in Turkey;

General assessment of the accession process

1. Notes with serious concern that in recent years, although Turkey is a candidate country, its government has pursued a continuous and growing distancing from EU values and standards; notes that, in addition to this, unilateral actions in the Eastern Mediterranean as well as strong and at times provocative statements against the EU and its Member States have brought EU-Turkey relations to an historical low point, having deteriorated to such an extent that it requires both parties to profoundly reassess the current state of these relations and their framework, in order to restore dialogue in a context of mutual trust and cooperation and effectively solve the root causes of the current conflicts;
2. Notes that Turkey's lack of political will to carry out the reforms required under the accession process and its failure to address the EU's serious concerns about the rule of law and fundamental rights have deeply and negatively affected the accession process and its prospects and have led to EU-Turkey relations becoming progressively more transactional and driven by circumstances that barely reflect the original intended format of gradual and progressive alignment with predetermined benchmarks; notes that as a result, within the framework of accession negotiations, only 16 of the 35 chapters have been opened and only one chapter has been provisionally closed; stresses, therefore, that under the current circumstances, Turkey's accession negotiations have effectively and regrettably come to a standstill;
3. Is deeply concerned that, over the years, the lack of progress in Turkey's convergence has transformed into a full withdrawal, marked by a stark regression in three main areas: (i) backsliding in relation to the rule of law and fundamental rights, (ii) adopting regressive institutional reforms and (iii) pursuing a confrontational and hostile foreign policy, including towards the EU and its Member States, especially Greece and Cyprus; is further concerned by the fact that this regression has increasingly been accompanied by an explicit and, at times, aggressive anti-EU narrative, displayed by high-level government officials, including the president, and amplified in the country by pro-government media outlets; calls, in this context, on Turkey to reassess and credibly demonstrate the sincerity of its commitment to closer relations and alignment with the European Union and the EU path, as this is an indispensable component of the viability of the entire accession process;
4. Stresses that no incentive that the EU could offer can ever replace the much-needed political will in Turkey to ensure respect for democracy, the rule of law and fundamental rights and to ultimately become a member of the EU; recalls that the accession process is a merit-based process contingent on objective progress and a tangible commitment to the Copenhagen criteria, good neighbourly relations with EU Member States and the values of the EU; acknowledges the persistent strategy of openness and good will adopted by the EU, which recently materialised in the renewed positive agenda presented by the European Council in October 2020; acknowledges furthermore the ongoing diplomatic efforts by the EU aiming at rekindling a capacity of true and effective dialogue with Turkey;
5. Recognises that the lack of results in an increasingly stagnant accession process has contributed to a fatigue felt on both sides and a progressive detachment and mounting disregard by the Turkish authorities for the results of the Commission's progress monitoring procedure and Parliament's resolutions; recalls, in this context, that the Council continued to block the opening of Chapter 23 on the Judiciary and Fundamental

Rights and Chapter 24 on Justice, Freedom and Security at a time when the Government of Turkey had pledged to conduct serious reforms (though never delivered on them) and could use clear benchmarks; highlights, however, that the Council's blockage cannot be an excuse for the backsliding suffered in recent years; takes the view that the accession process has become an end in itself;

6. Regrets that, since Parliament's last report, the situation, far from improving, has deteriorated even further with regard to domestic, institutional and foreign policies; firmly insists, therefore, if the current negative trend is not urgently and consistently reversed, that the Commission should recommend, in line with the negotiating framework from October 2005, the formal suspension of accession negotiations with Turkey, in order for both sides to review in a realistic manner and through a structured and comprehensive high-level dialogue, the appropriateness of the current framework and its ability to function, or, if necessary, to explore possible new models for future relations; acknowledges that, in any case, negotiations should be conducted in a bona fide manner and should not be derailed or overturned based on merely culturalist or religious motives;
7. Regrets the current lack of understanding between the EU and Turkey, but reaffirms its firm conviction that Turkey is a country of strategic relevance in political, economic and foreign policy terms, a partner which is key for the stability of the wider region, and an ally with which the EU wishes to pursue the best possible relations, including within NATO and with a view to creating a stable and secure environment in the Eastern Mediterranean based on good dialogue, commitment, respect and mutual trust; reaffirms its interest in having strategic alignment and constructive cooperation based on shared values and interests in areas such as foreign policy and security, economy, trade, migration, climate change and digitalisation; is disappointed that all these prospects for a positive relationship are being frustrated by the current policy of the leadership of Turkey, including through Turkey's destabilising attitude in the region and its unilateral actions in disregard of international law;
8. Expresses its will to strengthen and deepen mutual knowledge and understanding between Turkish and EU Member State societies, promoting cultural growth, socio-cultural exchanges and combating all manifestations of social, religious, ethnic or cultural prejudice and intolerance; strongly reiterates that the European Union and its Member States are first and foremost friends and partners of Turkey and of the people of Turkey, with whom the EU shares deep commercial, cultural and historical links; expresses its full commitment to continue supporting Turkey's independent civil society in whatever circumstances and framework of relations that the future may bring; believes, nevertheless, that the accession process is still the most powerful tool to exercise normative pressure on and constructive dialogue with the Government of Turkey and that it is also the best framework to sustain the democratic and pro-European aspirations of Turkish society and promote convergence with the EU and its Member States on policies and standards, including on fundamental rights and democratic values; stresses that a purely transactional relationship will hardly contribute to the advancement of Turkey towards a more democratic model and that the latter will require political will at the highest political level;
9. In this context, stresses the importance of ensuring, in parallel with a capacity of dialogue at institutional level, close functioning links with Turkish society; therefore urges the Commission and the European External Action Service (EEAS) to prioritise

the vibrant civil society in Turkey and its pro-democracy efforts, and to continue to support Turkish civil society organisations through relevant financial instruments, including the Instrument for Pre-Accession Assistance (IPA), as these organisations could contribute to generating the political will necessary for building strong foundations for the EU integration process; reiterates, in this context, its demand that the IPA funding for political reforms in Turkey be managed by the EU and continue to focus on fostering dialogue and providing support for civil society, non-state actors and people-to-people contacts, as long as the country is not making any progress with regard to democracy, the rule of law and human rights; encourages a new and immediate constructive dialogue mechanism with Turkish civil society for mutual confidence building and for sustaining the democratic and pro-European aspirations of Turkish society, supporting exchanges in particular on democratisation, human rights, the rule of law, good governance, sustainable development and the green and digital transitions, while relying on adequate EU funding for effective results; asks the Commission and the EEAS to continue to support young people in Turkey through relevant financial instruments and by extending participation in the Erasmus+ programme and the Jean Monnet scholarships, with a view to supporting, *inter alia*, research cooperation and the common fight against climate change, the protection of the environment and the empowerment of women in society and business;

The rule of law and fundamental rights

10. Is deeply concerned by the serious backsliding on fundamental freedoms revealing the dire human rights situation in Turkey and the continued erosion of democracy and the rule of law, in violation of the Copenhagen criteria;
11. Believes 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 and that it remains the main obstacle to progress on any positive agenda that could be offered to Turkey, which should also be contingent upon the full respect of international law and the fundamental principle of good neighbourly relations and regional cooperation;
12. Stresses that the deterioration of fundamental freedoms in Turkey predates the period of the state of emergency declared after the coup attempt of 2016, of which it reiterates its strong condemnation; considers that extraordinary measures can be justified under exceptional circumstances, such as a coup attempt, but that they need to be proportional and remain limited in time and scope; notes with deep concern that, despite the formal lifting of this state of emergency in July 2018, a plethora of legal provisions and restrictive elements of the emergency rule have been integrated into law and that, therefore, the impact of the state of emergency on democracy and fundamental rights continues to be strongly felt, despite that existential threat having long ago and fortunately disappeared;
13. Deeply regrets that this repressive form of rule has now become a deliberate, relentless, systematic state policy, which extends to any critical activities, such as peaceful political activism on issues of concern to Kurdish and Alevi people, peaceful protests and demonstrations held by former public sector workers, women's and LGBTI rights activists and victims of the state of emergency, or even to events that took place prior to the attempted coup, such as the Gezi protests;

14. Regrets that the current overly broad anti-terrorism provisions and the abuse of the anti-terror measures have become the backbone of this state policy of repression of human rights and of any critical voice in the country, with the complicit cooperation of a judiciary branch unable or unwilling to rein in any abuses of the constitutional order; regrets that this broad concept of terrorism contravenes the basic principle of individual responsibility through collective generic accusations; notes with great concern the continued mass incarceration of people, including journalists, human rights defenders and political opponents, convicted or held in pre-trial detention on terrorism-related charges, in particular for alleged membership of a terrorist organisation, based on scant evidence; is highly concerned that, as stated during the adoption of the Universal Periodic Review, Turkey's authorities have no plans to further revise the Anti-Terror Law; therefore urges Turkey to align its anti-terrorism legislation with international standards in order to ensure effective protection of fundamental rights and freedoms and proportionality and equality before the law; recognises that Turkey has legitimate security concerns and the right to fight terrorism; stresses, nevertheless, that this must be done in full respect of 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; conveys its sincere condolences to the Turkish public and in particular the families of the 13 Turkish citizens killed in the terror attack in Gara, Iraq, in February 2021;
15. Deeply regrets that Turkey's anti-terror provisions and measures have retained numerous emergency restrictions and are thus continuing to have an adverse effect on human rights and fundamental freedoms, including by restricting due process guarantees, prolonging the duration of pre-trial detention and allowing dismissals of public officials because of alleged links to terrorist organisations to continue;
16. Is highly worried that the racist right-wing extremist Ülkücü movement, known as 'Grey Wolves', which is closely linked to the ruling coalition party MHP (the Nationalist Movement Party), is spreading in Turkey itself, but also in EU Member States; calls on the EU and its Member States to examine the possibility of adding Grey Wolves to the EU terrorist list, to ban their associations and organisations in EU countries, to closely monitor their activities and to counter their influence, which is especially threatening for people with a Kurdish, Armenian or Greek background and anyone they consider an opponent;
17. Considers that the erosion of the rule of law and the systemic lack of independence of the judiciary continue to be two of the most pressing and worrying issues; condemns the increased surveillance by the executive and the political pressure affecting the work of judges, prosecutors, lawyers and bar associations; is deeply concerned about the deteriorating structural problems concerning the lack of institutional independence of the judiciary in favour of the executive; points to the fact that the lack of independence of the judiciary, coupled with the chilling effect of the mass dismissals carried out by the government in the past years, constitute serious threats to the rule of law and undermine the capacity of the judiciary as a whole to provide an effective remedy for human rights violations, both with regard to measures taken under the state of emergency, and in general; notes with regret that in this context, the judicial reform strategy and the three subsequent legislative packages will not be able to achieve the stated objectives, especially if they do not translate into actual changes in the behaviour of public prosecutors and if court resolutions continue to contravene international

standards; stresses that a serious reform of the legislative and judicial branches of power is urgently needed in order to improve access to the justice system, increase its effectiveness and provide better protection of the right to a fair trial within a reasonable time;

18. Condemns the dismissal, large-scale transfer and forced removal of approximately 30 % of Turkish judges and prosecutors, which is causing a worrying level of intimidation, self-censorship and a decline in the overall quality of judicial decisions; recalls that any dismissals and appointments within the judiciary should be subject to particularly exacting scrutiny, that the executive branch should be prohibited from interfering with or attempting to exert influence over the judiciary and that the appointment of judges should respect the principles of independence and impartiality; deeply regrets that, during the adoption of the outcome of the Universal Periodic Review in October 2020, Turkey refused to accept the recommendations to introduce a constitutional amendment to make the Council of Judges and Prosecutors (Hâkimler ve Savcılar Kurulu – HSK) independent of the executive; calls for the shortcomings in the structure and process for the selection of the members of this Council to be addressed with a view to ensuring its independence and putting an end to its arbitrary decisions;
19. Is deeply concerned about the situation of lawyers in Turkey, as over the last few years hundreds have been (and continue to be) harassed, arrested, prosecuted and convicted in relation to their professional activities and for representing their clients; shares the concerns highlighted in the opinion of the Venice Commission adopted in October 2020 on the July 2020 amendments to the Law on Lawyers of 1969, notably on the creation of multiple bar associations in the same city; stresses that this will lead to further politicisation of the legal profession, resulting in incompatibility with the impartiality requirement of the legal profession and endangering the independence of lawyers; is of the view that this legal reform may be a further blow to the functioning of the judiciary and an attempt to disempower existing bar associations and eradicate the remaining critical voices; urges the Turkish authorities to respect the independence of lawyers and to allow them to conduct their work freely in line with international human rights standards; calls for the immediate and unconditional release of all lawyers who are detained solely for exercising the legal profession;
20. Deplores the death of lawyer Ebru Timtik after 238 days of hunger strike to demand a fair trial after her conviction for alleged membership of a terrorist organisation while her appeal was pending before the Court of Cassation; reminds that she is the fourth prisoner to die in 2020 as a result of a hunger strike to demand a fair trial, following the deaths of Helin Bölek and İbrahim Gökçek, two musicians from the Grup Yorum band, and of Mustafa Koçak; expects that the ongoing trial against three police officers charged with the killing of the Kurdish human rights lawyer, Tahir Elçi, will finally reveal the full circumstances around his death and bring justice in his case;
21. Is deeply worried about the disregard by the Turkish judiciary and by the Government of Turkey of ECtHR rulings and the increasing non-compliance of lower courts with the judgments of the Constitutional Court; recognises that there have been instances where the Turkish judiciary has conducted retrials of prisoners following a decision by the ECtHR; notes with regret, however, that these retrials often fail to meet internationally recognised standards for a fair trial, such as in the İlhan Sami Çomakcase; calls on Turkey to ensure full respect of the European Convention on Human Rights and adherence to the relevant judgments and rulings of the ECtHR, and to cooperate with

the Council of Europe with a view to strengthening the rule of law, democracy and fundamental rights; hopes that the ECtHR will be able to prioritise and accelerate the delivering of judgments in the numerous Turkish cases pending before its court, including the case of the journalist Hanım Büşra Erdal; welcomes the recent ECtHR judgment in the case of prominent writer Ahmet Altan, which had been pending since 2017 and which ruled that there had been, among others, violations of his rights to liberty and security, and freedom of expression; welcomes his subsequent release from prison after the Turkish Court of Cassation reversed the ruling against him and calls once again on the relevant Turkish authorities to swiftly apply all other ECtHR rulings; notes that the Turkish judiciary is also disregarding decisions adopted by UN mechanisms such as the UN Human Rights Committee and the Working Group on Arbitrary Detention;

22. Deplores the detention conditions of Fabien Azoulay, a French national arrested and convicted in Turkey, who has been held in prison for more than four years, most recently in Giresun prison, where he has been subjected to physical violence and repeated mistreatment, as well as attempts to force him to convert to Islam; strongly condemns the homophobic and anti-Semitic motives behind his repeated mistreatment; urges the Turkish authorities to without delay take all necessary measures to ensure his protection and transfer to his home country;
23. Deplores the lack of effective remedy for the large-scale dismissals affecting many individuals, among them more than 152 000 civil servants, including teachers, doctors, academics, lawyers, judges and prosecutors, who were 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 concerned, as well as their families, including a lasting social and professional stigma; has strong doubts about the effective functioning of the Inquiry Commission on the State of Emergency Measures (CoSEM) as an internal remedy due to its lack of independence, impartiality and efficiency; notes that arbitrary passport cancellations, despite some incremental improvements, remain a major unjustified constraint on the freedom of movement of the people concerned; calls on the Turkish authorities to respect the rights of defence of those dismissed and to ensure an assessment procedure in line with international standards;
24. Is appalled by the statements by top representatives of the executive and the ruling coalition on the possible reinstatement of the death penalty that Turkey abolished in 2004; warns that such a regrettable move would not only contravene Turkey's existing international commitments, but would be incompatible with the EU accession process;
25. Reiterates the importance of media freedom and independence as one of the core values of the EU and a cornerstone of any democracy; expresses serious concern about the disproportionate and arbitrary measures curtailing freedom of expression, media freedom and access to information in Turkey, where anti-terror legislation is frequently misused with the aim of muzzling criticism, amid a suffocating lack of pluralism in the media; urges Turkey to guarantee media freedom and freedom of speech on social media platforms as a matter of priority, including by reforming Article 299 of its Criminal Code (on insulting the President), which is consistently abused to persecute writers, reporters, columnists and editors, and to immediately release and acquit all unlawfully detained journalists, writers, media employees and social media users for exercising their profession and civil rights; notes that, even though in the last year the

number of journalists in prison has decreased from 160 to over 70, this number remains very high and continues to be a cause of serious concern, and that too often people are jailed for unsubstantial reasons; calls on the Turkish authorities to demonstrate zero tolerance towards all incidents of physical and verbal abuse or threats against journalists, and to allow media outlets which have been arbitrarily closed to reopen; is deeply concerned by the decision of the Istanbul provincial court of 20 October 2020 to overturn the previous acquittal and retry once again Reporters Without Borders Turkey representative Erol Önderoğlu, human rights defender Şebnem Korur Fincancı and the writer and journalist Ahmet Nesin, who are accused of several crimes, including spreading terrorist propaganda, because of their participation in a solidarity campaign with a newspaper, and are facing up to 14,5 years in prison;

26. Is seriously concerned about the negative impact the Law on the Arrangement of Internet Publication and Combatting Crimes Committed Through These Publications of July 2020 will have on freedom of expression, as it places new draconian obligations on social media providers, gives the government sweeping powers to censor online content and provides further grounds for the prosecution of social media users; notes the lifting of the ban on Wikipedia, but stresses that over 400 000 websites remain blocked and several restrictions on the use of social media continue to be in force;
27. Is deeply concerned about the lack of independence and impartiality of public entities, such as the Radio and Television Supreme Council (RTÜK) and the Press Advertising Agency (BİK), which are being used as a tool to arbitrarily suspend, ban, fine or financially strangle media outlets considered to be critical of the government, allowing for almost complete control of mass media; regrets the cancellation in 2019 of more than 700 press cards by the presidency's Directorate of Communications and the difficulties that local and international journalists encounter while doing their job;
28. Commends the existence of a vibrant, plural, engaged and heterogeneous civil society in Turkey, in spite of the massive political crackdown, as it represents one of the few remaining checks on the Turkish Government and has the potential to help the country confront its deep political and social challenges; is deeply worried about the further backsliding affecting the freedoms of assembly and association and denounces the arbitrary closure of civil society organisations, including prominent human rights non-governmental organisations and media; condemns, in this context, the new Law on Preventing Financing of 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 non-governmental organisations, business partnerships, independent groups and associations and appears to be aimed at further limiting, restricting and controlling civil society; strongly supports the call by several UN special representatives on the Government of Turkey to review this legislation in order to ensure compliance with Turkey's international human rights obligations; calls on Turkey to view critical or dissenting voices, including human rights defenders, academics and journalists, as valuable contributors to social dialogue, rather than destabilising forces;
29. Deplores the massive deterioration of academic freedom in Turkey, in particular the continuous breaches of the rights of Peace Academics, despite the Constitutional Court decision of July 2019, and the amendments to the Turkish Higher Education Council Law, which add additional restrictive measures to the ones already in force;

30. Condemns the violent repression by Turkish authorities of the protests related to the appointment by the government of the rector of Boğaziçi University; is appalled by the mass detention of students, the excessive use of force by the police in peaceful demonstrations, the Istanbul governor's decision to selectively ban all kinds of meetings and demonstrations in the area surrounding the university, the depiction of protestors – namely students, alumni and academics – as terrorists and the targeting of LGBTI groups; calls on Turkey to drop charges and release those arbitrarily detained for exercising their right to peaceful assembly;
31. Urges Turkey to refrain from detaining and prosecuting journalists and human rights defenders as a means of intimidating them or discouraging them from freely reporting on human rights issues; urges Turkey to promptly and independently investigate reported instances of intimidation and harassment of human rights defenders, journalists, academics and civil society activists, and to hold accountable those responsible for such abuses;
32. Is deeply concerned about the constant attacks and pressure on opposition parties in Turkey, including the sentencing of members of the opposition or abuses by the incumbent government of financial resources and the administrative competencies of the state, which undermines the proper functioning of a democratic system; calls on the main Turkish parties to continue their democratic and parliamentary efforts in promoting the European path for Turkey within the laws and the Constitution of Turkey;
33. Notes with great concern the way that the People's Democratic Party (HDP), including its youth organisations, has been specifically and continuously targeted by the Turkish authorities; strongly condemns the indictment filed by Turkey's Court of Cassation prosecutor at the Constitutional Court seeking the dissolution of the HDP and the political ban on more than 600 HDP members; stresses that as well as being a serious political mistake in the medium term, this would represent an irreversible blow to pluralism and democratic principles, leaving millions of voters in Turkey without representation; strongly condemns the continued detention since November 2016 of former HDP co-chairs Figen Yüksekdağ and Selahattin Demirtaş, opposition leader and former presidential candidate, and of the former mayor of Diyarbakır Gülten Kışanak; recalls the ruling by the ECtHR on Demirtaş's case of 20 November 2018, confirmed by the ruling of its Grand Chamber on 22 December 2020, which calls on the Turkish authorities to immediately release him; is appalled by the continuous failure to comply with this binding ECtHR ruling; condemns the recent decision by Istanbul's Bakırköy 46th Criminal Court of First Instance to sentence Selahattin Demirtaş to three and a half years in jail for allegedly insulting the president, one of the longest sentences ever handed down for such charges; regrets that on 7 January 2021, the Ankara 22nd Assize Court accepted another indictment against a total of 108 politicians, including Mr Demirtaş and Ms Yüksekdağ for their alleged role in the Kobane protests of October 2014, even though it is based on the same set of facts and incidents that the Grand Chamber already found to constitute insufficient grounds for his detention; also condemns the recurrent use of revocation of the parliamentary status of opposition MPs, which seriously damages the parliament's image as a democratic institution; is worried that the Ankara Chief Public Prosecutor is preparing enquiries to lift the parliamentary immunities of nine more HDP deputies – including current HDP co-chair Pervin Buldan, Meral Daniş Beştaş, Hakkı Saruhan Oluç, Garo Paylan, Hüda Kaya, Sezai Temelli, Serpil Kemalbay Pekközegü, Pero Dünder and Fatma Kurtulan – so that they

can be prosecuted for their alleged role in the 2014 Kobane protests; highlights the case of Cihan Erdal, member of the youth wing of the Turkish Green/Left party, who, while temporarily visiting Turkey to see his family, was arrested and detained on 25 September 2020 for the sole reason of having been a member of the HDP six years prior to his arrest; condemns the decision to strip HDP MP Ömer Faruk Gergerlioğlu of his parliamentary seat and parliamentary immunity and his subsequent arrest on the premises of the Grand National Assembly of Turkey; believes this decision to be a retaliation for his human rights activism, including for the fact that he brought to the floor of parliament widespread claims of strip searches and harassment in prisons and under police custody and started a social media campaign against them;

34. Is deeply concerned about the gradually increasing pressure on the main opposition party (CHP) and its leader Kemal Kılıçdaroğlu, including the confiscation of party brochures by court order, the application for a waiver of immunity against the leader on the basis of his political statements, the threats made publicly against him or even physical attacks; reiterates its serious concern about the continuous political and judicial harassment of Canan Kaftancıoğlu, Istanbul provincial chair of the CHP, who was sentenced on September 2019 to almost 10 years in prison on a politically motivated case, for which a Supreme Court decision is pending, and who was indicted in December 2020 facing a sentence of another 10 years in a new political case, which also affects in parallel four journalists from *Cumhuriyet* daily; welcomes the fact that CHP MP Enis Berberoğlu has recovered his seat and parliamentary immunity pursuant to a second ruling by the Constitutional Court on 21 January 2021, as its previous ruling had been disregarded by lower courts;
35. Calls on Turkey's relevant authorities to release all imprisoned human rights defenders, journalists, lawyers, academics and others who have been detained on unsubstantiated charges and to enable them to carry out their work without threat or impediment in all circumstances; calls on the Commission and the Member States to increase their protection of and support for human rights defenders at risk in Turkey, including through emergency grants; condemns the decision of the Istanbul Regional Court of Appeal to uphold the long prison sentences of four human rights defenders in the Büyükada case on terrorism-related charges, despite the absence of any evidence of criminal activity and the fact that allegations against these defendants had repeatedly been disproven, including by the state's own evidence; considers this case another example of the hostile environment against civil society organisations and the recurrent influence of virulent political discourse leading to biased judiciary decisions; condemns the rearrest of writer Ahmet Altan in November 2019 just a week after he was released from prison following more than three years in pre-trial detention; is deeply concerned about the harassment against Öztürk Türkdoğan, a renowned human rights figure and co-chair of İnsan Hakları Derneği (the Human Rights Association (İHD)), who was recently arrested during a home raid in connection with a classified investigation and was later released;
36. Strongly condemns the rearrest of Osman Kavala, a prominent and respected leading civil society figure, only hours after his acquittal in February 2020, and his continued detention for over three years on spurious charges, which constitutes a blatant refusal to abide by the final judgment of the ECtHR and the subsequent calls by the Council of Europe Committee of Ministers; considers the new case and indictment against him and US academic Henri Barkey – for allegedly spying and attempting to overthrow Turkey's constitutional order – unfounded, devoid of any evidence and therefore

politically motivated; is utterly shocked by recent court decisions, such as the 22 January 2021 ruling by the Istanbul Court of Appeal overturning the previous verdict of acquittal and ruling in the retrial of the Gezi Park case and the 5 February 2021 Istanbul Court decision to merge this newly reopened case with the other case on espionage, in total disregard of the ECtHR verdict; highlights that the ECtHR already issued a verdict in the Gezi case and that merging both cases therefore makes the continuation of the pre-trial detention even more absurd and unlawful; is appalled by the decision of the Council of Judges and Prosecutors (HSK) to investigate the three judges of the Istanbul 30th Heavy Penal Court who on February 2020 acquitted Kavala and the rest of the defendants in the Gezi Park trial due to the lack of evidence; is appalled to see how, on the other hand, the former Istanbul Deputy Public Prosecutor Hasan Yılmaz, responsible for the second indictment against Kavala, has subsequently been appointed Deputy Minister of Justice;

37. Is deeply concerned by the continued allegations of violent arrests, beatings, torture, ill-treatment and cruel and inhumane or degrading treatment in police and military custody and in prison, as well as by cases of enforced disappearances over the past four years, by the failure of prosecutors to conduct meaningful investigations into such allegations and by the pervasive culture of impunity for members of the security forces and public officials implicated; calls on the Turkish Government to clarify the destiny of the hundreds of disappeared persons and finally give an answer to the Cumartesi Anneleri (Saturday Mothers) who have now come together more than 800 times to ask for justice; urges Turkish authorities to investigate persistent and credible reports of torture and ill-treatment in custody and hold those responsible to account; calls on Turkey to abide by a zero-tolerance policy on torture; calls on Turkey to terminate all incommunicado detention and detention in unofficial detention locations; is appalled by the reported practice of arresting pregnant and post-partum women and urges Turkey to release them and to end the practice of arresting them just before or immediately after giving birth; points to the disappearance of former public sector worker Yusuf Bilge Tunç, who was reported missing in August 2019; is very concerned about the increasing reports of the systematic and abusive use of humiliating strip searches in places of detention and prisons, particularly on female suspects and detainees;
38. Is worried about the new legislation according to which Turkish police will be allowed to use military gear, including heavy weaponry and secret service equipment, to deal with public incidents and events that threaten national security without any additional procedures;
39. Notes that, in the light of the COVID-19 pandemic, a legislative package provided for the conditional early release of up to 90 000 prisoners excluding, however, in a discriminatory manner, those held in pre-trial detention for alleged terrorism-related offences, including lawyers, journalists, politicians and human rights defenders, as they are not eligible for early release under these measures;
40. Condemns any forced extraditions, kidnappings or abductions of Turkish citizens residing outside Turkey for political reasons in violation of the principle of the rule of law and human rights; expresses serious concern about the Turkish Government's use of its influence to secure forcible returns of its citizens in violation of international law, in some cases by undermining domestic legal procedures for extradition, and urges the EU to address this matter; condemns any attempts to use violence against, harass or put

pressure on opposition members and politicians of Turkish origin, as well as intellectuals, politicians and activists in general in Europe;

41. Is concerned that the Ombudsman and the Human Rights and Equality Institution of Turkey do not satisfy the criteria of the Paris Principles or the European Commission against Racism and Intolerance's general policy recommendations Nos 2 and 7 in terms of statute, structure, function, activities, financial and operational independence, board members' independence, and eligibility and membership;
42. Takes note of the recently adopted human rights action plan set to be implemented over a two-year period, promising a number of legal reforms and containing nine main aims, 50 goals and almost 400 actions, varying from specific and technical commitments to, to a large extent, general and ambiguous statements; highlights that while the action plan claims to address key issues such as judicial independence, freedoms of expression and association and the protection of vulnerable groups, it falls short of addressing key shortcomings regarding the human rights and rule of law situation in Turkey, as it does not include actions aimed at reversing the abuse of terrorism-related charges, putting an end to arbitrary detentions or ensuring compliance with ECtHR rulings, among other key concerns; considers that any action plan will only provide an opportunity to improve the overall situation if it translates into real and credible remedies addressing the whole range of challenges in the field of human rights and the rule of law; encourages the Government of Turkey to provide a clearer timetable for its effective implementation, and to involve civil society organisations and relevant stakeholders in the design of any relevant policy on this matter;
43. Is concerned about the widespread level of corruption in Turkey; stresses that the Commission reports state that no sign of progress in addressing the many gaps in the Turkish anti-corruption framework was found and calls on Turkey to present an effective anti-corruption strategy and action plan; notes that the accountability and transparency of public institutions need to be improved; notes that Turkey has made limited progress in the fight against organised crime; calls on Turkey to align its data protection law with EU standards in order to be able to cooperate with Europol and to improve regulations on the fight against money laundering, terrorism financing and cybercrime;
44. Remains deeply concerned by the situation in the south-east of Turkey and the Kurdish issue, which receive less attention than they deserve, particularly when it comes to the protection of human rights, political participation, freedom of expression and freedom of belief; is concerned by the restrictions on the rights of journalists and human rights defenders working on the Kurdish issue and the continued pressure on Kurdish media, cultural and language institutions and expressions all around the country, leading to further shrinking of cultural rights; is concerned that hate speech and threats directed against citizens of Kurdish origin remain a serious problem; 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; is particularly concerned about the persistent disadvantaged situation of Kurdish women, exacerbated by prejudice against their ethnic and linguistic identity, leading to their further marginalisation with respect to their civil, political, economic, social and cultural rights; calls on Turkey to ensure full capacity of access to equal rights and opportunities for Kurdish women; calls on Turkey to promptly investigate all serious allegations of human rights abuses, killings and forced disappearances, and to allow international

observers to carry out independent monitoring activities; is concerned by the recent mass raids and detentions in Diyarbakır affecting lawyers, politicians and civil rights activists, and by the imprisonment of five civil society figures including Dr Şeyhmus Gökalp, High Honorary Board Member of the Turkish Medical Association (TTB); urges Turkey to ensure that a prompt, independent and impartial investigation is carried out into the allegations of torture of two villagers in Van, Servet Turgut and Osman Şiban, after they were detained by the gendarmerie on 11 September 2020, which caused the death of the former and severe injuries to the latter;

45. Urges the Government of Turkey to protect the rights of minorities and vulnerable groups, including women and children, LGBTI people, refugees, ethnic minorities such as Roma, Turkish citizens of Greek and Armenian descent and religious minorities such as Christians, Jews or Alevi; therefore calls on Turkey to urgently put in place comprehensive anti-discrimination legislation, including a prohibition on discrimination on the grounds of ethnic origin, religion, language, citizenship, sexual orientation and gender identity, and measures against racism, homophobia and transphobia;
46. Strongly condemns the Turkish Government's decision to withdraw from the Istanbul Convention, bringing Turkey further away from EU and international standards and putting into serious question its commitments to prevent violence against women and promote women's rights, which is a clear sign of the serious deterioration of human rights in the country; finds this decision incomprehensible as the convention has not changed since Turkey was the very first country to sign and ratify it, and also dangerous, in a time of rising violence against women during the pandemic and in view of the high femicide rate in the country; calls on Turkey's Government to urgently reverse it; calls for any new relationship with Turkey to be based on fundamental democratic values, including respect for women's rights; continues to be concerned about the prevalence and severity of violence against women in Turkish society, including so-called honour killings, non-legal child marriages and sexual abuse, and about the Turkish authorities' reluctance to punish the perpetrators of gender-based violence; rejects any legal provision that could in the future allow rapists to be given suspended sentences for child sex offences as long as they marry their victim; urges the Turkish authorities to increase their efforts to fight child labour, which has decreased in recent years but is still notable in Turkey, and against any form of child abuse; deplores the continued very low level of representation of women in government and parliament, with only 17,3 %, at the local level and in general in any decision-making positions;
47. Expresses deep concern about the violations of the human rights of LGBTI people, in particular physical attacks, the prolonged bans on pride marches across the country or the restrictions on the freedoms of assembly, association and expression; recalls that Turkey is among the countries with the highest murder rates of transgender persons; condemns the homophobic language and hate speech by high-level government officials, including the head of the Directorate of Religious Affairs (Diyanet), the Ombudsman Institution or the chair of the Red Crescent Society of Turkey; calls on the Turkish authorities to increase their efforts to prevent hate crimes, prejudice and social gender-based inequality; recalls that legislation in Turkey on hate speech is not consistent with ECtHR case law;
48. Deeply regrets the conversion of the Hagia Sophia historical-religious monument into a mosque without prior dialogue, which could violate the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage to which Turkey

is a signatory; calls on Turkey's Government to reconsider and reverse this decision in order to fully respect the historical and cultural character of cultural and religious monuments and symbols, especially UNESCO world heritage sites; recalls that Hagia Sophia is a place open for all communities and religions and calls on UNESCO to take proper actions in order to safeguard this World Heritage Site; stresses that the decision on Hagia Sophia undermines efforts of dialogue and cooperation between religious communities as well as Turkey's pluralistic, multicultural social fabric; regrets that Moni tis Choras/Chora Church was also converted from a museum into a mosque during the last months;

49. 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 by applying Venice Commission recommendations on the status of religious communities, all relevant ECtHR rulings and Council of Europe resolutions, including on the Greek Orthodox population of the islands of Gökçeada (Imbros) and Bozcaada (Tenedos); regrets the actions against the monastics of Mor Gabriel and other monasteries in south-eastern Turkey and reiterates its call on Turkey to respect the importance of the Ecumenical Patriarchate for Orthodox Christians all over the world, to recognise its legal personality and the public use of the ecclesiastical title of the Ecumenical Patriarch; stresses the need to eliminate restrictions on the training, appointment and succession of clergy, to allow the reopening of the Halki Seminary and to lift all obstacles for its proper functioning;
50. Calls on Turkey to cooperate with relevant international organisations, especially the Council of Europe, on preventing and combatting illicit trafficking and the destruction of cultural heritage; stresses the importance of pursuing dialogue with relevant international organisations and the EU on the preservation of cultural and religious heritage;
51. Expresses concern that Uighurs living in Turkey are increasingly at risk of detention and deportation to other countries that can then potentially hand them over to China, where they are likely to face grave persecution;
52. Calls for the effective implementation of the second action plan and the national strategy for Roma, with a more inclusive approach towards civil society, a reinforced gender perspective, enhanced cooperation with local authorities and the allocation of the necessary resources;
53. Points out that trade union freedom and social dialogue are vital to the development of a pluralistic society; regrets, in that respect, the legislative shortcomings on labour and trade union rights and stresses that the right to organise, the right to enter into collective bargaining and the right to strike are fundamental rights of workers; is concerned by the continuing strong anti-union discrimination by employers and by the dismissals, harassment and detentions that managers and members of some unions continue to face; calls on the Turkish authorities to comply with the International Labour Organization core labour standards to which the country has committed;
54. Calls on Turkey to maintain progress in its alignment with the EU directives and *acquis* related to the environment and climate action and to ratify the Paris Agreement on climate change; commends the work of environmental rights defenders in Turkey and warns against the environmental impact of major public infrastructure projects carried

out in the past years, including Istanbul's third and largest airport and the third Bosphorus bridge; is particularly concerned of the potential ecological destruction that the planned Istanbul Canal project could cause; highlights that several court cases have been brought against the positive environmental impact assessment (EIA) of this project and calls for independent EIAs to be carried out, along with transparent procedures for public procurement and inclusive proper public consultation processes; calls on Turkey to complete its alignment with the EU Directive on EIA¹ including the provisions that would require it to run transboundary consultations with the neighbouring countries; reiterates its call on the Turkish Government to halt its plans for the Akkuyu nuclear power plant, which will be located in a region prone to severe earthquakes, therefore posing a major threat not only to Turkey, but also to the Mediterranean region; requests, accordingly, that the Turkish Government join the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), which commits its parties to notifying and consulting each other about major projects under consideration that are likely to have a significant adverse environmental impact across borders; asks the Turkish Government, to this end, to involve or at least consult the governments of its neighbouring countries in relation to any further developments in the Akkuyu venture;

Institutional framework

55. Is alarmed by the consolidation of an authoritarian interpretation of the presidential system; is deeply concerned about the continued hyper-centralisation of power in the presidency – to the detriment not only of the parliament, but also of the Council of Ministers itself – under the reformed constitutional design, which does not ensure a sound and effective separation of powers between the executive and the legislative branches and the judiciary; in this respect, notes the concern raised regarding the separation of powers by the Venice Commission in its opinion on the amendments to the Constitution of Turkey; regrets the current limitations to the checks and balances needed for an effective democratic accountability of the executive branch, and in particular the lack of accountability of the presidency; is concerned by the increasing influence of the presidency over state institutions and regulatory bodies that should remain independent; expresses its concern particularly at the marginalisation of the parliament which has seen its legislative and oversight functions largely undermined and its prerogatives recurrently breached by presidential decrees; calls on the review of the current presidential design and implementation in line with the principles of democracy as referred to in the recommendations of the 2017 Venice Commission of the Council of Europe;
56. Recalls that the 10 % electoral threshold – the highest among Council of Europe members – is at odds with the case law of the ECtHR and reduces the opportunities for representation of large groups of the electorate; is concerned by the public statements on possible electoral reforms which could further hamper the entry and participation of political parties into the parliament and the eventual establishment of parliamentary majorities; calls on Turkey to improve the broader environment for elections at all levels in the country, ensuring a fair and free playing field for all candidates and parties and aligning itself with the recommendations of the Venice Commission and the

¹ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1).

Organization for Security and Co-operation in Europe (OSCE) on addressing the gaps in the electoral framework and its call to reverse decisions that are not consistent with international regulations and standards;

57. Notes with concern that the civil service system continues to be marked by partisanship and politicisation and that this, together with the excessive presidential control at every level of the state machinery, has resulted in an overall decline in the efficiency, capacity and quality of the public administration; calls on Turkey to take measures to restore a merit-based competitive promotion system and to ensure the transparency and accountability of the administration;
58. Is deeply concerned about the ever more frequent use of an ultra-nationalist and inflammatory narrative among the ruling elite – which is widely shared across the political spectrum in the country – as this increasingly gives rise to antagonistic approaches towards the EU, its Member States and other neighbouring countries; is concerned about the deep polarisation of Turkish politics, accentuated by the new presidential system, and the increasing use of polarising populist narratives, which further divide Turkish society and hamper inter-party dialogue and reconciliation; is concerned about the increasing clout of religious conservatism in political life, in contrast with the long-established secular tradition of the country; is worried, in this sense, about the growing role and resources of the Directorate for Religious Affairs (Diyanet) in all spheres of Turkish public life, including education, and also abroad, including a sizeable presence in Europe;
59. Is deeply worried about the severe impact on local politics and local democracy of recent decisions taken by the Turkish authorities; strongly condemns the removal and imprisonment of at least 47 democratically elected mayors from office (including the mayors of Diyarbakir, Van, Mardin and more recently Kars) on the basis of questionable evidence and, in particular, their arbitrary replacement by unelected trustees appointed by the central government; strongly believes these unlawful decisions constitute a direct attack on the most basic principles of democracy, depriving millions of voters of their democratically elected representation; calls on Turkey to restore the deposed mayors to their office;
60. Notes the political, legislative, financial and administrative measures taken by the government to paralyse municipalities run by mayors of opposition parties in Istanbul, Ankara, Izmir and the south-east; condemns the Supreme Election Council's (YSK) decisions to rerun the metropolitan mayoral election in Istanbul and the denial of mayoral mandates to winning HDP candidates in favour of second-placed Justice and Development Party (AKP) candidates, undermining the respect for the legality and integrity of electoral processes and the institution's independence from political interference;

Wider EU-Turkey relations and Turkish foreign policy

61. Recalls the important role Turkey played and still plays by hosting almost four million refugees – of which approximately 3.6 million are Syrian refugees and around 360 000 are registered refugees and asylum seekers from other countries according to United Nations High Commissioner for Refugees data – and recalls that this is the largest refugee community in the world; notes that the challenges in addressing this crisis have increased due to the COVID-19 pandemic; commends the efforts taken by all involved

authorities, particularly the municipalities, to improve the integration of refugee populations; takes the view that the EU should continue to give the necessary support to Syrian refugees and host communities in Turkey, including through continuing support for relevant UN programmes for refugee communities in Turkey; supports an objective assessment, including a human rights impact assessment, of the EU-Turkey Statement and of cooperation on refugees, asylum seekers and migration, and underlines the need for both parties to comply with their respective commitments and with fundamental rights as part of the implementation process; emphasises that the instrumentalisation of migrants and refugees cannot be accepted as a tool for political leverage and blackmail; strongly condemns, in this regard, Turkey's use of migratory pressure for political purposes in March 2020, when the Turkish authorities actively encouraged migrants and refugees and asylum seekers with misleading information to take the land route to Europe through Greece; notes that pending the full and effective implementation of the EU-Turkey Readmission Agreement¹ vis-à-vis all Member States, existing bilateral readmission agreements and provisions in similar agreements and arrangements with Member States should be adequately implemented; recalls that Syrian refugees should be repatriated to Syria only if they choose to go voluntarily and can return to their original communities;

62. Reaffirms its call expressed in its resolution of 15 April 2015, and once again encourages Turkey to recognise the Armenian Genocide, thus paving the way for a genuine reconciliation between the Turkish and Armenian peoples; calls on Turkey, in this regard, to refrain from any anti-Armenian propaganda and hate speech, and to fully respect its obligations to protect Armenian and other cultural heritage;
63. Is firmly convinced that the COVID-19 pandemic can only be tackled through global cooperation; believes that EU-Turkey cooperation could be further deepened in this regard, including with respect to the establishment of sustainable supply chains; welcomes Turkey's positive role in supplying protective equipment to a number of Member States and other countries; is concerned by the misuse of presidential decrees and ministerial decisions further eroding the principle of legality in decisions taken to cope with the COVID-19 pandemic; criticises the Turkish authorities' attacks on the Turkish Medical Association, the aim of which is to silence any critical questions on the government's handling of the COVID 19 pandemic; condemns the instrumentalisation of the justice system, unlawful detentions, harassment and baseless criminal investigations of journalists who have reported concerns about Turkey's management of the pandemic; notes that the COVID-19 pandemic has rapidly increased unemployment and poverty rates in Turkey;
64. Stresses that a modernisation of the customs union would be beneficial for both parties and would keep Turkey economically and normatively anchored to the EU, in addition to creating a renewed opportunity for positive dialogue and cooperation, providing a better regulatory framework for EU investment in Turkey, including a dispute resolution mechanism, and being a catalyst for the creation of more employment in both the EU and Turkey and for projects on European Green Deal cooperation; highlights that, under the current circumstances – including the growing list of Turkey's deviations from its current obligations, the fact that the EU and Turkey are currently in a dispute before the World Trade Organization or unacceptable calls to boycott EU Member

¹ Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation (OJ L 134, 7.5.2014, p. 3).

States – it appears that a modernisation of the customs union would be particularly difficult, but believes that a door should be left open to facilitate constructive efforts and renewed dialogue on all outstanding issues and explore the conditions for a modernisation of the customs union; reiterates that this modernisation would need to be based on strong conditionality related to human rights and fundamental freedoms as prescribed by the Copenhagen criteria on good neighbourly relations with the EU and all its Member States and on its non-discriminatory implementation; recalls, in this sense, that the current customs union will not achieve its full potential until Turkey fully implements the Additional Protocol to extend the Ankara Agreement towards all Member States without reserve and in a non-discriminatory fashion in relation to all Member States, and until all existing trade irritants are resolved;

65. Continues its support for the visa liberalisation process once the set conditions have been met; points out that visa liberalisation would constitute an important step towards facilitating people-to-people contacts and notes that it is of great importance, particularly for students, academics, business representatives and people with family ties in EU Member States; welcomes the presidential circular of May 2019 calling for the acceleration of demarches, but stresses that there has been very little real progress on the six outstanding benchmarks still to be fulfilled by Turkey; asks the Government of Turkey to fully comply with these benchmarks in a non-discriminatory manner, including with regard to all EU Member States, and to focus in particular on the Anti-Terror Law and Data Protection Law;
66. Notes the importance for Turkey, the EU and its Member States of maintaining close dialogue and cooperation on foreign policy and security issues; acknowledges that, as is the right of any sovereign country, Turkey can pursue its own foreign policy in line with its interests and goals; believes that, as a candidate country for accession to the EU, however, Turkey should aim to increasingly align its foreign policy with that of the EU under the common foreign and security policy (CFSP); deeply regrets that, to the contrary, Turkey has decided to recurrently act unilaterally and to consistently collide with the EU's priorities in a wide range of foreign affairs matters, and that, as a result, the rate of Turkey's alignment with the CFSP is at present reduced to only 14 %; encourages Turkey to pursue close cooperation and further alignment with the EU on foreign policy, defence and security issues, including counter-terrorism cooperation; recalls that Turkey is a long-standing member of the NATO alliance and is in a key geostrategic location for maintaining regional security and reinforcing European security; stresses that, as a NATO ally, Turkey should be encouraged to act in line with the NATO Treaty, which states that members should refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations; notes, further, that EU Member States and Turkey continue to cooperate on issues of (military) strategic importance within the NATO framework; 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 member of NATO and EU candidate country and to recommit fully to NATO as its sole security anchor; calls for a transatlantic dialogue on relations with Turkey with the new US administration with a view to adopting a joint policy towards and with Turkey, aimed at enhancing our cooperation and convergence in values and interests;
67. Stresses that, whatever claims Turkey can have, these should be defended through diplomacy and dialogue based on international law and that any attempt to pressure

other countries through the use of force, threats or hostile and insulting rhetoric, particularly towards the EU and its Member States, are unacceptable and unseemly for an EU candidate country; calls, in this regard, on the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to take a firm stance on any abusive language against the EU and its Member States expressed by representatives of the Turkish Government;

68. Is deeply concerned by Turkey's unprecedented illegal behaviour in the Eastern Mediterranean conducted by an EU candidate country against EU Member States, and by the related security and stability risks; strongly condemns Turkey's illegal activities in Greek and Cypriot waters, as well as its violations of the Greek national airspace, including overflights of inhabited areas, and its territorial sea, which violate both the sovereignty and the sovereign rights of an EU Member State and international law; expresses its full solidarity with Greece and the Republic of Cyprus; reaffirms the right of the Republic of Cyprus to enter into bilateral agreements on its exclusive economic zone (EEZ) and explore and exploit its natural resources in full compliance with relevant international law; expresses its grave concern about the illegal Turkish fishing activities within Greek territorial waters in the Aegean Sea and the unregulated and unreported fishing activities of Turkish fishing fleets in international waters in the Aegean Sea and the Eastern Mediterranean; urges Turkey and all stakeholders involved to engage in the bona fide peaceful settlement of disputes and to refrain from any unilateral and illegal action or threats; stresses that a sustainable conflict resolution can only be found through dialogue, diplomacy and negotiations in a spirit of good will and in line with international law; calls on all sides for a genuine collective engagement to negotiate the delimitation of EEZs and the continental shelf in good faith, fully respecting international law and the principle of good relations between neighbours; notes with regret that the *casus belli* declared by the TGNA against Greece in 1995 has not been withdrawn yet; welcomes the new round of exploratory talks between Greece and Turkey, after a five year hiatus which seek to address, amongst other things, 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 United Nations Convention on the Law of the Sea, which is part of the European Union *acquis*; welcomes and fully supports the proposal of the European Council for a multilateral conference on the Eastern Mediterranean in order to provide a platform to settle disputes through dialogue, and calls on the VP/HR to launch it as soon as possible; reiterates its call on the Council to stand ready to develop a list of further restrictive sectoral and targeted sanctions in the absence of any significant progress or renewed prospects in engaging with Turkey; notes that the Council's conclusions of 15 July 2019, in the light of Turkey's continued and new illegal drilling activities, not to hold the Association Council and further meetings of the EU-Turkey high-level dialogues for the time being, along with Council Decision (CFSP) 2019/1894 of 11 November 2019 concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean¹, were the first instances where such reactions were deemed necessary in view of the conduct of a candidate country; urges Turkey to engage in the peaceful settlement of disputes and to refrain from any unilateral and illegal action or threats, as this has a negative impact on good neighbourly relations with the EU and its Member States; calls on the VP/HR to consider appointing

¹ OJ L 291, 12.11.2019, p. 4.

a special envoy of the European Union for the Eastern Mediterranean to facilitate diplomatic outreach to Turkey;

69. Strongly condemns the statement by the President of the Turkish National Assembly according to which Turkey could withdraw by a simple presidential decree from the Montreux Convention, an important international agreement regulating free international navigation in the Dardanelles and Bosphorus Straits; notes that this statement follows previous Turkish efforts to challenge the validity of the Lausanne Peace Treaty, and thus to undermine international peace and stability in the broader area, including, in particular, Turkey's neighbouring countries;
70. Strongly condemns the partial illegal reopening of Varosha in the city of Famagusta, which undermines mutual trust and therefore the prospect of the resumption of direct talks on the comprehensive resolution of the Cyprus issue, by changing the situation on the ground for the worse, exacerbating division and embedding the permanent partition of Cyprus; warns against any change of the status quo in Varosha in violation of the UNSC resolutions; calls on Turkey to reverse this action and avoid any other unilateral action that could raise further tensions on the island, in compliance with the recent call of the UNSC; calls on Turkey to withdraw its troops from Cyprus, to transfer the Varosha area to its lawful inhabitants under the temporary administration of the UN in accordance with UNSC Resolution 550 (1984) and to refrain from actions altering the demographic balance on the island through a policy of illegal settlements; reiterates its call on Turkey to commit and contribute to a comprehensive settlement in line with the relevant UNSC resolutions, including on the restitution of property and the preservation of religious sites; regrets that the highest Turkish authorities have endorsed the two-state solution for political and nationalistic purposes and urges the Government of Turkey to commit concretely to the UN Secretary-General's call for renewed negotiations; urges the parties concerned to relaunch negotiations on the reunification of Cyprus under the auspices of the UN Secretary-General as soon as possible, from where they were left off and building on the agreements already reached as part of the 2017 Crans-Montana process; calls for the EU and its Member States to play a more active role in bringing negotiations to a successful conclusion; reiterates its support for a fair, comprehensive and viable settlement on the basis of a bi-communal, bi-zonal federation with a single international legal personality, single sovereignty and single citizenship and with political equality between the two communities, as defined in the relevant UNSC resolutions, in accordance with international law and the EU *acquis* and on the basis of respect for the principles on which the Union is founded; is firmly convinced that a sustainable conflict resolution can only be found through dialogue, diplomacy and negotiations in a spirit of good will and in line with international law; firmly believes that the sustainable resolution of the Cyprus problem would benefit every country in the region; stresses the need for the EU *acquis* to be implemented across the entire island following the solution of the Cyprus problem and the importance of engaging with the democratic forces of the Turkish Cypriot community; praises the important work of the bi-communal Committee on Missing Persons, which deals with both Turkish Cypriot and Greek Cypriot missing persons, and reiterates its appreciation for the fact that improved access to relevant sites, including military areas, has been granted for some years already; calls on Turkey to assist the Committee on Missing Persons by providing information from its military archives; regrets Turkey's continuing refusal to comply with aviation law and establish a channel of communication between air traffic control centres in Turkey and the Republic of Cyprus, the absence of which entails real safety risks and dangers as identified by the European Aviation Safety Agency and the

International Federation of Air Line Pilots' Associations; takes the view that this could be an area where Turkey could prove its commitment to confidence-building measures and calls on Turkey to collaborate by fully implementing EU aviation law; recalls its position, as expressed in previous resolutions, on the introduction of an initiative in the Council for all EU Member States to halt the licencing of arms exports to Turkey in accordance with Council Common Position 2008/944/CFSP;

71. Strongly condemns the Turkish military interventions in Syria, which constitute grave violations of international law and risk undermining the stability and security of the region as a whole; calls on the Government of Turkey to end its illegal occupation of northern Syria and Afrin and to withdraw its military and paramilitary proxy forces; reiterates that security concerns cannot justify unilateral military action in a foreign country; recalls that there can be no sustainable military solution to the Idlib issue, but only a political one; expresses great concern about and strongly condemns the transfer of fighters and mercenaries from jihadist groups located in northern Syria to Libya and to the conflict in Nagorno-Karabakh; calls on the Turkish authorities to create the right conditions for displaced communities within Syria to return to their homes and allow them to do so;
72. Calls on Turkey to remain committed to the peaceful resolution of the conflict in Libya under the auspices of the UN, and to fully adhere to the arms embargo imposed by the UNSC; commends the work of the European Union Naval Force – Mediterranean Operation Iridi (EUNAVFOR MED Iridi) and its efforts to uphold the mandated arms embargo and prevent human and drug trafficking; regrets that in at least two instances Turkey has refused to allow the personnel of EUNAVFOR MED Iridi to inspect ships travelling from Turkey to Libya; calls, therefore, on Turkey to cooperate fully with EUNAVFOR MED Iridi, which operates in accordance with UNSC Resolutions 2292 and 2526, which are binding for all UN Member States, including the Republic of Turkey; calls on the Council to start cooperation between EUNAVFOR MED IRINI and the NATO Operation Sea Guardian in order to ensure that EUNAVFOR MED Iridi is equipped with the necessary assets and personnel to effectively perform its core task of monitoring land, sea and air traffic activities and contributing to the full implementation of the arms embargo by all countries; stresses the need to maintain the ceasefire and for the immediate and unconditional withdrawal of all foreign forces and mercenaries from the entirety of Libya's territory in accordance with the resolutions of the UN Security Council; strongly condemns 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 relevant UNSC resolutions;
73. Condemns the fact that, rather than calling for an end to the violence and for a resumption of peaceful negotiations supporting the efforts of the Co-Chairs of the OSCE Minsk Group, Turkey instead decided to unconditionally sustain and support the military actions of Azerbaijan in the recent conflict in Nagorno-Karabakh by resorting to provocative rhetoric, thereby fuelling tensions instead of reducing them; condemns the transfer of foreign fighters from Syria and elsewhere to Nagorno-Karabakh, as confirmed by the OSCE Minsk Group Co-Chair countries and calls on Turkey to refrain from any activity and rhetoric that could further exacerbate tensions in the south Caucasus region and to support international dialogue and the peace process under the auspices of the OSCE Minsk Group;

74. Calls on the EEAS StratCom division to document suspicions of Turkish disinformation directed at the EU, particularly in Africa and the MENA region and to report its findings to the European Parliament;

Way forward for EU-Turkey relations

75. Believes that it is high time to seriously reflect on the state of the EU's relations with Turkey and to draw up a comprehensive, unified and coherent strategy for the medium and long term, among all EU institutions and Member States; 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, with particular reference to the area of fundamental rights; believes that the EU should continue to pursue all possible instances of dialogue, common understanding and convergence of positions with Turkey, but reiterates that, failing that, and in the event of renewed unilateral actions or provocations in breach of international law, the EU should use all the instruments and the options at its disposal, including targeted sanctions as a last resort, which should not have an adverse impact on the Turkish people, civil society or refugees in Turkey;
76. Believes that the EU should not confuse Turkey with the policies of its current government, and therefore underlines that the EU should remain committed to supporting Turkey's civil society with the objective of protecting and promoting democratic values and principles, human rights and the rule of law, taking into account the strong pro-European vocation and European identity of Turkish society at large; calls in this sense on all EU institutions, particularly the Council, to place the human rights dimension and the situation of fundamental freedoms and rule of law in Turkey at the core of their actions towards the country; takes note of the recent joint communication on the state of play of EU-Turkey political, economic and trade relations (JOIN(2021)0008) as a succinct summary of the current situation; regrets that the backsliding of democracy, the rule of law and fundamental rights in Turkey was not sufficiently addressed in the European Council conclusions of March 2021; underlines that the rule of law and human rights dimension should be at the core of the assessment of our policy towards Turkey; therefore calls on the Commission and the Council to introduce the human rights and rule of law dimension as one of the key criteria when designing the next possible steps in EU-Turkey relations; highlights that doing so could help to reverse the backsliding in fundamental freedoms observed lately in Turkey and would send an encouraging message to the large pro-European and pro-democratic part of Turkish society;
77. Takes the view that both the EU and Turkey are aware that it is necessary and vital to develop a constructive and respectful attitude in their relations and that enhancing communication and dialogue at all levels are key to restoring a relationship of mutual trust between the EU and Turkey that can form a solid and lasting foundation for further constructive development, the constant improvement of people's lives and the maintenance of peace; believes that other channels of communication should be strengthened, including among municipalities – supporting the relevant work done by the Committee of the Regions – and in the realm of academia, culture and journalism; calls for a common effort by all EU institutions and for the Member States to take concrete steps in this respect and calls on the Commission to report on such steps in its

next report on EU-Turkey relations; notes that the last EU-Turkey Joint Parliamentary Committee (JPC) held its 78th meeting in Ankara on 19 and 20 December 2018; regrets this period of unjustified inactivity of the EU-Turkey JPC and expresses its hope, therefore, for a swift resumption of the meetings between the Grand National Assembly of Turkey and the European Parliament under the EU-Turkey JPC, as an important framework for discussion and de-escalation;

78. Calls for an EU-Turkey leaders' meeting after a genuine process of de-escalation, in order to review the current framework of relations or explore new, more effective models for EU-Turkey relations;
79. Considers that, as a necessary step in order to improve the overall state of the 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, providing objective information on its policies and restoring Turkish citizens' perception of the EU; stresses that a belligerent 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;

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80. Instructs its President to forward this resolution to the President of the European Council, the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and to the President, Government and Parliament of the Republic of Turkey, and asks the Commission and the European External Action Service to translate the Commission's Turkey 2020 Report and this resolution into Turkish and to send a copy to Parliament.