

THE NEED FOR REALISM AND HONESTY BETWEEN TURKEY AND THE EUROPEAN UNION

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The European Council will meet on March 25 – 26, and relations with Turkey will be discussed. During the past few weeks, Turkey has brought on a charm offensive, notably toward the European Union, after a long spell of deteriorating relations with its Western Allies. Now the observation is whether this is sincere and what are the reasons behind it. It is true that Turkey has become more and more isolated in the last few years. Relations with the European Union have soured ever since the coup attempt of 2016. The purchase of the S-400 surface-to-air missile defence system from Russia has vexed the United States. Supporting the Muslim Brotherhood distanced most of the Arab states except Qatar from Turkey. The relations with Russia are tenuous at best, as the two countries rarely see eye to eye on international issues and only the special relationship between the two Presidents keep it afloat. The economic situation has further deteriorated as the policies of the past gave way to unorthodox ones. Foreign investment towards an unpredictable country slowed.

Turkey has much to answer as it has come to be considered as a flawed democracy with increasing authoritarian tendencies where justice and fundamental rights are becoming illusory. However, despite the media being under intense pressure there is still harsh criticism of these policies inside Turkey - harsher even than what comes from abroad. Yet when we read and hear the situation especially from think tanks in Europe, we hardly register any self-criticism. It is as if all the troubles of the last decade or so between Turkey and the EU have developed in a vacuum. The EU has always been successful in white washing its mistakes and has been able to hide them behind “rightful indignation”.

A reminder

Let us take a quick look at the litany of EU behaviour towards Turkey during the last 35 years. Remember that we are talking about a country that has deliberately made important strides since its establishment as a Republic in 1923 to be part of the West. It joined or was part of every Western institution during the Cold War, as it was considered to be a bulwark against Communism and the Soviet threat.

After the 1980 military coup when Turkey, after three years, embarked upon democracy once again, it applied for membership to the European Community in 1987.

The rebuttal came two years later in 1989, with the response that Turkey was not developed enough economically and that the Community was not ready for enlargement, since it had not finalised its Single Market. Thus, Turkey instead began efforts to complete a Customs Union with the Community as foreseen in the 1963 Ankara Agreement. After much struggle the Customs Union was achieved at the end of 1995.

However, the view towards this achievement from Brussels and Ankara was quite different. Turkey saw the Customs Union as a stepping stone towards membership. The Community pictured this as close as Turkey could get. The world had changed with end of Communism, the fall of the Berlin Wall, the dissolution of the Soviet Union and the independence of former communist countries. These countries were going to be brought back into the 'European family' and the Copenhagen criteria was devised specifically to help them. Enlargement of the EU was coming back.

When in December 1997, at the Luxembourg European Council, as these former communist countries, as well some others became candidates for membership, Turkey was put on hold and Ankara reacted by halting political dialogue. This was overcome only after changes in some key European capitals and Turkey was given candidate status two years later. Yet Turkey had to do some catching up as it was told that it was on a path of its own outside the cluster of other candidates. When Turkey claimed to have fulfilled the conditions for opening accession talks, the European Council held in Copenhagen in December 2002, decided to take a decision on the matter at its Council meeting at the end of 2004.

In short, a decision to take a decision. In the meantime, ten countries including the southern half of Cyprus became members in May 2004. The membership of the island which was divided into two parts should never have been accepted. However, there was pressure from Greece to hold off the whole enlargement package unless Greek Cyprus acceded to the EU. If one were to be cynical, one could say that some members may have agreed to this arrangement as a way to bar Turkish accession permanently.

In December 2004, Turkey finally did get a date for starting accession negotiations. Yet that meant waiting another year. In October 2005 Turkey was grouped with Croatia and again after much adversity the decision to open talks was finally taken.

Paradoxically at a time when relations between the two sides should have been getting much closer, the opposite happened and with the advent of Angela Merkel as German Chancellor and Nicolas Sarkozy as French President, the two strongest countries beginning to push Turkey away. Adding to this, Greek Cyprus started its newfound EU membership by abusing it against Turkey. The EU's promise to alleviate the isolation of the Turkish Cypriots who had overwhelmingly voted for unification prior to membership were soon forgotten.

The Greek Cypriots pressured other members pointing out that Turkey was not complying with the Additional Protocol that was signed after the opening of accession negotiations. When Turkey refused direct trade with Greek Cyprus, the Council blocked eight chapters as well as deciding that none would be closed until the matter was resolved. As the relationship began to succumb to the inherent negative stance inside the EU, Greek Cyprus in 2009 unilaterally blocked six more chapters. Around the same time France also declared that five chapters (some overlapping with those of the Greek Cypriots) would not be opened as those would lead to accession. The irony!

Efforts to reconcile

As stagnancy set in, the guardian of the Treaties, the European Commission decided to take the initiative and came up with a Positive Agenda for Turkey in 2011. This was considered a lifeline where work would be done on even those chapters that were closed, so as to be prepared when circumstances permitted. This palliative solution made the relationship muddle along. However, nothing substantial happened.

This was also the year of uprisings in many Arab countries. As most Middle Eastern countries had government and leadership changes, President Assad of Syria resisted and the result was millions of refugees streaming into neighbouring countries, the bulk of which came to Turkey. Turkey managed to hold the refugees first in camps and when the numbers exceeded those that could be accommodated in the camps, they were allowed to spread out into all of Turkey. Visitors from the EU and the US patted Turkey on the back for a job well done. As long as Syrian refugees were in neighbouring countries, the EU could look from afar, satisfied.

The situation had a dramatic turn when Chancellor Merkel declared in the summer of 2015 that Germany would welcome up to a million Syrian refugees. As a result, the few that were crossing over to Greece mushroomed and there was a full-scale rush towards EU countries.

Only then did the EU remember Turkey and offered “gifts” such as advancing the accession negotiations, speeding up the visa talks, upgrading the Customs Union, holding summits that were stopped since 2004 and financial assistance for the Syrian refugees among others, in order to stem the flow of the migrants. While the EU saw this as only an understanding for stopping the refugees, Turkey considered it as an opportunity to restart the relationship. The two deals struck in November 2015 and March 2016 were negotiated to this effect. However, the two sides misread each other, once again.

Turkey abided by the deal and soon after the March agreement, the numbers that crossed over to Greece fell dramatically. Unfortunately, the only part in which the EU managed to hold up its end of the bargain was a sluggish flow of financial assistance for the Syrians in Turkey and the opening of two negotiating chapters. The removal of visas for all Turkish citizens was stalled because Turkey had not fulfilled all the

conditions (six conditions still have to be met to this day), as the coup attempt that year prevented progress in most of these areas. After the main flow was halted, the EU was to take in, on a voluntary basis, legally residing Syrian migrants from Turkey. During the negotiations of the 18 March agreement, the Chancellor had voiced that Germany could take in around 150 thousand per year. As of today, five years later, the number of Syrians that were allowed legally into some EU countries reached only 20 thousand.

The downward trend

The EU subsequently added more political obstacles in front of an already agreed deal which entailed the modernisation of the Customs Union. After more than twenty years, it had become necessary to upgrade it. A roadmap was agreed in 2015 with the European Commission in which public procurement, services and agriculture were added as well as a decision to resolve some outstanding issues. Since the two migration agreements called for the modernisation of the Customs Union, the Commission asked for a mandate from the Member States at the end of 2016. The modernisation would have benefited both sides. It could have been even more beneficial for the EU. However, there was already reluctance among some member states in adding these sectors. Nevertheless, this purely economic and commercial deal was put on hold as the EU added political conditions such as improving the situation of fundamental rights in Turkey that had deteriorated after July 2016 to start negotiations. The same argument was used to prevent any progress on accession talks. Thus, with these contentions, the EU reneged on the agreements.

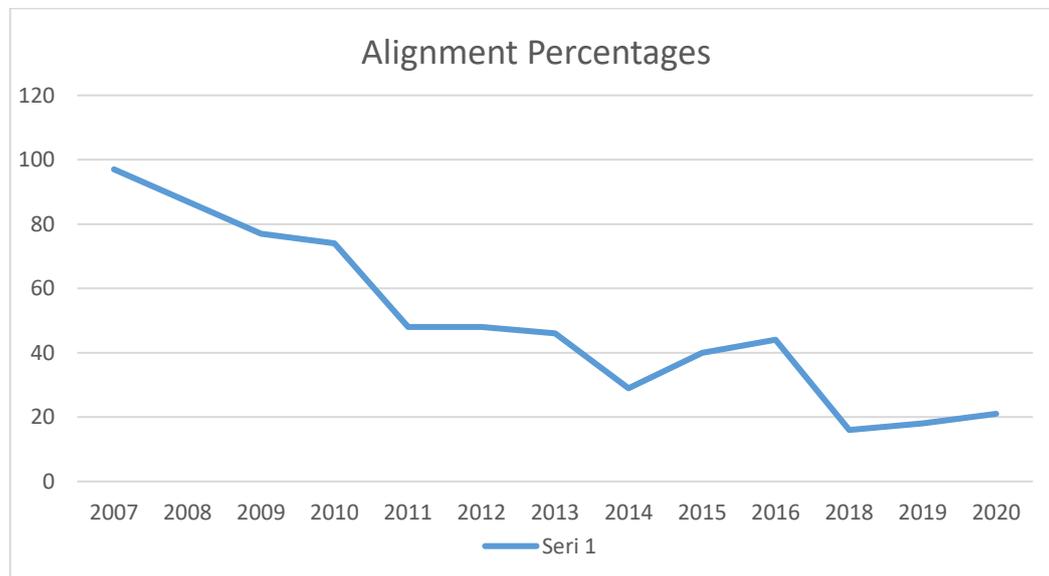
An attempt to smooth out differences was made at a Summit in Varna, Bulgaria in March 2018, during the Bulgarian Presidency. Turkey even proposed a Joint Statement prior to the summit based on the two agreements, but the EU was not ready to move ahead. The whole exercise demonstrated that the only concern the EU had was for the release of the two Greek soldiers who had recently crossed over to Turkey.

Greek Cyprus forced the EU to take even more steps that became detrimental to the relationship. This was with regard to drilling activities in the Eastern Mediterranean. The EU Council decided to suspend negotiations on the Comprehensive Air Transport Agreement. It further opted to stop holding the Association Council and further meetings of the EU-Turkey high-level dialogues for the time being. It even agreed to reduce the pre-accession assistance to Turkey for 2020.

The EU cannot be solely blamed for the state of the relationship. Turkey played its part as well. There has been harsh rhetoric on both sides. Yet most of this could have been avoided had Turkey been treated as a real candidate from the start with regular dialogue at all levels, including the highest.

According to the European Commission, “Member States must be able to conduct political dialogue in the framework of the foreign, security and defence policy, to align with EU statements, to take part in EU actions and to apply agreed sanctions and

restrictive measures.”¹ Turkey as a candidate was expected to align itself with such policies. Alignment was quite high during the first few years of accession talks and then suffered gradually, as this chart demonstrates. This mirrors the state of relations between the two sides.



Both sides definitely need a dialogue to smooth over the challenges. 2021 has begun with positive activity as there are signs of recognition of this need. France and Turkey have been communicating once again at the highest level. Greece and Turkey restarted exploratory talks. The Turkish Foreign Minister travelled to Brussels after a long spell and has pointed out what the two sides need to do. The Commission and Council Presidents have accepted an invitation to visit Turkey. Finally, there is yet another effort to help resolve the perennial Cyprus question next month.

These are all promising. As mentioned above, we are harsher than our EU friends when we criticize our own. We have heard many times about promises to reform the judiciary, to improve fundamental rights and freedom of expression. An Action Plan for Human Rights was recently unveiled. It all depends on implementing this plan as well as the Constitution.

At the same time, the EU should be honest about its dealings with Turkey. In this case the EU's actions speak volumes as it treats Turkey not as a candidate but as a third party. The EU seems to be concerned mostly about what happens in the Eastern Mediterranean or how the migration threat is managed rather than the reforms. The October and December 2020 European Council conclusions dangled some incentives such as launching a positive political EU-Turkey agenda with a specific emphasis on the modernisation of the Customs Union and trade facilitation, people to people contacts, high-level dialogues and continued cooperation on migration issues. These

¹ European Commission Turkey reports, Chapter 31: Foreign, security and defence policy 2007 - 2020

were contingent upon Turkey's "efforts to stop illegal activities vis-à-vis Greece and Cyprus are sustained". Again, treating Turkey like an outsider and not as a candidate.

Any way out?

The EU is struggling to find a way to deal with Turkey. Despite close collaboration during the last six decades and immense information flowing from EU chancelleries in Ankara, Brussels and other EU capitals, the EU still does not understand Turkey, its mindset, its psyche. This is a country that wanted, desired to be part of the West, pushed for it, sacrificed so much and gave it all, and then at a time when Turkey was finally on its way to proceed, it was pushed away. Even when you glance at the events explained above, you notice how Turkey was continually left outside or deferred. Not too far, but heaven forbid not too close either.

The EU is also going through stressful times. The main successes such as the Single Market, the Euro, Schengen and enlargement have all been challenged recently. Brexit was traumatic. Schengen has been punctured. Enlargement is deferred. Even the rule of law is endangered in some members. Russian aggressive behaviour and the rise of China in several sectors have disturbed EU unity. The EU's response to the COVID-19 pandemic was delayed and now the problems for the effective delivery of vaccinations further hurts the reputation of the EU.

The EU needs to restructure itself. Its decision-making arrangements are archaic, cumbersome and lethargic. You can do no wrong once you become a member. Efforts to upgrade the EU's foreign and security policies have stalled as consensus on matters of high importance are deemed essential. Thus, its dealings with Turkey will always be burdened by conflicting views. The EU needs to take a longer vision and look after the interest of the whole rather than a few. Nonetheless, there is no illusion that this will be nothing more than wishful thinking.

Turkey also has to redefine its policies towards the EU. Ankara has to realise that while accession is chimerical, it can still have a workable relationship that allows progress in several areas. Improved commercial relations whether it's through a modernised Custom Union or some other mechanism is possible. Visa exemption may have become more difficult than five years ago but that too is achievable.

Turkey and the EU are close and far away at the same time. The EU does not want Turkey as a member. That much is clear. Many in the EU have said it out loud but never officially. Turkey has heard it clearly several times but prefers to ignore it. Both sides can have a sustainable relationship only if they are honest about it. Honest about what either side wants to achieve. Some may not be attainable but that should not prevent working together.

Let us put the past truly behind us and try to find where we can work in a sustainable manner:

- *Foreign affairs:* Although the picture is mixed there is more common ground than not. Turkey also wants the Balkan countries to be members of NATO and the EU. Neither side recognizes the annexation of Crimea. Turkey can act more assertively in places the EU cannot. It will be difficult to overcome differences in the Aegean and the Eastern Mediterranean. Libya is a separate case as there is no consensus even inside the EU. Turkey can act as a soft and smart power in the neighbouring region. Consultation at all levels and inviting the Turkish Foreign Minister to Gymnich meetings should be regularised.
- *Fight against terrorism:* There is already close cooperation on this front. The major difference is those connected with the PKK that reside in Syria. The EU does not want ISIS relics returning to Europe and Turkey has prevented most of them. There should be no difference in approaches to fighting terrorism. Thus, there is a need for even closer collaboration.
- *Security:* As a NATO member Turkey provides security for the continent. It also participates in certain EU led military efforts. The EU could benefit from more cooperation in this area.
- *Migration:* The EU is terrified of illegal migrants and refugees coming into its countries. That was why there was a deal struck five years ago. Turkey helped stem the tide and the EU has now taken precautions to prevent a repetition. The migration issue will not end any time soon, which calls for further close cooperation and assistance.
- *Trade:* It has been a quarter century since a Customs Union was established between the EU and Turkey. It needs recalibration. This would be beneficial to both sides as they should get together and start technical talks on which areas need to be modernised and added. The member states should give a negotiating mandate to the European Commission without further delay. Turkey's proximity as a supply centre should not be overlooked.
- *Freedom of movement:* The Schengen visa prevents people-to-people interaction. Preventing freedom of movement with a country that has been interconnected with the EU for more than sixty years impedes mutual understanding and exacerbates extreme tendencies. The EU fears that there would be massive numbers of Turks coming to EU countries while forgetting that there is a failsafe measure that reintroduces visas if such a development happens. Turkey would need to fulfil the remaining criteria and the EU should provide assistance in meeting them. The ERASMUS programme is a success and should be seen as a positive example.

- *Technology*: The world is rapidly moving into areas which are new and unforeseen. Climate change, green economy, digital economy, AI, space and other areas which were not anticipated until recently, require close cooperation especially as the global economy is moving into clusters. Turkey should continue to participate in the EU's research and innovation programmes.
- *Accession*: Much has been achieved in establishing higher standards of living through the accession process that actually started with harmonising certain sectors due to the Customs Union and subsequently continued after becoming a candidate in Helsinki in 1999. However, this process has stalled and the current situation is poisoning the relationship. To avoid any backlash, without losing sight of the overarching goal, it would be more beneficial to put it in the back burner until the EU is ready to accept Turkey into its "family".

After five years there is discussion to renew the 18 March statement. The only issue that needs to be renewed is the financial assistance to the Syrian refugees. All the rest remains valid. To repeat, realism and honesty are the only ways of establishing a relationship bereft of squabbles and building a modicum of trust. There is too much history between Turkey and the EU and most of it is stressful. We could have used the six decades in a more productive manner. Let us at least not squander the decades to come. The future of Europe will be written by those who wrote its past. It is time to take a longer view and see where we can and should be by 2030, benefiting mutually.