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## **TURKEY-EU RELATIONS BEFORE THE MARCH SUMMIT: THE WAY FORWARD?**

POLICY NOTE

The tension in Turkey-EU relations subsided towards the end of 2020 with the Turkish government's positive messages of engagement with the EU and its signals towards moderation on the Eastern Mediterranean agenda. This led the last summit of the EU leaders on 9-10 December 2020 to decide for an extension of the specific sanctions list which was adopted a year before, rather than adopt for more comprehensive sanctions towards Turkey. In the same summit, the High Representative Joseph Borrell and the Commission were given the task to prepare a report on instruments and options regarding how to proceed after an analysis of different aspects of the current relations. This report which will be submitted at the upcoming March summit is expected to propose a new framework for the relations while keeping the accession perspective frozen. The Council conclusions also noted that the approach towards Turkey would be coordinated with the incoming Biden presidency and a full-fledged discussion on the issue was postponed to the March European Council. This provided some time to the Turkish government to ease the tensions in the Eastern Mediterranean as well as make headway in the political reform process and create a positive environment for reforms in rights and freedoms, rule of law, and independence of the judiciary especially with regard to high profile cases such as those of Demirtaş and Kavala.

Since the December Council Summit, we have observed attempts by the Turkish government to soften its narrative, attitude and de-escalate tensions particularly in the East Mediterranean in order to avoid tougher sanctions. To this end, it revitalised exploratory talks with Greece, stopped the drilling activities in the East Mediterranean, supported the start

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of the UN process on Cyprus, softened its rhetoric towards France and began exploring the ways to normalise relations with Israel and Egypt. While these foreign policy manoeuvres were taking place, Turkey continued on its path away from democracy. While President Erdogan announced a human rights action plan and an economic reform package on March 3 and March 12 respectively, implementation proved contrary to what was preached. The dropping of the immunity of HDP MP Gergerliođlu due to a tweet he had sent in 2016, the opening of a closure case against HDP, and most recently Turkey's withdrawal from the Istanbul Convention negated the human rights action plan and displayed the stark contrast between the government's discourse and its practice. On the economic front, the removal of the third Central Bank governor since mid-2019 and only after four months in office show the futility of any expectations regarding meaningful economic reform. Political calculations and power struggles between rival party alliances seem to dominate the political agenda in Turkey, diminishing in turn the government's will and ability to engage in genuine political and economic reform as well as a meaningful reset of relations with the EU. We argue below that although there are potential grounds for a revitalisation of Turkey's relations with the EU, future cooperation would be baseless and hollow without a firm EU commitment to Turkey's return to democracy and a related rethinking of the relationship in view of the changing transatlantic context.

### **Turkish Foreign Policy in the Changing Transatlantic Context**

With the Biden presidency in the US, we are witnessing the beginning of a new era in governance aiming to simultaneously achieve "overcoming the problem of severe polarization at home" and "enhancing the American leadership abroad". In doing so, on the foreign policy front, there emerges a multilateral United States promoting the vitalization of the transatlantic alliance with a strong emphasis on international democracy. This shift, away from the populist and unilateral Trump presidency, has been founded upon observing how the processes of democratic backsliding and the weakening of institutions to leverage the leader constitute a serious risk for national security at home and abroad.

We need to locate the discussion on the EU-Turkey relationship and Turkey's changing orientation in the Eastern Mediterranean in this contextual shift in the transatlantic context. Ankara is well aware that its foreign policy choices and rhetoric in the last five years, which has come to be known as "strategic autonomy", is no longer tenable. Strategic autonomy was a strategy initiated by Turkey as an independent nation state with a weak EU and Western anchor and operating by separating, as much as possible, security abroad and democratic backsliding at home. Ankara was able to manage this to some extent, mainly because of the declining leverage of the US and the EU both regionally and globally. With its flexible alliance with Russia and the help of the leader-to-leader relations between Trump and Erdoğan, Ankara benefited from the almost absence of the US and the EU in its wider region and concomitantly exerted its influence in the MENA region, the Eastern Mediterranean, and the Caucasus. However, Ankara is now realizing that strategic autonomy is no longer possible, and that it will ultimately be confronted by the assertive push for multilateralism and the transatlantic alliance by the Biden presidency. Ankara faces a strategic decision to "reset its foreign policy" and explore ways to adapt to the new era of assertive multilateralism with democracy. EU-Turkey relations are not immune to this process. On the contrary, the more assertive multilateralism with democracy shapes global and regional politics, the less space there will be for strategic

autonomy and transactionalism without democracy, which will in turn lead to a mounting challenge to Ankara's ability and capacity to continue its unilateral, security and hard power-based operations without rules and democracy at home. This also means that rather than a positive agenda which replicates the usual transaction-based relationship with the EU, we need a new framework for the revitalization of Turkey-EU relations, which takes into account this changing global context.

The recent political developments in Turkey suggest that in its adjustment process to this changing context, the leadership will focus more on the area of foreign and security policy and soften its narratives and actions in this field, particularly in the East Mediterranean which was central to the escalation of tensions. The Turkish government hopes that such moves would create a more conducive environment for the positive agenda which is on the table in the upcoming March Summit. While the change of narratives and the retreat from militarised/unilateral foreign and security policy are necessary, they are not sufficient to revitalise Turkey's relations with the EU or the West in general in the changing transatlantic context. The EU in the recent years has focused on sustaining interest-driven transactional relations with Turkey, centring on migration, the economy and the foreign and security policy. However, a sustainable positive agenda needs to include not only interest-driven issues, but also rules-based relations and societal dimensions which takes into account the resilience of the country and the multiplicity of political actors beyond the government.

### **What needs to be done?**

The grim circumstances on the domestic front do not change the fact that there is still an urgent need to revitalise Turkey-EU relations in anticipation of the post-covid-19 era and the twin challenges of the EU internal market: the Green Deal and the digital agenda. Any discussion on the future of Turkey-EU relations should also encompass these areas and take the relations out of the vicious circle of mistrust, divergence and contestation, and shed a new light on a renewed agenda of engagement and cooperation.

While membership is not on the cards for the foreseeable future, the need for close cooperation and dialogue between the EU and Turkey is also apparent in areas such as migration, trade, production, energy, climate, security and defence. The EU should indeed encourage the EU perspective of Turkey and its commitment to further dialogue and engagement in the form of the positive agenda, the content of which can be further refined and elaborated. The constituents of the positive agenda framework is expected to be similar to the components of the positive agenda proposed to Turkey in the October EU summit, provided that the moratorium and hence the stability in Eastern Mediterranean and the dialogue between Greece and Turkey continues. Hence the components of this "cooperative and mutually beneficial relationship" are expected to include the modernisation of the customs union and trade facilitation, people to people contacts, high level dialogues and continued co-operation on migration issues in line with the 2016 Turkey-EU Statement.

These are all meaningful components of an important transactional relationship which would also be welcomed by Turkey. However, cooperation on these areas would be baseless and hollow, and its leverage on the sustainability of the change of direction in Turkish foreign policy minimal, without a firm EU commitment to Turkey's return to democracy. Unfortunately, as

observed in the presidency conclusions of the last two EU summits, Turkey seems to be regarded only as a foreign policy matter by the EU, with which a solely interest-based transactional relationship should be sought. While the rapid deterioration of Turkish domestic governance may appear to EU policy makers as Turkey's domestic troubles with democracy, the truth of the matter is that they are concrete steps towards weakening further Turkey's ties with the West, regardless of the country's recent foreign policy overtures in the Eastern Mediterranean. History shows us that a mutually beneficial relationship between the two sides have only been possible during stronger relations between the two parties, which facilitated in the past Turkey's track to democracy, a better functioning economy and stability. A democratically resilient, well-governed Turkey which acts to further European values in and around its region would be an asset for security and stability in the European continent and a panacea for the resolution of conflicts and security threats. However, strengthening and revitalising Turkey-EU relations within the framework of a positive agenda must go beyond the EU's perceived interests in the Eastern Mediterranean, be based strongly on democracy and fundamental rights and only then, should include concerted action and engagement in a number of priority areas.

One area would be the modernization of bilateral trade and the economic relationship by the upgrading of the customs union, and expanding it to include services, agriculture and public procurement as well as including the digital agenda in its modernization. As iterated in our previous paper, customs union modernisation has the potential to rekindle a rules-based approach to the relationship and restart a process of harmonization with the EU acquis in Turkey. First and foremost it would require a functioning rule of law in the economic sphere. Although there is a low probability of it gradually crossing over into the political domain, a reformed Customs Union is expected to deeply transform Turkey's political economy in key sectors such as services, procurement, state aid and trade dispute settlement. It is also anticipated to bring transparency, competitiveness and respect for universal law, at least regarding economic transactions.

Another area concerns visa liberalisation/facilitation based on Turkey's fulfilment of the remaining criteria. The issue of visa liberalisation/facilitation is critical from a societal perspective, to promote people-to-people contacts and sustain the support of civil society groups, young people and women in Turkey to the European project. The renewal of the "refugee deal" is also necessary, and both Turkey and the EU are willing to do so. As the EU governments could not agree on relocation, Turkey's burden has increased as the figures rose from 2.5 million to almost 4 million refugees. There is a need for more support for education, vocational training and integration in addition to humanitarian assistance. However, for the deal to provide a sustainable solution, a joint effort including that of the US is needed to improve the humanitarian conditions and stability inside Syria. This issue should also have prominence in the negotiations on a revised and improved agreement. A revised deal also needs to be brought closer to international law and universal values. EU should not stop legal migration and when it stops refugees at its borders, it should not violate international conventions and values and should not pursue inhumane and illegal push-back policies. The deal should also not be instrumentalised as a leverage by Turkey in resolving its bilateral conflicts with the EU.

A third area where cooperation is essential concerns facilitating Turkey's adaptation to the Green Deal by integrating the country further into EU programs and engaging in consultation

and coordination. By excluding countries like Turkey, EU should not deepen the substantial digital and technological disparity between developed and developing countries. The extension of the Green Deal to the Mediterranean could foster a more inclusive multilateral framework in the region, similar to the EU's orientation towards the Western Balkans. Such a move could help de-escalate tensions prevalent in the energy field and contribute to a more cooperative and inclusive regional framework.

Finally, the EU should support the resolution of the Cyprus issue by asserting the need for an equitable, just and sustainable order on the island. With its "observer" status, the EU should adopt a constructive approach in the 5+1 talks on Cyprus that will take place at the end of April within the auspices of the UN. One of the main reasons behind the proposal for a two-state solution by Turkey (and the Turkish Cypriots) is the intransigence of the Greek Cypriots to recognise the political equality of the Turkish Cypriots. EU should not contribute to this stance by refusing to recognise Turkish Cypriots' role in the settlement process. Alongside the UN, the EU, the United States and all other relevant actors should try to bring Turkish Cypriots and Greek Cypriots into discussions on the issue of hydrocarbons before the start of negotiations on the Cyprus issue. In this context, it is also relevant to bring Turkey into the Eastern Mediterranean Gas Forum to contribute to decreasing the tensions in the region. The proposed multilateral Eastern Mediterranean Conference should also be convened without any delay. This necessitates dropping the condition of unanimous agreement on the participation, scope and timeline by all parties.