

Leaving the EU Door Ajar for Turkey

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RÉSUMÉ

Cet article examine les relations entre la Turquie et l'Union européenne ainsi que le rapport publié par la Commission européenne en octobre 2004 recommandant l'ouverture des négociations d'adhésion. La Commission suggère qu'une approche à trois étapes devrait être suivie durant les négociations d'adhésion afin de garantir que l'harmonisation avec l'acquis communautaire et le processus des réformes politiques soient consolidés, élargis et appliqués correctement par la Turquie. Il souligne également que les négociations d'adhésion sont un processus réversible qui sera suspendu si la Turquie brise les principes fondateurs de l'UE, tels la démocratie et le respect des droits de l'homme. L'article soutient que le cas de la Turquie est différent et présente des défis plus grands que celui des adhésions précédentes. Une question majeure est celle de savoir si les dynamiques sociopolitiques internes et les orientations extérieures de la Turquie peuvent être compatibles avec les dynamiques changeantes du processus d'intégration européenne. L'auteur conclut que pendant la période prescrite pour les négociations l'Europe et la Turquie détermineront dans quelle mesure elles peuvent partager un avenir commun qui réconcilierait un passé divergent.

ABSTRACT

This article looks at EU-Turkish relations and the report issued by the European Commission in October 2004 recommending opening of accession negotiations. The Commission suggests that a three-pillar approach should be followed during the negotiations in order to guarantee that harmonization with the *acquis communautaire* and the political reform process are consolidated, broadened and properly implemented by Turkey. It also points out that accession negotiations are an open-ended process that will be suspended if Turkey breaches basic EU principles like democracy and respect for human rights. The article argues that the case of Turkey is different and more challenging from previous accessions for several reasons. A major issue is whether the internal sociopolitical dynamics and external orientations of Turkey can be compatible with the changing dynamics of the European integration process. It concludes that during the protracted period of accession negotiations Europe and Turkey will find out whether they can share a common future which will reconcile their different pasts.

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The 2004 Regular Report and Recommendation

On October 6, EU-Turkish relations once again attracted considerable international attention as the European Commission released its seventh annual *Regular Report for Turkey's Progress towards Accession*. The first *Report* was issued in October 1998, following a decision by the European Council in Cardiff (June 1998) which provided that “in the case of Turkey, reports will be based on Article 28 of the *Association Agreement* and the *Conclusions* of the Luxemburg European Council.”¹ The *Report* was accompanied by a *Recommendation* to the Council of Ministers and the European Parliament for opening accession negotiations. A final decision will be made by the European Council in December 2004.

The 2004 *Report* and *Recommendation* marked a turning point in EU-Turkish relations as “Turkey seemed to shift geographically Westward.”² For the first time, an EU institution concludes “that Turkey sufficiently fulfils the political criteria and recommends that accession negotiations be opened.”³ The Commission points out, however, that accession negotiations are “an open-ended process whose outcome cannot be guaranteed beforehand.”⁴ The Commission also, in the form of an early warning, makes it clear that it “will recommend the suspension of the negotiations in the case of a serious and persistent breach of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded.”⁵

A long history of expectations and frustrations

EU-Turkish relations have a long history of difficulties which goes back to the early 1960s. It is interesting to note that the *Association Agreement*, which went into effect in 1964, provided that when the relations of Turkey with the European Union (EC at the time) have “advanced far enough to justify envisaging full acceptance by Turkey of the obligations of the [EC] Treaty, [the EU] shall examine the possibility of the accession of Turkey to the European Union.”⁶ An application for accession was submitted in April 1987 and a negative *Opinion* was issued by the Commission in December 1989 which cited various reasons why “it would be inappropriate for the Community [...] to become involved in new accession negotiations [...] and

it would not be useful to open accession negotiations with Turkey.” In 1997, the European Council in Luxemburg decided that “while the political and economic conditions allowing accession negotiations to be envisaged are not satisfied,” a special strategy was needed to bring Turkey closer to the Union.⁸

The European course of Turkey has been a protracted and difficult one, and despite the recent positive *Recommendation* of the Commission, there is no guarantee that the future will be easier. Already at the Helsinki European Council in December 1999, where Turkey was labeled a “candidate state,” it was emphasized that accession would only happen “on the basis of the same criteria as applied to other candidate States.”⁹ These criteria include the Copenhagen political requirements spelled out in 1993 later enshrined as a constitutional principle in the *Treaty on the European Union and the Charter of Fundamental Rights*.¹⁰ These are the cornerstone of the European integration process and stipulate that “the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law.”¹¹ Any European country that respects these principles and also meets the economic criteria can join the Union.

Prospects and challenges

The opening of accession negotiations and the possibility of Turkish accession present a challenge to both the Union and Turkey itself. Accession negotiations will take place within an intergovernmental conference and are expected to last for at least a decade. Decisions will be made unanimously, a stipulation that requires the participation and approval of all member states. Given that by the time of Turkish accession the EU will include at least 27 members as Bulgaria and Romania are expected to become members in 3 to 4 years, unanimity becomes a critical and complicated issue. The case of Turkey will be different and more challenging from previous accessions for a number of reasons including the following:

1. Turkey is a large country in terms of population and geographic area. With a population of 71 million today, it is projected that it will be the largest member state at the time of accession. Note that the last enlargement included ten countries with a total population of 75 million. As a Moslem secular country, Turkey will also add a new demographic and religious dimension to the EU.

2. The presence of a large number of Turkish immigrants in European countries raises the issue of additional migration as a natural consequence of accession. The labour market and demography of small member states might be greatly affected. The social repercussions of such a development can pose serious challenges with political ramifications.
3. The geographical position of Turkey, presents a unique challenge to the EU's external role and policies. Turkish accession will bring closer to the EU the instability and tensions of a strategically vital region with strong conflicting energy-related interests. The unstable neighborhoods of the Middle East, Caucasus and Central Asia will become the immediate neighbourhood of the EU and its member states.
4. In conjunction with the previous points, the creation of new, long external borders will present a major challenge to the EU. The management of Turkish borders will be difficult and costly since this will involve critical policies and important issues such as migration, terrorism, drugs, asylum, and arms smuggling.
5. Turkey's participation in the European Common Foreign and Security Policy is not expected to be a smooth one. Its large military force of 800,000 personnel will make it the largest military power in the EU. Turkey has already shown that on several issues of vital national interest is not willing to compromise and align its policy with the EU positions. The willingness and ability of Turkey to meet European expectations on issues of security and defense are also largely determined by domestic factors such as civil-military relations and secular-religious dichotomies.
6. It cannot go unnoticed that Turkey has uneasy bilateral relations with some of its neighbors and has been characterized a "reluctant neighbor."¹² For example, relations with Syria have been poor in recent decades for various reasons, including water resources and Kurdish connections. Iran's Islamic political orientation and nuclear ambitions are sources of concern for Turkey. Turkey's policy of expanding its influence in the Turkic states of the Caucasus and Central Asia has alarmed Russia. Armenia and its people never had good relations with Turkey following the Armenian genocide of 1915-1916. The two countries have no diplomatic relations and their border is closed.

7. Turkey has unresolved issues and unstable relations or no relations at all with some EU member states. Greece and Cyprus are cases in point. In recent years, Greek-Turkish relations have improved considerably and Greece's policy towards Turkish accession is a positive one, but this can always change depending on the political barometer over the Aegean and Cyprus. The fact that Turkey does not recognize the Republic of Cyprus — a full member of the EU — is also bound to lead to legal and political complications. How can a candidate country conduct accession negotiations and sign an international treaty (like the accession treaty) with a country it does not recognize?
8. Turkey has a level of economic development well below that of the EU average and its accession will have a considerable budgetary impact on the EU. Among the economic consequences that Turkish accession will have for the EU is the creation of a regional economic disparity and considerable financial burden for other member states. On the basis of current regulations and practices, Turkey will be receiving considerable support from the cohesion and structural funds at the expense of other member states which will no longer be eligible for these funds. The prospect of such a development presents another challenge with political, economic and social aspects. Along the same lines, the Turkey's huge agricultural sector deserves special attention since it will be eligible for EU support.
9. The participation of Turkey in the EU institutions will affect dramatically the allocation of power and influence in decision-making, policy formulation and the broader European political arena. As a large country, Turkey will have a powerful voice in the parliament and the Council when decisions are made by qualified majority. This shift of power from the western Christian capitals to the eastern Moslem frontier is already causing skepticism and reactions in some countries.
10. Besides the above reasons, there are issues and aspects inherent to the EU itself and its ability to absorb a new member state like Turkey. Already in 1993, the Copenhagen European Council, besides defining the political and economic criteria, it also raised the issue of the EU's capacity to enlarge without undermining the integration process. As it was emphatically stated by the heads of state or government, "the Union's capacity to absorb new members, while maintaining the

momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries.”¹³ Structural, political and economic developments in the EU during the next decade may affect the deepening and widening of the EU in a way that can make the accession of Turkey difficult to handle.

A three-pillar strategy

For the above reasons, the European Commission, on the basis of its *Report*, recommended a three-pillar approach to the accession negotiations and pre-accession preparations of Turkey. The goal of this strategy is to guarantee that harmonization with the *acquis communautaire* and the political reform process are consolidated, broadened and properly implemented.

The first pillar provides for an upgraded pre-accession strategy aiming at supporting and reinforcing the reform process for the fulfillment of the Copenhagen political criteria.¹⁴ The EU will monitor the progress of these reforms and make sure that there is a guarantee for their sustainability and irreversibility. The pace and progress of the accession negotiations, to a good extent, will be determined by progress in this area. If there is “a serious and persistent breach” of the political criteria, the Commission will recommend and the Council of Ministers will decide for suspension of the negotiations with a qualified majority.

The second pillar concerns the conduct of accession negotiations, which will be carried out in the framework of an intergovernmental conference. This means that the Turkish government will be negotiating with the governments of the 25 member-states. The Commission *Recommendation* clarifies that unanimity is required for making decisions. The EU will monitor the implementation of the *acquis* for each chapter and granting long transitional periods will be considered. The Commission will also monitor the ability of the EU to accept Turkey as member taking into account the deepening of European integration and the objectives of common policies and solidarity.

The third pillar aims at promoting and strengthening political and cultural dialogue between the people of Turkey and EU member-states. The civil

society will play a key role in bringing people together and facilitating interaction among nongovernmental organizations, projects and initiatives. The position of the Commission is that accession negotiations “will be essential in guiding further reforms in Turkey” and regardless of the final outcome, “the relations between the EU and Turkey must ensure that Turkey remains fully anchored in European structures.”¹⁵

Oriental past versus western future

As the debate over Turkey’s European prospects heats up, a variety of opinions, arguments and conflicting positions have been put forward. The President of the European Commission, Romano Prodi, in his presentation of the *Report and Recommendation* to the European Parliament asked Turkey to show “determination in pursuing further reforms and wisely conducting an accession process which, like all the others, will display both periods of progress and moments of tension and unavoidable difficulties”.¹⁶ The head of the EU’s executive branch also appealed to the member states and the European public to demonstrate equal perseverance as “Europe has nothing to fear from Turkey’s accession.”¹⁷

Europe’s confusion and ambivalence about Turkey is not a new phenomenon. A couple of years ago, the fear of many Europeans about Turkish accession were expressed and stirred up by former French President and head of the EU’s Constitutional Convention, Valéry Giscard d’Estaing, who in a blunt and provocative manner declared that Turkey is “not a European country” and its inclusion in the EU “would be the end of Europe.”¹⁸ In a similar vein and echoing widespread Turco-skepticism, the Dutch European Commissioner Frits Bolkenstein brought back memories of the Ottoman siege of Vienna by declaring that “the liberation of 1683 would have been in vain”¹⁹ if Turkey joins the EU.

On the other hand, there are strong voices arguing that Turkey can play the role of “a cultural and physical bridge between the East and West . . . [and] become one of Europe’s most prized additions.”²⁰ Across the Atlantic, the United States has a clear pro-Turkish position that cannot be ignored. In June 2004, during the NATO summit in Istanbul, the American President George W. Bush underlined that position and called on Europe to prove that

it “is not the exclusive club of a single religion” and that “as a European power, Turkey belongs in the EU.”²¹

The debate over EU-Turkish relations will continue to intensify until 17 December 2004, when the European Council in Brussels will examine the Recommendation of the Commission and make a decision. The European Council has already decided in December 2002 and reconfirmed in June 2004 that if “Turkey fulfills the Copenhagen political criteria, the EU will open accession negotiations without delay.”²² It is almost certain that the December decision will be a positive one. The question, for the moment, is under what conditions the accession negotiations will commence and at what pace they will proceed.

The increasingly polarized discussion over Turkey’s position and role in Europe will continue for years to come at various levels. The debate may even outlast the protracted period of accession negotiations during which not only negotiations on the *acquis* chapters will be conducted, but also a lot of diplomatic maneuvering and political twisting will take place. Throughout this period, the Christian and Islamic worlds will have a chance to prove whether they can accommodate each other and prove false Samuel Huntington’s argument about “the clash of civilizations” and the reconfiguration of the political world “along cultural lines.”²³ Both Europe and Turkey will find out what they expect from each other and whether they can share a common future that will reconcile their different pasts. The real question will be whether the internal sociopolitical dynamics and external orientations of Turkey can be compatible with the changing dynamics of the European integration “process of creating an ever closer union among the peoples of Europe.”²⁴

NOTES

1. Cardiff European Council, 15-16 June 1998, *Presidency Conclusions*, paragraph 64.
2. *Washington Times*, “Turkey’s Continental Drift,” 10 October 2004.
3. European Commission, Communication from the Commission to the Council and the Parliament, *Recommendation of the European Commission on Turkey’s progress towards Accession*, paragraph 7(3). The *Recommendation* was issued together with the 2004 *Regular Report* on 6 October 2004.

4. *Ibid.*, paragraph 7(8).
5. *Ibid.*, paragraph 7(5).
6. *Agreement Establishing an Association Agreement between the European Economic Community and Turkey*, article 28. The *Association Agreement* (known as the *Ankara Agreement*) was signed on 12 September 1963 and went into effect on 1 December 1964.
7. Commission of the European Communities, *Commission Opinion on Turkey's Request for Accession to the Community*, issued 18 December 1989, paragraphs 10 and 11.
8. Luxemburg European Council, 12-13 December 1997, *Presidency Conclusions*, paragraph 31.
9. Helsinki European Council, 10-11 December 1999, *Presidency Conclusions*, paragraph 12.
10. The *Charter of Fundamental Rights of the European Union* was proclaimed at the Nice European Council in December 2000, after having been approved by the European Parliament, the Council and the Commission.
11. *Treaty on European Union* (consolidated version), article 6(1).
12. From the title of a book by Henri J. Barkey, editor, *Reluctant Neighbor: Turkey's Role in the Middle East* (Washington, D.C.: US Institute of Peace Press, 1996).
13. European Council in Copenhagen, 21-22 June 1993, *Presidency Conclusions*, paragraph 7 (A) iii.
14. The presentation of the three-pillar strategy is based on the *Recommendation* of the European Commission of 6 October 2004. See above, note no. 2.
15. *Recommendation* of the European Commission, paragraph 7(8).
16. Romano Prodi, President of the European Commission "The Commission's Report and Recommendation on Turkey's application," presentation to the European Parliament, 6 October 2004.
17. Romano Prodi, *ibid.*
18. Valéry Giscard d'Estaing, "Pour ou contre l'adhésion de la Turquie à l'Union Européenne," interview with *Le Monde*, 9 November 2002.

19. Frits Bolkenstein, European Commissioner for Internal Market, speech at the University of Leiden, 6 September 2004. In his speech, Bolkenstein cited the pre-eminent historian and Islamic expert Bernard Lewis.
20. *Washington Times*, "Turkey's Continental Drift," 10 October 2004.
21. Remarks by President George W. Bush, 29 June 2004.
22. The same wording is used by the European Council in Copenhagen, 12-13 December 2002, *Presidency Conclusions*, paragraph 19; and the European Council in Brussels, 17-18 June 2004, *Presidency Conclusions*, paragraph 27.
23. Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1996), p. 20.
24. *Treaty on the European Union* (consolidated version), article 1.