

# Turkey's EU Membership Process: Prospects and Challenges

## EU Diplomacy Papers

5 / 2010

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Relations and Diplomacy Studies

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## **EU Diplomacy Papers 5/2010**

### **Turkey's EU Membership Process: Prospects and Challenges**

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## About the Author

Egemen Bağış has in January 2009 been appointed Minister for EU Affairs and Chief Negotiator for Turkey's accession to the European Union. He was first elected to Parliament in 2002 as a deputy of Istanbul. Mr. Bağış was the AK Party's Vice Chairman in charge of Foreign Affairs and a member of its Central Executive Committee. He also acted as Foreign Policy Advisor to Prime Minister Recep Tayyip Erdoğan. In the 1990s Mr. Bağış was the President of the Federation of Turkish-American Associations in New York. He holds a BA in Human Resources Management as well as a Master of Public Administration from the Baruch College of the City University of New York.

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## **Membership Process<sup>1</sup>**

Turkey has the longest standing track record of all the candidates and new members combined in its relations with the European Union. The point of departure of Turkey's association with the EU is the Ankara Agreement signed in 1963. Inherent in this Agreement that tied Turkey's fate to that of Europe is the clear recognition of its prospect of full membership. This Agreement constitutes the intact political, legal and moral framework of Europe's commitment towards Turkey.

Turkey's EU membership process started with the application to the EEC in 1959 and it took so long for Turkey to start the accession negotiations. Unfortunately, the negotiation date had not been determined till 2004 due to an 'anchor-credibility dilemma' in Turkey-EU relations. Since then, the negotiations are continuing with determination. In the EU integration history there is no single country that started negotiations and could not finish the process. Thus Turkey will not be an exception.

Once, the EU process was perceived just as the project of the state and the government. Now, however, we are moving rapidly towards the EU not only as the state or government of the Turkish Republic but also as citizens of Turkey and as individuals.

The EU accession process is the most important modernization project after the proclamation of the Turkish Republic. Therefore, we are not implementing the democratic reforms envisaged within the framework of EU requirements just to satisfy the EU. We also realize them since our nation deserves to live in much better standards. With the EU process, Turkey is becoming more democratized and more prosperous each day.

## **Accession Negotiations**

We believe that every chapter that we open brings Turkey one more step closer to the EU standards. So far, out of 33 chapters, we have opened 12 negotiation chapters and provisionally closed one of them. Within the last two years five chapters with opening benchmarks were opened. This significant detail demonstrates Turkey's determination to meet the benchmarks and fulfil the

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<sup>1</sup> Lecture by H.E. Mr Egemin Bağış, Turkey's Minister for EU Affairs and Chief Negotiator, at the College of Europe in Bruges on 3 February 2010.

obligations with respect to the negotiation process. Currently, the negotiation process is intensified on the chapters "Food Safety, Veterinary and Phytosanitary Policy", "Competition Policy", "Public Procurement" and "Social Policy and Employment".

Despite the fact that the accession negotiations are open-ended, we are determined to keep on track. The 1999, 2004 and 2005 unanimous Council decisions were turning points for Turkey breaking the 'anchor-credibility dilemma', making the EU an anchor as well as encouraging Turkey to be a credible negotiating country.

Turkey will continue to meet its obligations with the principle of 'pacta sunt servanda'. We expect the EU not to hinder the chapters that are ready to be opened technically and to finalize the screening reports as soon as possible. Turkey's EU accession process can only achieve its goals if both parties stick to their commitments.

However, it is regretted that Turkey has not yet received the screening reports of 10 chapters; 8 chapters were suspended due to the reflection of the Cyprus problem on the negotiation process, and France is blocking the opening of 5 chapters because of their "direct bearing on full membership". It should be underlined that the policy of France is against the unanimous decision of the EU Council of Ministers of 3 October 2005 that excluded the privileged partnership from the negotiation framework.

Until today, the Greek Cypriots have blocked five chapters, including the "Justice, Freedom and Security" chapter. Blocking this chapter is a barrier in taking action against illegal immigration which is a common problem experienced by all the EU countries. In other words, blocking this chapter means "shooting its own and the EU's feet". Allowing the Greek Cypriots to abuse their EU membership through veto power once demonstrate how essential it is to implement the Commission view that there is a need to consider bilateral relations and the enlargement process separately.

Hence, no matter what Turkey does, we cannot achieve any progress in 17 chapters.

Despite all political difficulties we are determined to exhibit our seriousness about accelerating the momentum of reforms and proving our commitment to the

accession process. We expect the same determination on the side of the EU. The EU should have a consistent enlargement policy where the same conditions apply to all. Hence, what we expect from the EU is a fair approach on the basis of merit in fulfilling the membership criteria.

We know that none of the previous negotiations had a purely technical character but no one can easily contest that none of them had been under the impact of political factors to the extent that Turkey's accession process has been until now.

### **Reforms: Further Europeanization of Turkey**

The reform process is the reflection of our EU project on a concrete basis. The comprehensive EU reforms directly contribute to the further Europeanization of Turkey and the EU perspective has been a great external driving force in this process. Besides, our government's European credentials prove to be a success. Sweeping reforms were implemented during the last years, resulting in a strengthened democracy, expanded fundamental rights and more freedoms.

Moreover, Turkey is determined to carry on the transformation process. Recently, many important developments and reforms have been realised. Some of these are:

- The National Program which is a road map for Turkey on the EU process was approved.
- High-level visits to Brussels by President Gül and Prime Minister Erdogan and the leader of the main opposition party were made.
- In order to conduct solely EU-related affairs, a fully fledged Minister for EU Affairs and Chief Negotiator was appointed.
- Progress was made as regards cultural rights, including starting the operation of Turkish Radio Television Broadcasting Corporation TRT-6, broadcasting in Kurdish 24 hours a day and radio broadcasting in Armenian.
- TRT and Euronews have signed an agreement enabling broadcasting in Turkish as a 9<sup>th</sup> Euronews language.
- The Southeast Anatolia Action Plan was launched with approximately 500 million Euros worth investment.
- Turkish citizenship has been recently returned to our poet Nazım Hikmet. We believe that this is an important step towards reconciliation with the past.
- The Kyoto Protocol was adopted on 5 February 2009 by the Parliament.

- A Parliamentary Committee on Equal Opportunities for Men and Women was established. This is a significant step towards improving the rights of women in all facets of their lives.
- 1 May was declared as public holiday (Labour Day).
- The Reform Monitoring Group was reactivated in 2009 to overview the progress in the actual implementation of the reforms.
- A new "European Union Secretariat General" (EUSG) law was put into effect making the EUSG more effective and efficient.
- A Comprehensive EU Communication Strategy towards the EU and Turkey, a Judicial Reform Strategy and an Anti-corruption Strategy were launched.
- New legislation putting restrictions on the jurisdiction of military courts and enabling civilian courts to prosecute military personnel for non-military offences was put into effect.
- Comprehensive Democratic Outreach activities were implemented to overcome shortcomings in our democracy, searching for a national compromise and in the objective of a surrender of PKK members.
- The Democratic Outreach covers all individuals who somehow feel they have problems. In this context, numerous legislative steps were adopted to improve the situation of the non-Muslim minorities in Turkey since 2002.

## **The Lisbon Treaty and the Institutional Arrangements**

While pursuing a comprehensive reform process inside, Turkey closely follows the transformation of the EU. Within this transformation, the Lisbon Treaty is a critical turning point.

The Lisbon Treaty is expected to make the functioning of the EU more democratic, more transparent and more efficient, in order to be better equipped to deal with challenges and opportunities of the 21<sup>st</sup> century. The Treaty also enables the Union to become a coherent and powerful actor in foreign and security policy. This will be the case especially with the appointment of a new High Representative for Foreign Affairs and Security Policy and a full-time President of the European Council.

The Lisbon Treaty also sets out the nature, basic structure, values and objectives of the European Union. According to the Treaty, the Union's values are respect for human dignity, freedom, democracy, respect for human rights, including the rights of persons belonging to minorities in a society in which pluralism, non-

discrimination, tolerance, justice, solidarity and equality between men and women prevail. This issue is important in the sense that the emphasis of such values falsifies those who claim that the European Union is a "Christian Club".

The European Union, after putting its house in order, will function faster and better with increased problem-solving and policy-shaping capacity and would be better equipped to integrate Turkey.

Secondly, as a candidate to become a global actor, the EU will be in a position to better understand the contributions and traits of an EU member Turkey as a key to meet the challenges that our continent faces, such as overcoming the global economic crisis, securing energy supplies and routes, combating illegal immigration, organized crime, terrorism etc.

Therefore, Turkey welcomes the coming into force of the Lisbon Treaty since it will assist shaping a better Union for the future, a Union within which Turkey will become an indispensable component and member.

### **Turkey: A Better Functioning and Regional Actor**

With the objective of full membership and through the reform and accession negotiation process, Turkey exerts great endeavour to be more democratic and to get closer to the EU. More specifically, Turkey is strengthening its international outlook and its unique geographical and cultural position between the East and the West. Geographically, Turkey is located in the most western side of the East and most eastern side of the West, while being surrounded by unstable regions. Thus, at the same time it enjoys opportunities due to its unique geographical position.

### **Economy, Energy and Illegal Migration**

In terms of the accession process, time is running for Turkey's benefit. Turkey will not be a part of the problem but a part of the solution in issues related to the economy, environment, energy and security.

Turkey is the world's 17<sup>th</sup> largest economy (6<sup>th</sup> largest in Europe), has a market of 72 million and according to OECD figures will become the third highest growing country after China and India by 2017. Moreover, it is one of the 10 emerging



markets after the so-called BRIC countries and is a G-20 member attracting 16 billion dollars of foreign direct investment. Despite the global crisis and its worldwide impact, Turkey seems to have managed to out-perform the recent volatility in the global markets by its transparent and stable financial and banking system.

One of Turkey's biggest assets is its educated, young and dynamic human resource. The current average age in Turkey is 28 years. By contrast, the West European population growth is stable or negative, while the pensioner-worker ratio increased from 1/3 to 1/2. That is why in the future Turkey's distinctive human capacity is expected to contribute significantly not only to Turkey but also to Europe.

Benefiting from its unique geographical location, Turkey constitutes a natural energy bridge between the source-rich countries of the Caspian Basin, the Middle East and the world markets and it is ready to become an energy hub for Europe as well as other international partners.

In order to contribute to Europe's energy through source and route diversification, Turkey has elaborated all its energy-related efforts under two main projects: the East-West Energy Corridor and the North-South Axis.

The East-West Energy Corridor Project mainly comprises the Baku-Tbilisi-Ceyhan (BTC) crude oil pipeline, the South Caucasian natural gas pipeline (Baku-Tbilisi-Erzurum natural gas pipeline) and the Turkmenistan-Turkey-Europe gas pipeline projects.

Another project which constitutes an important part of the East-West Energy Corridor is the Baku-Tbilisi-Erzurum natural gas pipeline project which entails shipping Azeri natural gas from the Shah Deniz field to Turkey. Concrete steps were also taken for the European connection of this network. The Turkish-Greek Inter-connector project is also set to turn into the Turkey-Greece-Italy Inter-connector.

For moving gas further towards the Central European markets, efforts are also underway to realize the Nabucco pipeline project, stretching from Turkey to Austria via Bulgaria, Romania and Hungary. Realization of these projects will help Turkey to become the fourth main artery of the EU for natural gas in the years to come.

In addition to the East-West Energy Corridor, Turkey also attaches great importance to the North-South axis and aims to act as a transit country on this route as well.

Turkey is at the crossroads of major migration routes of illegal migrants who set out from economically and socially unstable countries to go to European countries. The number of illegal migrants crossing Turkish territory during 1995-2009 was over 770.000. In 2008, more than 65.000 illegal migrants were apprehended by the Turkish authorities.

These figures reveal that the problem is multifaceted and the solution is beyond the capabilities of any single country. Also, it requires international burden sharing, solidarity and responsibility. Turkey continues to provide humanitarian assistance to illegal migrants to the best of its ability. On the issue of readmission agreements and visa, negotiation rounds continue and certain positive developments have already occurred.

However, while Turkey tries to find a common solution for our continent's illegal migration problem, European institutions make some unfair decisions. For instance, the EU recently decided to lift visa requirements for citizens of Serbia, Montenegro and Macedonia, while visa still continue to be an obligation for Turkish citizens. This situation is in breach of the existing treaties between Ankara and the EU and the recent ruling by the European Court of Justice known as the 'Soysal Case' and has serious repercussions for Turkish citizens who wish to travel to EU countries.

Therefore, once Turkey meets the required technical criteria (biometric passports, integrated border management etc.) the visa requirement for Turkish citizens should be lifted. In addition, there is an urgent need for establishing a mechanism for all parties concerned that would allow for an efficient and fair way to implement the 'Soysal' ruling.

## **Fight against Terrorism**

Terrorism is a common threat to the whole of mankind. Turkey, being a victim of the PKK terrorism and Spain's experiences of ETA are only a few examples of this threat. However, September 11 followed by the attacks in London and Madrid showed how fragile the understanding of cultures and civilizations were. In the aftermath of these attacks, the concept of 'the other' was increasingly associated with Islam provoking

the marginalization of Muslims. The only way to overcome this problem is to promote dialogue among civilizations instead of isolating from each other.

In the fight against terrorism, organized crime, illegal drug and human trafficking, Turkey is determined to struggle through intensifying cooperation with its key partners at the crossroads of different regions. Moreover, Turkey will continue its allegiance in the fight against terrorism, specifically against the Taliban regime and al Qaida's attacks.

### **Taking Serious Steps in Solving the Cyprus Issue**

In terms of the Cyprus issue, Turkey is doing its best to solve the problem. Previously Turkish Cypriots supported the Annan Plan despite the sacrifices it entailed, yet the Greek Cypriots voted against the plan, resulting in a historic opportunity being missed. Furthermore, as a result of the EU Council decision of 26 April 2004, the Greek Cypriots had made a commitment to put an end to the isolation of the Northern side, through direct trade and financial assistance, but no tangible result has been obtained. While not keeping own promises and commitments, making further demands on Turkey regarding the Additional Protocol is unfair.

Turkey continues to support ongoing negotiations on the island. Turkey's Action Plan of 24 January 2006 is on the table and its efforts for establishing peace and stability on the island continues. Turkey expects settlement in early 2010 by simultaneous referenda in spring and believes that this should be a lasting and comprehensive settlement.

In this process, the existence of a new partnership in Cyprus bringing about cooperation and stability is crucial since Greek and Turkish Cypriots alike will reap huge benefits from such cooperation. Moreover, the active involvement of the UN is important while Greece and EU partners should encourage Greek Cypriots towards a settlement.

### **Turkey Looks Around But Goes Westward**

Within the context of Cyprus and other regional conflicts, Turkey has a future-oriented vision and peaceful approach. However, Turkey is accused of going eastward and diverging from Western orientation.

It should be highlighted that Turkey's activism in these regions and countries among other things aim at fostering stability and security, ending ongoing or frozen conflicts or preventing eventual ones, bringing an end to all sorts of terrorism, in particular the PKK terrorism, increasing trade and exchanges and therefore welfare, promoting regional cooperation, contributing to energy security and dealing with illegal immigration and drug trafficking. Moreover, Turkey also pays great attention to its relations with the North and South.

Turkey is a real asset for all its neighbouring countries. It is the co-chairman of the Alliance of Civilizations and simultaneously a member of NATO, OECD, G-20, UN Security Council, Organization of the Islamic Conference and the Council of Europe, whose Parliamentary Assembly is presided by a Turk, Mr. Mevlüt Çavuşoğlu.

Turkey has also become a mediator and facilitator in numerous conflicts: between Syria and Israel, Lebanon and Israel, Russia and Georgia, Syria and Iraq, Afghanistan and Pakistan (took ISAF Kabul Regional Command in Afghanistan) and even between Iran and the United States. Turkey is also highly involved in enhancing stability in the Caucasus. It is actively participating in the normalization of relations between Armenia and Azerbaijan. On the other hand, in terms of normalizing Turkish-Armenian relations, Turkey has signed protocols, proposed establishing an Independent Commission on the events of 1915, while direct flight and trade opportunities have been established. However, Turkey is still continuing to advocate Azerbaijan's legitimate concerns.

Turkey contributes substantially to the European Security and Defence Policy (ESDP) in the Balkans, Africa and elsewhere, seeks greater involvement in ESDP activities and is determined to participate in the EU statements and positions with more weight and access. Turkey attaches great importance to good neighbourly relations and has a significant role in regional initiatives, including the Black Sea Synergy, the Union for the Mediterranean and the European Neighbourhood Policy.

Turkey is the only pluralist secular democracy in the Muslim world and has always attached great importance to accelerate its progress towards Europeanization and to achieve the standards of its democratic role models. Therefore, Turkey's role in terms of further cooperation and its potential of being a barrier to polarization between the West and the Islamic world should not be underestimated. In fact, 1.5 billion Muslims all around the globe, closely monitored Turkey's European vocation, while the number of Muslim media accredited to Turkey

has increased from 65 to 250 in recent years. That is why as a country with a predominantly Muslim population enjoying centuries-old ties with the West, Turkey's role in integrating Muslims and combating Islamophobia in Western democracies is substantial.

## **Turkey's New EU Strategy and the Future of Turkish EU Membership Process**

Turkey is aware of the fact that the negotiation process contains some particular difficulties experienced by all members, yet Turkey is determined to continue the negotiation process in the direction of full membership with an increased speed. However, it is in urgent importance to keep the way with a new strategy without being influenced by the political winds of some Member States.

Our new EU strategy is based on two objectives: First, alignment with the EU *acquis* and continuation of political reforms until 2013 regardless of any political moves of any Member States and regardless of the number of chapters opened or closed; secondly, implementation of a communication strategy aimed at getting the support of the Turkish public for the EU process and to enhance better communication of Turkey in the EU.

The strategy has four pillars:

- the 1<sup>st</sup> Platform is focusing on the current official negotiation process;
- the 2<sup>nd</sup> Platform is aiming at the maximum alignment with the EU *acquis* and proper implementation until the end of 2013 regardless of the EU position;
- the 3<sup>rd</sup> Platform is covering the political reforms to be carried out within the framework of political criteria: the Reform Monitoring Group;
- the 4<sup>th</sup> Platform is implementing the communication strategy.

## **Turkish Membership: Leadership, Vision and Courage**

Sharing a common future, with the same interests and the same desire for peace, democracy, stability and adherence to common values, full membership of Turkey in the EU is a win-win case.

The EU membership of Turkey is a strategic issue and requires leadership, vision and courage and the EU will not be complete without the Turkish membership.

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