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## **EU-TURKEY RELATIONS AFTER THE COUNCIL SUMMIT: A CHANCE FOR RE-ENGAGEMENT OR FACING COMPLETE BREAKDOWN?**

POLICY NOTE

EU-Turkey relations have had its ups and downs in its long history. Yet, the recent months have witnessed an unprecedented deterioration in bilateral relations thanks to foreign policy actions in Libya and tensions in the Eastern Mediterranean, to the extent that the very fabric of the relationship might be changing.

In the past two decades, Turkey's status in relation to the EU has gradually been transformed from a candidate country for full accession to a neighbour, and increasingly an adversary. Turkey's relations with the EU had been upgraded from an association to an accession framework with the start of membership negotiations in 2005. However, with the decision to not to open eight chapters of the accession negotiations and not to close any negotiating chapter due to the Cyprus conflict, and unilateral vetoes used by the French and the Cypriots to block the opening of more chapters, the accession framework became hollow and indeterminate. While the accession process continued to serve as a formal framework for EU-Turkish ties, relations between the parties increasingly displayed a confrontational and a more distrustful tone.

As the transformative impact of the EU membership goal weakened, the process of Europeanization was replaced by a policy of de-Europeanization in Turkey. A combination of domestic politics and external destabilizing factors contributed to Turkey's further distancing from Europe and the Copenhagen political criteria towards a highly authoritarian, hierarchical and centralized regime. This took place in conjunction with the rise of anti-Westernism and the sense of public disillusionment with the EU. According to an opinion poll

<sup>1</sup> This policy note has been prepared by TEPAV, IPM, and IKV.

conducted in 2019, 60 per cent of the population support the goal of EU membership, while only 23 per cent believe that Turkey will actually become a member of the EU. The spillover of insecurity and volatility from the Middle East and surrounding regions following the Arab uprisings of 2011, combined with domestic dynamics, created a fertile environment for nationalistic and militaristic policies on the part of Turkey. Yet, the relations did not experience a total breakdown. The 2015-16 Syrian refugee crisis and the ensuing EU-Turkey migration deal increased Turkey's leverage over the EU as the EU became more dependent on Turkey as a bulwark against unwanted immigration. This facilitated the change in the nature of the relationship from an accession-related one to a purely interest-based and transactional one, and thus enabled an increasingly adversarial relationship to take hold given diverging interests between the two sides.

### **The Current State in the Conflict: How Did We End Up Here?**

The nationalistic and strong anti-Western turn in Turkish domestic politics also had significant implications for Turkey's foreign and security policy. The power vacuum left by the US in Turkey's immediate neighbourhood opened a wider space of manoeuvre for Turkey, along with other regional actors such as Russia. The disillusionment with the West was also coupled on the part of Turkey with the firm belief that the West, and in particular Europe, was in decline and in no shape to act in a uniform fashion in its wider neighbourhood. Having also alienated potential allies in the Mediterranean such as Israel and Egypt mostly due to domestic political reasons and feeling isolated in the East Med, Turkey increasingly resorted to unilateralism and a militarized foreign policy in its regional operations and actions, creating a further rift with the EU.

The most recent case in point is Turkey's intervention in the Libya conflict and its sending of seismic exploration vessels off the coast of Cyprus and then Castellorizo. The EU accused Turkey of illegal action that ran counter to international law and sovereign rights of EU Member States. Greece and Cyprus have formed closer ties with Egypt and Israel, leaving Turkey feeling increasingly cornered. France, which is on a collision course with Turkey over strategic interests in the East Med as well as over the Libyan conflict, supported Cypriot and Greek positions against Turkey calling for harsh sanctions. Germany on the other hand adopted a conciliatory position and acted as a facilitator and mediator to start dialogue and reconciliation between the parties.

The divergent positions of the member states ultimately led to a compromise, as reflected in the conclusions of the October European Council Summit, where the member states decided to keep the possibility of sanctions open while also offering Turkey a positive agenda consisting of a modernized customs union, further cooperation on migration and enhanced people to people contacts, in return for a change in Turkish foreign policy away from unilateral actions. Both the summit conclusions and the European Commission's Turkey report published right after the summit associate Turkey with conflictual relationships and unilateral policies. The EU calls for a multilateral orientation to the problem and a stop to unilateral policies. The conclusions of the Summit were also notable in the way in which they made no mention of the state of democracy and human rights in Turkey, despite the fact that the European Commission's Turkey report highlights Turkey's deteriorating conditions in these areas. In a

similar vein, the lifting of political conditions which were the main impediment to the customs union modernization talks in lieu of geopolitical demands also suggests that the primacy of geopolitics combined with the absence of a credible membership perspective in sight may have led the EU to ease its normative demands from Turkey.

The summit conclusions provide a window of opportunity for dialogue and negotiation between the parties until the next Council Summit that will be held in December. Yet, the problems between the two sides seem to be far from over. One key reason for the lack of progress relates to the fact that in the absence of the membership perspective, the EU has lost almost all of its leverage over Turkey. The main constituents of the “positive agenda” conditionally proposed to Turkey in the conclusions of summit of the EU leaders are not adequate to form sufficient leverage on Turkey to change its foreign policy behaviour. When we analyse the constituents of the positive agenda together with the recently published Turkey Report of the European Commission, we observe that neither the modernisation of the customs union, nor the tacitly referred visa liberalisation can be materialised anytime soon, given Turkey’s state of preparedness in compliance with EU requirements in these areas. Furthermore, there is also considerable doubt as to whether these incentives are in fact demanded by the Turkish government, given the loss of enthusiasm for a modernized customs union after the failure of TTIP talks and the years-long reluctance of the government to amend the few remaining provisions of the criminal code as required by the EU for visa facilitation talks.

### **Conclusions: Is There a Way Out?**

This recent downturn in Turkey-EU relations displays the limits and dangers of an incoherent and fragmented Turkey policy on the part of the EU and Turkey’s inability to pursue improved relations with the EU due to domestic economic and political volatility. At this stage of the relations, it is important to realize the mistakes done in the past, to draw lessons from them and to use this awareness to construct the basis for a healthy and sustainable relationship.

In the short run, and concerning the Eastern Med, the EU should acknowledge the fact that Turkey’s one of the main targets in the region is to be a recognised player in East Med energy and not to feel “surrounded” by the members of the East-Med Gas forum (Cyprus, Egypt, Greece, Israel, Italy, Jordan and Palestine). In addition to calling for a multilateral conference on Eastern Mediterranean whose participation, scope and timeline will need to be agreed by both parties (hence difficult to convene), EU also should encourage – at least the discussion – of the participation of Turkey into the aforementioned forum and thus ensure that its understanding of multilateralism is an inclusive one. EU should not position itself as a formal mediator in this dispute as it is a party to it. Neither Greece nor Turkey is in a position to claim to have international law entirely on their side, hence the EU can only urge the countries to initiate negotiations.

It is also important to recognise that a healthy resolution of the conflict also depends on progress towards resolution of the Cyprus issue. With all due respect to its internal solidarity principle, the EU needs to come up with constructive proposals rather than watching the dispute escalate and considering imposing sanctions on Turkey whose counterproductive nature is obvious. Unfortunately, in almost all stages of the Cyprus conflict the EU has largely

stood as a bystander and this attitude continues during the escalation of the problems after the discovery of hydrocarbons. The EU needs to push its weight towards contributing to a solution if it wishes to remain its relevance not only as a soft power, but also as a geopolitical one.

Turkey, on the other hand, should refrain from unilateral actions, which are easily perceived as acts of aggression by the concerned parties and create further problems in its relations with the EU. The unilateral and militarized nature of Turkish responses prevent the establishment of much-needed dialogue mechanisms between the parties. Turkey should seek multilateral venues and diplomacy in advocating for its claims, and in doing so, also contemplate its future relationship in a multilateral and increasingly differentiated Europe.

In terms of short term policy cooperation, assuming that the current conflict tones down, the most realistic alternative seems to be the customs union modernization process which would rekindle a rules-based approach and restart a process of harmonization towards the EU acquis in Turkey. Customs union modernization would enable the upgrade of the trade relationship, trigger structural reforms in Turkish economy, necessitate political reforms encompassing rights and freedoms and rule of law mechanisms, and align Turkish productive sectors with EU norms and standards including the Green Deal agenda. In the wake of the Covid-19 crisis, the EU is looking for strengthening its resilience by achieving strategic autonomy in its trade and external policies. Turkey with its already well-integrated business community with the EU can make a huge contribution to building Europe's resilience and contributing to the struggle for strategic autonomy.

For the longer run, a look into these recent events points to a general conclusion: Turkey-EU relations need to be recalibrated on a coherent, sustainable, and realistic basis. It is clear that there is mutual dependence between the parties. Turkey depends on the EU mainly for economic and commercial reasons and on top of all: for international economic credibility. On the other hand, the EU depends on Turkey's cooperation in the refugee issue and the recent events demonstrate the increasing need for the EU to co-operate with Turkey to ensure security and stability in its immediate neighbourhood. The parties should thus work towards developing holistic, comprehensive and sustainable strategies towards each other rather than reacting to conjunctural developments and/or crises. The effective functioning of such a strategy necessitates institutional dialogue between the two sides.

While the EU's offer of a positive Turkey-EU agenda in the European Council meeting of October 1<sup>st</sup> was an encouraging step, what is needed is a comprehensive approach with clear targets, deadlines and supporting mechanisms. While keeping the ultimate goal of EU membership intact, this new framework should be able to restart a process of engagement between Turkey and the EU and build towards an enhanced relationship. The Future of Europe conference which is expected to be held in the near future could be a useful platform and a good starting point to initiate such a substantial rethinking of the relationship.