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Turkey's Visa Policy: Has Turkey given up its demand of free movement in the EU?

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Turkey has been applying a liberal and flexible visa policy towards its neighboring countries in Caucasus and Middle East for quite some time. As of 2009, visa policy for the following countries was liberalized further and visa requirements were abolished mutually:

Syria (as of 16.9.2009)

Albania (as of 20.11.2009)

Libya (as of 24.11.2009)

Jordan (as of 2.12.2009)

Tajikistan (as of 13.12.2009)

Azerbaijan (as of 25.12.2009)

Lebanon (as of 11.1.2010)

Saudi Arabia – unilateral (as of 10.1.2010)

In addition to these, negotiations have been initiated to abolish visa requirements mutually with Russia which has already been benefiting from the liberal and flexible visa policy of Turkey

It is obvious that Turkey's recent visa policy would generate multiple benefits for the country as well as for countries in its region. For instance, Turkey can come closer with these countries in cultural, political, and economic terms. This policy could also serve for the improvement of economic and commercial cooperation for which arduous efforts are being spent currently might increase Turkey's tourism revenue. Furthermore, this policy could also contribute to Turkey's 'problem-solving' role in the region. Visa free travel of residents of the aforementioned countries, could also strengthen the role-model function of Turkey. With its relatively developed free market economy equipped with the necessary legal and institutional structure and a functioning democratic system, Turkey can be a source of inspiration for these countries which have been suffering from a number of instabilities.

Nonetheless, it should also be noted that Turkey carries on accession negotiations with the European Union (EU) – albeit not with a very clear membership perspective- and EU has been applying strict visa regimes to all the abovementioned countries. In this context, an assessment seems to be necessary to find out the impact of this liberal visa policy towards the neighboring countries on Turkey's visa policy vis-a-vis the EU, before the implementation of such a policy through which potential losses must be counterweighed against the potential gains stated above. However, there is no evidence of such an assessment and a strategy based on this assessment.

Within the framework of EU acquires, free movement of persons as well as the visa regime is regulated via a system called 'Schengen', named after the Schengen Agreement signed in 1985 by Germany, France, Belgium, Netherlands and Luxembourg. The signatory states lifted their border controls towards each other and introduced a common visa policy for third countries. These states also strengthened the cooperation between their police organizations and the judicial authorities. Currently all EU countries except United Kingdom and Ireland are members of the "Schengen Area.", which also include three non-EU countries: Switzerland, Iceland and Norway

Although Turkey, stated that it would completely adopt and implement the Schengen acquis upon full membership – due to the uncertainties regarding the membership perspective- it also committed itself to make the preparations to join Schengen before full membership. In this context, the country has been envisaging various measures to harmonize its asylum, illegal migration, and visa policies with the EU in all its National Programmes since 2001.

In the meantime, "abolishing visa practices" has remained as one of the main agenda item of Turkey in its relations with the EU. Particularly following the various decisions in this regard by the EU Court of Justice (ECJ)¹ and the initiation of visa-free travel for citizens of Serbia, Montenegro and Macedonia as of November 2009², Turkey demanded with a more persistent tone to enjoy such an opportunity. Although a decision on this issue shall be addressed in Turkey-EU Association Council in accordance with the Association Agreement (s) and the relevant decisions of the ECJ, in order to abolish visa practices³, the EU demands – like the cases in Serbia, Macedonia and Montenegro- that Turkey ratifies the readmission agreement concerning refugees (for which negotiations between Turkey and the European Commission are underway), completes the action plan regarding integrated border management, and adopts the biometric passport format.

Turkey is concentrating efforts on an impact assessment study for the implementation of "readmission agreement" as well as on other relevant issues.

In this process, Turkey's decision to lift visa requirements to abovementioned countries would most probably be used by the EU as an additional excuse for not abolishing visa requirements for Turkish citizens in the short term and would be a significant impediment for Turkey's inclusion in the Schengen system in the medium term.

In a period where accession negotiations continue with the objective of full membership and efforts are made to ensure that the EU lifts visa requirements for Turkey, an assessment that would measure the

¹ The latest decision on this issue is the Soysal-Savatlı decision of February 2009. Please see Sanem Baykal, "Visa Practices in the Context of Turkey-European Community Association: Legal Status and Recommendations", TEPAV, EU Studies, Evaluation Note, May 2009.

² To countries within the Schengen area

³ During the accession negotiations, under the chapter Justice, Freedom and Security

impact of abolishing visa requirements for the neighboring countries on EU's visa policy towards Turkey and on Turkey's adhesion to the Schengen system would be very beneficial. Comparison of the results of such an assessment with another one to be conducted for determining the potential benefits that would accrue for Turkey via abolishing the visa requirements for countries in its region, would definitely secure an efficient implementation and sustainability of the recent visa policies.

Otherwise the sincerity of Turkey's EU membership objective could also be questioned.