

NOTHING NEW ON THE WESTERN FRONT: THE PROBLEMATIC RELATIONSHIP BETWEEN TURKEY AND THE EUROPEAN UNION

A cursory look at the Turkish-European Union (EU) relationship would lead any observer to conclude that currently the relationship is not moving ahead. When Turkey was invited to become a member in 1999 in Helsinki and later when Turkey commenced with accession negotiations in 2005, there was much optimism on both sides (possibly a bit more on Turkey's part) that negotiations would lead to a successful conclusion at a foreseeable date, even if the process would take a little longer than in the case of some other candidates. The EU Commission judged that significant changes were necessary for Turkey to conform to the Copenhagen criteria, but that the process would move ahead toward full membership in 2014 or possibly later.

This optimism has gradually been replaced on both sides by a decline of interest in continuing the process. Nowadays, French President Sarkozy argues that Turkey does not belong to Europe, while the German Chancellor Merkel adds that she prefers an imprecise and undefined "special relationship" to full membership. The governments of a number of other members have wondered aloud whether Turkey belongs in Europe.

About the Atlantic Council: The Atlantic Council is a bipartisan, non-profit organization committed to renewing the transatlantic community for 21st century global challenges by promoting constructive and cooperative US and European leadership in the world. The Council's Program on Transatlantic Relations promotes dialogue on major issues affecting the transatlantic relationship and the ability of the United States and its European allies to respond to global challenges.

The recommendations presented in this issue brief were drawn from a Council workshop on December 14 and 15, 2011 in Washington, DC. Sponsored by the US Army War College and the Institute for Turkish Studies at Georgetown, the workshop brought together 60 top US, European and Turkish experts and policymakers to discuss Turkey's relations with the European Union (EU) and the United States, and the changing strategic context among them. We are grateful for the insights of the workshop participants, but they bear no responsibility for the content of this paper. The findings and conclusions presented in this paper are solely the views of the author.

In addition to such civilizational commentary, which is sometimes couched in terms of geography to render it politically correct, points of disagreement on matters of policy also abound. The EU constantly stresses, for example, that Turkey must open its ports to Greek Cypriot vessels as required by the Customs Union, while Turkey reminds the EU of commitments regarding Turkish Cyprus that it made but never delivered. Turkey has announced that the relations will be placed in the freezer when Cyprus takes over the six month rotating presidency of the Union.

Looking at accession negotiations, suffice it to say that during the past year, no chapters in accession negotiations have been opened. Cyprus has an embargo on some of the chapters; France, on the other hand, has put an embargo on others that (so it argues) are directly linked with membership (as if all were not). Even among the chapters for which negotiations have concluded, none has been closed.

The current situation may best be described as a stalemate with political and structural reasons that are not expected to change in the short run. It would be useful to examine them.

The EU as an Ambiguous Organization

In almost all of its important decisions, the EU employs the rule of unanimity. This rule is sometimes a cause for complaint that any member, however big or small, can paralyze the organization. At the same time, it gives the organization and its members significant flexibility in dealing with third parties. More specifically, the EU as an organization has its agenda, policies, and goals. Each member, on the other hand, has its own policies, goals, and agendas as well. This situation shrouds all relations between the EU and third parties in a cloud of ambiguity because in most areas there is no guarantee that the EU will

be able to implement agreements it reaches or deliver on its commitments unless those are subsequently unanimously accepted by its members. Sometimes members also renege on their earlier commitments. This reality does not hold back the EU Commission and other agencies, however, in asking third parties to undertake commitments, make concessions, and implement policies when the EU itself may be incapable of delivering on its own commitments.

The possibility of the EU and members states working at cross or, more accurately, at contradictory purposes is no more evident than in the case of Turkish membership. The EU Commission and other agencies ask Turkey to make changes in its laws, adopt and implement policies, and make concessions, as in the case of Cyprus, in order to achieve progress toward full membership. Yet the EU is not in a position to ensure Turkey's membership, since there are too many national hurdles created by member states, which Turkey would have to clear in order to achieve such an outcome. In short, accession is increasingly an unrealistic prospect when the political conditions and policy preferences of member countries are examined.

There also seems to be little support for seeing Turkey as a member among the publics of the EU countries. In the past, this might not have been so important since the EU project is generally said to be an elite project, but currently public referendums are required or constitute an option in several member countries regarding the accession of new members. The current rise of xenophobia, with a strong anti-Islamic element, leaves little room for optimism that Turkey can join the Union in the near future.

Further, neither France nor Germany is interested in Turkey's membership for a myriad of reasons. Two prominent lines of reasoning may easily be

discerned. The first is what I have already referred to as the civilizational/geographical argument that Turkey does not belong in Europe. The civilizational argument can be reduced to the fact that Turkey's population is not Christian. Although there is strong debate within the EU, and certainly in France and Germany, with regards to the criteria for membership, with many arguing that this is a union of values not religion, the civilizational argument is currently appealing to European publics whose sense of insecurity has been heightened by economic hardship. The geographical argument, which is often mobilized to escape the civilizational one, on the other hand, borders on the entertaining. Cyprus, for example, is further to the East than most of Turkey. Georgia, Armenia, and Azerbaijan, which are considered to be a part of Europe, border Turkey on its East and Northeast. Clearly we are faced with a political choice rather than a widely acknowledged scientific designation.

The second reason for the Franco-German reluctance to see Turkey in the EU is grounded in questions of power and typically not openly discussed. As a way to bring Germany into Europe and so as to avoid the Franco-German rivalry that produced two World Wars in the 20th century, the EU, from its inception, has operated as a Franco-German condominium, giving direction to the EU and defining its major policies. The expansion of the EU from a small group of six comprising the European Economic Community (EEC) in 1959 to its current size of twenty-seven members since 2007 has not changed that reality, although countries like Italy and Spain would aspire to greater recognition of their role and weight in the Union. Because of its size, it is feared that Turkey's accession would force the issue of redistributing power within the union. Turkey, for example, would have more seats in the European parliament than France. France, benefiting from a questionable great power status accorded to it at

the end of the Second World War has had difficulty managing its decline to the status of an important but not a great power. Consequently it opposes, so the Turks think, Turkey's accession, an event which might strike the *coup de grace* to the Franco-German condominium of Europe. In all probability, this is not an outcome that Germany fears, but the convenience of an operating condominium appears simply too attractive to give up easily.

A Crisis of Confidence and Credibility

The EU's efforts to encourage Turkey to implement policies so as to make progress toward membership, without simultaneously offering an accession date, has led to a problem of credibility and confidence in the EU and its organs. Many Turks have come to believe that the EU is interested in extracting as much from Turkey as possible without providing much in return, and especially not a realistic chance for membership on which the relationship is presumably built.

Such skepticism on the part of the Turks, it may be argued, is both unjustified and unwarranted. It may be said that that EU Commission is mandated to ensure that Turkey moves in the direction of membership, as decided in Helsinki, and cannot be held responsible for what some members do or say since they do not reflect the policy of the organization. It may be added that to remind Turkey of its commitments is natural, since it is officially destined to become a member at some future point. Yet, it is important to realize that such demands have led to unfavorable perceptions, widely shared within Turkish society, that undermine a relationship that is presumably headed toward full membership. Furthermore, from a Turkish perspective, distinctions between EU and member positions regarding Turkey do not seem important since effective progress toward membership is lacking and no major change is expected in the foreseeable future.

EU credibility is further undermined by what many Turks consider to be the application of double standards to prospective members. The EU agencies constantly remind Turkey that it has a long way to go in conforming to the Copenhagen criteria. While Turkish leaders and the public appreciate that in order to join an organization, one has to abide by its rules, they also note that such rules have hardly been observed in practice, being loosened or almost entirely waived for other countries on their way to membership. In the case of Bulgaria and Romania, for example, it was evident that these two countries had achieved neither the political nor the economic conditions depicted in the Copenhagen criteria, but they were made full members so that the EU might help them move toward meeting those conditions.

In the Turkish mind, however, the EU's violation of its own principles was most evident in the admission of Cyprus to the EU. The presumed EU golden rule was that prospective members would have to settle any major domestic problems or outstanding conflicts with neighbors before accession. The rule was applied in previous cases, but when it came to Cyprus, the rule was ignored with the twisted logic that Greek Cypriot membership might facilitate a solution to the "problem." This, of course, has not happened, but a host of problems that did not exist between the EU and Turkey previously have now emerged, undermining an already difficult relationship. In this context, assurances that the accession of Cyprus would not prejudice the Turkish-EU relationship have proven hollow, serving only to further undermine the credibility of the EU in the minds of both Turkish policymakers and citizens.

Cyprus as a Major Impediment to the Relationship

The discussion so far, though not meant to suggest that all problems in the Turkish-EU relationship stem from Cyprus' admission, does make it clear

that Cyprus is a major impediment to the relationship with no immediate solution in sight. The absence of hope for a solution is propelled by two conditions: the internal dynamics of the EU and Cyprus' strategy for dealing with Turkey.

The admission of Cyprus into the EU has had a profound effect on how the latter interacts with Turkey. Membership has provided two critical political conditions for Cyprus to advance its own agenda. First, it has easy access to all other members, as well as the EU agencies. It can popularize its views among others without a Turkish counterweight; it can take part in shaping the policies of the organization or become aware of them in sufficient time to use them to its advantage. It has influence in the appointment of high ranking EU bureaucrats. Furthermore, since decision-making in an organization always involves give and take, other members usually accommodate Cypriot expectations in return for the latter's support of their own projects.

Second, Cyprus has formulated a strategy that assumes that Turkey's desire to join the EU will weigh so heavily that, in the end, it will defer to the Greek Cypriot position, which is built on refusing, as the basis of a solution, the idea of two independent states coming together under a federal system. This expectation has not been borne out in practice. Nevertheless, successive Greek Cypriot governments have led their voters to believe in the possibility of achieving what appears to be an unacceptable position for the Turks and they are now unable to modify their position.

There seems to be no readily available key to breaking the deadlock. In fact, attempts at finding ways of moving ahead have turned into additional problems. For example, the opening of ports to Cypriot vessels is an obligation on Turkey's part, as it would impact its customs union with the EU. Shortly before Cyprus became a member, Greek

Cypriot voters overwhelmingly rejected the Annan Plan developed by the UN Secretary General to unify the island. Turkish Cypriots, on the other hand, gave it their full support. To compensate for Greek intransigence, the EU promised to allow trade from Turkish Cypriot ports and to give economic assistance to the Turkish Republic of Northern Cyprus. The EU then failed to deliver on its commitments, whereupon Turkey refused to observe its own commitments. As a result, an attempt to advance the relationship ended up adding another source of tension to the relationship.

The Cyprus impasse produces other undesirable outcomes. At the moment, NATO-EU cooperation is hostage to the Turkish-Cypriot conflict whereby Cyprus cannot join NATO and Turkey is not allowed to take part in EU defense planning. The recent discovery of oil and natural gas in the Mediterranean has added another source of conflict over the question of who can exercise sovereignty over what part of the exclusive economic zone of the island. As Turkey's relations with Israel have soured, Israel has sought to develop an Israel-Cyprus-Greek axis against Turkey. While curiosity may be expressed as to how this axis may enhance Israeli security, it is clear that added complications are taking form, which will make a solution even less likely.

Other Problems are not Lacking

The extensive focus on Cyprus should not lead us to think that there are no other significant problems that need to be addressed. I will refer to two examples. The first is the visa regime that the Schengen countries employ against Turkey. Turkish citizens, except diplomats and high ranking civil servants, are subject to a very strict visa regime when traveling to EU member countries. Extensive charges apply, long periods are required to obtain what is usually a short term visa, the decisions are

often delayed leading people to miss their appointments and engagements, and there are frequent cases of unreasonable refusal. Some Turkish exporters have complained that the visa regime is being employed as a tool to limit Turkish companies from competing in European markets. The EU has been expanding its liberalized visa regime to the Balkans and to its East, but not to Turkey. Ostensibly, this is because Turkey is a major route for illegal labor to enter the EU and Turkey should sign a Return of Refugees Agreement with the EU. When asked whether this would assure Turkey a more liberalized visa regime, however, the answer from the EU has been no. As a result, Turks interpret the policy as the typical EU strategy of trying to get something for nothing.

The second example comes from the Customs Union. As part of the Customs Union with the EU, Turkey is obliged to honor free trade agreements that the EU makes with third parties. It is painful enough that Turkey is not included in such negotiations, but there is no obligation for third parties to sign a similar agreement with Turkey in return and extend it the same facilities. This did not constitute a problem earlier when agreements were signed with small countries with modest production, but when they are signed with such countries as Korea and possibly China, it is cause for concern. Turkish products must enjoy the same facilities that EU products enjoy in these countries in order to be competitive. The question needs to be addressed in order to preserve the Customs Union in the long run.

Concluding Observations

Turkey's orientation toward the EU is changing. As the conviction that the EU has little interest in Turkey's membership deepens, Turkish interest in joining the EU also declines. More and more Turks are beginning to think that they should direct their attention to cultivating closer relations with other

countries and regional groupings in the world. The government, on the other hand, views EU membership criteria as increasingly less relevant in how it shapes its policies and actions. The fact that the EU is currently absorbed in its own problems reinforces the decline in the EU's relevance as an anchor for policies that Turkish governments adopt and implement. This is unfortunate, especially in the political domain, since EU conditionality has been a major positive factor in the deepening and consolidation of Turkish democracy in the past.

Both sides are careful to ensure that the relationship does not rupture entirely. This simply means that the indefinite nature of the relationship will continue in the foreseeable future. Whether the spirit that characterized the 1999-2005 period, when Turkey was invited to become a member and begin accession negotiations, will ever return is a matter of conjecture. Current signs are not exactly encouraging.

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