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internacionais

CIDOB

78
NOVEMBER
2013

THE NEW CHAPTER IN EU-TURKEY NEGOTIATIONS: A step too small

Eduard Soler i Lecha, Research Coordinator, CIDOB

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Even if something is moving in relations between Turkey and the European Union, the steps are so modest that, for the present, they do not change the general impression that the relationship is still in crisis. One of these movements has been the opening, on November 5, 2013, of a new chapter in accession negotiations. This is chapter 22, which deals with regional policy. If negotiations between Turkey and the EU were symmetrical, a decision of this kind would be almost imperceptible. But Turkey's candidacy is not like the others, nor do negotiations with Turkey unfold in a climate of normality.

Turkey has been knocking at Europe's door for more than a half century; in fact, 2013 marks the 50th anniversary of the signing on the Ankara Agreement, which established the association of Turkey with the then young European Economic Community, and which affirmed that the ultimate purpose of this association was to smooth the path for the integration of Turkey into the common market. With its 74 million inhabitants and a per capita GNP that places it in the middle of the EU average, the incorporation of Turkey alone would pose a challenge similar to the accession of the ten countries that joined in 2004. This, in addition to the intense de-

bate on European identity and the limits of Europe, is the reason why Turkey's candidacy generates deep division in the EU. Some governments, political forces, and an important section of public opinion reject its accession, more or less explicitly, for political, economic and cultural reasons. To simplify, for these voices Turkey is too big, too poor, and too Muslim.

The feeling of exclusion, humiliation and discrimination felt not only by the elites, but also by a good portion of public opinion in Turkey has led the country to one of its lowest levels of support and confidence in the EU. It is not at all surprising that our Turkish interlocutors confess, with some bitterness, that a decade ago they had harbored great hopes for the process of accession to the EU, but that at present they feel obligated to consider a future outside the EU.

After three years of paralysis, the European Union has decided to open a new chapter in the negotiations on Turkish accession. This decision can be interpreted as a strategy to gain time, but it could also signify a first step toward consolidating a trend toward change.

This constructive attitude on both sides will only bear fruit if the European Union decides to open more chapters in the negotiations and resolves or works around some of the existing obstacles. In turn, the Turkish government must reinforce the trend toward change with more reforms and a more open discourse.

If the chapters relative to justice and fundamental freedoms can be opened not only will the negotiating process be revitalized, but the EU will show its will to continue its involvement in the consolidation of Turkish democracy.

The negotiation is turning out to be a long and complex process, full of obstacles. Both parties must discuss with serenity mechanisms of semi-integration that do not preclude the possibility of complete integration.

This frustration has become somewhat more bearable thanks to the recovery of confidence in their own country. Turkey must be seen, internally and externally, as an emerging economy that aspires, in the course of a decade, to be counted among the top ten world economies. Mega-projects such as the Marmaray, the first underwater rail link that will cross the Bosphorus to unite two continents and which was inaugurated in October 2013, are

being celebrated. The growth indexes of the past decade (a 5% annual average, reaching 9% at certain moments) are a source of pride, along with resilience to the global crisis, the health of their financial system, of their reasonable levels of unemployment and inflation. The emphasis on these numbers seeks to minimize the fact that this is an economy vulnerable to quick changes in short-term investments flows, and that the country has very high and worrisome levels of social and territorial inequality, a bloated savings deficit, and the effects of energy dependency on broad sectors of the economy.

Naturally, not everything is economic, and for many years the perspective of accession to the European Union has been one of the main incentives to carry out ambitious political reforms: the abolition of the death penalty, the opening of spaces for minority languages, the subordination of the army to civil power, among others. There is still much to do, particularly in topics related to freedom of the press and assembly, but the debate on these questions is also open as to whether Turkey can take on these reforms without the need to take into account the European perspective, or if the EU should continue playing the role of the “great external reformer”.

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Why Now?

With the opening of Chapter 22 on regional policy and the coordination of structural tools, the European Union has decided to provide some oxygen for a process that was beginning to look moribund or, at very least, in a state of induced coma. We are not looking at a purely bureaucratic decision but at a slight, perhaps imperceptible for some, shift in strategy at a European scale. If this decision were accompanied, in the coming months, by more ambitious measures, we could find ourselves at a tipping point. If this is not the case, October's decision will have served only to gain a little time before taking on the essential question: Shall we go forward with the accession process?

It is important to stress that chapter 22 was one of the five chapters that Nicolas Sarkozy decided to veto unilaterally as he considered that if negotiations with Turkey on these issues went forward, it meant taking for granted that the ultimate result of the negotiations was full accession. Hence, opening chapter 22 is the clearest sign that, without going so far as to give complete support to Turkey's accession into the EU, something has changed in France with Hollande's victory, and there is room to explore the other four chapters that Paris had previously vetoed. Hollande's visit to Turkey, announced for early 2014, could be a moment to set the stage for the normalization of relations between the two countries after years of profound distance.

France withdrew its veto on the opening of these chapters months before and, in fact, the decision to open negotiations on

the questions of regional policy was programmed as one of the results of the Council on General Affairs of June 25, 2013. Nevertheless, the tough reaction of the Turkish government to the protests that spread throughout the country, first in rejection of the destruction of Gezi Park and then in open criticism of the AKP government on other fronts, was taken advantage of by countries like Germany and the Netherlands to put off the decision. Their argument: it was not the moment to be giving Ankara any awards. Additionally, they decided that the opening of the chapter would be informally conditioned by the report of the Commission on the progress of the candidate countries.

This report, finally published on October 16, stands out for its constructive tone and, though it continues to point to the need for important reforms in the country in the political sphere, it recognizes that there have been substantial advances and it salutes the announcement of the “democratization package” of this past September. Like everything else in Turkey, we find ourselves facing the dilemma of seeing the glass half full or half empty, and this time both the Commission and the member states seem to have opted for the former.

On the Turkish side, a more constructive attitude can also be observed. In no case can it be called enthusiasm, but the political leaders seem to have left behind the moments of tension experienced as a result of the freezing of relationships

with the EU Presidency during the past semester because the position was occupied by Cyprus, the disdain with which the recommendations

of the European Parliament were received following the spring protest, the threat to request accession to the Shanghai Cooperation Organization if the EU continued to close its doors, or the comments that now it is the EU which needs Turkey and not the other way around. Especially revealing of this change are the declarations of Egemen Bagis, the minister charged with the EU negotiations, who has come to speak of the beginning of a “new era”, in contrast with the bitterness that some of his earlier speeches had revealed.

Now What?

In the coming months a revitalization of the technical dimension of the negotiation process could come about if chapters 23 (basic rights) and 24 (justice, freedom and security) were opened. In this event, the message would be sent that not only does the perspective of accession continue to be alive, but also the capacity and will of the EU to continue its involvement in the consolidation of democracy and fundamental rights in Turkey.

At the same time, advances could also come about in what has euphemistically been called the “Positive Agenda”. The initiative was launched in 2012 to bring about mechanisms of cooperation between Turkey and the EU in areas of common interest and it was presented as a complement and not an alternative to the negotiating process. Nevertheless, any observer understood that if the negotiations had not faced so many blocks, it would not have been necessary to take recourse to this mechanism for cooperation.

Among the many topics broached in this framework three are particularly important: foreign policy, energy and migration. Among the three, what stands out is a recurring Turkish demand: the liberalization of visas. At this moment there is a dialogue between both parties on this possibility, which the EU poses as a progressive and long-term goal. But the Turks once again feel discriminated against, since with a number of Balkan countries agreements on the liberalization of visas have been reached without their even having begun negotiations on accession. Ankara is willing to adopt, as the EU requests, an agreement on readmission, but only if this comes into effect at the same time as the liberalization of visas. In a word, if there is any area in which it is possible to regenerate confidence and which, moreover, would have an important positive echo in Turkish public opinion (in quite some contrast with European public opinion, concerned in many cases about the double phantom of immigration and Islamism), it is precisely the visa question.

Cyprus continues to be an important thorn in the side. The island continues to be divided and it is a true headache for European Union foreign and defense policy. Among other things, it contaminates the relationship with NATO, it blocks Turkey's entrance into the European Defense Agency, which Norway has already done, and it also poses an insurmountable obstacle to cooperation on energy. In this area some small progress has come about which, once again, is imperceptible to anyone who does not follow the Cypriot dossier day by day. Nicos Anastasiades' election in February 2013 as the President of the Republic of Cyprus was received with some hope since, at the time of the 2004 referendum on reunification (the Annan Plan), Anastasiades had campaigned in favor. Nevertheless, Anastasiades's hands are doubly tied, by the urgency, first, of resolving the economic crisis and because his parliamentary supporters are holding a more intransigent line. In October 2013 the opening of a new round of conversations between the two Cypriot leaders that would be preceded by direct contact between the Turkish Cypriot negotiation and Athens and the Greek Cypriot negotiator and Ankara was announced. This announcement was received with hope and the Turkish Minister of Foreign Affairs, Ahmet Davutoglu, spoke once again of a window of opportunity. Nevertheless, the messages that have been arriving from Cyprus since the end of October give reason for caution and Anastasiades has warned that he will not give in to the pressure of his European partners.

Finally, the process of political reform in Turkey deserves special attention. The Democratization Package announced in September 2013 is a step in the right direction though, evidently, it could have been more ambitious and, moreover, it can be overshadowed if some proposals, like the prohibition on the sharing of apartments by students of opposite sexes, are allowed to gain traction. This controversy has been experienced by many as an intolerable intrusion on the private

life of citizens. All in all, the parliamentary negotiations to adopt a new constitution and the peace process opened with the PKK are the two great challenges in the matter of policy. What is more, the next two years will be very intense in the political sphere: local elections in March 2014, followed by presidential elections in August 2014, and legislative elections in June 2015, unless early elections are called. If during this period political reform continues, if the electoral process unfolds without a hitch, and if Erdogan and his circle continue building a more agreeable image than the one projected during the spring 2013 protests, then those in the EU who advocate for guaranteeing Turkey a European horizon will have more arguments in favor.

No to Rupture, Fear of Compromise

In any case, with the opening of a new chapter what appears to have been left behind is a risk of a rupture between Turkey and the EU. The "train crash" that some foresaw not so long ago is no longer on the horizon. Neither of the two parties is willing to take responsibility for such a decision. The cost of continuing along the same path of cautious negotiations, but negotiations in the end, is much more affordable than taking the step forward of aborting the process.

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For the European Union, this would suppose opening a crisis with a strategic partner that would have to be added to the collection of political, economic and institutional crises it has not yet resolved. Moreover it would damage the EU's image abroad. For the rest of the candidates (in the Balkans) and the countries that aspire to approach the European orbit (Ukraine, Moldova, Georgia) this would project an image of the EU as not honoring its commitments and the perspective of new accessions would be frozen *sine die* or, even worse, discarded forever. Among the Muslim countries the idea of a European fortress, fearful of anything having to do with Islam, would once again be generated. Globally and, particularly, among emerging countries, the Union would appear as a retreating player, withdrawn and incapable of taking a step forward in a multipolar world.

The AKP government is also not willing to be responsible for a breakdown in the negotiating process. Though it could come to attempt to present a decision of this kind as proof of national pride, it would not take long for criticism to rain down on it, all the more so in a period of high electoral intensity. The past years have been marked by an increase in the tensions between government and opposition on topics of foreign policy, and concretely with regard to Syria. Undoubtedly, if the AKP were to forgo the European

perspective, a good part of the opposition and their supporting media, within Turkey and without, would consider it a failure of the government's foreign policy or even a corollary to an Islamizing foreign policy. A decision of this kind, particularly if it were visualized as a great crisis between Turkey and its European partners, would also not be welcome in economic and financial circles and could compromise Turkey's image abroad and trade possibilities for broad sectors of the Turkish business community, including those known as the "green bourgeoisie" or "Anatolian tigers", who make up one of the most influential constituencies of the AKP.

In these circumstances, the question is not whether Turkey and the EU are trying to gain time, but how long they are going to be able to do it. Can Turkey be satisfied with this status of permanent candidate? Can the EU pretend to treat Turkey as an equal?

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Lessons Learned?

Precisely because the EU-Turkish relationship has fifty years of history behind it and has weathered many crises and a number of reconciliations, any prospective exercise can find in that shared past a source of inspiration to sense the direction relations could take in the coming years. They can be summed up in seven ideas:

- 1 Crises can be overcome.** Almost from the outset relations between Turkey and the EU have been spattered with crisis: in 1974, following the sending of Turkish troops to the north of Cyprus; in 1980, after the Turkish coup d'état; and in 1997, with the Turkish suspension of political dialogue with the EU in protest over not having been included on the list of candidates agreed to by the European Council in Luxemburg. Before or after these crises were overcome, in some cases quickly, as occurred in 1999 with the decision by the European Council of Helsinki that Turkey should finally be considered a candidate country. As a result, even though relations with Turkey have been in a critical situation since 2006, in the past the tension has been even greater and even so paths to normalcy have been found. Moreover, it would seem that after fifty years of association and eight years negotiating accession, the feeling of urgency has disappeared and with it the pressure on both parts has been reduced.
- 2. Only the Europeans can change the trend.** Relations between the EU and a candidate country are asymmetrical and, in the past it has been demonstrated that it is the political will of the Europeans which can accelerate or, on the contrary, hold up the process. In 1999, for example, the member states

decided to frame the decision made two years before giving Turkey the status of a candidate country. It is not that in those two years great transformations have taken place in Turkey, but what happened is that a left-leaning coalition came to govern Germany and, following the Istanbul and Athens earthquakes, Greece and Turkey embarked on a détente. Within a few months, two of the principal obstacles to a Turkish candidacy disappeared. If in the coming years other obstacles on the European side disappear, as a result of political changes in the power center of the EU, a resolution of the bilateral conflicts between Greece and Cyprus, or a reevaluation of European interests, then we might witness a genuine change of direction.

- 3. Turkey can shore up a tendency to change, but it cannot initiate it.** The reference is the 2001-2004 period, when Turkey presented itself as a country with a great appetite for reform and modernization, and this gave strength to the voices that in the European political debate and in national debates (when there were any) defended its integration into the Union. In the face of positive stimuli from the EU, Turkey must respond and do so ambitiously, and if it does there will be no lack of support from those who, in other moments, have opted for keeping a low profile. But even if this change does not come about, Turkey would do well not to rest on its laurels, and to continue advancing in its reform process.
- 4. But Turkey can stall the process.** Just as important or more than what the Turkish government can do is what it should avoid doing: taking measures that could be interpreted as a retreat in the process of democratic consolidation, decisions that lead to social polarization, or using language that is aggressive or disdainful of the European Union that could distance it from those who do support its accession or, at very least, advocate for continuing to move forward on the negotiations. In fact, those who reject the integration of Turkey into the Union, would find in this new arguments to stall the process without any need to make clear that their opposition has nothing to do with the level of reforms or the democratic quality of Turkey.
- 5. Public opinion must be taken into account, but bearing in mind that it is not immutable.** Nowadays, public opinion in the EU is hostile to the integration of Turkey in the Union and, at the same time, the Turkish population is disenchanted and frustrated by what it considers to be unfair treatment. If this continues unchanged it would not only be very difficult but also counterproductive for Turkey to integrate quickly into the Union. The Turks would enter without anticipation and with a long list of grievances. The rest of the Europeans would experience their accession as an imposition and it would contribute to disaffection with the European project. It is very probable that, in these circumstances, one or both parts would decide that despite having completed the process they cannot take the final step and, depending on how they reached that conclusion, the consequence could be a crisis. But, can we imagine a Turkey that ten or fifteen years from now would not suppose a cost or a threat to the Europeans, but instead an opportunity? Could the Turks fall in love again if they didn't

feel rejected and they discovered once again the attraction of the Union? It will not be easy, but it is not impossible and, since it is not impossible, the most reasonable thing is to continue negotiating.

6. Changes in the process of European integration are an opportunity but not a guarantee. Expressions like “variable geometry”, “multi-speed” or “integration à la carte” have entered with force into the debate on how to resolve the dysfunctions of the European Union. The United Kingdom is even considering renegotiating the terms of its relationship with the Union and, if this idea prospers, perhaps what will emerge is a new formula for partial integration in the Union. Can a more flexible Union offer permanent or transitory formulas of semi-integration for Turkey in the Union that would be more palatable for Turkey and for the rest of the EU? Probably-as long as such a formula is not viewed as a consolation prize (as occurred with the idea of a European Confederation in the nineties or with the proposal of a privileged partnership years later). The solution is that any form of semi-integration should be compatible with the possibility, no matter how distant and subject to conditions it may be, of a complete integration.

7. Instability in the Middle East has an ambivalent effect. When Turkey has perceived its security to be under threat it has had to approach the West, and when within the West it has felt that the United States did not defend its interests, then the European Union has taken on greater relevance. Thus, before a Syrian process that is digging in its heels, degenerating, and threatening to overflow its borders, and at a time when relations with Egypt have deteriorated following the July 3rd coup d'état, Turkey once again feels the need to reinforce its bonds with the trans-Atlantic community. If you add to this the U.S. pivot to Asia, the conclusion is that the EU could take on greater strategic relevance for Turkey provided that the Union steps up to play a strong role in the region. The problem is that a defensive and introverted attitude predominates in the European Union—as it is concentrating on resolving its problems of internal disequilibrium—and it still does not see Turkey as an opportunity to increase its influence in an area from which the Europeans can never escape.

In conclusion, after years of blockage, we could be about to see a timid but sustained revitalization of the relations between Turkey and the EU. It is in the EU's hands to change this trend, but it is the Turks who can reinforce it. If this step taken by the EU is followed by reforms by the Turkish government, this will give justification to those who, in the heart of the EU, defend a more constructive attitude toward Turkey. Otherwise, this window of opportunity could close and the decision to open chapter 22 will have served only to gain a little time.

New dynamics in the internal framework of European construction, but also the evolution of the external conflicts in the Middle East, will condition the direction and speed. On the one hand, there exist intermediate formulas of integration

that ought to be explored, and that could take shape if there were an advance toward a multi-speed Europe with variable geometries. But it must be noted that these are partial and temporary forms of integration, not of privileged association. On the other hand, the evolution of instability in Syria, the political crisis in Egypt, or conversations with Iran can cause Turkey and the EU to move closer to each other, but they could also result in a defensive attitude. Be that as it may, the opening of a new chapter is a step in the right direction.

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