

Fourth Meeting of the Reform Action Group Press Statement Ankara, 29 August 2018

The fourth meeting of the Reform Action Group (RAG) was held on 29 August 2018, in Ankara at the Directorate for European Union Affairs of the Ministry of Foreign Affairs under the chairmanship of the Minister of Foreign Affairs and Chief Negotiator Mevlüt Çavuşođlu and with the participation of Minister of Justice Abdulhamit Gül, Minister of Treasury and Finance Dr. Berat Albayrak and Minister of Interior Süleyman Soylu.

Chairman of the Grand National Assembly of Turkey (GNAT) Committee on Foreign Affairs Volkan Bozkır, Chairman of the GNAT Committee on EU Harmonisation Mehmet Kasım Gülpınar, Chairman of the Turkey-EU Joint Parliamentary Committee İsmail Emrah Karayel and the Chief Ombudsman Şeref Malkoç participated in the meeting. High-level officials from the Presidency of the Republic of Turkey, the Personal Data Protection Authority, the Human Rights and Equality Institution and the Inquiry Commission on the State of Emergency Measures also participated in the meeting.

Turkey has gone through a significant process of change since the last meeting of the Reform Action Group held on 11 December 2015. The vital threat posed to our country by the treacherous 15 July coup attempt has been eliminated with the measures taken during the state of emergency period and we have recorded a significant progress in the fight against terrorism.

Following the termination of the state of emergency, Turkey withdrew its derogations from Article 4 of the UN Covenant on Civil and Political Rights and Article 15 of the European Convention on Human Rights (ECHR). This was conveyed to the UN Secretary General and the Secretariat of the Council of Europe.

In line with our EU membership perspective, the political reform process and reflections regarding the termination of state of emergency were addressed with all their dimensions as the first agenda item of the Reform Action Group, which gathered for the first time in the Presidential System of Government. Our determination to continue with reforms in the areas of the judiciary and fundamental rights was clearly set forth.

The Presidential System will also support our determination. In the new system, which is built on a faster decision-making process with less bureaucracy and more effective and efficient work, reforms will be realised much more quickly.

The Reform Action Group agreed on accelerating the political reform process. In the context of our EU membership objective, the standards of the Council of Europe, of which Turkey is a founding member, the norms and the *acquis* of the EU, to which Turkey is a candidate country, will act as an anchor in the steps to be taken.

In this framework, utmost importance will be given to bolstering the EU Departments of the Ministries which are experienced in coordinating and conducting relations with the EU.

The recent economic threat posed to our country, the statements and stance of the Trump administration which have impacted the global economic system have provided an important opportunity for Turkey and the EU to further appreciate each others' value. In fact, the updating of the Customs Union between Turkey and the EU would be significant in supporting an economic order based on rules and demonstrating globally how this principle should be implemented. Accordingly, the RAG decided that the necessary efforts and initiatives will be taken to accelerate the start of the negotiations on the update of the Customs Union.

Steps to be taken in judiciary in the forthcoming period will continue on the basis of the Judicial Reform Strategy (2015-2018) which is currently being implemented. The Judicial Reform Strategy will be updated with the participation of all stakeholders, the Turkish legal community and civil society. Updating of the new Judicial Reform Strategy is planned to be completed by the end of 2018. The principles and assessments of the EU, the Council of Europe and other international organisations as well as the case law of the European Court of Human Rights (ECtHR) will be taken into consideration in the drafting process. The aim of the new Strategy is to further enhance trust in the judiciary, improve access to the justice system, increase its effectiveness and provide better protection for the right to trial within a reasonable time.

Regarding fundamental rights and freedoms, the importance of the implementation of the Action Plan on the Prevention of the ECHR Violations was underlined. Following a thorough analysis of the Action Plan (2014-2019), all options including updating the Action Plan were addressed at the meeting.

The 100-Day Action Plan announced by the President also includes steps to be taken regarding political criteria, Chapter 23 on Judiciary and Fundamental Rights and Chapter 24 on Justice, Freedom and Security in the accession negotiations.

In the 100-Day Action Plan, a specific objective is to implement and further improve the recent reforms related to Chapter 23 on Judiciary and Fundamental Rights. Future steps to render judicial services faster, more effective and accessible will in particular contribute to strengthening fundamental rights and freedoms. In the meeting, the following issues were discussed within the scope of work undertaken by the Ministry of Justice:

- implementation of the "targeted time periods " in judiciary,
- expanding the competence of the Human Rights Compensation Commission,
- increasing the effectiveness of alternative methods for settlement of disputes,

- increasing the number of courts of appeal,

measures for the effective protection of the right to presumption of innocence by a preliminary evaluation before investigation.

The competence of the Human Rights Compensation Commission was expanded by the legislation that entered into force on 31 July 2018. This will enhance the effectiveness of the Constitutional Court and contribute positively to implementation considering the specialisation of the Commission on complaints regarding reasonable trial periods.

In order to protect the dignity of the individuals, the right to the presumption of innocence has been safeguarded by the introduction of an initial period of evaluation prior to investigation. In this context, 21,000 individuals have been protected against false allegations in less than a year.

Due to tragic news regarding sexual assault and exploitation of children, the increase in the deterrent nature of penalties for the fight against sexual exploitation of children was indicated as a priority in the 100-Day Action Plan. In this context, it is agreed that the draft law, which was delivered to the GNAT in last April but has become obsolete, will be brought to the agenda of the GNAT as soon as possible. For the protection of children and prevention of secondary victimization in the juvenile justice system, 59 judicial investigation rooms have been set up and their number will be increased.

The reconciliation mechanism, which is an alternative method of settlement of disputes regarding crimes, was also discussed at the meeting. Following the reform in the area of reconciliation, 223,400 files were settled in 2017 and the workload of criminal courts and juvenile criminal courts has decreased. Work will continue to sustain and further enhance this success achieved in 2017. Steps will be taken to further widen the scope of reconciliation and increase public awareness.

As the second item on the agenda of the RAG meeting, we addressed the matters within the scope of Chapter 24 on Justice, Freedom and Security.

As a follow-up on the 2016-2018 Action Plan that was successfully implemented with the coordination of the Ministry of Interior, it was agreed that the updating of 2019-2021 Action Plan on the Fight against Organised Crime would be accelerated.

Steps to be taken in the scope of Chapter 24 included in the 100-Day Action Plan demonstrate our determination to continue with the reforms in this chapter, for which the European Commission indicated in Turkey's 2018 Country Report that there had been a good level of progress. In this scope, we are committed to objectives regarding migration management, increasing border security, fight against terrorism and organised crime.

The establishment of four new removal centres, an increase by 23 % in the updated records of Syrians hosted by our country, and measures to increase border security contribute to our commitment to the Turkey-EU Statement of 18 March.

Turkey acted in accordance with the principle of *pacta sunt servanda* and fulfilled its obligations in the framework of the Turkey-EU Statement of 18 March. Great success has been achieved regarding prevention of irregular migration as a result of Turkey's efforts; irregular crossings in the Aegean Sea have dropped dramatically and loss of lives has been prevented. The determination set forth by Turkey to implement the Turkey-EU Statement of 18 March has also been validated by reports published by the EU.

Turkey expects the EU to demonstrate a similar willingness regarding all of its commitments arising from the 18 March Statement. In this framework, the EU is expected to revitalise the accession negotiations in particular and to conclude the Visa Liberalisation Dialogue, to launch the negotiation process to update the Customs Union, to put into practice the Voluntary Humanitarian Admission Scheme and to further accelerate the implementation of Facility for Refugees in Turkey.

Turkey will continue its humanitarian approach regarding migration management. Hosting the greatest number of refugees and being the world's largest donor of humanitarian aid both in amount and per national income, Turkey is proud of its humanitarian stance. Our expectation from the international society, in particular from the EU, is burden and responsibility sharing.

The Visa Liberalisation Dialogue between Turkey and the EU was discussed at the meeting. Turkey had conveyed a working paper on the remaining benchmarks regarding the Visa Liberalisation Road Map to the EU Commission in February. By issuing the second generation passports on 2 April, remaining benchmarks were reduced from seven to six. Furthermore, a technical meeting was held with the EU on 31 May 2018. We hope that the visa liberalisation process is not hindered by political obstructions and Turkey is rewarded for its efforts. The RAG decided to accelerate the work on the remaining benchmarks.

Opening of the Chapter on Judiciary and Fundamental Rights and the Chapter on Justice, Freedom and Security to negotiations as soon as possible will facilitate our reform and alignment efforts.

Turkey will continue its efforts with determination in the forthcoming period in line with its EU membership perspective. Our country is committed to increase the level of standards in the area of political reforms and keep a stance founded on democracy, rule of law and protection of human rights in shaping the future. The European Convention on Human Rights, EU norms and *acquis* will continue to be taken into consideration in planning our reforms.

We agreed to hold the next meeting of the Reform Action Group under the auspices of the Ministry of Justice on 11 December 2018 in Ankara.