



PRESS RELEASE

MARCH 10, 2005
TS/BAS-BÜL/05-14

TÜSİAD: " Article 4 of the Constitutional Law of February 28th, 2005 is discriminatory against Turkey. "

Article 88-7 and 4 of the Constitutional Law of February 28th, 2005 enacted by the Congress of the Parliament contains language prone to have negative effects on the relations between France and Turkey.

Article 88-7 stipulates that "any law authorizing the ratification of a treaty concerning the membership of a State in the European Union is to be submitted to a referendum called by the President of the Republic". This makes it compulsory that a plebiscite take place in France to ratify the enlargement of the European Union to Turkey.

It is clear that the Constitutional Law does not reflect a statement of a general legal principle. Indeed, Article 4 stipulates that "the article 88-7 of the Constitution is not applicable to the accessions that follow upon an intergovernmental conference for which the convening was decided by the European Council before July 1st, 2004". It is clear that not all current candidate countries are included in this definition. The Project of Constitutional Law treats the candidacy of Turkey in a discriminatory way and establishes a dispensation with regards to other candidates, namely, Bulgaria, Romania and Croatia.

France is one of the six co-signatories the Treaty of Association of 1963 with Turkey that regulates this country's process of integration with the European Union. A referendum on Turkey's membership in the European Union contradicts the principle and the spirit of European law. The regime of the association founded in 1963 between the Union and Turkey as well as the Accession Partnership Document adopted in 2001 (and renewed in 2003) are part of the "acquis communautaire". A treaty of membership is signed with a country only when she fulfills the conditions to become a member of the Union. At this stage, to impose on Turkey a new type of conditionality and to bind the fate of Turkey's and Europe's strategic destiny and identity to a referendum, which is dependent on the internal political climate of a member country is as unacceptable as it is unjust.

In France, some irresponsible politicians systematically plant the seeds of an irrational resentment. In the wake of an all too likely negative result at the referendum which will traumatize Turkish society, the political, economic, social and cultural relations between France and Turkey cannot continue on their normal course. This hostile act against Turkey emanating from France a country long held as the country of freedom, equality and fraternity by the Turkish people will lead to an irrevocable rupture in bilateral relations. We believe that both countries have an interest in avoiding such an eventuality. We, therefore most emphatically call upon the appropriate authorities in France to reconsider this discriminatory legislation that is unbecoming of France and that defies the established conventions of law.

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