



SOPHIE'S CHOICE FOR THE EUROPEAN UNION: REALPOLITIK OR VALUES? INSHALLAH BOTH

INTRODUCTION

This is neither an evaluation of the postponed Progress Report 2015 nor an overview of the Turkey-European Union relations on the tenth anniversary of the initiation of the accession negotiations that has come almost to a complete halt at the moment, although parties refrain from an irrevocable rupture. Actually, these negotiations stalled almost as soon as they began, first because of the exclusion of Turkey on an identity basis by some Europeans and then Turkey's closed ports and airports to Cyprus and recently, the growing authoritarianism and evaporating rule of law in the country. At the heart of this analysis lie the frozen conflicts in the region, and especially the Nagorno-Karabakh war, that reverberates across the political interaction of all three triangles. We hope that a systematic look at the global political and economic context of this conflict will help promote greater stability and openness in the region.

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

EU is not on the real agenda of Turkey which is going through one of the most chaotic periods of its recent history. It is being criticised for increasing authoritarianism, economy has been slowing and there is an enormous political tension that has escalated with the recent biggest act of terror that took place on 10th of October 2015. In these highly instable and dangerous circumstances, the country is heading to the polls in a very tense environment, in less than six months after the rather inconclusive results of the general elections held on June 7 this year.

In such an atmosphere almost every wise person argue that an EU anchor is necessary for a democratic and economically developed Turkey that would like to have a respectable international standing. In other words, EU is regarded as a counterbalancing factor against the backsliding in democracy, fundamental freedoms and rule of law, the domestic peace in the country and for attaining economic stability.

Our aim is to have a look at the current situation to see whether there are prospects for hope or a "way-out" in order to mend the aforementioned relations beyond the currently almost impossible accession. What can be expected from such an overture is to restore trust and deliver concrete benefits to both sides. However, for such an overture to revive the mutual trust, at least between the EU and quite a significant percentage of citizens of Turkey, EU should not move away from its values in its policy vis-à-vis Turkey.

At the moment, there seem to be two main areas that seems to fall into this category:

- foreign policy cooperation;
- cooperation in solving the refugee crisis.

Upgrading and modernizing the customs union agreement is one of the options but it does not give the impression to be the priority at the moment, at least for the EU. The parties agreed on this a few months ago in May, when the Transatlantic Trade and Investment Partnership (TTIP) has been slowly progressing. Surely such a process, if concluded would be beneficial for Turkey, nevertheless it would necessitate the authorities to make serious reforms especially in the area of agriculture and public procurement, which has been postponed during the idle accession process. However, for the moment there is a significant uncertainty regarding the process. The Council of the EU should give the European Commission the mandate to negotiate a new agreement with Turkey with the final aim of modernizing and revising the customs union. However, until now we could not get any satisfactory explanation regarding the voting procedure for this mandate. If that would be unanimity rather than qualified majority, we believe it would be very difficult to achieve at the moment.

FOREIGN POLICY COOPERATION

The 2014 Progress Report for Turkey was published in an ostensible atmosphere of a new Turkish opening to the European Union (EU) marked by an ambitious new 'European Union Strategy' intended to revitalise its accession process and reiterate its commitment to it. Even without

knowing that the aforementioned strategy would go unimplemented then, we have questioned ² whether there was a sound basis for hope for a promising new era in the relations between Turkey and the EU and whether the 2014 Progress Report substantiate these hopes. The conclusion we reached, especially given the rule of law's central role (one of the three pillars) in the enlargement strategy of the EU and the sad state of the rule of law in Turkey, we wrote that:

"The key approach in the Progress Report and in the statements coming from top EU officials is Turkey being a strategic partner rather than an accession partner. EU wants to have an efficient foreign policy cooperation with Turkey, whose position acts as a buffer between the EU and a strategic region whose instability might easily spread to Europe" and "for Turkey, the security vacuum in its unstable neighbourhood necessitates a renewed approach toward the West and hence the EU."

Although the current Turkey is less a strategic partner for the EU than for the US, these approaches are still relevant. There have been adequate reasons for the EU to regard Turkey as a strategic partner and vice versa. In this sense, the confrontational discourse of Turkey's leadership might appear contradicting, but its main aim has been to impress the voters.

As an inevitable constituent of its view to have Turkey as a strategic partner, EU has been willing to engage Turkey as a partner in the review process of its Southern Neighbourhood Policy, especially in the Eastern Mediterranean. This has started with the Arab awakenings in 2010 and continued in a different context. At the beginning Turkey had been regarded by the EU as a source of inspiration in the region as it was booming economically and advancing towards democratic consolidation, mainly as a result of the EU accession process. Currently the country faces different challenges like increasing authoritarianism, declining growth, a halt in the peace process. Regarding external challenges, Turkey is hosting more than two million Syrian refugees (*they do not have a refugee status in Turkey*) risks being immersed in the region's sectarian conflicts and vulnerable against the Islamic State (IS).

When the EU has been searching for the opportunities to involve Turkey to its Southern Neighbourhood policy under the aforementioned circumstances, more imminent issues came to the surface like the urgent need to combat the Islamic State and the uncertainties set in motion by Russia's military intervention in Syria. In this respect, some Europeans claim that³ it is difficult to consider an effective European strategy towards chaos and extremism in the MENA region without Turkey if only for logistical reasons and expect Turkey to turn to Europe as it is impossible for the country to deal with the territorial and human security alone. Although Europe's expectations from Turkey sometimes has remained limited in preventing the transit of European jihadists and Turkey has turned to NATO for a sound cooperation rather than the EU,

² Nilgün ARISAN, "Turkey-EU Relations in the Light of the 2014 Progress Report", October 2014

<http://www.tepav.org.tr/upload/files/1413838752->

[0.Turkey EU Relations in the Light of the 2014 Progress Report.pdf](0.Turkey%20EU%20Relations%20in%20the%20Light%20of%20the%202014%20Progress%20Report.pdf)

³ Michael LEIGH, A New Neighbourhood Strategy for Europe in Ideas for Europe's New Leadership, German Marshall Fund of the United States, October 2014.

there still seems to be a basis for cooperation in foreign policy that might be a starting point for building mutual trust.

But can there be an efficient foreign policy-cooperation? Although there is a significant potential stemming from the mutual needs, it looks difficult to surmount the confidence problem given the uncertain path of Turkish foreign policy which is affected by the domestic political conditions to a great extent. On the other hand, with its own crises and difficulties to determine common foreign policy objectives, EU does not seem ready to play a major role in the security crises Turkey is facing. Hence as both parties lack long-term strategic objectives, it is difficult to have an institutionalized foreign policy cooperation at least for the moment. As an indicator of the probability of Turkey being a strategic partner for the EU, the degree of country's alignment with EU declarations and Council decisions can be referred to. It has significantly declined (from 74 % in 2010 to 29 % in 2014) in recent years and needs to be improved.

COOPERATION IN SOLVING THE REFUGEE CRISIS

Europe has been caught quite unprepared for the worst refugee crisis since World War II. As more and more Syrians are reaching the conclusion that they don't have a future in their homeland, many are choosing the risky path to Europe, where they hope to start over in a safe, stable environment⁴. European leaders struggle to respond to with urgent measures, as tackling the main driver of the crisis – ending the war in Syria- has been beyond their capacity and willingness at least in the near future. Russia's direct involvement in Syria has made things worse. Although Europe has taken a backseat in dealing with the crisis until recently, it has reached to such a level that it can no longer be ignored.

Currently, most EU countries face the dilemma between making the case for welcoming the refugees (in particular in Germany) and restrictive policies catering to fears in the population. As a response, in addition to trying to put their house in order with a sense of solidarity and responsibility with the exception of some EU countries, they have also decided to increase their engagement with the frontline states that have been sheltering up to now much of the refugees⁵. The main aim here is to stem the disorderly flow of migrants to Europe and establish a process whereby some legitimate asylum seekers could enter the EU in an orderly manner through resettlement schemes and programs. In order to keep the refugees in the region EU would provide assistance to the host countries to provide jobs, education, food and healthcare for them.

As most of the Syrian refugees, around two million are in Turkey, the country has been the key country with which EU wants to co-operate with immediately, given also the fact that over 350,00 refugees have left Turkey for Europe this year. This cooperation has been thought to be

⁴ Omer GHABRA, "Why Syrian Refugees in Turkey are Leaving for Europe", The Nation, 28 September 2015.

⁵ The Roots of Europe's Refugee Crisis, Carnegie Europe, Carnegie Endowment for International Peace, 1 October 2015

totally beyond the accession process, has nothing to do with Turkey being a candidate country.

On the other hand, Turkey has been especially affected as the largest recipient of Syrian refugees in the region. There are currently two million registered refugees. According to UNHCR, when other refugees including those from Iraq are added, Turkey became the world's largest recipient of refugees and if the current situation in Syria persists, this number may well increase to 2.5 million ⁶. Managing such a huge number of Syrian refugees at a cost of nearly 6.75 billion Euros has not been an easy task, although until the end of 2012, the country rejected any external support ⁷. However, as the numbers increased and the prospects of return reduced, it looked for opportunities for cooperating with international community. Given the large-scale demand for health, education and skill-and-language training, the EU should invest much more heavily to help Turkey scale up its institutional capacity to deliver these services.

Last week President of Turkey, Mr. Tayyip ERDOĞAN visited Brussels. The President's trip was initially at the invitation of the Belgian government. Only during a late-September emergency EU summit on the migration crisis, the meetings with EU leaders set and he met the leaders of three European Union institutions, to discuss how to step up cooperation to jointly tackle the refugee crisis. Although ERDOĞAN's visit coincided with the 10th anniversary of the initiation of Turkey's EU accession negotiations, the aim of the visit was not to discuss the future of the negotiations and he hasn't been received as an official of a negotiating candidate country.

The European Commission came up with a draft "action plan" to be discussed by both parties. The Draft Action Plan identifies a series of actions to be implemented as a matter of urgency by the European Union and the Turkey, like refugee resettlement and border cooperation. A working group is planned start detailed negotiations immediately, but concrete results are unlikely in the short term. The objective is to assist Turkey in managing the situation of a very large influx of refugees and preventing irregular migratory flows from Turkey to the EU. The Commission also announced the possible reallocation of up to 1 billion Euros in funding for Turkey.

As stated by an EU source, this is "*a first step to start a process that can lead to solidarity*". At the moment, the impression in Turkey may be that the country has a strong bargaining chip with the EU because of the current asylum seekers crisis and that the EU will work with Turkey on the latter's terms. However, there are serious difficulties ahead and hence Turkey's involvement in stemming the flow of refugees is not expected to bear fruit at anytime soon.

First of all, the Syrian refugees do not want to stay in Turkey. There are various reasons for that. Turkey considers Syrian refugees as "guests". Last year the government pushed forward a series

⁶ Kemal KIRIŞÇI and Elizabeth FERRIS, "Syrian Refugees and the Challenges to Turkey and the international community", Brookings Institution, 30 September 2015.

⁷ Although the government complains about not having received enough assistance from the EU over the past several years, it declared in 2011 that it would not accept assistance according to EU methods; it would only take assistance in the form of blank checks made out to its emergency agency.

of laws that aimed to grant them temporary protection and greater rights. However, the measures still fell short of full refugee status, which means limited access to schools, no proper jobs, limited travel rights and no healthcare anymore. Although the refugee camps are quite good relatively, around 85 % of Syrians are spread across the country. They enjoy little support and their living conditions are deteriorating. Also, according to a new survey by the German Marshall Fund, 81 % of Turks believe immigrants are failing to integrate and that 68 % want a tougher approach towards refugees.⁸

Second, the EU's latest proposal to provide 1 billion Euros of financial assistance to Turkey to support refugees and migrant management has raised some concerns in Turkey. If these funds are part of the EU's Instrument for Pre-Accession IPA funds for 2014- 2020, they would not be quite welcome as cooperation in refugee crisis has nothing to do with the candidacy status of Turkey which demands additional funds.

Third, Turkey links the cooperation to tackle refugee crisis with visa liberalization and the Turkish public also perceive that Turkey's cooperation in this area would mean an automatic visa liberalization by 2017. However, the ultimate objective of removing visa requirements for citizens of Turkey depends on Turkey fulfilling the requirements set out by the "Roadmap towards Visa-Free Regime with Turkey" and full and effective implementation of the EU-Turkey Readmission Agreement. The final decision would belong to the EU Member States who would decide by a qualified majority. A serious delay or failure in this area might bring an end to the cooperation between EU and Turkey in refugee crisis. Also EU officials claim that visa liberalization talks with Turkey will proceed, but not under the veiled threat of new waves of refugees heading to Europe.

Fourth, as stated by President ERDOĞAN during his visit to Brussels, Turkey demands no-fly zone/safe zone on Syrian territory, however there are no prospects for these, especially after Russia's intervention in Syria.

Some also claim that stalled E.U. accession process remains an impediment to genuine cooperation. As long as Turks do not believe that, one day, they too can be part of the EU, cooperation between Ankara and Brussels is bound to remain shallow and vulnerable to political cycles.

Finally, and most significantly, trust, which is absolutely required for cooperation is low, despite the press statements. Concerns regarding the future of are immense, so immense that it might paralyze the EU.

If parties fail to have an efficient cooperation to solve the refugee crisis, this would not only increase the outflow towards the EU but could also lead to radicalization within this distressed population, with detrimental consequences for both Turkish and European security.

⁸ German Marshall Fund of United States, Turkish Perception Survey, October 2015.

CONCLUSION

Despite the existence of serious difficulties, it is still possible to observe a significant potential for cooperation between Turkey and the EU in the areas of foreign policy and tackling refugee crisis. However, such a cooperation also carries the risk of seriously damaging the existing meagre trust between the parties rather than revitalising the relations on the basis of mutual trust.

Furthermore, there are serious concerns among a significant percentage of the citizens of Turkey and some of the EU citizens that cooperation in these areas would carry the risk that EU would start to deal with Turkey as a strategic ally with shared interests rather than as candidate state. In this case, Turkey would pay a high political price as a muted EU would be very dangerous at a time when the country is going through a very difficult period in its history with a backsliding democracy, collapsing peace process with the Kurds and evaporating rule of law. In its simplest form, the growing fear among the democratic minded citizens of Turkey is the following: *"Keep the migrants, and we will forget about democracy"*⁹

The Financial Times¹⁰ cited an undisclosed senior European diplomat whose remarks seemed to sum up the prevailing mood in Brussels : *"We have to bring down this flow of migrants. It has become realpolitik; we're leaving aside our worries about domestic politics"*.

Postponement of the October 14 publication of 2015 Progress Report - which is expected to be highly critical of democratic shortcoming- as it fell on the eve of the EU summit focusing on the migration deal with Turkey, is also regarded as another sign towards this direction.

We sincerely hope that the EU would not dump its values for realpolitik's sake. As Marietje SCHAAKE, Member of the European Parliament stated¹¹, *"European leaders must address the deep polarization in Turkish society and be clear about expectations of respecting fundamental rights and freedoms. They must not walk away from difficult topics. Addressing these issues would send the clear message to the people in Turkey that the principles that the EU claims to be based on actually mean something."*

If EU would not strike a balance between its values and realpolitik, it would lead to even more instability in the region, the very driving force that led to the flow of refugees in the first place and who knows by distancing itself from its values in its policy vis-à-vis Turkey, EU might pave the way for the influx of, this time, Turkish refugees.

⁹ Barçın YİNANÇ, "An unholy Turkish barter: Keep the migrants, forget democracy", Hürriyet Daily News, 6 October 2015

¹⁰ Financial Times, "EU woos Erdogan in effort to stem migration", 4 October 2015.

¹¹ "Can the EU Do Business With Erdoğan?", Carnegie Europe, 7 October 2015