Chapter Seven

Turkey and the European Union: Neither a Marriage nor a Separation on the Horizon

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The relationship between Turkey and the European Union (EU) dates back for so long that it is impossible to summarize all its intricacies in one article. The decision-makers from when relations began are not alive anymore. And, there are those who are doubtful they will see a Turkish EU membership in their lifetime. Despite the setbacks, Turkey is still a candidate country to the EU, which means that neither side wants to separate from the other. Both parties have shown willingness to enhance their dialogue, but at times they have experienced a stalemate in relations. Moreover, most of the technical problems, which have been major obstacles to develop Turkey-EU relations, have a long past. This chapter aims to recap the historical turning points of Turkey-EU relations, and to gather clues about what to expect in the future.

First Contact and Application for Partnership

On July 31, 1959, only one year after the 1957 Rome Treaty came into force, Turkey requested partner status in the European Economic Community (EEC). Turkey had managed to retain its neutrality in World War II (WWII) and now wanted to get closer to the EEC as a guarantee to remain in the Western bloc. At the time, Turkey’s expectation was not to realize economic integration with the EEC, but only to align its political identity as a member of the Western world.

The Soviet threat was one of the main factors dictating Turkish foreign policy in the wake of WWII. In 1925, the two countries had concluded a 20-year-long friendship treaty, but at the end of this period, the Soviet Union notified Turkey that it would not accept a prolongation. Besides, the Soviet Union had asked for a number of privileges in the Turkish Straits, which led to Turkey’s move toward the Western bloc, in the hope for more security. In this context, Turkey joined the Council of Europe in 1949, and NATO in 1952.
Furthermore, economic concerns dictated Turkey’s desire to be recognized as a partner to the EEC. The late 1950s were a turbulent period for the Turkish economy, in stark contrast to the beginning of this decade when the governing Demokrat Parti (DP) had provided a growing economy and prosperity. Under these circumstances, the Turkish government was hoping that the EEC would represent an important opportunity for Turkey’s exports, foreign investments, and direct foreign aid.1

Another important factor that had encouraged Turkey to apply to the EEC was Greece’s concurrent application. Turkey’s relations with Greece were problematic in the 1950s due to the Cyprus problem—Greek Cypriots were asking for Enosis (unification with Greece). Turkey did not want to stay on the sidelines while Greece was developing ties with Western Europe, believing that Greece would use every international platform to put pressure on Turkey. Besides, Turkey and Greece had many export items in common, which meant that if Greece developed closer ties with the EEC, Turkish products could lose important shares in the European market.2 In this context, only 16 days after the Greek application, Turkey knocked on Europe’s door. At the time, Turkey requested a partnership, not full membership status. In fact, the EEC Council of Ministers had advised Turkey to only ask for a partnership, as it believed that the Turkish economy was not developed enough to fully integrate with the EEC. Turkey accepted this proposal.3

The “Ankara Agreement” Process

Less than a year after its official application, the Turkish government was overthrown in the May 27, 1960 military coup. The EEC countries were already concerned about Turkey’s potential economic burden on the EEC in case of a partnership, but now, the country was ruled by a military junta that did not hesitate to execute Prime Minister Adnan Menderes and a number of politicians from the governing party. Still, three years

after the coup, on September 12, 1963, Turkey and the EEC signed the Ankara Agreement that constituted the legal basis for relations between the two sides. While the agreement represented an important gain for Turkey, it was largely incentivized by an erratic international political atmosphere marked by the Cold War. Being considered a partner to the EEC would prompt Turkey to get closer to Western Europe.

Only two years after the establishment of the EEC, the United Kingdom decided to create the European Free Trade Area (EFTA), believing a common market and customs union were not beneficial for London. In many ways, EFTA was a rival project to the EEC. Greece and Turkey had applied to the EEC, but not to EFTA, and in the eyes of the EEC, this was a success. The EEC could not afford to turn down applications, as this would likely push both countries toward EFTA. Besides, during the Cold War, Turkey’s strategic role was undeniable, and Western European powers had always been careful not to hurt West Germany and Turkey, fearing that this could push them closer to the Soviet Union.

The volatility of the Cuban Missile Crisis in 1962 made an EEC-Turkey partnership even more important. To put an end to the crisis, the United States reached a deal with the Soviet Union, and Jupiter missiles had been moved from Turkey without Turkey’s consent. Turkish political leaders now perceived the U.S. as a not entirely trustworthy ally. This perception urged them to revise a U.S.-centered foreign policy, balancing it with closer ties to Western European countries. That is why the Ankara Agreement, opening a new page in Turkey-EEC relations, was particularly valuable to Turkey.

The purpose of the Ankara Agreement was to establish a customs union between Turkey and the EEC. Given the state of the Turkish economy, three phases were proposed in the agreement: A preparatory period, a

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5 Turkey has always been aware of its geopolitical importance for the Western World, and it never hesitated to play this card in its relations with Europe during the Cold War era. In a document presented to the EEC on August 24, 1961, Turkey enumerated its promises and expectations from the EEC, reminding the West of its strategic importance, and asking to join the EEC. (See: cf. Oran, Baskın. *Türk Dış Politikası Cilt 1: 1919-1980* [Turkish Foreign Policy Volume I: 1919-1980], p.830)


7 The Agreement Establishing Partnership between Turkey and the EEC, September 12, 1963, paragraph 2.
transitional period, and a final period. The preparatory period had begun the day that the Ankara Agreement came into force, on December 1, 1964. The agreement stipulated that this period would last five years, but only three years later, the Turkish government notified the EEC it was ready to launch the transitional period. However, Turkey was not economically prepared to transition into the next phase, but two important political developments had encouraged Turkey to speed up its rapprochement with the EEC: The UK’s membership application to the EEC had been refused, and a military coup occurred in Greece, placing a military junta in power.8,9

However, the EEC judged that Turkey was not yet ready to enter the transitional period, and accepted to negotiate the Additional Protocol a few years later, in 1969. This document, officially launching the transitional period, was signed on November 23, 1970.

The 1970s and the “Transitional Period”

Shortly after the signing of the Additional Protocol, on March 12, 1971, Turkey experienced its second military coup. Emile Noel, the General Secretary of the EEC Commission, announced that “an undemocratic regime has no place within a democratic community.”10 The European Parliament was discussing, for the first time, human rights violations in Turkey.11 While the government resigned, the Turkish National Assembly remained operational, and all political parties continued to exist. That is why, despite a short period of crisis, the coup did not put an end to Turkey-EEC relations. The Additional Protocol entered into force in 1973, as predicted.

While the Additional Protocol was introduced, Turkey had begun questioning its relations with the EEC. During the preparatory period, Turkey did not need to provide any concessions to EEC countries, but in the transitional period, Turkey had to progressively lower customs taxes for prod-

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8 The Greek military coup of 1967 is also known as the Regime of the Colonels.
ucts originating from the EEC. Certain segments of society, such as the fundamentally protectionist State Planning Organization (DPT) began claiming that it was too early for Turkey to sign the Additional Protocol, considering it an obstacle to the country’s industrialization.\(^\text{12}\)

During the same decade, the EEC concluded trade agreements with several Mediterranean countries, and through the Lomé Convention, it had developed partnerships with African, Caribbean, and Pacific countries. Considering these agreements, Turkey began asking for modifications to the Additional Protocol.\(^\text{13}\) The EEC, however, did not answer favorably to Turkey’s demands, and as a result, the Turkish government decided to suspend the application of the Additional Protocol in 1976, according to article 60 of the protocol.

This decision was not merely of economic nature. On account of its guarantor status, in 1974, Turkey sent its military to Cyprus as a response to a military coup on the island that aimed to connect Cyprus to Greece. This development hurt relations between Turkey and the EEC for two reasons. First, the EEC did not consider Turkey’s second military operation in Cyprus justified by Turkey’s guarantor status. Therefore, since 1974, the “Cyprus issue” became one of the most important problems to deal with in Turkey-EEC relations. Second, right after Turkey’s military intervention in Cyprus, the military regime in Greece had fallen. The democratization of Greece allowed it to apply for EEC membership in 1975, seriously distancing Turkey from Western alignment.

That is why the 1970s are often considered a “lost decade” in Turkey-EEC relations.\(^\text{14}\) The Additional Protocol did not allow for the two sides to develop their relations, on the contrary, the protocol was suspended very quickly, in 1976. Notwithstanding, the EEC had asked Turkey to apply for membership (as Greece), in 1978-1979, but Turkey refused this offer.\(^\text{15}\) Greece became an EEC member in 1981.

\(^\text{12}\) During the entire period, there was an open conflict between the Ministry of Foreign Affairs defending the accession and the State Planning Organization, strongly opposed to it. (See: cf. Ekrem Yaşar Akçay, op.-cit., p.31)


The lack of political stability in the 1970s made relations between Turkey and the EEC quite complicated, reaching a climax with the military coup of September 12, 1980.

The 1980s: From the September 12 Coup to the Application for Membership

Turkey’s relations with the European Economic Community—which had become the European Community (EC) in the 1980s—have suffered considerably because of the military regime established by the September 12 military coup. The EC did not want to completely cut relations with Ankara, hoping that Turkey would eventually return to a democratic regime. Additionally, the international strategic climate did not allow for the EC to close its doors toward Turkey. Soviet occupation of Afghanistan in 1979 opened a renewed period of tensions between the Eastern and Western blocs; and in the same year, the Islamic Revolution in Iran made Turkey appear even more important in the eyes of the Western world.

A Turkish government program, adopted in the wake of the military coup, reiterated that a rapprochement with the EC is an important goal of Turkish foreign policy. Yet the situation after the military coup created tensions over Turkey-EC relations. The anti-democratic practices of the military regime, which showed reluctance to the transfer of power to civilian rule, provoked a strong reaction in European circles and among EC institutions. Political bans, arbitrary arrests, torture claims, and the death penalty had negatively impacted Turkey’s image in the West.

The European Parliament was closely monitoring the developments in Turkey. On April 10, 1981, it had asked the European Council to suspend relations with Turkey if it refused to provide a credible calendar for the transfer of power and respect of human rights. As a result, relations were suspended on January 22, 1982. The anti-democratic character of the September 12 regime provoked a crisis between Turkey and the EC. In the meantime, Greece, which had put in place a democratization program since the fall of its military regime, managed to become an EC member in 1981. Greek membership turned into an obstacle for Turkey’s accession progress to the EC.

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The elections held on November 6, 1983, gave Turkey once again a civilian government, offering an opportunity to open a new page in the relations. The new president, Turgut Özal, Chairman of the Anavatan Partisi (Motherland Party-ANAP) revisited Turkey’s desire to join the EC in 1984, a process he imagined would serve as shock therapy for Turkey. However, Turkey’s new determination was not met with enthusiasm in European capitals. European leaders at the time, like Germany’s Helmut Kohl or the U.K.’s Margaret Thatcher were quite reluctant to allow Turkish workers free access to the European market, so they called upon the EC to slow down the process of Turkish accession. Moreover, in 1986, Spain and Portugal joined in the EC, which only made the Europeans more reluctant about letting Turkey in. Richer and more industrialized EC members did not want to take on additional burdens, especially after they had accepted, within five years, three relatively poor economies.

Despite the negative climate, President Özal was determined to go ahead with the application. In this notion, he visited many European capitals in 1986 and 1987, and he accepted Turkish citizens’ right to make individual complaints to the European Court of Human Rights. Finally, on April 14, 1987, the Turkish government sent its membership application to the EC. The European Commission assessed the application and presented a report on it in 1989. In the report, Turkey was eligible, but not yet ready for membership due to several obstacles. The report insisted that Turkey would face great difficulties in fulfilling economic and social conditions, and Turkey’s lack of democracy was being underscored. Moreover, the Cyprus issue was being mentioned as an additional obstacle.

The report was written as the world was approaching the end of the Cold War. It did not explicitly state what was happening in Central and Eastern Europe, but these developments were also a reason to explain the EC’s stance on Turkish membership. The Eastern bloc countries, about to be freed from Soviet Union pressure, had in fact become the EC’s pri-

18 Aksu, Kenan. op.cit., p.9.
ority. As a result, these countries played a crucial role throughout the 1990s, pushing Turkey towards the bottom of the EC’s priorities.

The 1990s: From the End of the Cold War to Candidacy Status

The collapse of the Soviet Union and the end of the Cold War radically transformed relations between Turkey and the EC. Turkey was used to play its “strategic advantage card” when faced with criticism about its lack of economic and democratic development. Under the new world order, however, Turkey had lost that advantage. The accession process of Central and Eastern European countries had inexorably pushed Turkey towards the bottom of the EC’s agenda.

Moreover, European integration had taken on a new form with the conclusion of the Maastricht Treaty in 1992, transforming the European Community into the European Union. The Maastricht Treaty had two major effects on Turkey: the European Parliament was now the authority to approve any new memberships, and happened to also be the organ that was always most critical toward Turkey, particularly on democracy and human rights issues. On the other hand, European integration, which was mostly focused on the economy, had suddenly become more political. In this notion, the Maastricht Treaty had developed the “European citizenship” concept, causing a debate on European identity, and therefore, a debate on whether Turkey belongs to this identity.22

During this decade, Turkey was well-aware that it found itself at the bottom of Europe’s priority list. Thus, instead of membership, it turned to the main objective of the Ankara Agreement: Establishing a customs union with Europe. To respond to the EU’s criticism, Turkey had implemented a limited number of reforms, such as modifying its law on the fight against terrorism, allowing civil servants to create trade unions, and adopting several human rights and democratization measures. In fact, Turkey’s aim was to make the EU accept the customs union, in the hope that the customs union would constitute a back-door for membership in the near future.23 Finally, the Turkey Partnership Council adopted its

Decision Number 1/95 on March 6, 1995, recognizing Turkey’s right to enter into a customs union with Europe. Nevertheless, so-far the customs union has not lead to the back-door Turkey had hoped for.

The year 1997 was one of the most problematic in Turkey-EU relations. The “Agenda report of 2000” published in July 1997 by the European Commission, explained that the EU’s enlargement perspective was deceptive for Turkey. The report stipulated that Central and Eastern European countries, along with Malta and Cyprus, could join the EU in the foreseeable future, but that this was not the case for Turkey. Moreover, during the Luxembourg Summit held in December 1997, EU member countries decided to open accession talks with the countries enumerated in the Agenda 2000 report, while Turkey was excluded from this process. This decision provoked a deep crisis between the EU and Turkey, and only a day after this summit, on December 14, 1997, Turkey announced that it was suspending all political dialogue with the EU.

The EU’s decision to exclude Turkey did not only anger the Turkish leaders. During his presidential trip to Turkey, U.S. President Bill Clinton spoke in the Turkish National Assembly and praised the Turkish-American friendship. President Clinton stressed that the U.S.-Turkey friendship had helped the two countries to act together in actions from Korea to Kosovo, thus condemning Turkey’s exclusion from Western institutions during a time when new cooperation opportunities appeared in Central Asia and the Balkans. With American pressure in the wake of the Luxembourg summit, between 1997 and 1999, some European countries changed their views on Turkey.

The crises that erupted in the Balkans at the end of the Cold War proved once again Europe’s inability to deal with wars happening on the European continent. EU countries needed U.S. assistance to deal with security problems in their backyard, and decided to develop a common security and defense policy, as announced by France and the U.K. at the 1998 St. Malo Summit. As for Turkey, it decidedly proved its vast military capabilities and determination by playing a considerable role in NATO’s intervention in Kosovo in 1999.

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Besides, in the wake of the destructive earthquakes in 1999, (August 17 in Turkey, and September 7 in Greece), the two countries decided to initiate a rapprochement. In Europe, Social Democrats acceded to power in several countries (e.g., Germany), replacing right-wing governments that had been reluctant to accept Turkey’s membership—mainly for cultural reasons. As a consequence, 1999 opened a new period for Turkey-EU relations, and during the Helsinki Summit of December 10-11, 1999, Turkey was officially declared a candidate country. Turkey’s application in 1997, and its application in 1999 were practically identical. In other words, Turkey did not make considerable progress in meeting the membership criteria, yet the EU’s decision had changed completely. The decision of 1999 had, in a sense, corrected the political decision of 1997. Nevertheless, the fact that Turkey had been declared a candidate country without really making any effort for it, proved that EU decisions, however technical they may seem, can be quite politically-motivated.

**Turkey-EU Relations in the 2000s**

Once Turkey was declared a candidate country, the coalition government in power implemented numerous reforms in order to comply with the National Program presented to the EU. This included the abolition of the death penalty and the modification of the National Security Council’s composition. The AK Party (Justice and Development Party), which came to power on the November 3, 2002 general elections, declared its determination to start accession talks with the EU. Five “reform packages,” modifying 63 laws before the December 2004 Brussels Summit were adopted.

Following the adoption of the Negotiation Framework Document on how the accession negotiations would be conducted, Turkey’s accession talks began on October 3, 2005, on the same day as Croatia. The Negotiation Framework reiterated that Turkey and Croatia would have to adopt the European acquis divided into 35 chapters, in order to complete the negotiation talks. Croatia closed all 35 chapters in 2013 and became an

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27 With the exception of crimes committed during war time.
EU member in July of that year. Yet Turkey, as of October 2017, only opened 16 negotiation chapters (out of 35), and closed only one.

There are many reasons to explain why negotiations have failed between Turkey and the EU. The main obstacle has certainly been the Cyprus issue, which provoked numerous crises between Turkey and Europe since 1974. In fact, the Annan Plan, aimed at resolving this issue, was rejected by the Greek Cypriots in April 2004 referendum. However, this did not prevent the Greek Cypriot government to join the EU in May 2004, as if it was representing the entire island. Turkey had reluctantly agreed to sign the Additional Protocol aimed at expanding the customs union to ten new EU member countries, but the same day it published a declaration saying that this signature does not entail recognition of the Greek Cypriot government.

Turkey’s stance toward Cyprus (an EU member) and its refusal to open airports and maritime ports to Greek Cypriot vessels—despite the customs union—provoked a reaction from the EU. Given that Turkey was not fully implementing the Additional Protocol, on December 11, 2006, the European Council decided to freeze talks on eight chapters, but not to close any chapter in which negotiations were underway. In 2009, the Greek Cypriot government announced that it would veto the opening of six chapters as long as Turkey does not normalize relations. Among these six chapters, there was the 23rd Chapter on Justice and Fundamental Rights—on which Turkey is constantly criticized. Similarly, the 24th chapter on Judiciary, Freedom, and Security was also being blocked. Combining the chapters frozen by the European Council and by the Greek Cypriot government, Turkey was left to open negotiations of only five more chapters.

However, these are not the only problems Turkey has encountered during the negotiation process. Even if Turkey would be able to successfully close all 35 chapters, some obstacles would still remain. Certain French

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30 The sentence, “Turkey has still not fulfilled its obligation to ensure full and non-discrimi- natory implementation of the Additional Protocol to the Association Agreement and has not removed all obstacles to the free movement of goods, including restrictions on direct transport links with Cyprus” has become customary in every annual progress report.
and Austrian leaders, who have reservations about Turkey’s membership to the European Union, have already announced that when the moment comes, Turkey’s accession would be put to a referendum. The EU’s negative approach can be felt in every related area, such as the evolution of financial assistance. In the context of the Instrument for Pre-Accession Assistance I, Turkey has received 4.8 billion euros between 2007-2013. However, this sum was reduced to 4.4 billion euros for the 2014-2020 period, in the context of Instrument for Pre-Accession Assistance II.

Conclusion

As long as the Cyprus problem remains as it is, Turkey will not be able to adhere to the requirements of European Union. This does not mean, of course, that the resolution of the Cyprus issue would automatically bring EU membership, as Turkey’s difficulties are not limited only to Cyprus. Firstly, Turkey must fully implement the Copenhagen political criteria before accession. As the European Commission’s annual progress reports remind us, Turkey has a number of problems in the strengths of its democracy, human rights violations, the Kurdish problem, and issues with the election system. Therefore, many obstacles exist before Turkey can accede to the European Union.

Turkey’s slow pace in adopting democratic reforms is not the only variable. In the wake of “big enlargement” of 2004 and 2007, the EU proves to be reticent to accept new members. Moreover, the Euro Crisis has become an existential problem for the EU. Under these circumstances, it is expected that Turkey’s accession process will slow down even further. Besides, the EU's internal crises made Europe’s right-wing and populist parties grow stronger, the same parties who have always opposed Turkey’s accession into the EU.

The anti-Turkey sentiment grows stronger among European public opinion, and as a reaction, anti-EU feelings are appearing in Turkey. This is especially true following the July 15, 2016 coup attempt, when EU officials strongly criticized the Turkish government for committing human rights violations. As long as these issues persist, the EU membership prospect for Turkey remains uncertain.

rights violations while confronting people responsible for the coup. On November 24, 2016, the European Parliament voted in favor of the suspension of accession talks with Turkey. As a response, Turkish President Recep Tayyip Erdoğan declared that Turkey might hold a referendum on abandoning the accession process altogether. The crises, over the electoral meetings that Turkish officials wanted to hold in Western Europe before the April 16, 2017 Constitutional Referendum, had only exacerbated this negative ambiance.

In a sense, Turkey and the EU are moving away from each other every time they seem to get closer. There exists a paradox both sides must overcome: When the EU is criticizing Turkey because of its lack of democracy and the rule of law, Turkey, as a reaction, moves further away from Europe. And when Turkey moves away from Europe, its democracy suffers more from it.

Relations between Turkey and the EU are full of ups and downs, and as of today, the two entities are passing through another “down” period. Still, because of their interests and interdependence, both sides are not cutting ties completely. Even in the current period, Turkey and the EU have managed to adopt a readmission agreement, and have launched a process to modernize the customs union agreement. We cannot claim that Turkey or the EU have the will to push forward the accession process, but we also cannot claim that this lack of will is permanent. Their long history of the relations proves that the accession criteria are not the only variable in the equation. The EU’s future, global circumstances, and several other factors will also play an important role. Therefore, there are three possible scenarios for the future of the Turkey-EU relations.

Firstly, the end of the accession process, at Turkey’s or the EU’s initiative. The most critical point in this scenario will depend on who takes the first step. The EU seems to expect Turkey to withdraw its application, while Turkey seems to wait for the EU to abort the process. One way or another, the end of the accession process would mean a huge crisis between Turkey and the EU, a crisis which would likely have an impact on the entire international system.

The second scenario is to have Turkey and the EU develop a different type of relationship, to establish something less than membership. This is probably the best scenario for the EU, but not as attractive for Turkey. Turkey had been suspicious of these type of proposals, and it had been
doubtful of the Union for the Mediterranean initiative for this reason.\textsuperscript{34} The German and French center-right governments proposed the so-called “privileged partnership,” which Turkey refused, as it did not provide any advantage over being outside of the EU altogether.\textsuperscript{35}

The last scenario is Turkey adhering to the EU. To ensure this, both sides would need to draw a new roadmap. Even if the EU is able to make a coherent decision, it is certain that a positive approach towards Turkey would not emerge immediately.

\textsuperscript{34} For more information, see: http://ufmsecretariat.org.
\textsuperscript{35} For more information, see: Dedeoğlu, Beril and Gürsel, Seyfettin. \textit{Türkiye-Avrupa Birliği Sarmalında Ayrıcalıklı Ortaklık Eleştirisi [Privileged Partnership Critique in Turkey-European Union Spiral]}, Hoşgörü Yayınları, İstanbul, 2011.