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THE FUTURE OF EU-TURKEY RELATIONS:
MAPPING DYNAMICS AND TESTING SCENARIOS

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FEUTURE Voices

Turkey's European Future at a Crossroad: Where do we go from here?

Nathalie Tocci, IAI, Scientific Coordinator

In the run-up to Turkey's April 2017 referendum on a constitutional change, which will enshrine an unprecedented concentration of power – by the standards of any democracy – in the President's hands, talk has been rife about a suspension of Turkey's accession process. The chorus became lounder when, upon his narrow victory by 1% of the vote, President Recep Tayyıp Erdoğan floated, yet again, the prospect of reinserting the death penalty. In a rather muted victory night, the President hinted at the possibility of two further referenda, one on the death penalty and another on the suspension of EU accession talks. The storm somewhat calmed when the Gymnich informal meeting of EU foreign ministers in Malta in late April, at which Turkish Foreign Minister Mevlut Cavusoğlu was invited, came and went without breaking news. Likewise, Erdoğan's meeting with Commission President Jean-Claude Juncker and European Council President Donald Tusk – taking place on the heels of a reportedly disastrous meeting between Erdoğan and US President Donald Trump only a few days before – was fairly constructive.

But the question remains: has the time come to end to Turkey's moribund accession process?

To suspend or not to suspend. That is the question

I have long been a passionate advocate of Turkey's EU future. Since the mid-1990s I have always promoted Turkey's EU membership as a goal which I believed was instrumental to a particular vision of open society in both Turkey and the EU, which I embrace. In the run-up to the referendum, particularly after the Council of Europe's Venice Commission released its damming opinion on Turkey's constitutional package, I wondered whether the Rubicon was being crossed, and the time to suspend the accession process had come. The Venice Commission highlighted how much Turkey's separation of powers and checks and balances would be hollowed out as a consequence of the constitutional change, once implemented after the elections in 2019. Turkey's accession negotiations were opened in 2005 on the grounds that, according to the EU, Turkey "sufficiently" fulfilled the Copenhagen political criteria. Those criteria, as well known, include democracy, human rights, rule of law, and minority rights. Given the slippery slope of de-democratisation Turkey has been on for several years now, crowned by the 2017 constitutional change, how could anyone with a straight face claim that Turkey still "sufficiently" meets such criteria?

The question, of course, is rhetorical. This is why, for the first time since 1999, I began harbouring doubts about the accession process. But I have come to believe that, despite the (high) price which the Union would pay by continuing the status quo, the time has not come for a suspension.

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Let me explain why.

The flawed logic of suspension

I believe there are three compelling reasons why the EU should maintain, for the time being, the flame of the accession process alive, no matter how problematic, flawed or empty such process is.

First, is the need to retain an organic tie with Turkish society. I was personally struck by the results of the Turkish referendum last April. As well-known, the referendum campaign was light years away from being free and fair. The referendum campaign and vote was marked by intimidation, attacks, a wide disparity of media space and time given to the two camps, emergency rule, and the jailing of thousands of journalists, activists and political leaders opposing the constitutional change. Incidents of ballot stuffing went viral during the day of the vote itself. All this notwithstanding, 49% of the population had the courage – yes courage – to say no, and voter turnout was over 70% attesting to the importance ascribed by all citizens to the vote itself. Turkey's citizens demonstrated once again – as they did back in 2002 when the AKP won its first landslide, or in June 2015 when the AKP reduced considerably its share of the vote and the pro-Kurdish HDP first surpassed the 10% electoral threshold – their democratic resilience. Turkey's citizens demonstrated a degree of democratic maturity which put a few far more established Western democracies to shame. Should Europe abandon that society? My answer, unequivocally, is no. The EU's embrace of Turkish society, beginning with civil society (as a whole, and not only those critical of the government), should deepen further not reduce. A suspension of the accession process would come alongside a revisiting and reduction of the significant funds channelled by the EU towards Turkey in the framework of pre-accession. EU support for Turkey's civil society would therefore reduce sharply. This is precisely the opposite of what the Union should do now, and certainly the opposite of what Turkish civil society, disillusioned as it is with the Union, demand.

Second, let's be clear: a suspension, while legally different from termination, is politically tantamount to it. All things related to enlargement in EU decision-making, require unanimity amongst Member States in the Council. As well known, several Member States harbour doubts if not outright opposition to Turkey's accession process that is not simply motivated by the sorry state of democracy and human rights in the country. As revealed by European debates in the early 2000s when Turkey was undergoing its silent democratic revolution, Turkey is too big, too poor and too Muslim for some, regardless of the state of its democracy and human rights protection. Were the EU to suspend the accession process with Turkey, I struggle to see how these opponents would ever agree to reactivate the accession process, even if Turkey would become a shining example of liberal democracy. And what if Turkey were to re-embark on a path of democratisation, human rights protection and rule of law at some point in future? Were this to happen, following a suspension of the accession process today, Turkey would likely receive a cold shoulder from the EU in what would be a major European strategic blunder. Unlikely as that prospect may appear today, let us remind ourselves that politics can and does change quickly, at times far more rapidly and abruptly for anyone to predict. Turkey itself is no exception. While the current political situation looks unlikely to change (for the better) in the near future, the dynamism of Turkey's polity is such that unexpected U-turns cannot be ruled out. In its history, from the Tanzimat Edict in 1839 to the establishment of the Republic in 1923,

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from the introduction of multiparty democracy in 1950 to the silent democratic revolution in 2001-2005, Turkish society has repeatedly proven its ability to change, at times abruptly and for the better.

Finally, is the imperative not to throw the baby out with the bathwater. The accession process, which has been hollow for quite some time now, retains two critical and interconnected functions. As a candidate country, Turkey receives disproportionate attention in terms of personnel and resources compared to other far larger countries such as the United States, Russia and China. One only needs to think that the EU Delegation in Ankara, with its over 200 staff members, is the largest EU delegation – of which there are 139 – in the world. Were the accession process to be suspended, it would be difficult to justify such a massive EU effort in terms of staff and resources. Alongside, the accession process provides a rules- and norm-based framework for the relationship: a normative anchor which justifies and provides the context for EU players to continue making the case for democracy and human rights in Turkey. This is something that cannot be said of other global and regional players, from the United States to Russia, from China to Saudi Arabia.

Some rightly argue that the EU anchor for Turkey's democratisation has long gone. Indeed, it has eroded over the years in view of the EU's lack of credibility when it comes to Turkey's membership prospects. Particularly in those golden years of Turkey's democratisation in the first half of the 2000s, the damage done by European leaders such as French President Nicolas Sarkozy who began openly opposing Turkey's membership, was incalculable. As Turkey has been sliding down slope of de-democratisation, the EU has certainly not succeeded in preventing the freefall. Yet, empty or phoney as it may be, the accession process is still formally in place, and does provide the space and legitimacy for the EU to make the case for rights and rules in Turkey. Without the accession process or an alternative rules-based framework in its stead, the ground for making that case would not just be shaky, it would simply not exist at all.

Hence, before considering a suspension, an alternative framework for the EU-Turkey relationship ought to be thought through and eventually be put in place. That alternative should no doubt be pragmatic and include a structured form of cooperation on all those issues that are important to both the EU and Turkey, from trade and investment, to migration and mobility, from energy and climate to foreign policy and counterterrorism. On these very issues the EU and Turkey are already working together. The EU-Turkey statement agreed in March last year, problematic as it is, does provide a framework to cooperate over migration and mobility. The EU and Turkey are exploring the possible opening of negotiations over a modernised customs union to include services, procurement and agriculture, although differences remain notably over transport, Turkey's participation in free trade negotiations with third countries, or the application of the modernised customs union to the Republic of Cyprus which Turkey does not recognise. Security cooperation notably in the field of counterterrorism has picked up in recent years, although tensions and limits exist due to the state of human rights in Turkey and of differences over the nature of the Kurdish PKK/PYD or of Fetullah Gulen's movement rebranded by the Turkish government as FETÖ, i.e., the Fetullah terrorist organisation. But above all what is lacking is an overall norm- and rule-based institutional framework within which all these thematic elements of cooperation could unfold. Without it the relationship would boil down to becoming purely transactional, against the interests both of the EU and of Turkey's society. Pragmatic the EU must certainly be. But as the EU Global Strategy argues, such

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pragmatism should be principled. Principled pragmatism would warn against throwing the baby out with the bathwater: i.e. suspending the accession process until and unless an alternative rules-based framework for the relationship is put in place.

When it comes to Turkey, the EU finds itself in a Catch 22: it is dammed if it does (suspend) and dammed if it doesn't. Not suspending certainly comes at a high price to the EU's credibility and, in turn, to its identity. But in the case of its relationship with Turkey, that credibility has been wafer thin for many years now. Suspending now would mean letting down Turkey's society, it would mean handing over the keys of the relationship to the ideological opponents of Turkey's European future, and it would mean severing a rules-based anchor, weak as it may be, without having secured a more promising normative anchor in its stead. The accession anchor may be severe unilaterally by Erdoğan, it may have to be severed by the EU (for instance if Turkey were to reintroduce the death penalty) or it may be consensually severed by Turkey and the EU together. Precisely because none of these scenarios can be ruled out it becomes all the more important to work immediately on an alternative rules-based contractual framework in the relationship while the accession process is still formally in place.

Weighing these respective cons, my scales tilt towards the status quo. Time for a suspension has not come (yet).

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ABOUT FEUTURE

FEUTURE sets out to explore fully different options for further EU-Turkey cooperation in the next decade, including analysis of the challenges and opportunities connected with further integration of Turkey with the EU.

To do so, FEUTURE applies a comprehensive research approach with the following three main objectives:

1. Mapping the dynamics of the EU-Turkey relationship in terms of their underlying historical narratives and thematic key drivers.
2. Testing and substantiating the most likely scenario(s) for the future and assessing the implications (challenges and opportunities) these may have on the EU and Turkey, as well as the neighbourhood and the global scene.
3. Drawing policy recommendations for the EU and Turkey on the basis of a strong evidence-based foundation in the future trajectory of EU-Turkey relations.

FEUTURE is coordinated by Prof. Dr. Wolfgang Wessels, Director of the Centre for Turkey and European Union Studies at the University of Cologne and Dr. Nathalie Tocci, Director of Istituto Affari Internazionali, Rome.

The FEUTURE consortium consists of 15 renowned universities and think tanks from the EU, Turkey and the neighbourhood.

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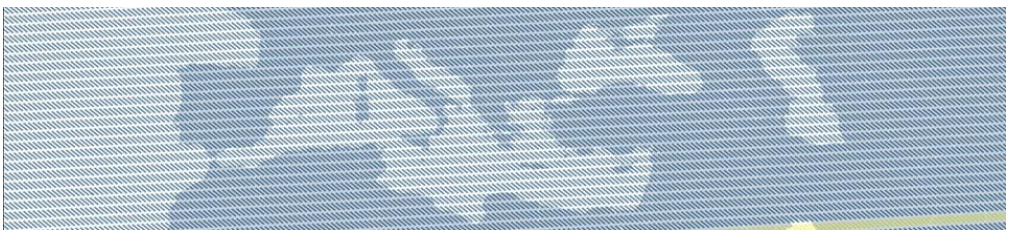

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