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THE PARLOUS STATE OF TURKEY-EU RELATIONS: SEARCHING FOR A BRIDGE OVER TROUBLED WATERS

Turkey and the European Union (EU) have always been mutually dependent via several economic, political, diplomatic and cultural links. Hence, in principle, they should count on each other to formulate and implement solutions for key challenges like migration, energy divergence, security, international terrorism etc.

Unlike the mutual dependency suggests, relations between the parties have always been problematic but volatile as there have always been ups and downs. Nonetheless the current situation does not look like a temporary crisis from which relations would recover soon and therefore it is best to define the current crisis a structural rather than cyclical or contextual one. Turkey has not been an issue in the elections for the European Parliament. There has been no reference to Turkey at all in the “Political Guidelines” of the new European Commission. The “Peace Spring Operation” and the drilling activities in the Eastern Mediterranean followed by the EU sanctions have made the situation worse.

However we should also keep in mind that no matter how serious this structural crisis, both parties would refrain from an irrevocable break in their relations i.e. an official suspension of the accession negotiations which has already become obsolete. As Max Hoffman and Michael Werz show in their recent report for Mercator Stiftung, an official suspension is costly. There are several reasons for this. To start with, although the relations between the parties go beyond the accession framework none of the parties seem to have an alternative to replace the accession framework no matter how much they would like to find it. Also, both Turkey

¹ <https://www.tepav.org.tr/en/ekibimiz/s/1139/Nilgun+Arisan+Eralp>

and the EU find the accession-based framework politically convenient for the management of unavoidable issues like migration, trade, and security.

For Turkey the main reason for not pulling the plug is economic. The EU is crucial to cope with the economic shortcomings in the country. Almost 75 % of direct foreign investment in Turkey is originated from the EU countries. EU is also the largest market for Turkish goods and services. Keeping its accession candidate country status is also important for the international economic credibility of the country. The economy of Turkey relies on the capital inflows to a great extent and this status is an important guarantee for the investors.

For the EU the main factor preventing it from officially suspending the negotiations is the imperfect refugee deal between the parties struck on March 2016 and the increasing fear of a resumption of the refugee inflow, due to the recent instability in Syria. As long as EU continues to fail in formulating a functioning common migration policy and hence as long as the burden of refugees would be carried by certain member countries like Greece, Italy and Germany, - a clear signal of lost solidarity in this area - EU would continue to be dependent on Turkey.

➤ **Basic Problems in the relations between Turkey and the EU**

The basic problems in the relation that have made the current crisis structural can be named as following:

a) The rupture in values and principles

Turkey is considered to be far away from internalizing and hence adopting the universal values and principles, internalized and adopted by most if not all of the EU countries like rule of law, respect for fundamental freedoms and human rights. Alternatively, they are being interpreted differently. Imitation imperative does not seem to be working in Turkey. We witness a similar situation in some Central and Eastern EU member states.

The Turkish administration's repeated commitment to the objective of EU accession has not been matched by corresponding measures and reforms that would result in the internalisation and implementation of abovementioned values and principles. Unfortunately these universal values are sometimes bashed as cultural values of the West being imposed on Turkey. Instead, EU could have been criticised for not respecting these values in some of its policy areas, especially in dealing with the greatest humanitarian crisis of our era: the refugee inflows.

b) The non-resolution of the Cyprus problem : Democles' sword on the relations

The so-called "Cyprus problem" has been haunting the relations for so long. As one senior EU diplomat puts forward "even if we make a significant progress in all other areas, the moment we hit the Cyprus wall, that's it." There have been serious disagreements and major mistakes on both sides throughout the years but it is useless to mention them here.

The recent discovery of hydrocarbons in the Eastern Mediterranean had led some circles to hope that the expected revenue from gas exploitation would facilitate a resolution, but alas no! It has only worsened the situation. Now there seems to be an unfortunate vicious circle:

an agreement on hydrocarbons necessitate a political settlement which requires an agreement on hydrocarbons.

In order to get out of this vicious circle, Greek Cypriots should accept the political equality with the Turkish Cypriots and hence joint decision making mechanism and Turkey should stop gunboat diplomacy and blackmailing tactics. With all due respect to its internal solidarity principle EU should come up with constructive proposals rather than imposing sanctions on Turkey whose counterproductive nature is obvious. The drilling activities can be managed jointly by Cypriots as proposed by the President of Turkish Cypriots and EU could come up with the perfect example of European Coal and Steel Community (ECSC) instead of watching this dispute lingering on.

c) Lack of mutual trust

Unfortunately mutual dependence between the parties co-exist with a serious lack of mutual trust. The mutual trust between the parties took the final and the most lasting blow with the “Operation Peace Spring”. With the exception of Hungary, none of the EU members has shown an empathy towards Turkey. Hungary’s support for the operation is based on the hope that “it would help in preventing 3 million refugees from flocking to Europe” in its president’s words. Elsewhere in Europe the operation has resulted in a moral outrage, followed by arms embargoes of several EU members.

On the EU side Turkey is seen as an increasingly unpredictable and unreliable partner, if ever a real partner. We have started to observe a very dangerous narrative in the EU vis-à-vis Turkey, that is the “hostile neighbour” narrative. Even the relatively well-functioning refugee deal has gradually put the mutual trust under strain. Turkey blames the EU for its failure in burden sharing whereas EU has started to think that Turkey is undermining its security and stability after president of Turkey stated that the refugees will be allowed into Europe unless the EU provides more support.

On the other hand, Turkey also claims it has lost its trust in the EU after its late and muted response to the coup attempt in July 2016. EU is being blamed for the lack of empathy and solidarity towards Turkey. On the other hand, EU has blamed Turkey for not using the coup attempt as an opportunity to consolidate democracy and strengthen the rule of law in Turkey, but on the contrary reacting by suspending the rule of law and restricting the fundamental freedoms in Turkey by declaring state of emergency which seems to last forever.

Unfortunately populist, xenophobic, and nationalist instincts in some segments of European society strengthens this lack of trust on Turkey’s side, not only in the administration but in the public opinion as well. The discourse of these segments whose mental maps are very much concentrated on identity strengthens the anti-EU discourse in Turkey and also deepens the following belief of the EU supporters in the country: “no matter what we do, we’ll never become a member”. According to a recent opinion poll conducted by Economic Development Foundation (IKV) and The Economic Policy Research Foundation of Turkey (TEPAV) there is a 60 % support for Turkey’s EU membership, however only 23 % per cent believe that Turkey can become a member one day.

➤ **What will happen next: is there a way out?**

For a sustainable way out from the current impasse there is a need for a new political will on both sides. There are risks to be taken and first and foremost the mutual trust should be re-established. However first Turkey has to redefine itself on the bases of universal principles and values, first and foremost rule of law. On the other hand EU should accept part of the responsibility for the democratic backsliding in Turkey and re-emphasise the eligibility of Turkey as a member conditional upon fulfilment of membership conditions without any identity considerations.

As these steps are very difficult to take given the existing conditions, currently the only way out seems to reframe the relations. Although there is a pretty obvious need for a two-track strategy: reframing the relations without totally abandoning the old framework in case a better moment arrives, none of the parties seem to have a clear strategy towards each other. Current events have not provoked the introduction of new narratives. In other words, no one seems to have found *“the strongest possible bond’ that would fully anchor Turkey into European structures when Turkey is not in a position to full all the obligations of membership”* as stated in the negotiation framework of Turkey.

The EU rightfully states that “Turkey has been moving away from the EU”, however it does not give the feeling that it would be able to present any alternative framework of relations in case Turkey moves too far. On the other hand, rhetorically EU accession is the strategic objective of Turkey but authorities seem interested in constantly checking where the limits are.

EU has long given up regarding Turkey as an accession partner, the strategic nature of the relationship has been emphasised more and more, particularly after the Gezi Park protests in 2013 which has turned out to be critical juncture in the relations. However the “strategic partnership” in the case of Turkey has remained ambivalent and not operational most of the time. The main reason of Turkey’s strategic importance for the EU stems from the country’s position as a buffer between the EU and a strategic region whose instability might easily spread to Europe.

The current situation is politically convenient for Turkey as well. The authorities in Turkey also demand a transactional relationship with the EU, provided that they will also have a say in the constituents of this relationship.

What is being disregarded is the fact that even a sustainable transactional relationship might be very difficult to establish without a common foundation of values and principles and mutual trust. We have started to observe this in almost all areas of co-operation, namely increasing divergence in foreign and security policy and the strain in the co-operation in refugee crisis. Even before the recent Turkish incursion in Syria the parties have failed to co-operate in the area of foreign and security policy. The main reason has been the divergent interests in this case but also the inability of the EU to put together a coherent foreign policy has also played a role. The resistance of the EU to have an institutionalised dialogue with Turkey on foreign policy matters has worsened the situation. The tension between the parties in this area has been heightened as it is currently argued that the security policy of Turkey has started to threaten the established relations with the EU. Consequently, at the moment Turkey is neither a strategic nor an accession partner for the EU.

The discrepancy in the values and principles is also being witnessed in the blockage of initiation of negotiations regarding modernisation of customs union. Currently, the motives behind modernizing the Customs Union go well beyond economic and commercial interests, it is being regarded by some in Turkey, even pathetically as the only rule based transactional relationship that might trigger the establishment of rule of law at least in the economic sphere. Currently, however, key member states and the European Council have been unwilling to be seen to “reward” Turkey while its democratic standards have deteriorated. This argument includes imposing political conditions on Turkey before the Council even issues a mandate to the European Commission to begin negotiations. Unfortunately this approach disregards the fact that initiation of negotiations for modernisation of customs union will not be a reward but a test for Turkey, as they would necessitate rule of law, institutional autonomy, and government transparency and respecting the jurisdiction of an independent dispute settlement body. If Turkey fails the test the negotiations will not be finalized. On the other hand, political conditions can always be imposed during the negotiations, at the end of the negotiations or during the ascent process in the European Parliament. When these arguments are put forward, our counterparts in the EU claim that even the existing customs union has not been functioning efficiently mainly due to the non-tariff barriers implemented by Turkey and even countries like Germany has started to shift their trade towards other countries because of hindrances they face in Turkish market. Hence window of opportunity for a modernised customs union is getting narrower.

Some scholars argue that the emerging multi-tier and/or multi-speed structures in the EU resulting from measures adopted to cope with several problems would pave the way for new and more flexible formulations for Turkey in the EU. It is argued that Turkey can adopt the EU *acquis* on key policies such as energy, transport, the single market or common security and defense, while remaining outside of the EU framework for the social charter or the Schengen regime and the Euro. Although such an approach could indeed be very attractive and comfortable given the current state of relations between the parties, it does not seem very plausible. First of all, as one high level EU official said, “You have to be in first, to be out.” Although a multi-tier and/or multi-speed Europe seems to be *de facto* emerging in the EU, such a structure does not for the moment have a legal basis in the Treaties. More importantly, even if such a structure were to become legal and Turkey were offered a place in it, it seems improbable that Turkey would be given the liberty to choose which EU policies it chose to adopt. Moreover, the key question would be whether Turkey would be included in the decision-making mechanisms responsible for designing the policies it would have to adopt. The realist answer would be no and this will exasperate the existing problems.

All these aforementioned facts lead to a very grim situation. For the moment we should look for the ways to ensure closer engagement between the EU and the civil society in Turkey.

There are three viewpoints in the EU vis-a-vis Turkey:

- Those who are categorically against Turkey’s membership no matter what the country does and they are using the current state as an excuse to keep Turkey out forever;
- Those who regard Turkey only as a strategic partner with a realpolitik approach, especially the areas of security, migration and economy and they usually turn a blind eye to the developments in the country;

- Those who always defend that Turkey has the right to become a member as long as it fulfills the membership conditions. They had been very vocal when supporting Turkey's accession process during the time of political and economic reforms in the country and are again very vocal in criticising Turkey during the democratic backsliding.

All these views have mirror images in Turkey:

- Those who are against the country's EU accession;
- Those who regard EU only as a strategic partner and a source of funds;
- Those who attribute moral values to the EU and believe in the benefits of the EU accession for the country

The recent elections in Turkey and the EU (elections to the European Parliament and in some member states) showed the resilience of the third category in both parties. A constructive dialogue, structured engagement and honest debate between these two can keep the relations in tact until better times. For this to happen the EU side has to have a dynamic approach to Turkey, should beware of regarding Turkey as a monolithic bloc and aware of sociological transformations reshaping Turkish society.

As Eduard Soler i Lecha proposed in his recent article, upgrading the mechanisms to reinforce people-to- people contact; developing programs to further associate Turkey's municipalities in cooperation projects and offering Turkey the possibility of setting up a consultative expert group would definitely result in more engagement and would hopefully become the bridge over troubled waters for the time being.

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