

DOCUMENT

European Parliament resolution on Cyprus's membership application to the European Union and the State of Negotiations (COM(2000) 702 - C5-0602/2000 - 1997/2171(COS)).

The European Parliament,

- having regard to Cyprus's application for membership of the European Union, submitted on 3 July 1990 pursuant to Article 49 of the Treaty on European Union,
- having regard to the accession negotiations opened with the Republic of Cyprus on 31 March 1998,
- having regard to the third Regular Report from the Commission on Cyprus's progress towards accession (COM(2000) 702 - C5-0602/2000),
- having regard to the Enlargement Strategy Paper on progress towards accession by each of the candidate countries, presented by the Commission (COM(2000) 700),
- having regard to the decisions taken by the European Councils of Copenhagen (21 and 22 June 1993), Florence (21 and 22 June 1996), Luxembourg (12 and 13 December 1997), Helsinki (10 and 11 December 1999), Nice (7-9 December 2000) and Göteborg (15 and 16 June 2001),
- having regard to Council Regulation (EC) No 555/2000 of 13 March 2000 on the implementation of operations in the framework of the pre-accession strategy for the Republic of Cyprus and the Republic of Malta¹, the Council Decision of 20 March 2000 on the principles, priorities, objectives and conditions contained in the Accession Partnership with the Republic of Cyprus² and Council Regulation (EC) No 390/2001 of 26 February 2001 on assistance to Turkey in the framework of the pre-accession strategy, and in particular on the establishment of an Accession Partnership³,

- having regard to its resolutions of 15 April 1999 (COM(1998) 710 - C4-0108/99)¹ and of 4 October 2000 (COM(1999) 502 - C5-0025/2000 - 1997/2171(COS))⁵ on Cyprus' progress towards accession,
- having regard to its resolution of 15 November 2000 on Turkey's progress towards accession (1999)⁶,
- having regard to the final declaration of the meeting of the EU-Cyprus Joint Parliamentary Committee held on 27 March 2001 in Limassol,
- having regard to the conclusions of the EU-Cyprus Association Council held in Brussels on 15 May 2001,
- having regard to Rule 47¹ of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinions of the other committees concerned (A5-0261/2001),

A. whereas the Republic of Cyprus (hereafter referred to as "Cyprus"), the only State internationally recognised as representing the island as a whole, satisfies fully the Copenhagen political and economic criteria as far as is within its power (the division of the island), has made significant progress in adopting the *acquis communautaire*, and may, therefore, expect to accede to the European Union rapidly,

B. whereas the only legislation that is in compliance with European standards is legislation that eliminates all provisions that specifically criminalize homosexual relations,

C. whereas the Government of Cyprus is negotiating EU accession on behalf of all Cypriots, and whereas, when the accession process is successfully concluded, the entire island and all its citizens will legally be part of the European Union,

D. whereas Cyprus, as a candidate country, is in the paradoxical situation whereby for 27 years 37% of its territory has been occupied by Turkey; whereas, since the fall of the Berlin Wall, Nicosia is the only divided capital city in Europe,

E. whereas the accession process and accession itself could serve as a catalyst for the peace effort aimed at achieving a political solution to the problem of the partition of the island; whereas a unified and peaceful Cyprus would bring increased prosperity to the island's population as a whole and increased security to the region,

F. supporting unreservedly all peace efforts by the United Nations, including the batch of proposals put forward by the UN Secretary-General in November 2000, proposing the creation of a joint State with a single international personality, sovereign and indivisible, which would have a single citizenship and guarantee fundamental freedoms and human rights. (The joint State would be composed of two constituent States, each having a large degree of autonomy.)

G. whereas Mr Denktash, with Turkey's backing, withdrew unilaterally from the fifth round of UN-sponsored 'proximity talks', plunging the negotiations into impasse, which the diplomatic efforts made so far have not succeeded in reopening,

H. whereas the Helsinki European Council and high-level Community fora that followed it indicated repeatedly that a political solution was not a precondition for Cyprus' accession to the EU, although such a solution prior to accession is highly desirable,

I. whereas the impasse in the negotiations also has a negative impact on the solution of humanitarian problems such as that of the large number of Cypriot civilians, women and children among them, missing since the Turkish invasion in 1974; whereas Turkey has remained impassive to repeated requests for initiatives by the Council of Europe's Commission of Human Rights,

J. whereas on 10 May 2001 the European Court of Human Rights ruled that Turkey was guilty of human rights violations in the northern part of Cyprus,

K. whereas documented plundering of monasteries, churches and cultural buildings has taken place during the Turkish occupation of northern Cyprus,

L. whereas Turkey has still not responded to the judgment of the Strasbourg European Court of Human Rights ruling that it is guilty of violating the rights of the Greek Cypriot citizen Titina Loizidou; whereas Turkey continues to maintain an embargo on all vessels flying the Cypriot flag,

M. whereas the 2000 Regular Report makes reference, for the first time, to the difficult economic situation in the northern part of the island; whereas the evidence is that a large majority of both communities would welcome the accession of the whole island of Cyprus to the European Union,

Political situation

1. Reiterates its wholehearted support for the efforts of the UN Secretary-General in finding a comprehensive and rapid solution, and for his longstanding view that any acceptable solution must be based on international law, as set out in the resolutions adopted by the United Nations Security Council (UNSC), even if a gradual implementation of the acquis in the north of the island could be envisaged, if that might facilitate the end of partition;
2. Reiterates its support for the conclusions of the Helsinki European Council whereby resolution of the Cyprus question is not a prerequisite for accession; endorses unreservedly the position set out by Commissioner Verheugen, i.e. that there is no possibility of separate negotiations with the two parts of the island, and no question either of accession for two Cypriot states or of accession of the northern part of the island upon Turkish accession;
3. Stresses that if Turkey were to carry out its threat of annexing the north of Cyprus in response to Cypriot accession to the EU and to proclaim the northern part as its 82nd province in clear breach of international law, it would put an end to its own ambitions of European Union membership;

4. Invites Turkey to regard the membership of Cyprus as an important contribution not only for the secure existence and development of both communities but also for the welfare of all its citizens; considers that Cyprus' membership, in combination with the demilitarisation of the island and security guarantees by the European Union, could be an enormous step towards peace and stability in the region and would strengthen the accession partnership between Turkey and the EU;

5. Deplores the unjustified unilateral withdrawal by Mr Denktash from the UN-sponsored proximity talks and urges him to agree to start a new round of direct substantial talks;

6. Rejects the formula used by Turkey in its National Programme for the Adoption of the Acquis (NPAA) with regard to Cyprus, which it considers contrary to international law, UN General Assembly Resolution 3212/74 and UN Security Council Resolution 541, the proposals of the UN Secretary-General and the *acquis communautaire*;

7. Welcomes, therefore, the 'enhanced political dialogue' launched at the end of March 2001 between the EU and Turkey, and the fact that the EU has concluded Accession Partnerships with Cyprus and Turkey, positive initiatives that could provide a framework for resolution of the Cyprus question;

8. Calls on the Commission, in this connection, to put on the agenda for the next meeting with Turkey the issue of missing persons, and urges Turkey to comply forthwith with the general and individual judgments of the European Court of Human Rights;

9. Calls on the Commission and Council to maintain the European Union's firm commitment to a negotiated settlement with a view to ending partition of the island, and to use all appropriate instruments at their disposal to speed up the process;

Transposition of the *acquis communautaire*

10. Reiterates its satisfaction at the progress made by Cyprus in the accession negotiations; notes that, to date, 22 of the 29 chapters have

been provisionally closed, placing Cyprus at the forefront of the candidate countries; urges the Cypriot Government, therefore, to continue its efforts to transpose completely and implement the *acquis communautaire* so that the accession negotiations may be concluded as soon as possible;

11. Stresses that Cyprus satisfies the Copenhagen political and economic criteria as far as is within its power (the division of the island), and that its progress on the adoption of the *acquis communautaire* continues to be excellent;

12. Draws attention to the fact that, while Cyprus satisfies the Copenhagen political and economic criteria, its macroeconomic stability has deteriorated recently and its current budgetary policy may not be sustainable over the medium term, a situation that must be monitored carefully;

13. Notes that while the *acquis communautaire* as a whole is being adopted quickly, certain areas nevertheless require special attention: the environment as a whole, particularly aspects such as waste management and water quantity and quality, the implementation of mechanisms of the agricultural *acquis*, the free movement of persons, State aid, monitoring of the structure of the banking sector, border controls and maritime safety must all be matters of priority for Cyprus; stresses that, if the negotiations proceed at their current pace, these problems should not be insurmountable;

14. Notes that negotiations on the environment chapter have been opened but not yet completed with Cyprus; calls for any transition periods for full compliance with the *acquis* to be kept to a minimum, and for the establishment of intermediate targets;

15. Calls on Cyprus to put into place mechanisms necessary to link effectively to the Community's Rapid Alert System, both in terms of alerting the European Food Safety Authority of any serious perceived or identified risk and in terms of action to be taken by the RAS as a result of an EFSA warning;

16. Encourages the participation of Cyprus in the Community's new health action programme, launched in 2000;

17. Stresses that, like the other candidate countries, Cyprus must enhance its administrative and judicial capacity to enable it to implement correctly the *acquis communautaire*;

18. Notes that direct payments to agricultural producers are playing an important and controversial role in the accession negotiations; stresses the need to bring direct payments within the sphere of the 'second pillar' of the CAP by compulsorily tying premiums to social and ecological criteria (cross-compliance and modulation) in order to make them less controversial and guarantee that direct payments in an enlarged Union will be uniformly determined;

19. Notes that progress has been made in preparing Cypriot agriculture for the CAP, but draws attention to the fact that major components of the agriculture *acquis* have still not been taken over, in particular as regards the abolition of government monopolies; recommends also that Cyprus establish the requisite administrative and procedural structures;

20. Welcomes the - primarily inter-occupational and tripartite - social dialogue, and urges that bipartite and sectoral social dialogues each be strengthened and broadened;

21. Urges the Cyprus legislature to drop forms of discrimination not permitted under Community law from the rules adopted on access to the labour market and working life, in particular requirements relating to nationality, place of residence, membership of occupational associations and certificates of good character;

22. Points out that adoption of the Community *acquis* concerning equality between women and men is an essential condition for membership, as this is an integral part of the human rights question and the institutional development needed in this connection is an essential part of full implementation of the *acquis*;

23. Notes that despite the good standard of Cyprus' system of internal and external financial control, the Cypriot Government still needs to strengthen the independence of internal auditing within the government;

24. Urges Cyprus to take the necessary steps to ensure the proper management of pre-accession funding and future structural funds;

25. Calls upon the Cyprus government to eliminate provisions in the penal code that discriminate against homosexual men and lesbian women, notably Article 171, a provision that has been declared contrary to the European Convention on Human Rights by the European Commission of Human Rights;

Recent political developments

26. Expresses its concern over the Akamas peninsula and calls on the Cypriot Government to ensure that it is protected as an environmental area of European importance, paying special attention to the conservation and protection of wild birds;

27. Welcomes contacts, projects and dialogue at all levels between the two communities as elements necessary to confidence-building; considers that events such as the festival organised recently by two political parties from the two communities in the UN buffer zone can play a role in bringing the island's two communities closer together, but judges that they still remain too limited in scope and participation;

28. Calls on the Commission to support and develop further bi-communal activities, making funding more easily available for appropriate projects; urges the Turkish Cypriot representatives to allow the members of their community to fully participate in them; invites the Republic of Cyprus to facilitate the organisation of such events also by easing its criteria for the selection of participants;

29. Insists that a tone of reconciliation be used by leading Cypriot political representatives in their references to the other community and that urgent steps be taken to overcome the economic isolation of the north;

30. Considers that the elaboration, the funding and the implementation of joint projects of eco-tourism for the Akamas and the Karpas area, the cleaning of the area of the copper mines of Lefke, as well as water and waste management projects could all represent challenging opportunities for cooperation between the two communities;

31. Proposes that contacts be developed between the European Parliament and Turkish Cypriot community representatives, civil society, journalists and all Turkish Cypriot political parties;

32. Expresses its concern at the repression of freedom of expression and of opposition in the occupied part of the island;

33. Welcomes the enthusiasm for Cypriot membership of the EU and points out that the climate of opinion is mostly in favour of accession;

34. Calls on the Commission, in this respect, to intensify its contacts in the northern part of the island in order to inform the whole population of the advantages of EU accession;

35. Welcomes the talks between Mr. Verheugen and Mr. Denktash of 27 August 2001 and between Mr. Kofi Annan and Mr. Denktash of 28 August 2001, and hopes that these have given a fresh impetus to the forces of reconciliation;

36. Expresses its concern about the fears (expressed by representatives of the Turkish Cypriot community) regarding the intimidation suffered by supporters of the EU at the hands of a recently established nationalist organisation with official backing in the occupied part; strongly condemns the recent bomb attack on the offices of the Turkish Cypriot newspaper 'Avrupa';

37. Is delighted at the continued dialogue with Cyprus in connection with the Common European Security and Defence Policy;

38. Calls on Turkey to recognise UN Security Council Resolution 1354/01, which was adopted unanimously on 15 June 2001, concerning the six-month extension to the mandate of UNFICYP;

39. Instructs its President to forward this resolution to the Council, the Commission, the Parliaments of the Member States, the Government and Parliament of the Republic of Cyprus and the Government and Grand National Assembly of Turkey.

NOTES

1. OJ L 68, 16.3.2000, p.3.
2. OJ L 78, 29.3.2000, p.10.
3. OJ L 58, 28.2.2001, p.1.
4. OJ C 219, 30.7.1999, p.448.
5. OJ C 178, 22.6.2001, p. 156.
6. OJ C 223, 8.8.2001, p. 182.