



28th meeting of the EU-Turkey
Joint Consultative Committee

Edinburgh, 14 September 2010

JOINT DECLARATION

by

Mr Sandy Boyle (co-chair) and Mr Tuğrul Kudatgobilik (co-chair)

at the 28th meeting of the

EU-TURKEY JOINT CONSULTATIVE COMMITTEE

held in Edinburgh on 13 and 14 September 2010

1. The EU-Turkey Joint Consultative Committee (JCC) is a body that brings together representatives of organised civil society from the EU and Turkey. It complements the other bodies set up within the framework of the Association Agreement between the EU and Turkey and allows civil society organisations from both sides to monitor the accession negotiations and initiate debates on issues of common interest. Its members come from various economic and social interest groups.
2. The 28th meeting of the JCC was honoured by the presence of Ms Hyslop, Minister for Culture and External Affairs of Scotland, Ambassador Bozkir, Secretary General for EU Affairs of Turkey, Ms Cas Granje, Director, DG Enlargement, European Commission and Ms Strachan, Head of the Scottish Government Equality Unit.
3. The members of the JCC thanked the co-chairs for their excellent work and collaboration during the 2008-2010 mandate.

Organised civil society and Turkey's accession process

4. The JCC hopes that fruitful cooperation will be established between the newly appointed Commissioner for Enlargement and Neighbourhood Policy and the JCC. The JCC is convinced that a true dialogue between the European Commission and the civil society organisations represented in the JCC would benefit the accession negotiations and lead to a better understanding of the process both in the EU and Turkey.
5. The JCC regrets that only one chapter (food safety, veterinary and phytosanitary policy) could be opened during the Spanish Presidency. It calls on the Turkish government and the EU to speed up the accession process in order to sustain momentum and to send out a positive signal to the citizens in the EU and Turkey concerning Turkey's path towards EU membership.
6. The JCC takes note of the adoption of the "EU Strategy for Turkey's Accession" by the Turkish government in March 2010. It welcomes the government's proposal to present and adopt "reform packages", which will facilitate the legislative procedure for EU reforms in the Turkish Grand National Assembly by eliminating the requirement whereby laws must be adopted separately. This will also help speed up the accession process.
7. Moreover, the stronger emphasis that is placed on communication in the "EU Strategy for Turkey's Accession" is noted with satisfaction by the JCC. It reiterates its commitment to playing an active role in disseminating information and leading debates on the accession process among civil society organisations in the EU and in Turkey. The higher EESC profile in "communicating Europe" to its citizens could also be used to the benefit of civil society organisations in the EU and Turkey vis-à-vis the accession process.
8. The JCC takes note of the remarks made by the ILO Committee on the application of standards in June 2010 and the reference to the ILO high-level bipartite mission to Turkey in March 2010 in which the ILO regrets that there has been no measurable progress towards the adoption of

relevant legislative texts amending Acts 2821 (Trade Unions Act), 2822 (Collective Agreement, Strike and Lock-out Act) and 4688 (Public workers/civil servants Trade Union Act) and bringing them into line with ILO conventions. The JCC reiterates its previously expressed view that whilst the Turkish government's attempt to reach consensus between the social partners is commendable, it is ultimately for the government to ensure compliance with its international obligations. This position has been stated consistently by the JCC in its joint declarations since 2004. The JCC deeply regrets that despite numerous promises made by Turkish Ministers over the past 6 years the Turkish Government has so far failed to bring forward the necessary legislative changes to bring Turkey in line with ILO standards although several drafts have been prepared and negotiated, including the one pending at the General Assembly of the Parliament. This failure has been a major factor in the Social Policy and Employment Chapter remaining unopened. Given the importance of this issue, the JCC recommends that the joint report on trade union rights that was adopted by the JCC in 2008 should be updated.

9. The JCC welcomes the broad public debate that has recently taken place in Turkey on a range of sensitive issues during the run-up to the constitutional referendum. It also welcomes the outcome of the referendum that was held on 12 September 2010. The referendum has been a major positive step for Turkey's democracy. The JCC calls for the rapid adoption of national legislation to reflect the constitutional amendments in order to move Turkey closer to EU membership.
10. The JCC welcomes the constitutional amendment that gives a constitutional basis to the Economic and Social Council of Turkey, which will increase its importance. The JCC reiterates its previous request to broaden the Council's mandate and make it a fully fledged consultative body, including a majority of members from organised civil society. This will allow the Council to effectively advise the government in the shaping of economic and social policies.
11. The JCC is pleased that its consistent calls for the reopening of negotiations between the EU and Turkey on a readmission agreement have been heard, and that the negotiation round was resumed in March 2010. The JCC insists on the necessity to substantially ease visa requirements for Turkish citizens in all EU member states.

The informal economy in Turkey and the EU

12. On the basis of a joint report drafted by Mr Rifat Hisarciklioğlu and Mr Wolfgang Greif, the JCC notes that the informal economy makes up an important share of national GDP in both the EU and Turkey because of multiple factors in each country and society.
13. The JCC underlines that high taxes on employment and social security premiums, the complexity of legal provisions and bureaucratic processes of registering and declaring work, the lack of effective inspection and monitoring, the lack of coordination and cooperation among public bodies, the failure of the legislative provisions to keep pace with changing work schemes (flexible, part-time, free-lance, home-based work), as well as the shortage of educated and skilled labour are reasons for the development of the informal economy. There is particular concern

about the situation of women in the informal economy as women employed in informal economy represent about 60% of total female employment in Turkey.

14. The JCC points out that trust in and quality of government play an important role in fighting the informal economy. Low levels of trust and the perception of widespread corruption compels employers and employees to question who gets the benefits of the taxes and social security premiums that they are paying.
15. The JCC points out that unemployment and poverty, which take away bargaining power from workers vis-à-vis employers, are other factors that reduce the power of employees to resist the imposed obligation of working without social security coverage. In this respect, well functioning bargaining structures for social partners and trade union power in law and practice are crucial. The concept of decent work has to be strengthened. The JCC underlines that tackling informal economy is a win-win situation for the whole of society including employers, employees and the state (e.g. taxation and social contributions).
16. The JCC underlines that actions to fight the informal economy have to include an appropriate policy mix combining both preventive actions (changing business rules, recognition of new jobs and skills, reduction of taxes on labour etc.) and penalties (improvements in law enforcement and the application of penalties, and an increase in resources for labour inspection).
17. The JCC stresses that the social partners have an important role to play in fighting the informal economy. It reiterates its recommendation that the social partners should be involved in prevention, information and training actions targeted at the informal economy. The JCC proposes that the social partners, both in the EU and Turkey, work together at national level as well as at cross-border level in order to analyse and publicise good practices and raise social awareness.
18. The JCC underlines once again the importance for Turkey of tackling this issue rapidly in order to open negotiations on the social and employment chapter.

Food Safety in Turkey and the EU

19. The JCC welcomes the opening of negotiations on the chapter on food safety, veterinary and phytosanitary policy in July 2010.
20. The JCC encourages Turkey's efforts to adopt the European model on food safety which includes the principles of traceability, risk assessment and risk management, legal responsibility of all stakeholders in the food-chain and an effective early-warning system.
21. The JCC takes note of the work of the European Food Safety Authority (EFSA) which carries out risk assessments, undertaken in an independent, objective and transparent manner, and based on the scientific evidence available. Nevertheless, it stresses that the European Commission and the Member States, as risk managers, must communicate and explain the reasons behind food

safety measures better so that the process is made more transparent for the consumers. There is also a clear need to harmonise import and inspection practices within the EU.

22. The JCC considers that scientific risk assessment alone cannot provide all the information on which a risk management decision should be based, and that therefore the decision's economic impact, social acceptability or cost-benefit ratio should also be taken into account. Socio-economic factors should be assessed in an objective and independent manner with the same scientific rigour as is applied to health risks.
23. The JCC welcomes the “Safe Food Healthy Life” campaign initiated by the Turkish Ministry of Agriculture and Rural Affairs which aims to facilitate the adoption of the food safety concept and increase awareness in Turkey. It stresses the importance of continuing this campaign and involving producer and consumer organisations as well as other civil society organisations in it.
24. Given the importance of food safety and the opening of accession negotiations on this chapter, the JCC may come back to this issue in the near future.

The rights and role of women in Turkey and the EU

25. On the basis of a joint report drafted by Ms Gülseren Onanç and Mr Jan Olsson the JCC notes that in theory gender equality is prioritised both in the EU and in Turkey, but that in practice laws and policies are not fully implemented. As political commitment to gender issues is limited, inequality between men and women is still a reality.
26. The JCC recommends that the implementation of legislation and policies should be given highest priority. The EU's and Turkey's equality strategies should be based on binding directives and other legislation with quantifiable objectives. The EU institutions must lead by example, and carry out a proactive review of the work performed as well as impact assessment of implementation.
27. The JCC considers that the empowerment of women is crucial to achieving real gender equality. There should be a common commitment to this goal by governments at all levels. The female education and employment rate must increase and obstacles to women joining the labour force, such as domestic responsibilities and care services, removed. Systems of life long learning have to be boosted and supported by large investments.
28. The JCC underlines that the reconciliation of work and family life is an engine of growth. The public authorities have to guarantee high quality social services and adequate social security. Parental leave must be awarded to both women and men. A new and substantial childcare system is required in Turkey, which does not put the financial burden on employers, and therefore does not discourage from employing women. It is also necessary to professionalise the care sector in order to get jobs out of the informal economy and to upgrade them.

29. The JCC welcomes the circular on “Increasing Female Employment and Providing Equal Opportunities” which was presented by the Turkish government in May 2010. It specially welcomes the setting up of a “National Steering and Monitoring Committee on Female Employment” which will include representatives of the Ministries, civil society organisations, employer and trade union confederations and universities who will monitor, analyse and report on the current situation of female employment, a first step towards finding solutions. In this context the JCC also encourages the Turkish government to further involve civil society organisations in the elaboration of the National Employment Strategy. Moreover, the JCC underlines that the political commitment of the government and active participation of civil society organisations in the follow-up and monitoring process are crucial.
30. The JCC considers that organised civil society has a key role to play in empowering women to take part fully in family, economic, social and political life. The JCC recommends that women and their organisations participate in shaping policies in all fields. Not only should their views be taken aboard by governments and national bodies, but also they should form an integral part of the positions of business and farmers’ organisations, trade unions and all other civil society organisations. In this context the JCC will make all necessary efforts to increase the proportion of women among its members.
31. The JCC is concerned by the high levels of violence towards women and girls, human trafficking for exploitation purposes and the persistence of acts of violence committed for any reason. A global European strategy accompanied by specific programmes should be developed. Statistics at both EU and Turkish level are essential to monitor and assess developments in this field.
32. The JCC welcomes the amendment of the Turkish Constitution which for the first time explicitly state that measures in support of women, children, elderly and disabled people are not contrary to the principle of equality, hence clearing the way for positive discrimination. This may help to close the current gender gap in employment and political representation in Turkey.
33. The JCC recommends revisiting key points in the joint report during its upcoming meetings.

Next JCC meeting

34. The 29th meeting of the JCC will take place in Turkey in 2011.

*This declaration has been sent to the Turkish authorities, the EU institutions, the representatives of Turkish and EU civil society organisations and the media. The EU-Turkey JCC working documents and any further information can be obtained by contacting the secretariats: **Mr Mustafa Bayburtlu**, Head of the EU Department, Turkish Union of Chambers and Commodity Exchanges (TOBB). (Tel.: 00.90.312.218.23.80; email: mustafa.bayburtlu@tobb.org.tr) and **Mr Aurelien Juliard**, Administrator, Section for External Relations, European Economic and Social Committee (Tel.: 00.32.2-546.99.69; email: aurelien.juliard@eesc.europa.eu).*
