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Partnership Is No Privilege

The Alternative to EU Membership Is No Turkish Delight

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- Accession talks are scheduled to begin on 3 October 2005 provided the EU Council of Ministers unanimously approves the draft 'Negotiating Framework for Turkey', setting out a road map for the country's accession to the European Union. This Negotiating Framework calibrates accession with the speed of Turkey's implementation of robust and rigorous EU membership obligations.
- Undeclared presidential candidate and French Interior Minister Nicolas Sarkozy and Germany's Christian Democratic Union Party leader Angela Merkel have proposed 'privileged partnership' as an alternative to membership. Privileged partnership encompasses only the free movement of goods, services and capital, market liberalization and further opening of agricultural trade. Bilateral cooperation in military and foreign policy spheres is also envisaged.
- Privileged partnership is an ill-considered, unimaginative policy conferring neither 'privilege' nor true 'partnership'. Such a partnership could lead to a potentially irreversible and dramatic rupture in EU-Turkey relations, detrimental to European strategic interests. It would burden Turkey with onerous EU obligations while denying the advantages concomitant with accession, namely increased foreign investment flows, free movement of Turkish workers to EU labour markets, and access to EU agricultural subsidies and structural policies.
- EU accession is critical to European influence on Turkey's ambitious transformation to embrace globalization and modernity. The clear choice is therefore between approving and rejecting Turkey's EU accession, rather than the artificial choice between accession and privileged partnership.

Introduction

Over the last five years Turkey has undertaken radical constitutional and economic reforms to satisfy the Copenhagen criteria for the opening of accession negotiations with the European Union. In recognition of these efforts, the European Council of Heads of State and Government agreed on 17 December 2004 to launch membership talks on 3 October 2005, a decision which was reaffirmed in the European Council meeting of 17 June 2005. The EU Council of Ministers needs to unanimously adopt the 'Negotiating Framework for Turkey', the last technical step before the start of the negotiations. This European Commission-drafted document,¹ published in June 2005, sets out the road map for the conduct of the EU membership talks.

Those who are sceptical about Turkey's accession, such as undeclared presidential candidate and French Interior Minister Nicolas Sarkozy and Germany's Christian Democratic Union Party (CDU) leader Angela Merkel, are more vocally suggesting the policy of 'privileged partnership' as an alternative to membership. Although the phrase is widely used in political and media circles, it remains vague and unexplained.

This Briefing Paper aims to examine the meaning of privileged partnership and assess its feasibility as a substitute for full EU membership. The paper starts with a concise survey of the Negotiating Framework, which provides the basis for defining privileged partnership. In the following section this partnership is compared with the grandiose 'European Neighbourhood Policy'. The final section analyses the likely implications of privileged partnership for both EU–Turkey relations and Turkey itself.

Negotiating Framework for Turkey

On 29 June 2005, after heated internal debates, the European Commission submitted the draft Negotiating Framework for Turkish accession to the EU Council of Ministers for the unanimous approval of the 25 member states. Even though the language utilized in the Framework is faithful to the European Council's 'conclusions' or communiqué of 17 December 2004, the Ministers may still make some amendments.

According to the Negotiating Framework, the pace of the negotiations will be determined by Turkey's 'own merits' – i.e. treated individually and separately from other parallel accession negotiations (principally with Croatia) – and will depend on its progress in meeting the requirements for membership, such as implementation of EU rules and standards.

Although the 'shared objective' of these negotiations is accession, which cannot happen before 2014, they are an 'open-ended process whose outcome cannot be guaranteed beforehand' – i.e. no irrevocable commitment or timeline is given for membership. These words are a form of constructive ambiguity intended to simultaneously allay the apprehensions of European public opinion over membership and satisfy Turkey's EU goals.

Some EU member states, such as Austria and France, lobbied for the incorporation of privileged

partnership as an alternative perspective to membership. Therefore, the Framework refers obliquely to such partnership: 'While taking account of all the Copenhagen criteria, if Turkey is *not in a position to assume in full all the obligations of accession, it must be ensured that Turkey is fully anchored in the European structures through the closest possible bond* [emphasis added]'.

Naturally, a member state could obstruct accession during the negotiations and prevent Turkey from being in a position to assume the obligations of EU membership, thereby triggering consideration of privileged partnership. However, this interpretation is weakened by two points. First, the nuanced accentuation is on Turkish inability to adhere to those obligations, including the Copenhagen criteria, as the trigger for privileged partnership and not on a member state's obstructionism. Secondly, the negotiations are likely to be conducted in good faith, the objective being accession and not privileged partnership. In all, this suggests that such partnership would be contemplated only if Turkey's performance is wanting or a member state rejects accession after the conclusion of the talks.

Given the openness of the membership talks, the accession promise appears to lack any firmness. Nevertheless, this extrapolation confuses two separate, yet interlinked, aspects of EU admission: the process or journey of negotiating accession and the destination of joining the EU. The former is subject to objective criteria for determining completion of the negotiations whereas the latter is contingent upon the collective ratification of the 'outcome' of such negotiations, the Accession Treaty. An Accession Treaty must be assented to by the European Parliament and ratified by all the EU member states, whether through national legislatures or by plebiscite/referendum. In other words, the ratification of the Accession Treaty itself cannot be guaranteed beforehand.

Such a non-guarantee for the completion of accession negotiations should not be a major source of anxiety nor a harbinger of the definitive failure of Turkey's candidature. To quote the CDU's foreign policy supremo Wolfgang Schäuble, a critic of accession: 'The negotiations will probably last 10 years, and then it will emerge whether those who are, like me, against Turkey's full membership are right or not.'² This wait-and-see approach is sober and accurate. EU entry is dependent on three factors: (i) Turkish fulfilment of membership requirements; (ii) its economic performance during accession; and (iii) the EU's and Turkey's geo-political-economic environments around 2015. Within that timeframe, the situation of the EU and Turkey could change profoundly – hence today's mindless speculation does not necessarily have a bearing on, or reflect, the future.

Six criteria for conclusion of negotiations

There are six criteria in the Negotiating Framework to determine successful conclusion of the accession negotiations; the first three constitute the Copenhagen criteria:

1. the prevalence of democracy, human rights and the protection of minorities;

2. the existence of a 'functioning market economy' capable of competing within the EU;
3. the administrative and institutional capacity to implement EU rules and regulations;
4. Turkey's 'unequivocal commitment to good neighbourly relations' – an indirect reference to Greece and Armenia. It undertakes to settle 'outstanding border disputes' (i.e. Greek–Turkish Aegean territorial issues) in conformity with the United Nations Charter and including, if necessary, compulsory jurisdiction of the International Court of Justice;
5. continued support for a comprehensive resolution of the Cyprus problem within the UN framework and in line with Union principles, and the 'normalization' of relations with – i.e. Turkey's recognition of – Greek Cyprus;
6. the fulfilment of obligations under the 1963 EU–Turkey Association Agreement ('Ankara Agreement'), including the Additional Protocol extending the Agreement and Customs Union to the 10 new member states, including Greek Cyprus.

Benchmarks

The Negotiating Framework stipulates robust and rigorous obligations combined with continuous scrutiny of Turkey. In the case of 'serious and persistent' Turkish breach of human rights and fundamental freedoms, the Commission will, on its own initiative or on the request of one-third of the member states, recommend the suspension of accession talks and propose conditions for their eventual resumption. The member states may, by majority voting, endorse or reject this recommendation. It is noteworthy that the breach is 'serious and persistent'; the threshold for triggering sanctions is quite high so that, apparently, only systematic and systemic infractions will lead to sanctions.

Beyond questions on the rule of law, negotiations will cover the adoption and implementation of 100,000 pages of EU rules and regulations (known as the *acquis communautaire* or *acquis*) broken down into 35 'chapters' or policy areas. For each chapter, the EU member states will unanimously lay down 'benchmarks' or preconditions for the provisional closure and, where appropriate, the opening of a chapter. These benchmarks will refer to 'legislative alignment' and a 'satisfactory track record in implementation' demonstrative of adequate administrative and judicial capacities. Provisionally closed chapters could be reopened following lapses in implementation. Unlike in past EU enlargements, simple promises or undertakings will no longer suffice; actual implementation will be paramount.

In other words, when talks are about to open on a particular chapter (say public procurement), the Commission will submit benchmarks for the unanimous approval of the EU member states. These benchmarks will specify preconditions for Turkey to fulfil in order for talks on the public procurement chapter to be provisionally closed. They will not only require Turkish

public procurement laws to be made compatible with EU standards, but will also obligate the Turkish government and courts to implement those standards to the satisfaction of all the EU member states. Negotiations cannot proceed to the following chapter unless Turkey complies fully with the benchmarks on public procurement. The Commission could also recommend to the member states the reopening of the public procurement chapter after its provisional closure if subsequent Turkish implementation of EU public procurement rules is unsatisfactory.

Transitional measures and long-term restrictions

In principle, Turkey may request 'transitional measures' (i.e. additional time extensions) for the implementation of certain chapters, provided they are limited in time and scope. These measures would be operative during the negotiating process as well as after Turkey's EU entry. Before each chapter is opened, the Commission will submit a draft common position for unanimous approval by the EU Council of Ministers outlining the Union's position on transitional measures and related issues (e.g. Turkish commitments) for that chapter. Once the negotiations with the candidate country are provisionally closed on the requisite chapter, the results are incorporated into the draft Accession Treaty.

It is conceivable that the candidate state will demand transitional measures for challenging and burdensome chapters involving 'substantial effort including large financial outlays' such as social policy and environment. However, for areas linked to the expansion of the 'internal [EU] market', regulatory measures should be implemented quickly and transition periods should be short and few.

According to the Negotiating Framework, '[l]ong transitional periods, derogations, specific arrangements or permanent safeguard clauses may be considered' for such chapters as free movement of persons, structural policies (i.e. regional aid) and agriculture (i.e. the Common Agricultural Policy). On 'permanent safeguards' (i.e. protective measures), the Framework emphasizes their perpetual 'availability' instead of enforcement. This subtle difference implies that these strictures will not be applicable unless invoked by a member state.

Political and media circles have devoted much attention to the matter of long-term restrictions. Two observations are warranted. First, the critical word is 'may', meaning that inclusion of these restrictions is not a foregone conclusion, but will be significantly influenced by prevailing circumstances, which could lessen the clamour for derogations or permanent safeguards. For example, the accession process could encourage sizeable inward foreign direct investment, which would lower Turkish unemployment levels and increase prosperity.

Secondly, the Negotiating Framework itself assumes fundamental reforms to the EU's agricultural and structural policies. These will reduce budgetary outlays by the time of Turkey's accession, reducing the probability of long-term restrictions. Logically, detailed technical 'adaptations' (i.e. readjustments) to these policies' *acquis* will 'not need to be fixed' during

the membership talks; they will be prepared in 'good time' towards the end of the process. Furthermore, it seems implicit that the three chapters – agriculture, structural policies and free movement of persons – will be negotiated last.

Free movement of persons and other *acquis* commitments

In spite of the possibility of long-term restrictions on free movement of persons, the Negotiating Framework suggests much more room for manoeuvrability than is commonly anticipated. Turkey must unilaterally accept the EU's Common Foreign and Security Policy (CFSP) – such as policies to combat transnational crime – as well as passport-free travel under Schengen without any restrictions, whether short-term or long-term.

Revealingly, the Framework empowers the Council of Ministers to lift border controls on Turks following an 'applicable Schengen evaluation of Turkey's readiness', apparently based on objective criteria. This pragmatism may therefore in due course be reflected in discussions about free movement of persons.

Other *acquis* commitments expect Turkey to adopt the euro, subject to meeting financial and monetary conditionalities related to debt levels, exchange rate stability, budget deficits and inflation rates.

European Commission as interlocutor

The chapter-by-chapter accession negotiations will be conducted by an 'Intergovernmental Conference' governed by common consensus and composed of EU member states' ministers or their deputies. Turkey's Chief Negotiator, Ali Babacan, and his negotiating team will lead efforts on the candidate's side.

Crucially, the Negotiating Framework designates the European Commission as the impartial coordinator, monitoring authority and arbiter, as opposed to the member states, evaluating movements on the 'fight against torture and ill-treatment and the implementation of provisions relating to freedom of expression, freedom of religion, women's rights, ILO [International Labour Organization] standards including trade union rights, and minority rights'. Of supreme importance is that the Commission is entrusted with certifying fulfilment of the six criteria for the conclusion of negotiations. This certification must then be endorsed unanimously by the European Council.

A closely interconnected Commission role is the monitoring of the '[European] Union's capacity to absorb Turkey, while maintaining the momentum of European integration'. Absorption appears to refer, primarily, to impacts of accession on EU budgetary expenditures and, secondarily, to adopting EU institutional and voting reforms. These issues should be on the EU agenda in the medium term, notwithstanding the recent setback of the EU Constitutional Treaty.

Responsibility for the Commission involves conducting the 'screening' or formal examination of the *acquis* in order to explain it to the Turkish authorities, to assess the state of preparation for the opening of negotiations in specific areas and to

indicate the preliminary issues that are most likely to come up in the negotiations. Yet the Negotiating Framework does not clarify whether the screening of all the chapters needs to be completed at the outset, prior to the start of actual negotiations, or will proceed in parallel with chapter negotiations.

In addition, these responsibilities include drafting the EU common negotiating positions and benchmarks for member states' unanimous approval, offering yet another layer of safeguards against arbitrariness and unreasonableness throughout the negotiations.

Definition of privileged partnership

Politicians and the media regularly employ the concept of privileged partnership, yet none of them offer cogent answers to the basic questions:

- What is privileged partnership?
- Is it a real alternative to EU membership?
- What are the implications of this so-called partnership?

On the basis of the groundwork established in the previous section, four striking and salient features in the Framework become apparent:

- (1) the six criteria to determine the successful conclusion of the accession negotiations;
- (2) the possibility of long-term restrictions covering agriculture, structural policies and free movement of persons;
- (3) monitoring by the European Commission of the EU's capacity to absorb Turkey;
- (4) the intrusive focus on human rights, foreign policy and Turkish *acquis* implementation, directly linking the pace of membership talks with progress in all these areas.

Contours of privileged partnership

Taking each feature of privileged partnership in turn enables the meaning of this often repeated phrase to be dissected. First of all, privileged partnership does not equate to EU membership, so the six criteria would disappear altogether. Turkey would be excluded from attaining the most tangible and visible benefits of accession, principally agricultural subsidies, structural policies and free movement of persons. Exclusion also encompasses Turkish participation in EU institutions and decision-making processes. Any attention to the EU's absorptive capacity would vanish. Naturally, all intensive monitoring of human rights, *acquis* implementation, and foreign and security policies would be dropped.

In lieu of membership, privileged partnership encapsulates two concrete actions. The first is the extension of the existing EU–Turkey Customs Union beyond free movement of goods and harmonization of competition policy to free movement of services and capital, market liberalization, additional relaxation of agricultural trade and some further legislative alignment with the EU *acquis*. Secondly, Turkey would be permitted to participate in the military and security-

related, and perhaps foreign policy-related, meetings of the European Council and EU Council of Ministers.

So this partnership is synonymous with a superficially seductive grand bargain: Turkey is fully integrated into the EU's Common Foreign and Security Policy (CFSP) and internal market – with the noted exception of agriculture, free movement of people, structural policies and institutional participation apart from in the areas of CFSP and the European Security and Defence Policy (ESDP). This, according to Austrian Chancellor Wolfgang Schüssel, would resemble a truncated version of the European Economic Area after the subtraction of unhindered movement of people.³

In return, the EU would not press the Turkish side on human rights, recognition of Greek Cyprus, the Armenian question, minority rights issues and Greek–Turkish territorial disagreements. As an additional sweetener, the EU would probably be willing to forgo prohibitively costly or challenging obligations on Turkey, such as the adoption of EU environmental, labour and employment standards.⁴

This view chimes well with statements made by some leading European politicians who are sceptical about accession. Edmund Stoiber, premier of the German state of Bavaria and Chairman of the Christian Social Union Party, proclaimed that 'Europe's basic freedoms should also be extended to [Turkey]: free movement of goods, greater freedom of movement of individuals, freedom of provision of services, free movement of capital. And Turkey should be integrated into the Common Foreign and Security Policy.'⁵ Similarly, Angela Merkel voiced support for Turkey's inclusion into the ESDP;⁶ Nicolas Sarkozy defended privileged partnership, asserting: 'it is not a question about rejecting Turks, but on the contrary, to associate them with us as partners on the military, political, and economic level.'⁷

European Neighbourhood Policy versus privileged partnership

On 11 March 2003, the European Commission launched a new initiative, the 'European Neighbourhood Policy' (ENP), to 'develop a zone of prosperity and a friendly neighbourhood – "a ring of friends" – with whom the EU enjoys close, peaceful and cooperative relations [Russia, Ukraine, Belarus, Moldova, the Caucasus and Mediterranean states of the Middle East and North Africa]'.⁸ The European Council endorsed the ENP in June 2003.

Specifically, this policy provides that 'all the neighbouring countries should be offered the prospect of a stake [i.e. the opportunity to participate] in the EU's internal market and further integration and liberalization to promote the free movement of persons, goods, services, capital (four freedoms)'. The Commission notes that 'if a [non-EU] country has reached this level [of integration], *it has come as close to the [European] Union as it can without being a member* [emphasis added]'. Therefore, the EU should assist neighbouring countries in 'building their capacity to align with and implement parts of the *acquis communautaire* [emphasis added].'

The ENP's basic elements appear to be nearly identical to those of privileged partnership. Both endeavour to enlarge the geographic scope of the EU's internal market and related regulatory harmonization with minimal concessions on the free movement of persons; agricultural trade would, perhaps, be freed up further. As is presumably envisaged for Turkey, the EU would 'consider' greater visa-free travel for citizens of neighbouring countries, deeper integration of such citizens lawfully resident in the EU as well as encouraging 'readmission' of illegal migrants back to the source countries. Furthermore, the EU could explore means to facilitate movement of such citizens 'participating in EU programmes and activities' such as bilateral cultural and educational exchange programmes.

There are no major conceptual differences between privileged partnership and the ENP, as is confirmed by the fact that both are characterized as the 'closest possible' relations with the EU without membership. In fact, the Commission terms the ENP a 'privileged relationship with neighbouring countries',⁹ which translates into a self-evident observation: privileged partnership confers neither 'privilege' nor 'partnership'. Rather, this appears to be an ill-considered policy empty of innovation. Put another way, privileged partnership effectively amounts to the application of the ENP to Turkey.

Moreover, as the Enlargement Commissioner Olli Rehn so aptly put it: 'Whatever more [privileged partnership] could mean I'm willing to listen, but I have not yet heard any convincing answers ... We [i.e. EU] have a deep political dialogue ... which can hardly be deepened further without Turkey being part of the institutions of the European Union.'¹⁰

Turkey is already a member of the NATO, the OECD, the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE); it also enjoys a Customs Union with the EU guaranteeing free movement of goods, participates in the Sixth EU Framework Programme (research and technological development) and has been involved with EU programmes on student exchange and youth training since 1 April 2004.

Privileged partnership boils down to certain potentially dangerous propositions, namely that Turks should not be judged by the values of democracy, human rights, good-neighbourly relations and cultural diversity. This is somewhat reminiscent of the prejudicial nineteenth- and twentieth-century Orientalist views of Turkey, summed up by the Scottish essayist and philosopher Thomas Carlyle: 'The unspeakable Turk should be immediately struck out of the question, and the country be left to honest European guidance.'¹¹

In essence, this partnership implies that the candidate country is nothing more than a land of merchants and consumers with a strong military, and ignores its maturing democracy, vibrant media, flourishing civil society and its prospective demographic, socio-economic and cultural contributions to Europe.

Potential implications for EU-Turkey relations

Elimination of Turkish European ambitions under the pretence of privileged partnership could have incalculable consequences for EU interests in general, and EU–Turkey relations in particular. This eventuality could be compounded by the knowledge that Turkey has repeatedly been promised the opportunity to begin accession talks, and ultimately accession itself, subject to satisfying certain criteria.

Article 28 of the 1963 Ankara Agreement foresaw that ‘the Contracting Parties shall examine the possibility of accession of Turkey to the [European Union]’.¹² The EU–Turkey Association Council of 29 April 1997, composed of high-level government officials, determined that Turkish accession will be based on the same criteria as those applicable to the East and Central European countries, thus becoming part of the legally-binding *acquis*. Turkey was declared a ‘candidate State destined to join the Union’ at the Helsinki European Council of 11 December 1999.¹³

EU–Turkey Accession Partnership agreements were concluded in March 2001 and May 2003; these mapped out the short- and medium-term priorities for Turkey to fulfil the accession criteria, and governed the overall framework and direction of pre-accession EU financing activities. Another Partnership agreement is expected in October/November 2005.

It is self-evident that the political promises backed by an unimpeachable legal case cannot be blithely dismissed. Angela Merkel legitimizes repudiation of promises to Turkey by judging them ‘according to the circumstances in which they were made’.¹⁴ Former French President Valéry Giscard d’Estaing questions the validity of the 1963 contractual obligation to Turkey because the European Community’s character was principally economic at the time.¹⁵ This contention is betrayed by the regular repetition of the accession perspective from 1963 onwards during a period of intensified European integration.

Moreover, Martti Ahtisaari, Michel Rocard and Albert Rohan, respectively former Finish President, former French Prime Minister and ex-Director General of Austria’s Foreign Ministry, retort that ‘from the very beginning of the integration process, Europe’s founding fathers had made it abundantly clear that the ultimate goal was a political union, with economic integration being the first step’.¹⁶

If the EU proceeds to violate the series of undertakings made to Turkey, which has complied with all commitments to qualify for entry talks, it could have grave consequences for the prestige and credibility the EU has carefully nurtured over many years. Respect for laws and commitments lies at the core of its structural integrity.

Such an unprecedented event could discredit Europe’s word in matters beyond accession, threatening the cohesion of Europe. Turkey would feel deceived, and this would exacerbate the anticipated extreme Turkish backlash against relations with Europe

and stoke fears that a confrontation between Eastern and Western civilizations is inevitable.

Participation in reform process

Accession permits a level of European intervention into a candidate country’s internal affairs that borders on the meddlesome. One need only explore the provisions of the Negotiating Framework to envisage the potential EU influence in the political, economic and foreign policy spheres.

By any measure, the Negotiating Framework imposes significant political and economic obligations and forceful monitoring on the aspirant country. Under the watchful gaze of the EU institutions and member states, Turkey continues to implement extensive human rights, political and economic reforms subject to regular external evaluations.

Largely, though not exclusively, as a result of EU prodding, successive Turkish governments have rebalanced civilian–military responsibilities, abolished the death penalty and security courts, adopted EU-inspired civil and penal reforms, expanded minority entitlements, restructured the constitution, pursued progressive economic measures and adopted EU-friendly foreign policy positions. Accession negotiations would multiply exponentially the number and extent of these changes, such as enforcing 100,000 pages of the EU *acquis*, overhauling judicial and governance systems, tackling administrative inefficiency and opaqueness, and reforming education.

Foreign policy is also within the purview of membership conditions. The prospect of accession has been a major impetus to the search for a solution to the Cyprus dispute. In 2004, Turkey launched a decisive initiative to bring about the reunification of Cyprus in a bi-communal and bi-zonal federation along the lines of Switzerland and Belgium. The end-product was the Annan plan strongly supported by the EU, Turkey, the United States and the United Kingdom. This plan was approved by two-thirds of Turkish Cypriots and rejected by three-quarters of Greek Cypriots in simultaneous referendums held on 24 April 2004.

Notwithstanding the setback, Lord Hannay, former special adviser on Cyprus to the UK government, remarks that ‘now that a positive decision [of 17 December 2004] to open accession negotiations has been taken, the final outcome [of a Cypriot settlement] should not be in doubt, even if it may be delayed for some time’.¹⁷ EU membership could sustain the efforts to find a solution for Cyprus under the aegis of the UN. The EU’s abilities to achieve its foreign policy objectives in the Balkans, Caucasus and the Middle East have been greatly enhanced by the candidate country’s conscious adoption of a more pro-European posture in those regions, motivated in large part by accession. Turkey has participated in NATO stabilization forces in Kosovo and Bosnia, and contributed constructively towards political reconciliation in the Balkans within the EU framework, including improving ties with Greece. In the Caucasus, Turkey is conducting quiet diplomacy aiding the activities of the OSCE – the so-

called 'Minsk Group' co-chaired by France, United States and Russia – to resolve lingering regional conflicts, such as the Armenian–Azerbaijani disagreements over Nagorno-Karabakh. The Turkish Republic has aligned its policy on the Middle East peace process very closely to the EU's position. It also rejected US requests to launch military forces from Turkish territory in the Iraqi war of 2003, partly in response to the misgivings of Germany and France.

Embracing modernity and globalization

The key point about accession, which is not articulated by critics, is that it is in essence a voluntary act of association and nation-rebuilding – a form of 'soft power'. And it is notable that Turkish governments across the whole spectrum – whether nationalistic, left-wing or religiously oriented, buttressed by a broad popular consensus – have carried out bold reforms, the pace of which has accelerated markedly since 1999, in the 42-year quest to join the European Community/ Union.

Turkish Prime Minister Recep Tayyip Erdogan, a Conservative Democrat, has justified EU accession on the grounds that Turkey can no longer be 'an isolated and closed society ... [but] an open and transparent one, in touch with the rest of the world. Countries on their own do not mean, do not represent, much any more. They can achieve a lot more in solidarity with their friends.'¹⁸ In short, the bid by the Turkish Republic – a country with a differing religious background – to join an exclusive and secular club of rich democracies is an autonomous decision to embrace globalization and modernity, and accelerate its existing convergence with Europe.

As a result, the EU has been central to influencing transformative developments unimaginable under any other circumstance. This 'soft power' would probably be lost under the vision of privileged partnership in a geographic region and along a cultural fault line vital to European geo-political, economic, security, energy and social interests. Angela Merkel is simply wrong when she asserts that this partnership 'would allow us [Europeans] to help strengthen the development of democracy and the rule of law, as well as the economy in Turkey'.¹⁹

In the absence of accession prospects, Turkey may not necessarily choose to be anchored in European structures and models of development. To the detriment of European strategic interests, Europe would abandon any pretensions to shape the Euro-centric metamorphosis under way in Turkish society. Already Turkish civil society is flourishing as never before – with trade unions, business groupings, gender rights organizations, universities and human rights foundations – and one can witness a rapidly developing pluralistic democratic culture, organic growth of secular mentalities, burgeoning investigative media, a hunger for Western-style education and language learning, and growing demands for accountable government. The template for this transmogrification is Europe.

Endeavours by European business to penetrate an exciting, emerging market with untapped growth potential could be frustrated. The *Financial Times* stated that 'opening the [EU] door to a fast-growing economy with a young and increasingly well-educated workforce would benefit the internal market. Democratic and economic reforms are mutually-reinforcing, and contribute to a secure and stable Europe.'²⁰

Ruptured EU–Turkey relations

EU–Turkey relations could conceivably rupture, becoming arm's-length and minimalist rather than warm and engaging. Turkey's Foreign Minister Abdullah Gül warned: 'I find such an offer [privileged partnership] illegitimate and immoral. This nullifies our common effort of half a century. It also has the potential to handicap the future of our [bilateral] relations.'²¹

However, relations are unlikely to be completely severed in view of the interlocking economic and political interests binding both parties. For example, the EU accounts for 55 per cent and 47 per cent of Turkish exports and imports respectively. Both parties could also be interested in maintaining a modicum of cooperation to ensure stability in such regions as the Middle East and the Balkans. Additionally, gas and oil pipelines designed to transport critical energy supplies to European markets from Russia, the Caspian Sea and the Middle East, such as the Nabucco, Blue Stream, Baku-Tbilisi-Çeyhan and Southern Europe Gas Ring Project, are either completed or in the process of completion. Consequently, Europe needs diversified sources of energy supplies while Turkey would benefit from Europe's custom.

Rejection of EU ambitions could also have serious foreign policy and security repercussions: Turkish–Greek relations could be significantly set back, opportunities for a Cyprus settlement could disintegrate and EU–Turkish security cooperation could be irreversibly impaired. The assumption by sceptics of accession such as Sarkozy and Merkel that Turkey is desirous of deploying its military resources to cater to European interests without the quid pro quo of EU admission is wishful thinking. What incentives would there be for Turkey, which has assiduously guarded Europe's southern flank for 50 years and served professionally in Kosovan and Bosnian peace-keeping operations, to assume the role of European bulwark and guardian against instabilities in the Middle East and the Caucasus? It would conduct its foreign and defence policy purely in its own national interest, disregarding the European dimension.

The ESDP episode of 1997–2002 is a foretaste of the type of tensions that could arise should the EU enterprise be derailed. Following events in the Balkans, the EU initiated steps to further establish a form of common European defence identity – ESDP in EU parlance – by pooling member states' military forces for humanitarian missions, crisis management and peace-support operations. The endeavour necessitated

access to NATO assets, resulting in complicated discussions with Turkey (a NATO member since 1952) for over five years, resulting in authorization for access, but under strict conditions.

Without Turkish integration, the EU's aspirations to be a global powerhouse – so-called 'power projection' capabilities – would be far more difficult to attain. Even key external EU objectives might be adversely affected. For instance, there would be no opportunity to explore the probable scenario of an affluent Turkey, whose economy is twice the size of all the Balkan economies combined, acting as a regional motor for Balkan stability and prosperity.

Transnational dangers and civilizational conflict

Ever since the collapse of the Berlin Wall, Europe has faced a multiplicity of dangers such as transnational crime and violence, perpetrated by predominantly ephemeral, nebulous, ideological and decentralized entities operating with modern communication technologies. National borders are rarely an effective barrier against such threats. Consequently, the common perception that Turkish membership would 'import' regional Middle East conflagrations is open to challenge.

Turkey is poised between the Eastern and Western worlds, and its participation in the secular European grouping is crucial to confronting current and future dangers. Its inclusion within the rule-based Union would be emblematic of a Europe that looks outward, an antidote to the 'clash of civilizations' thesis and a symbol of the harmonious merger of European and Asian cultures. This constitutes a winning formula in the 'battle of ideas', which could contribute significantly towards the fusion of religious minorities into European societies. Cultural traditions are never passive and stagnant, but mutate; they are malleable and interactive. Privileged partnership could inhibit the cross-fertilization of ideas and traditions between Turks and Europeans, and become a catalyst for the very fears that opponents of accession wish to avoid.

As *The Economist* noted, 'rejecting Turkey would ... be taken by many Arab countries as rank hypocrisy or even racism by the West ... Europe would end up neither wider nor deeper; merely static, and with its south-eastern border in turmoil.'²²

Disadvantages of privileged partnership for Turkey

The deleterious effects of privileged partnership do not stop with the EU. Turkey would lose the major economic advantages of accession under a partnership framework. Past EU enlargements have demonstrated clearly that the accession process coincided with a leap in foreign direct investment (FDI) and creation of employment. By contrast, the establishment of the EU-Turkey Customs Union ten years ago did not generate a similar growth in FDI; privileged partnership would probably induce a trend in FDI similar to that for the Customs Union.

A recent World Bank research study found that 'with the formal announcement ... [in December 1997]

... that accession negotiations would open with Poland, the Czech Republic, and Hungary on March 31, 1998, these countries appear to have benefited from a virtuous circle. The enhanced likelihood of EU accession and further FDI flows improved credit ratings and, in turn, attracted more FDI, thereby increasing the [FDI] difference between those countries and Turkey ... *It is remarkable that Turkey's announcement of its EU customs union in 1996 had no discernible effect on aggregate FDI inflows* [emphasis added].²³ The rapid increase of merger and acquisition activities from European banks in the Turkish banking and financial sectors in 2005 – the immediate period prior to the formal opening of accession talks on 3 October 2005 – seems to confirm the importance of the accession process for attracting FDI.

Accession would act as an anchor and focal point for reforms in Turkey by providing a 'model' to follow, the prospect of eventual free access to the EU for Turkish workers and the flow of EU assistance to Turkey, primarily agricultural subsidies and structural policies. Privileged partnership, on the other hand, by not providing these benefits, would remove the incentives for Turkey to adhere to an EU-focused orientation. Put another way, Turkey cannot be expected to enforce the onerous EU *acquis* – EU internal market, market-opening and trade rules – and limit its sovereignty and foreclose alternative options for development and commercial relations with non-EU countries for the sake of any status less than EU membership.

Conclusion

Turkey is scheduled to commence accession talks on 3 October 2005. Europe has thus far chosen out of enlightened self-interest to participate in the bold reforms and social transformation unfolding in Turkey. Accession is the ideal instrument for maintaining and managing this change in a true and genuine alliance with a country that is keen to embrace modernity and globalization.

It is important to appreciate that accession is a voluntary process lasting at least 10 years: if Turkey fails to reform, the membership process can be stopped at any time. And European concerns can be allayed by the safeguard mechanisms in place, namely transitional measures, long-term restrictions and the suspension clause relating to human rights. By the conclusion of the process, the EU and Turkey are both likely to have evolved beyond the current situation.

Opponents cite an endless list of reasons for stifling Turkey's membership prospects: EU absorptive capacity, European integration, geography and European borders, culture, religion, demography, relative wealth disparity, European public opinion, uncontrolled migration, 'importation' of instability etc. These are legitimate arguments. There are also convincing counterarguments in the debate on the merits of Turkish accession. Privileged partnership is not a legitimate alternative to membership. The clear choice is only between approving and rejecting Turkey's EU accession, not the artificial choice between membership and privileged partnership.

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