

Fifth Meeting of the Reform Action Group Press Statement Ankara, 11 December 2018

The fifth meeting of the Reform Action Group (RAG) was hosted by the Minister of Justice Abdulhamit Gül on 11 December 2018 in Ankara, under the coordination of the Directorate for EU Affairs, with the participation of the Minister of Foreign Affairs and Chief Negotiator Mevlüt Çavuşoğlu, Minister of Treasury and Finance Dr. Berat Albayrak and the Minister of Interior Süleyman Soylu.

The Acting Chairman of the Grand National Assembly of Turkey (GNAT) Committee on Justice Yılmaz Tunç, the Chairman of GNAT Committee on Internal Affairs Celalettin Güvenç, the Chairman of GNAT Committee on Foreign Affairs Ambassador Volkan Bozkır, the Chairman of GNAT Committee on EU Harmonisation Mehmet Kasım Gülpınar, the Chairman of Turkey-EU Joint Parliamentary Committee İsmail Emrah Karayel, the Chairperson of the Turkish Delegation to the Parliamentary Assembly of the Council of Europe (PACE) Akif Çağatay Kılıç, the Chief Ombudsman Şeref Malkoç, the Head of Human Rights and Equality Institution Süleyman Arslan, the President of the Personal Data Protection Authority Prof. Dr. Faruk Bilir and the Chairman of Inquiry Commission on the State of Emergency Measures Salih Tanrikulu participated in the meeting. High-level officials from the Presidency have also attended the meeting.

As we underlined at the fourth meeting of the Reform Action Group held on 29 August 2018, Turkey remains committed to its EU membership process and continues its efforts with determination. Today, we have reviewed the decisions adopted during the fourth meeting of the RAG and agreed on the steps to be taken in the forthcoming period.

Turkey will decisively continue its efforts to align with the EU standards despite political obstructions in the accession negotiations. Another priority for Turkey, in the course of reform process, is to achieve the closure of the monitoring procedure of the Parliamentary Assembly of the Council of Europe.

As we decided during the fourth meeting of the RAG, the Ministry of Justice is updating the Judicial Reform Strategy, which will be our roadmap in the area of the judiciary. The opinions and proposals of all stakeholders related to the judiciary have been received during this process, which was conducted with a participatory approach, and further work will be carried out with the Council of Europe and the EU.

In line with our priority of increasing the efficiency and effectiveness of the judiciary, the number of courts of appeal was increased from 9 to 11 and the implementation of targeted time

periods in judiciary started following the fourth meeting of RAG. As of January 2019, targeted time period planned for each investigation and trial will be notified to the parties.

The work on the re-structuring of the Justice Academy of Turkey is also currently underway.

The Ministry of Justice aims to increase the number of judges/prosecutors in the forthcoming period in line with the standards recognised by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe. The Ministry of Justice has prepared the planning regarding the recruitment of candidate judges/prosecutors until 2023. For the year 2019, a written central examination will be made by the Centre for Measurement, Selection and Placement (ÖSYM) on 29 December 2018 to select 1000 candidate judges and prosecutors for civil and criminal justice, 100 for administrative justice and 500 from among the attorneys. Currently, there are 2874 candidate judges/prosecutors receiving pre-service training. The Ministry of Justice examines EU best practices and holds meetings with the participation of related stakeholders, particularly the Faculties of Law, the Higher Education Institution, the Council of Judges and Prosecutors, and the Union of the Turkish Bar Associations to designate the best practice for the enhancement of the professional qualifications of candidate judges and prosecutors by providing them with the required personal, professional and communicative skills.

In order to strengthen the protection of fundamental rights, by the first quarter of 2019, we will update the Action Plan on the Prevention of the Violation of European Convention on Human Rights, implementation period of which will end in March 2019. The opinions and proposals of all stakeholders, including those of the Council of Europe and the European Commission, will be received during the updating process.

With regard to improving fundamental rights and freedoms in the light of universal principles and practices, policies and measures to render the Human Rights and Equality Institution more effective and functional were included in the Presidential Annual Programme for 2019. Accordingly, it is aimed to strengthen the personnel, financial, technical and physical infrastructure of the Institution.

We are continuing our efforts to improve the living conditions of the Roma citizens. In this context, Turkey will host the Turkey-EU Roma Seminar in 2019.

In line with the decision of the fourth meeting of the RAG, we intensified our work on the remaining benchmarks, and established a working group for each. The second round of the meetings of the working groups were completed.

Since the IVth meeting of the RAG, the European Commission has confirmed the fulfilment of the benchmark regarding issuing second-generation biometric passports. We will continue our efforts concerning the remaining six benchmarks.

We have taken another important step regarding the Visa Liberalisation Dialogue. We started negotiations to conclude the Agreement between Turkey and the EU on exchange of personal data between the Europol and the competent Turkish Authorities on fight against serious crimes and terrorism on 30 November in Brussels. Thus, Turkey will have both fulfilled another requirement of the Visa Liberalisation Dialogue and increased its cooperation with the EU in fight against terrorism and organised crime.

Concurrently, technical work within the scope of the Law on the Protection of the Personal Data is also underway.

With respect to the remaining benchmarks, we discussed that the Law Proposal on Parliamentarians Ethics, which became obsolete in the last legislative period, be brought to the agenda of GNAT once again. We expect the support of the honourable GNAT to bring this Proposal back on its agenda within shortest time possible.

During this period of intensified efforts, contacts at the highest level continue with the EU and the Council of Europe in areas significant for cooperation.

During the Turkey-EU High-Level Political Dialogue Meeting held on 22 November, latest developments in the political reform process and significant issues including migration, visa liberalisation and fight against terrorism were addressed. Our counterparts have welcomed the continuation of the RAG meetings and underlined Turkey's stance to swiftly implement the reforms in the area of the rule of law and fundamental rights. The EU welcomed the continued cooperation between the Council of Europe and Turkey, including Informal Working Group meetings.

Many issues, including the updating of Judicial Reform Strategy and measures taken during the state of emergency, were addressed during the Informal Working Group Meeting held in Ankara on 4-5 October between the Council of Europe and the Ministry of Justice. The Council of Europe welcomed steps taken to expand the competence of the Human Rights Compensation Commission, as well as steps taken to widen circumstances for opening investigations or retrial following an ECtHR judgement on friendly settlement and unilateral declaration.

Following the expansion of the competence of the Human Rights Compensation Commission by the Law No. 7145, the Constitutional Court deemed applications to the Human Rights Compensation Commission as a domestic remedy to be exhausted and gave in-admissibility decisions in this regard. In this respect, the Compensation Commission started to receive applications.

Moreover, the Inquiry Commission on the State of Emergency Measures paid a visit to the Council of Europe in Strasbourg on 29 November 2018.

The Turkey-EU Association Committee meeting was held in Brussels on 28 November and many aspects of the Turkey-EU relations were discussed. We expect a meeting of the Association Council to be held in the upcoming months.

Dialogue between the Ministry of Justice and Eurojust was enhanced and mutual visits were planned in line with the Action List prepared within the scope of the Turkey-EU Consultations on Counter-Terrorism. Representatives of the Ministry of Justice visited Eurojust on 16 November, and representatives of Eurojust paid a working visit to Turkey on 10 December. As another action included in the Action List, a workshop is currently being held in Ankara on 11 December (today) within the scope of the Radicalisation Awareness Network (RAN), which brings together experts and organisations from Europe working to prevent radicalisation. In addition, a workshop was organised by the Turkish National Police on 17 and 18 October with the participation of the representatives from Europol and EU Member States, which provided for the exchange of information on the terrorist organizations and the organised crime groups operating in Europe.

We continue our efforts regarding Chapter 24 on Justice, Freedom and Security, on which the European Commission indicated that Turkey has achieved a good level of progress. The first meeting of the Migration Board entitled to identify and monitor the implementation of migration strategies regarding the foreigners was held on 21 November 2018. Drafting process for the National Migration Strategy Paper has been initiated. As agreed in the last RAG meeting, the 2019-2021 Action Plan on the Fight against Organised Crime is planned to be adopted in January 2019.

In the framework of the 18 March Turkey-EU Statement, Turkey has continued its stable efforts to keep irregular migration under control and more importantly, has prevented loss of lives.

In this framework, the EU is expected to fulfil its commitments to revitalise the accession negotiations, to accelerate the Visa Liberalisation Dialogue, to implement the Voluntary Humanitarian Admission Scheme, to speed up the implementation of Facility for Refugees in Turkey and to launch the negotiation process to update the Customs Union. Both Turkey and the EU will benefit from the swift launch of the negotiation process to update the Customs Union.

Migration management needs to be addressed with not only a security-oriented but also a human-oriented approach. We are attaching importance to the Global Compact for Safe, Orderly and Regular Migration adopted in the Intergovernmental Conference in Marrakesh since it addresses all dimensions of migration in a holistic and comprehensive manner and provides for more effective cooperation in the international arena. As the largest recipient of refugees in the world, we consider the Global Compact on Refugees, which will be submitted to the UN General Assembly on 17 December 2018, to be an important reference document for

concrete steps to be taken for sharing the burden and responsibility regarding the refugees. In that respect, we will closely follow its full implementation.

Following the EU Facility for Refugees Steering Committee meeting held in Brussels on 30 November 2018, a preliminary consensus was achieved with the EU side regarding the distribution of second part of the 3 billion euros among the sectors. We expect that second part of the 3 billion euros will be promptly utilized in the shortest time possible.

Within the framework of the Instrument for Pre-Accession Assistance (IPA), important projects have been implemented so far in the areas of the judiciary, fundamental rights, migration and border management. While the accession negotiations are politically blocked, financial assistance remains to be an important instrument in the EU harmonisation process. In this period during which we revitalize our reform and EU harmonization steps, the decision to cut IPA funds will reduce the visibility of the EU in Turkey and especially limit the interaction of students, local stakeholders and civil society organizations with their counterparts in the EU. In the forthcoming period, we expect the EU to set aside this approach, and on the contrary, to increase its political, financial and technical support encouraging our efforts.

The RAG welcomes the decision to hold Turkey-EU High Level Dialogue meetings on energy on 18 December 2018, on transport on 15 January 2019, on economy on 28 February 2019, and Turkey-EU Joint Parliamentary Commission meeting on 18-20 December 2018.

Moreover, we are closely following the developments concerning the United Kingdom's exit from the EU. In order to address the potential impact of Brexit on our country and protect our interests in the best possible way, the High Level Brexit Dialogue was launched and working groups have been established with the UK.

We agreed to hold the next meeting of the Reform Action Group under the auspices of Ministry of Treasury and Finance in the first half of 2019.