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# REGAINING MOMENTUM

## TURKEY DURING THE SPANISH EU PRESIDENCY

AUTHORS

DENİZ DEVRİM, JONATHAN LEVACK,  
EDUARD SOLER i LECHA



TESEV



DISCUSSION PAPER

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## TESEV's Preface

Recent events have led many to proclaim that Turkey has turned its back on Europe and is heading eastwards. In other words, Turkey's long quest to become a member of the European Union is no longer a priority, if a political objective at all. This couldn't be further from the case. Viewed from Istanbul, Turkey remains committed to EU accession. No doubt Turkey's membership process is not progressing as swiftly as many had hoped. Turkey is in part responsible for this but the EU's lack of credibility in the country is equally important.

TESEV has long advocated Turkish accession to the European Union. The benefits to both parties would be substantial. In Turkey, the process of accession would consolidate the democratisation process currently underway. Indeed, Turkey is going through a tumultuous period where deep-rooted and challenging issues are being discussed. The EU's strict democratic criteria can and should play a significant role in not only encouraging this process but also anchoring it.

On the other hand, Turkey's potential contribution to the EU is becoming ever clearer. Turkey's growing role on the international stage, particularly in the Middle East, will enable the EU to better fulfill its foreign policy ambitions. Further, the EU's general economic situation makes Turkey an even more attractive option; Turkey's weathering of the financial crisis and potential future growth could bring much dynamism to a sluggish European bloc. With fears of a double dip recession hitting Europe and debt crises seemingly getting worse rather than better, it is worth noting that Turkey is now growing at 6% per annum again.

This paper was written by TESEV and CIDOB during the Spanish term presidency of the EU in the first half of 2010. Spain has been an ardent supporter of Turkish accession for many years and there are therefore high hopes from Spain's term presidency in Turkey. This paper therefore explores the Turkey-EU relations in 2010, the benefits Turkey can bring to the Union and what Spain and future presidencies can do to invigorate Turkey's membership process.

As with all TESEV's projects, they would not have been possible without the generous support and cooperation of many individuals and organisations. Firstly, we would like to thank CIDOB for their continued cooperation in this and other fields. We would also like to thank the Friedrich Ebert Stiftung – Madrid, the Open Society Foundation in Turkey and our High Advisory Board for the contributions and support.

Yours sincerely,

**MENSUR AKGÜN**

ADVISER, TESEV FOREIGN POLICY PROGRAMME



## Introduction

Turkey has long aspired to be a member of the European Union (EU) and since its first steps in this direction the country has progressed far in its quest to accede: Turkey opened accession talks with the EU in 2005 and since set in motion the necessary reform process for membership. The prospect of Turkish accession is, however, controversial and Turkey has long been one of the most divisive countries to reach candidacy status. On the one hand, it has the potential to bring enormous benefits to the EU, particularly in the realm of foreign policy and through its dynamic economy. On the other, some member states fear Turkey joining, citing its population size as a factor - if not religious and cultural difference.

As a beneficiary of the accession process itself, Spain has long supported EU enlargement. Its attitude to Turkey is no exception. Seeing the advantages of Turkey joining for Spain, Europe and Turkey itself, political parties of all colours are advocates of Turkish accession. Now holding the rotating presidency of the European Union, Spain is in a position to cement Turkey's future role within the Union. Indeed, as one of its key supporters, Turkey hopes Spain will accelerate the accession process during the Spanish Presidency.

This Discussion Paper was prepared for a seminar on EU-Turkey relations during the Spanish EU Presidency, held in Barcelona during Spain's six-month term in the first half of 2010. As such, it aims to contribute to the debate on Turkey's accession process, particularly during the Spanish presidency. It divides the subject of Turkish-EU relations into four chapters: EU-Turkey relations, reforms in Turkey, Turkey's foreign policy in the Middle East and Caucasus and bilateral relations under the Presidency. This will enable the following questions to be addressed: Turkey's progress towards accession; the role it can play in its neighbourhood and beyond and how Spain can help integrate Turkey into the EU.



## CHAPTER 1

# EU-Turkey Relations: A Changing Equilibrium?

*Deniz Devrim, Barcelona Centre for International Affairs (CIDOB)*

For the last couple of years, EU-Turkey relations have been marked by debates over whether Turkey should ever be admitted to the EU, by the continuing political stalemate in Cyprus, and by the slow pace of Turkey's domestic reform process. However, what deserves as much attention as the incremental nature of the negotiations is the fact that the EU's voice in Turkey is not heard nearly as loudly as it once was. Among Turkish elites and the public at large, resignation seems to have replaced the once high hopes of some day becoming part of the EU. This trend will be more difficult to reverse than the stumbling negotiations. In fact, Turkey's foreign policy has become far more assertive but EU membership has become one priority among many, not the foreign policy priority for Turkey. Furthermore, Turkey's leading elites want the country to be treated as an equal partner in relations with the EU and not as a supplicant.

### TURKEY'S LONG MARCH TO EUROPE

Turkey-EU/EC relations date back to 1959 when Turkey first applied for full membership to the European Economic Community (EEC). An Association Agreement between Turkey and the EU (the Ankara Agreement) was signed in 1963 and sought to integrate Turkey into a customs union with the EEC. Turkey submitted a formal application for EC membership in 1987 which was postponed by the European Community in 1989 due to Turkey's economic and political situation. This position was again confirmed in the 1997 Luxembourg European Council when accession talks were initiated with central and eastern European states and Cyprus. An important step towards Turkey's European integration was, however, made in 1995, when the customs union was finally established. The clear perspective of membership was eventually awarded to Turkey at the Helsinki Summit in 1999. Following Turkey's successful reform packages launched in 2002, the Commission suggested in 2004 that negotiations should be opened. The European Council's unanimous decision to open accession talks in October 2005 was greeted with much enthusiasm. However, today the process has lost its initial optimism and is being repeatedly doused with cold water by different European leaders who openly question Turkey's right to join the Union.

### MOVING AT A SNAILS PACE

The opening of membership negotiations as well as progress thereafter has been a painfully slow process. Only one year after opening negotiations, the EU suspended eight of the 35 negotiation chapters due to Turkey's refusal to implement the 2005 additional protocol to its association agreement with the EU. This would have resulted in the extension of the customs union to include Cyprus and in Turkey opening its ports and airports to vessels and aircraft from the Republic of Cyprus. Solving the Cyprus problem has become a precondition to unblocking the eight frozen chapters and to closing any other negotiated chapter. Up until 2009, only two of the 35 negotiation chapters had been opened every six months. Despite the fact that two pro-Turkish governments headed the rotating EU presidency in 2009 (the Czech Republic and Sweden), only one chapter per semester could be opened. Cyprus will continue to be a decisive factor in Turkey's membership talks, but more technical obstacles also lie in wait. While the Republic of Cyprus itself is obstructing the opening of another six chapters, France has declared it will block the opening of five chapters that are directly related to full membership. The sum of all the blocked and currently opened chapters leaves only four chapters left to be opened should the stalemate on Cyprus continue.

In 2009, the Commission noted some progress in judicial reform as well as in relations with Turkey's Kurdish population and with Armenia. As in previous years, the EU criticized the slowing of the

overall reform process and urged Turkey to find a solution to the Cyprus issue. Even though there has been much debate on Turkey's full implementation of the additional protocol, the Commission did not refer to any deadline and thus postponed a definite decision on the future of negotiations.

Deficits in the reform process, the Cyprus problem as well as the EU's absorption capacity are often framed as the reasons for the stagnation of negotiations. They are also used as arguments to justify the idea that the accession process must remain open ended and that a privileged partnership is a legitimate alternative to full membership and should be given due consideration. The public's largely dim view of further enlargement is also used as an argument against membership and legitimises opposition through deference to democratic principles. Even though the normative argument for rejecting Turkey on cultural grounds often lurks in the background of official discourse, there is a widespread belief that culture lies at the heart of opposition to Turkey's membership.

### THE EU'S LACK OF CREDIBILITY AND TURKEY'S FADING DESIRE

Turkey is undoubtedly the most controversial candidate for EU membership. Although accession negotiations were opened in 2005, the EU has generally been ambiguous in its signals to Turkey. German Chancellor Angela Merkel's comments that the EU is still thinking about whether Turkey should ever become a full member, or whether it should instead have a privileged partnership with the EU, along with French President Nicolas Sarkozy's norm-based arguments ("Turkey is a great civilisation, but not a European one")<sup>1</sup> have placed EU-Turkey relations in an ambivalent context.

In reaction to the position of the French President and the German Chancellor, Turkish politicians are becoming increasingly reluctant to continue pedalling the idea that Europe really wants Turkey in the club. The perception of endless waiting, regardless of whether Turkey satisfies the EU's criteria or not, is widespread among the Turkish population. Even though Turkey showed signs of a renewed commitment to the accession process by making Egemen Bağış Turkey's first full-time accession negotiator in 2009, Turkey seems to be suffering from a repeated loss of interest in the EU. Even the newly appointed negotiator believes that entry into the EU is a long way off. Prime Minister Erdoğan's government claims that Turkey remains committed to EU accession, but enthusiasm is dissipating fast. Turkey's President Abdullah Gül has even mentioned the possibility that at the end of the negotiation process it might be Turkish citizens who reject EU membership in a referendum.<sup>2</sup> The rhetoric of EU leaders and the lack of any strong supporter has stimulated anti-European feeling in Turkey and made compliance with EU law an even greater challenge. The benefits of EU membership seem to have become less obvious for Turkey. With the likelihood that financial transfers will be greatly reduced by the time it might join and the free movement of persons restricted during long transition periods, or even permanently, the most obvious membership benefits for Turkey are beginning to evaporate.

While its leverage over the reform process in Turkey was high between 1999 and the beginning of accession negotiations in 2005, the EU's subsequent ambiguous attitude has steadily reduced its power to influence transformation in Turkey. The main reform package was launched before negotiations began as this was then a clear goal to be reached. However, Turkey has been lacking a clear target since negotiations began; the prospect of an "open ended process" suggests Turkey may never become a full member. Furthermore, with referendums in Austria and France on future enlargements – which leave Turkish accession in the hands of the Austrians and French whose opinion may well be swayed by euro-sceptical political parties – have contributed to the EU's loss of credibility in Turkey. Today, references to the EU criteria are heard less and less in Turkish domestic discourse. The latest proof of this tendency was Turkish reaction to the EU's decisions made at the long-awaited European Council in December 2009; Turkey paid little attention as the negotiation process seemed to be at a standstill anyway. In the autumn 2009 Eurobarometer, 45%

1 Sabah (2007), Sarkozy: Turkey is not European, 23/05/2007.

2 Hürriyet Newspaper, 10/10/2009.

of Turkish citizens thought that EU accession would be good for Turkey (3% less than in spring 2009); only 50 % (-7%) believed that Turkey would gain advantages by becoming an EU member.<sup>3</sup> Turkey's level of trust in EU institutions is much lower (37%) than those of the EU member states (53%).<sup>4</sup> There is no member state, apart from the UK, with levels lower than those in Turkey.

Declining trust in the EU further threatens the power of EU political conditionality in Turkey. The continued negative discourse on Turkey's membership has not only resulted in a failure to pursue reforms and fulfil EU requirements within Turkey but has also negatively impacted Turkey's desire to become an EU member. Creating uncertainty over EU accession, even in the case of full compliance, has destroyed credibility, and the declaration by the new enlargement commissioner, Stefan Füle, in favour of enlargement lacks any potential to reverse Turkey's diminishing trust.<sup>5</sup> The Turkish government could, in theory, try to stem the loss of hope among its population by focussing on member states other than opponents of Turkey's membership; however, Turkey's officials no longer see this as a useful tactic.

Turkey's accession process has become highly political and increasingly alienated from the technical process that traditionally characterised enlargement and which had adoption of the EU aquis at its centre. Indeed, while Turkey's adoption of the EU aquis is a necessary condition, it is not a sufficient one. Turkey's EU integration is also determined by the interests of EU member states, public approval, internal EU dynamics and the EU's future in general. The debate around Turkey's membership also tackles questions on the possible burden for the EU budget as well as its institutional set-up - Turkey's size would have consequences in terms of its weight in the EU institutions. Therefore, the EU's internal dynamics – and not just Turkey's performance – will also be decisive in Turkey's EU accession. The vaguely-defined EU absorption capacity – underlining that the EU has to be ready for new members – is therefore a fundamental part of the debate on Turkey.

### IS THERE A WAY OUT?

While Turkey's strategic value is widely acknowledged, a consensus on the benefits of Turkey's EU membership is lacking among EU member states. The perception that Turkey does not fit into the EU based on religious and cultural differences also remains an important obstacle for EU-Turkey relations. However, arguments based on culture did not prevent the opening of accession negotiations in 2005, and it is unlikely that they will be used as an official argument to halt the negotiations at this stage. Even though some member states are wary of Turkey's membership, the formal EU commitment towards Turkey impels it to continue with negotiations as the official EU approach still links progress in the accession talks to compliance with democratic norms. A valid official argument to stop the negotiations can therefore only be the non-fulfilment of Turkey's obligations. Therefore, as long as Turkey keeps on fulfilling the criteria incrementally, negotiations will most likely remain on track. The most realistic scenario is therefore the continuation of slow progress. It has to be kept in mind, however, that the negotiations could reach an impasse by the end of 2010 as there might be no more chapters to be opened. Meanwhile, Turkey's refusal to open its ports and airspace to the Republic of Cyprus means negotiations will continue to feel this added pressure throughout 2010. However, and despite the fact that EU integration is not Turkey's only foreign policy priority, it is unlikely that Turkey would itself provoke a total break-up of negotiations as this would mean domestic political instability, uncertainty for foreign investors and an immediate decrease of Turkey's regional attractiveness.

3 European Commission (2009), Standard Eurobarometer 72, Autumn 2009.

4 European Commission (2009), Standard Eurobarometer 71, Spring 2009.

5 "Let me be very clear on Turkey and its accession process, to reply to the question whether I can imagine Turkey becoming a member: Yes, I can" in: European Voice, Füle wins minds, Andrew Gardner, 12/01/2010.

If there really is interest on the EU side to step up the pace of negotiations and fully support the reform process, the EU needs to convince Turkey of the credibility of its commitment to enlargement. Turkey, in turn, will have to find effective strategies in order to influence the tone of the EU enlargement debate. In that sense it would be useful if Turkey invested more in its relationship with the members who acceded to the EU in 2004 and 2007 and whose public and governments are largely in favour of Turkey's EU accession. Even though the attitude towards Turkish membership among those members is positive, they are rarely very vocal in their support. While convincing reluctant member states will always be extremely difficult, developing effective communication with member states supporting Turkey's accession could show more motivating results.<sup>6</sup>

### **TURKEY IS NO "ORDINARY" CANDIDATE**

Blocking Turkish membership is not a benign policy. The longer Turkey feels it is being treated unfairly the greater its resentment towards the EU will be. It is difficult to ignore the effects that negative signals from the EU have had on Turkey's elites that now seek to promote a foreign policy approach not entirely centred on EU integration. AKP foreign policymakers have taken a step back from the commitment they made to EU integration at the beginning of the party's first mandate; Europeanisation has since been relegated from its position as their number one foreign policy goal as a new interest in its own neighbourhood emerges. In the context of a new, more assertive foreign policy, Turkey further emphasizes its security value as well as its economic and political credentials and criticizes the EU position more often. EU rejection is no longer met with self-pity but rather a more self-confident understanding of Turkey's significance in the world. Traditionally, the EU has expected candidate countries to adjust to EU laws and policies. Turkey, however, demands the EU deal with Ankara at eye level on foreign policy issues, and given its geo-strategic importance, it does not perceive itself as an "ordinary" candidate. The negotiations between the EU and Turkey on the agreement on the Nabucco pipeline project in July 2009 are a case in point.<sup>7</sup> Turkey is not only lacking progress in its reforms, but is in some cases pursuing a policy that goes against harmonization with EU norms. An example for this is Turkey's new visa policy that abolishes visa requirements for certain countries in the Middle East, some of them part of the EU's Schengen 'black list'. The chapter covering migration-related issues is one of the few chapters that has not yet been blocked, but there has been very little effort from the Turkish side to harmonize its policies in this area. By abolishing visa requirements with neighbouring countries Turkey further complicates the opening of this chapter. This is a prominent example of the fact that self-interest rather than a common destiny with the EU has become Turkey's defining approach and which has made Turkey's attitude towards the EU integration process more pragmatic. This trend may be welcomed by some EU leaders such as President Sarkozy, but in the evolving multi-polar environment it remains to be seen whether this matches the interests of the EU project itself.

6 Balcer, A., Zalewski, P. (2010), Turkey and the "New Europe": A Bridge Waiting to be Built, in: *Insight Turkey*, Vol. 12, No. 1, 2010, p. 37-46; Devrim, D., Schulz, E. (2009): An Effective Communication Strategy for Turkey, in: *EU-Turkey Monitor*, Vol. 5 No 1, May 2009.

7 Kardas, S. (2009), Geo-strategic position as leverage in EU accession process: The case of Turkish-EU negotiations on Nabucco pipeline, unpublished manuscript.

## CHAPTER 2

# Reforms in Turkey: A Long Way Travelled

*Jonathan Levack, Turkish Economic and Social Studies Foundation (TESEV)*

Change is afoot in Turkey. Domestic demand and the prospect of European Union accession have led to a period of unprecedented reform and change not seen since the onset of the Republic. The Bülent Ecevit coalition of the late 1990s and subsequently the Justice and Development Party's (AKP) majority governments have been at the forefront of reforms. Successive reform programmes have witnessed considerable changes in civil-military relations, the penal code, minority rights, freedom of expression and the security sector more generally - much of which may have been unthinkable just ten to fifteen years ago. Central to these radical reforms has been the domestic demand for change, willing governments and the EU, not only as an aspiration, but as an anchor in the process.

The pace of reform has in large part been linked to the prospect of accession; in the early part of the preceding decade, with the EU firmly in Turkey's view, reform was unprecedented. However, as the EU began to deliver mixed messages, reforms slowed considerably. The process is not only prone to fluctuate but it is also multidimensional. Put simply, the combination of domestic demand and the prospect of accession are both vital; neither is enough on their own. The nature of this paper means that all reform issues cannot be covered. Given the breadth of the subject, this section will concentrate on three issues: minority rights, civil-military relations and freedom of expression.

### MINORITY RIGHTS: THE CASE OF THE KURDS AND ALEVIS

The European Union's Copenhagen Criteria states that any candidate must both respect and guarantee the protection of minorities.<sup>8</sup> Indeed, the issue of minority rights in Turkey, for both Muslims and non-Muslims, has been the source of much debate and Turkey has been the subject of much criticism. However, although the vast majority of stakeholders in Turkey are aware that much more needs to be done, critics often don't acknowledge the progress Turkey has made in recent years. In the course of this section, this article will look at two groups in Turkey: the Kurds and the Alevis. While non-Muslim minorities are equally important, space does not permit thorough discussion of multiple issues.

The Kurdish issue was long viewed simply as an issue of security,<sup>9</sup> rather than a multifaceted problem that encompassed under-development, a lack of cultural rights, human rights abuses and terrorism.<sup>10</sup> Unsurprisingly, years of seeking a military solution has not resulted in a lasting and sustainable solution; something both the public and security forces now seem to openly acknowledge.<sup>11</sup> Commendably attempts to tackle the issue in a more holistic fashion are now underway. Nonetheless, developments in 2009 have proven both positive and frustrating.

2009 began positively: TRT, Turkey's public service broadcaster, launched TRT-6, a 24-hour Kurdish-language channel. Further, permission to open Kurdish institutes at universities was granted – Mardin-Artuklu University's Dean publicly stated his desire to do just that.<sup>12</sup> Perhaps most significantly, the government's much-vaunted 'Kurdish opening' – often termed the 'democratic opening', was launched in the summer of 2009. It was a brave political step that promised a radical new approach to this ever-complex problem. As such, the step deserves much credit, but

<sup>8</sup> [http://ec.europa.eu/enlargement/enlargement\\_process/accesion\\_process/criteria/index\\_en.htm](http://ec.europa.eu/enlargement/enlargement_process/accesion_process/criteria/index_en.htm).

<sup>9</sup> TESEV (2008), *A Roadmap for a Solution to the Kurdish Question*.

<sup>10</sup> *Independent Commission on Turkey* (2009).

<sup>11</sup> Özel, S. (2009), *Kurdish Opening: Onto the Second Round*, GMF: On Turkey.

<sup>12</sup> *Radikal* (2009), 15/09/09.

opposition to the opening was substantial and vocal. While there may have been a tangible meta-narrative or goal, the process itself lacked definition and, seemingly, strategy.

The opening was not helped by the Constitutional Court's decision to close the Kurdish nationalist Democratic Society Party (DTP) in December 2009. Indeed, the Venice Commission of the Council of Europe concluded that legislation covering the closure of parties was not compatible with the European Convention on Human Rights.<sup>13</sup> In this instance, 37 members of the party, of whom 21 held seats in parliament, were banned from active politics for five years. Perhaps most unfortunately, among these were many of its dovish members, including the party's then leader Ahmet Türk.<sup>14</sup> This has exaggerated one of the major obstacles to a political solution; the absence of a legitimate Kurdish political actor that does not take its cues from Abdullah Öcalan, the jailed leader of the PKK. If a lasting solution to this very complex and deep rooted problem is to be found both sides will have to return to this issue with renewed vigour.

Turkey's Alevi issue was not always as prominent as the Kurdish issue. Indeed, until recently it was little discussed. According to estimates, the Alevis number around 10-15% of the population -approximately 10 million.<sup>15</sup> They differ from the majority of Turkish Muslims who are Sunni. The issues faced by Alevis in Turkey stem from this distinction; the dominant understanding of Islam in Turkey reflects the sectarian majority – i.e. Sunni (Hanafi denomination). Through the Department for Religious Affairs, the state employs preachers as civil servants and defines the relationship between religion, state and society. For Alevis, this explicitly reflects the Sunni-Hanafi understanding of Islam.<sup>16</sup> Indeed, according to the Department for Religious Affairs, the Islamic place of worship is a mosque. As a result, the Alevi place of worship – the cemevi – is not deemed a place of worship by the state and thus they are not funded centrally. Recent attempts to change the status of cemevis have been inconclusive,<sup>17</sup> but three municipal councils have recognised cemevis as places of worship and thus granted the same financial benefits bequeathed upon mosques.<sup>18</sup> Another cause for concern is the provision of religious education in Turkey, which teaches the dominant Sunni-Hanafi understanding of Islam. Ankara, Antalya and Istanbul have ruled that Alevis may be exempt from attending such classes if they wish.<sup>19</sup> In addition, moves have been made to introduce Alevism into religious education but this has been criticised as a token gesture.<sup>20</sup> Despite this, the fact that these issues are now being discussed openly is evidence of both the progress made in Turkey as well as the steps that still need to be taken.

### CHANGING CIVIL-MILITARY RELATIONS

According to the Economist, "It [2009] has been a rotten year for Turkey's generals".<sup>21</sup> Long a pillar of Turkish society, the military has been gradually pushed back from frontline politics. This process is twofold: the first encompassing legislative changes that ensure more civilian oversight of the military – and the security sector more generally – and the second a sociological issue, embodying a change in perception of the role and position of the military in society. The first, as will be outlined, has seen much progress in recent years. However, the second is a more complicated process that is tied up in conceptions of the state in Turkey.

In order to understand the distance Turkey has travelled over the last decade, it is worthwhile outlining briefly the political power and influence the military once held. Following the military coup in 1980, the army ruled through the National Security Council (Milli Güvenlik Kurulu, MGK)

<sup>13</sup> European Parliament (2010).

<sup>14</sup> Özel, S. (2009), *Kurdish Opening: Onto the Second Round*, GMF: On Turkey.

<sup>15</sup> Pew Research Center (2009).

<sup>16</sup> Şener, C. (2009), *Alevism in Questions*, Turkey: Pozitif.

<sup>17</sup> Reported in *Today's Zaman* (2010), 08/02/10.

<sup>18</sup> European Commission (2009).

<sup>19</sup> European Commission (2009).

<sup>20</sup> Şener, C. (2009), *Alevism in Questions*, Turkey: Pozitif.

<sup>21</sup> The Economist (2010), *These Cursed Plots*. January 2nd. Volume 394, Number 8663.

for three years enacting a number of rudimentary authoritarian reforms, including the introduction of a new constitution. The document not only defines several key concepts in Turkish society and limits freedom of expression, but it also institutionalises the role of the military in the policymaking process. Indeed, the military often revelled in their role in, and influence over politics; in 1992 the then chief of the general staff Gen. Doğan Güreş proclaimed that “Turkey is a military state”.<sup>22</sup>

The gradual reform process began in earnest in 1999. The most significant reform occurred in 2003/4 with the changing of the composition and role of the Secretariat of the MGK. Under the new reform the Secretariat’s role was limited to a purely consultative one (previously it could instigate investigations and activities of its own accord with or without the council’s knowledge), its size was reduced and the Secretary General of the MGK was to be a civilian from that point on.<sup>23</sup> More recently, two further reforms are noteworthy. The first landmark reform involves attempts to allow military personnel to be tried in civilian courts on non-military-related matters (although the Constitutional Court has since rejected the related legislation). The second is the intention of the Parliamentary Human Rights Commission to investigate claims of mistreatment in military prisons,<sup>24</sup> something that would have been inconceivable until recently. Indeed, such reforms – or reform attempts – would not have been possible without at least some cooperation from the military. Then Foreign Minister Abdullah Gül acknowledged as much: “the reforms would be much more difficult without the support of the military”.<sup>25</sup> All in all, change has been remarkable; civil-military relations in Turkey today are unrecognisable in comparison to ten years ago.

According to Professor Karaosmanoğlu, Turkey has long had a deep-rooted security culture.<sup>26</sup> While reforms have brought great change, this security culture is continuing to prove a hindrance to the transformation of civil-military relations inline with European standards. The military has traditionally been pro-Western and has seen itself as the guardian of the legacy of the founder of the Turkish Republic, Atatürk. As yet, the military has not fully dispensed with this sense of political purpose or duty; it remains a political actor. As the EU’s 2009 Progress Report highlights: “The armed forces have continued to exercise undue political influence via formal and informal mechanisms”.<sup>27</sup> As little as three years ago, it attempted to directly intervene once more. In April 2007, the military issued a strongly-worded statement that coincided with the first round of the parliamentary vote to select a new president. The statement, which warned of secularism being under threat, was seen as an attempt to directly interfere in the presidential elections.<sup>28</sup> Ultimately, the attempt to influence the result of the election proved a massive miscalculation; the candidate that the military opposed, Abdullah Gül, was elected president later that year.

Two issues have subsequently come to light that have contributed to change in perception amongst society: Ergenekon and Balyoz. Ergenekon is an alleged ultra-nationalist clandestine network that infiltrates many state institutions, notably the military, and has terrorist connections. The network is allegedly tasked with carrying out various illicit activities that have both direct and indirect political objectives – in some sense, a Turkish Gladio. Investigations – also dubbed Ergenekon – into the network centre around the charge of attempting to overthrow the current government and have been hugely divisive. Indeed, military officials have been criminally charged,<sup>29</sup> yet actual convictions have not yet yielded, leading some to suggest that Ergenekon is a witch hunt against those in opposition to the current government.<sup>30</sup> Whatever the eventual outcome of the investigations will be, the military’s reputation has been damaged.

22 Özcan, G. (2001), *The Military and the Making of Foreign Policy in Turkey*, in: Kirisci, K., Rubin, B. (ed.), *Turkey in World Politics. An Emerging Multiregional Power*, London, 2001, p. 16-20.

23 European Commission (2004), *Report on Turkey’s progress towards accession*.

24 Reported by Güler, H. (2010), in: *Today’s Zaman*, 15/01/2001.

25 Reported by Yetkin, M. (2006), in: *Radikal*, 16/06/2006.

26 Karaosmanoglu, A. (2009), *Turkish Security Culture: Evolutionary or Carved Stone*, in: Volten, P. (ed.), *Perceptions and Misperceptions in the EU and Turkey*, The Centre of European Security Studies, Amsterdam.

27 European Commission (2009).

28 Freedom House (2008), *Turkey in Transit*.

29 European Commission, (2009).

30 Jenkins, G. (2009), *Between Fact and Fantasy: Turkey’s Ergenekon Investigation*, Stockholm: The Silk Road Studies Program.

Open questioning of the military's role in society only increased with the revelations of another coup plot, known as Bayloz (sledgehammer in English), in early 2010. The alleged plot unveiled in January 2010 dates back to 2003 and is said to involve the sparking of civil unrest in order to justify military intervention into the domestic political arena. Worthy of a Le Carré novel, the seriousness of the plot is refuted by the military, who claim it was a simple war game scenario. Again, whatever its true nature, the military's reaction to the publication of the plots details in the daily Taraf has won it few supporters; faith in the military has almost certainly declined. Whether the combination of revelations and public relations blunders are enough to create a change in Turkey's security culture remains to be seen – despite the setbacks the military is still popular. The signs are however positive and the military is more and more being pushed away from mainstream politics and being brought under the control of the democratic system.

### **MORE ROOM FOR DEBATE**

Freedom of expression, or restrictions on it, has often been used as criticism of Turkey internationally. Again, much progress has been made in line with both the accession process and domestic demand for change. Article 301 of the Turkish Penal Code was often used to prosecute authors and journalists for insulting Turkishness i.e. an understanding of what it means to be a Turk. Famously Noble Prize-winning author Orhan Pamuk and Elif Şafak were both prosecuted for insulting Turkishness – both unsuccessfully it should be added. Although there are still ongoing prosecutions made under 301, amendments made to the law in 2008 have reduced the number of cases.<sup>31</sup> Indeed, general debate about issues previously deemed too sensitive to discuss has risen significantly. Today there is far more open public debate on issues like the Kurdish question, the role of the military in society and relations with Armenia. An example of this new openness was the signing of an online petition by 30,000 academics and citizens who openly and personally apologised for the “great catastrophe” of 1915.<sup>32</sup>

The reform process is far from over. Indeed, according to the EU's Progress Report: “the Turkish legal framework still fails to provide sufficient guarantees for exercising freedom of expression and, as a result, is often interpreted in a restrictive way by public prosecutors and judges”.<sup>33</sup> Women are still not allowed to wear headscarves in universities. This is despite the current government's roots in political Islam and over 70% of Turks supporting the lifting of the ban.<sup>34</sup> Additionally, the freedom and independence of the media is still a key issue. Whereas competition in the mass media is an issue, the tax-related court case against the leading media group – Doğan Media Holding – threatens freedom of expression in Turkey. The punitive fines imposed on the group are generally considered disproportionate to the charges brought against it; according to the EU's 2009 Progress Report: “The high fines imposed by the revenue authority potentially undermine the economic viability of the Group and therefore affect freedom of the press in practice”.<sup>35</sup> Whether the fines are politically motivated or not is a question for debate -the European Parliament was critical of the “unhealthy links between media, business and politics”.<sup>36</sup> Indeed, it can be argued that there is a chasm in the Turkish press between pro-government media groups and pro-establishment/ anti-government groups.

### **A LONG WAY TRAVELLED BUT STILL MORE TO DO**

Turkey has travelled an enormous distance in a relatively short space of time. Driven by the prospect of EU accession and domestic demand for change, reforms over the last decade have been unparalleled. Thorough attempts at solving deeply entrenched ethnic and religious issues have yielded praiseworthy results. Greater openness has allowed debate of previously taboo

31 European Commission (2009).

32 Independent Commission on Turkey (2009).

33 European Commission (2009).

34 Independent Commission on Turkey (2009).

35 European Commission (2009).

36 European Parliament (2010).



subjects. The political process is not only more responsive to the demands of the public but the process itself is more democratic; Turkey's politics is now more inclusive and involves far more civil society interest groups. Indeed, discussion of the role of the military in Turkey is very much in the public domain and may yet result in a shift in the country's security culture. Underlining the reform process are two key themes: the independence of the judiciary and the need for a new constitution.

In its resolution on the Commission's 2009 Progress Report, the European Parliament stated: "A comprehensive and swift reform of the judiciary is vital for the success of the modernisation process in Turkey".<sup>37</sup> A recent TESEV study found that many judges and prosecutors see it as their role to protect the 'interests of the state'<sup>38</sup> – as opposed to simply applying the laws of the state. Indeed, the judiciary remains a partial force in Turkey, be it annulling legislation designed to limit the military's jurisdiction, prosecute journalists and writers for expressing themselves freely or imposing extortionate and possible politically motivated fines on the media. A new constitution would also limit the role of the judiciary to what it is intended to do. Many of the issues relating to minority rights, the role of the military and freedom of expression would also be eased, if not solved, by replacing the 1982 constitution. Whereas there seems to be a consensus over the need for reform in this area, only incremental change is currently touted by the government. If both of these stubborn issues are to be resolved, both the prospect of accession and domestic demand for change remain vital.

37 European Parliament (2010).

38 TESEV (2009), *Justice can be bypassed sometimes: Judges and Prosecutors in the Democratization Process*. Istanbul: TESEV Publications.

## CHAPTER 3

# Turkey's Growing Role in The Middle East And The Caucasus

*Jonathan Levack, Turkish Economic and Social Studies Foundation (TESEV)*

Much has been written about Turkey's changing foreign policy in recent years. In the second half of the 20th Century, Turkish foreign policy could be described in classic realist terms; Turkey was, if anything, predictable. Indeed, not long ago, Turkey had fractious relations with most of its neighbours and little or no interest in the Middle East. This is no longer the case. Following rapprochement with Greece in the late nineties, the normalisation of Syrian relations and greater engagement with the Middle East in the last decade, Turkey's foreign policy is much more self-confident. The questions of what role Turkey will now play in the Middle East and how Turkey will continue to approach the Caucasus is therefore worthy of serious discussion.

Before analysing specific examples of Turkey's changing role, it is important to briefly outline the factors behind this foreign policy change. Some argue that the change in direction is a reflection of the current government's identity and conservative nature. However, this ignores several other factors that have influenced Turkey's new policy. These can be summarized as:<sup>39</sup>

- Turkey's growing geostrategic significance and Ankara's awareness of it, fuelling a perception of its own centrality and importance
- The growing middle class's search for new markets to invest in
- The government's general outlook and the importance of Ahmet Davutoğlu's strategic-depth thesis and zero-problems aspiration
- The newfound significance of public opinion in foreign policymaking
- The decreasing role of the military in foreign policy.

The influence of the European Union should also not be ignored here. The negotiating framework signed between Turkey and the EU stresses the need for Turkey to be committed to the principle of good neighbourly relations.<sup>40</sup> How the EU benefits from Turkey's changing foreign policy is however as yet unclear.

### TURKEY AND THE CAUCASUS

Following the break up of the Soviet Union, Turkey's approach to the newly independent Caucasus and Central Asian bloc was based around the concept of kinship. With the opportunity to develop a genuinely autonomous foreign policy, Turkey aimed to be an independent regional power. Relations with Azerbaijan flourished - a country with which Turkey had cultural and linguistic ties. However, Turkey's pan-Turkic agenda was not as successful as it had hoped; many of the newly independent states wanted to remain non-aligned or needed financial assistance and subsequently Russia's influence and pull re-emerged.

Brotherhood and the concept of 'one nation, two states' still resonates in Turkish-Azeri relations but the extent to which it now frames Turkish foreign policy in the region is debatable. Consistent with its changing foreign policy, a more pragmatic approach towards the Caucasus has started to take shape that is not simply based on ethnolinguistic ties. Now energy, Russia and latterly stability are Turkey's key strategic imperatives.

<sup>39</sup> These are based on a discussion of Turkish foreign policy at TESEV's Turkey-Cyprus Dialogue workshop in December 2009.

<sup>40</sup> [http://ec.europa.eu/enlargement/pdf/turkey/st20002\\_05\\_TR\\_framedoc\\_en.pdf](http://ec.europa.eu/enlargement/pdf/turkey/st20002_05_TR_framedoc_en.pdf).

Turkey has openly expressed its desire to become an energy hub – sometimes termed transit zone. The completion of the Baku-Tbilisi-Ceyhan (BTC) pipeline in 2005/6 was a major step in this direction, pumping about a million barrels of oil a day. Therefore Turkish-Azeri relations remain significant; not only does Turkey benefit from transit fees but it also receives subsidised Azeri oil and gas. Running alongside BTC, it is proposed that the Baku-Tbilisi-Erzurum gas pipeline be extended and supplemented to bring gas to Europe – the Nabucco project. Nabucco is considered a European priority as it decreases its overall energy dependency on Russian gas. Turkey has also expressed its support for Russia's ambitious South Stream pipeline, arguing it is complementary and not a competitor to Nabucco.

Turkey is heavily dependent on imported energy sources to fuel its ever increasing demand. Turkey buys about two thirds of its natural gas and nearly a third of its oil from Russia. Further, trade with Russia is blossoming. Russia is Turkey's biggest trading partner with bilateral trade totalling over \$38bn per annum<sup>41</sup> and they have the declared goal to raise this figure to \$100 billion within five years. Clearly, maintaining relations with Russia is a priority.

Despite growing economic relations, Turkey is a little wary of Russia's returning dominance as well as instability in the Caucasus. The events of the 2008 Five Day War between Russia and Georgia over the breakaway region of South Ossetia remilitarized the region and shifted the emphasis of power. Turkey responded by presenting its Caucasus Stability and Cooperation Platform, which seeks to establish a regional forum for dialogue with the participation of Russia and Turkey as both are necessary if regional solutions are to be found. Turkey subsequently had to persuade the US that this was not an attempt to reduce their influence in the region. Indeed, neither Georgia nor Azerbaijan were overly supportive and thus the proposal has been left standing.

#### **TURKEY AND ARMENIA: GOING ROUND AND ROUND IN CIRCLES**

Clearly, from a Turkish perspective the glaring regional issue is relations with Armenia. Despite attempts to improve relations in the early 1990s, diplomatic ties have never been established between the two countries. Talks aimed at establishing relations stalled in 1993, in part due the then escalation of the armed conflict between Armenia and Azerbaijan in the areas surrounding Nagorno-Karabakh. As such, the Turkish-Armenian land border has remained closed (although there are regular flights between Istanbul and Yerevan) and diplomatic relations have not been established.

In recent years, there have been signs of hope. The outpouring of grief in Turkey following the murder of Hrant Dink, football diplomacy, behind the scenes meetings and international pressure all contributed to the eventual signing of two protocols aimed at establishing relations in October 2009. These protocols are designed to be ratified by the relevant national parliaments in order to officially establish relations, after which Turkey and Armenia have two months to open the border. Importantly, the two respective sticking points (namely genocide recognition for Armenia and steps to resolve the Nagorno-Karabakh issue for Turkey) make no official appearance in the protocols, suggesting they should no longer be factors in the technical normalisation of bilateral ties.

The process of ratifying the two protocols is not, however, going to be very straightforward. The ratification of Turkey's protocol in its parliament is far from guaranteed. The Azeri lobby – both domestic and international – is unsettled by attempts to open the border. Indeed, the Turkish Parliament has been known to pander to Turkish and Azeri nationalist sentiment as well as wanting to see movement on Nagorno-Karabakh. Domestic difficulties associated with the normalisation of relations were again highlighted in March. The House Foreign Relations Committee's decision to approve a resolution calling for genocide recognition provoked a stern reaction from both the Turkish public and officialdom. Put simply, barriers to the normalisation of Turkish-Armenian relations still exist but the unprecedented progress that has been made has every chance of yielding a historic and lasting solution.

■ 41 State Institute of Statistics (2009).

## NORMALISATION AND RAPPROCHEMENT

The Caucasus is a volatile region. The combination of ethnic disputes, closed borders, mutual animosity and the region's geographic importance is a source of great instability. After years of following a largely failed regional policy based on identity and kinship, Turkey is now acting in a far more pragmatic fashion. Turkey is now seeking, not only to normalise its relations in the region, but also to create an atmosphere of stability. From a domestic perspective, its recent efforts to open the border with Armenia are a bold step and one that could yield great success. However, these steps have affected the regional status quo and upset nationalist groups in Turkey and Azerbaijan. Efforts to uphold this fine balance will be challenging. If Turkey wants to pursue a policy of zero problems with its neighbours and be a positive regional power, the normalisation of relations with Armenia is paramount. Only after the normalisation of relations will the long process of mutual rapprochement really begin in earnest.

## TURKEY AND THE MIDDLE EAST

Until recently Turkey's relationship with the Middle East could be described as one of mutual ambivalence. Turkey's long-standing desire to move westwards coupled with a historical legacy of mutual mistrust, meant relations with the region were far from intimate. Indeed, Turkey's key regional ally was Israel – the antithesis of having good relations with the Arab world – and border disputes with Iraq and Syria continually simmered. Despite sporadic attempts at improving relations with the Middle East, Turkey's relations with the region were generally frosty.

The rise of the current government has witnessed a marked improvement in relations. Not only has Turkey sought to normalise its relations with its neighbours but it has also looked to develop economic and political ties with the Middle East as well as play a regional role that actively seeks solutions to existing problems – Turkey no longer wants to be seen as a source of the region's problems but a partner in solving them. This has led to both praise and criticism: TESEV's recent survey of over 2,000 Arab nationals found that the region is warmly welcoming of Turkey's growing engagement<sup>42</sup> yet some claim that the AKP's foreign policy is misguided and in conflict with Western interests.<sup>43</sup> So how has Turkey changed? And what can it achieve in the region?

Iran's opaque nuclear programme is a continual concern for policymakers around the world. Having good relations with Iran, Turkey is often touted as a potential mediator. Indeed, Turkey has little interest in a nuclear armed Iran;<sup>44</sup> Foreign Minister Ahmet Davutoğlu has advocated a region void of nuclear weapons – a message he has said he has passed on to the Iranians.<sup>45</sup> (Turkey is also reported to have said to Tehran that Iran will have Ankara as an enemy if it develops nuclear weapons and that the wider region is concerned with developments).<sup>46</sup>

Despite this Turkey has long advocated engagement with Iran on a number of issues from energy, to trade and from transport links to weapons. Turkey now imports about a third of its gas from Iran and trade flow between the two nations amounts to around \$10 billion per annum;<sup>47</sup> the extent to which Turkey wants or deems it appropriate to confront or pressure Iran is questionable. Evidence suggests that Turkey wants to maintain relations; Turkey has consistently underlined the fact that Iran is perfectly within its rights to develop peaceful nuclear energy. Further, Erdoğan was one of the first world leaders to congratulate Ahmadinejad on his controversial 2009 election victory – something that not only puzzled the international community but also put Turkey at odds with reformers in Iran. This message was reiterated in February 2010, when Davutoğlu said: "We consider the elections democratic and, in terms of the people's turn out, a positive development".<sup>48</sup>

42 TESEV (2009), *The Perception of Turkey in the Middle East*, TESEV Publications.

43 To the extent that some claim it is Islamic in character. See, for example, Çağatay, S. (2009) and comments by the Israeli Military Intelligence Chief, Maj. Gen. Amos Yadlin.

44 For a good discussion of the threats posed to Turkey by a nuclear Iran, see Lesser, I. (2010).

45 Davutoğlu, A. (2009), Transcript of Speech to SETA Washington, 08/12/09.

46 Reported by Birand, M. A. (2010), in: *Hürriyet Daily News*, 04/02/2010.

47 State Institute of Statistics (2009).

48 Reported by Özerkan, Fülya (2010), in: *Hürriyet Daily News*, 03/02/2010.

Iran is fast becoming a litmus test for Turkey and its new foreign policy. Whether Turkey can persuade Iran to be more open about its intentions will test its claimed regional influence. Likewise, as a non-permanent member of the Security Council, if sanctions were to be proposed it remains to be seen if Turkey would support, abstain or oppose.

The US-led invasion of Iraq and the Turkish Parliament's decision not to let troops base themselves in Turkey for a land offensive through Northern Iraq created a fault line in US-Turkey relations. Turkey feared the break-up of Iraq in the wake of the invasion and the domestic implications that it might have had. It also, out of kinship, defended the rights of the Turkmen in Northern Iraq, arguing that their security would likely be jeopardized with further autonomy in the region.

Yet, now Turkey is being seen as a source of security in Iraq. Turkey initiated meetings of Iraq's neighbours to discuss the security situation in the country and encouraged, if not convinced, Iraqi Sunni leaders to participate in the domestic political process. In the north, Turkey has started to work publicly with the regional government. The USA's readiness to contemplate withdrawal from Iraq necessitated their seeking Turkey's cooperation and the Iraqi Kurds needing security guarantees. This has led to collaboration in the fight against the PKK in Northern Iraq, including the temporary opening of airspace to the Turkish air force. Now Turkey is not only an economic force in the region helping to rebuild it but also a key political player. President Gül's visit to northern Iraq in March 2009 and plans to open a Turkish consulate in Erbil demonstrate the economic and political importance of the region to Turkey.

Traditionally, Israel has been Turkey's key regional ally and vice versa. A shared view of the Middle East and the multitude of threats stemming from it, as well as a legacy of tolerance, led to close political, economic and military ties. However, this once close relationship has started to show signs of severe strain. Erdoğan's very public haranguing of Israeli President Shimon Peres – an advocate of Turkish EU accession – in Davos in January 2009 is indicative of a changing rhetoric emanating from the government and particularly the prime minister. Turkey was extremely critical of Israel's behaviour during the military intervention on Gaza in January 2009. Having pushed for the Gaza meeting at Davos, in which he criticized the Israeli President and later walked out, Prime Minister Erdoğan continually used the terminology "state of terror" to describe the then situation. Tensions escalated when Turkey asked Israel to withdraw from a planned joint air force drill being conducted under the auspices of NATO. Further, the treatment of Turkey's ambassador to Israel in a recent meeting with the country's deputy foreign minister led to great protest in Turkey and an eventual apology. Alongside this, Turkey's reengagement with some of Israel's foes has been cause for concern in Jerusalem. Put simply, Turkish-Israeli relations have become pretty shaky.

Turkey has been particularly active in trying to find both holistic and piecemeal solutions to the plight of those in Gaza. In 2007, Turkey made efforts to assist the Palestinian economy by aiming to establish an industrial zone in Gaza, sighting the link between prosperity and peace. Despite the current uneasy state of relations with Israel, Turkey continues to offer its services as a mediator in various regional conflicts, particularly Israel-Palestine. Turkey involved itself in negotiations over the Gaza crises in 2008 and 2009. Indeed, prior to becoming foreign minister, Davutoğlu was invited to join the French delegation to Syria to discuss the then Gaza crisis. However, if Turkey wants to fulfil its aspiration of being a regional foreign policy actor, having shaky relations with another key actor may prove to be a significant barrier.

Turkish-Syrian relations have often been strained, if not downright hostile. Disputes over water, territory and the PKK had characterised relations between the two states until the end of the 1990s. However, the last few years have witnessed a remarkable transformation in relations. Trade, travel and diplomatic relations have grown significantly to the extent that visa requirements between the two countries have been dropped – the concepts of both Schengen and Şamgen now feature in the Turkish lexicon.<sup>49</sup> Turkey has also sought to play a role diplomatically in hosting indirect talks between Syria and Israel in Istanbul, although to no avail.

■ 49 Daudov, M. (2010), Turkey and the EU: Norwegian or British model? *Today's Zaman* 17/02/10.

## IN RETROSPECT: WHAT CAN TURKEY REALISTICALLY ACHIEVE IN THE MIDDLE EAST?

As has been demonstrated, Turkey's policy towards the Middle East has been – and continues to be – in transition. Gone are the days when Turkey sought isolation from the region. With its newfound and praiseworthy activism, Turkey has repaired relations with Syria and Iraq. Turkey is now a regional leader; it is seen as synthesis of Islam and democracy and a fast developing economic power with influence. Further, its reengagement has proven extremely popular with the majority of the region's publics.<sup>50</sup>

How the European Union and its member states benefit from Turkey's new regional role is also a subject for debate. In such discussion, many point towards the lack of a truly European foreign policy as an obvious obstacle.<sup>51</sup> Following the creation of the post of EU High Representative, there is the chance that this might change. However, Turkey should look to address three issues in order for its own policy, whether it converges with the EU's or not, to become more effective. Regional conflicts remain entrenched; Turkey's brokered Israel-Syria talks have since collapsed and the ongoing crisis in Gaza still pains – not that either is Turkey's fault. Thus, if it aims to play a regional role Turkey needs to maintain relations with all sides, including Israel, and thus appear an honest broker. Strong rhetoric may be justified and strengthen Turkey's populist image but contributes little to regional solutions. Secondly, whereas cultural exports and lighter visa regulations are positive steps for many, Turkey needs to consider what economic and diplomatic leverage is necessary to fulfil its aim of being a soft power. Finally, Turkey's knowledge of the region may be exaggerated by Ankara. Despite recent efforts to increase the numbers of experts and linguists at the Ministry of Foreign Affairs and growing interest in the region more generally, there remain precious few Middle East specialists in Turkey.

<sup>50</sup> Akgün, M., Perçinoglu, G., Senyücel-Gündoğar, S. (2009).

<sup>51</sup> Altunışık M., (2009), in: Commelli, M., Eralp, A., Üstün, Ç., *The European Neighbourhood Policy and the Southern Mediterranean*, METU Press.

## CHAPTER 4

# Bilateral Relations and The Accession Process Under The Spanish EU-Presidency

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Spain is often described as one of the oldest and most adamant advocates of Turkey's EU membership. Compared to other big EU countries, such as France or Germany, Spain has supported the European vocation of Turkey regardless of the political parties in power. The current Spanish government, led by José Luis Rodríguez Zapatero, has reiterated this support and has worked to strengthen bilateral relations. But what can Turkey realistically expect from Spain and, more importantly, which steps can Spain promote during its current turn in the EU Presidency? In the following pages, we will try to give an answer to this question, evoking the evolution of Spanish-Turkish relations, the rationale behind Spain's continuous support to Turkey's EU membership as well as the precedents of other Spanish EU-Presidencies.

### SPAIN AND TURKEY: PARTNERS AND ALLIES

It is often recalled that four centuries ago, Spain and Turkey were in confrontation over the status of each as Mediterranean hegemon. Bilateral relations evolved from confrontation to mutual indifference in the 18th and 19th century as the two countries had no relevant bilateral dispute and were busy defending their declining empires. Then, in parallel with their respective processes of modernization, Europeanization and democratic consolidation in the 20th century, friendlier bilateral relations began to blossom. Spain's entry into NATO in 1982 and to the EU in 1986 presented new opportunities to deepen and diversify Turkish-Spanish relations, which had until then had been based primarily on a limited number of commercial interests and were conventional in diplomatic terms.

Indeed, being part of the same military alliance and sharing a European vocation has since facilitated a rapid intensification of bilateral relations. Today, the best indicators of the good health of this relationship are the fast-growing commercial ties including Turkey's recent but sustained attractiveness to Spanish investors and, above all, the growing cooperation of both countries in cultural and political domains exemplified by their co-sponsorship of the Alliance of Civilizations, joint declarations regarding the 2006 war in Lebanon and the so-called Cartoon crisis.<sup>52</sup>

The culmination of this evolution has been the celebration of the first governmental summit between the two countries in April 2009 in Istanbul, which represented a quantum leap in bilateral relations. This first meeting, declared an all-round success, was soon followed by a second summit in February 2010 in Madrid with the participation of eight Turkish ministers, and proved bilateral relations remain in excellent health and are as robust as ever.<sup>53</sup>

In fact, Spain reserves this format of regular governmental summits to its neighbours and the so-called big EU countries. These meetings primarily serve to foster a wide range of bilateral projects ranging from transportation to renewable energy. However, they are also precious opportunities to share thoughts on European and foreign policy issues. Hence, the Istanbul and Madrid summits tackled Turkey's EU accession process and forthcoming summits will continue to do so. In other words, it is now impossible to dissociate Spanish-Turkish bilateral relations from Spain's stance on Turkey's EU bid.

<sup>52</sup> On the Cartoon Crisis see their letter "A call for respect and call" published, in: *International Herald Tribune*, 5th February 2006, on Lebanese crisis they published a joint official notice on July 22nd.

<sup>53</sup> Together with Erdogan, the Turkish delegation consisted of: the Ministers for Foreign Affairs, European Affairs, Defence, Foreign Trade, Energy, Transport, Health and the Minister for the Alliance of Civilisations.

## SPAIN AND TURKEY'S EU MEMBERSHIP

Spain's positive stance on Turkey's EU membership is coherent with Madrid's support for EU enlargement as a whole. In contrast with member states that present enlargement and integration as contradictory processes, Spain has always supported a deeper and wider Europe.

Spain itself has benefited enormously from its integration into the EU. Until the advent of the global financial crisis, Spain's EU membership facilitated unprecedented domestic economic growth; membership has been effective in helping to reduce Spain's regional disparities; and, above all, has greatly contributed to consolidating its democratisation and modernisation process. Thus, it would be very difficult for Spain to deny the opportunity for similar benefits to other countries. Consequently, Spanish governments have never considered vetoing any of the previous enlargements, even if it could have been argued that they were detrimental to Spain's national interests.

In short, Spain's support to Turkey's aspiration to join the EU is coherent with its pro-enlargement position. However, this is not the only factor that should be taken into account when explaining Spain's support for Turkey. We should also consider the dense web of economic relations that now exist between the two countries - Turkey has become Spain's ninth largest trade partner and it has also become a fruitful field for strategic investments in markets such as energy and transportation. A second factor is the perception that Turkey's EU membership will contribute to forging a Mediterranean axis in the EU and thus move the EU's centre of gravity southwards. The third argument, prevailing in progressive circles in Spain, is that Turkey's integration into the EU will facilitate better relations between the EU and Muslim countries. The fourth, and probably the most important factor, is the absence of political and social debate on the issue of Turkey's EU accession among Spain's elites and citizens.

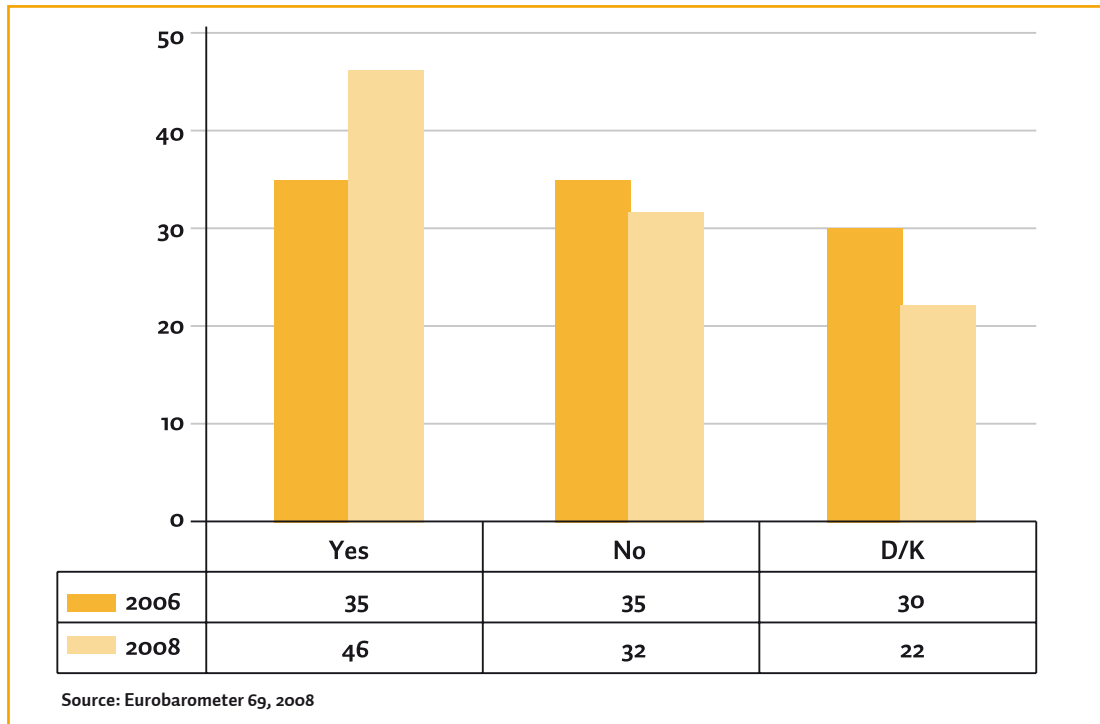
In principle, the two main political forces, the governing Socialist Party (PSOE) and the opposition party the People's Party (PP) concur on their support for upholding close and/or deepening Turkey-EU relations. Yet, supporters have been much more vocal when in government than in opposition. An interesting example of this tendency is the recent shift in the Popular Party's attitude, which supports Turkey's accession but in less enthusiastic terms than when previous party leader José Maria Aznar was President. For instance, in the 2008 general election campaign, the PP did not allude to Turkey in its electoral programme. This is all the more relevant considering that the PP's 2009 European Parliament election programme stated that "they support the current phase of the enlargement process" adding that it should also consider "other possible formulas or frameworks for association with the European Union", so that this does not put at risk the European integration project. As for Spain's smaller political parties (comprising leftist groups and different nationalist parties), some are in favour and others against Turkey's membership. However, unlike other major EU states, smaller political parties have been unable to shape, in one direction or the other, Spain's stance on this particular issue.<sup>54</sup>

The low intensity of the debate in the political sphere and also in the media is clearly reflected in public opinion. While recent years have seen a general increase in support among Spanish citizens for Turkey's EU bid, surveys illustrate that Spain has, simultaneously, one of the most indifferent populations on the topic of Turkish membership.

<sup>54</sup> For further details see Soler i Lecha, E., Garcia, I. (2010), *Spanish Perceptions*, in: Sait Aksit, Ozgehan Senyuva & Çigdem Üstün, *Turkey Watch: EU Member States' Perceptions on Turkey's Accession to the EU*, Ankara: CES-METU, pp. 74-89.



## SPANISH PUBLIC OPINION SUPPORT FOR TURKEY'S ACCESSION (IN %)



Support and indifference towards Turkey's EU membership are closely linked to the general misinformation related to European issues, particularly on enlargement.<sup>55</sup> According to Eurobarometer data, Spanish society (15%) is, along with Portugal (15%), Greece (17%) and Malta (17%), one of the least informed about the process of EU enlargement. Secondly, the findings are also related to the fact that the Turkish population residing in Spain barely exceeds a thousand people; fears that Turkey's entry into the EU will lead to a massive influx of Turks are much lower than in other European countries. Thirdly, it is related to the absence of strong lobbies whose focal point is the defence or refusal of Turkey's accession.

### THE RECORD OF FORMER SPANISH EU-PRESIDENCIES

Since its accession to the EEC in 1986, Spain has held the EU term Presidency on three occasions: twice with socialist governments (1989, 1995) and once with a conservative executive (2002). During these terms, Spain had considerable success and was instrumental in introducing the idea of European citizenship (1989), in promoting Euro-Mediterranean relations (1995), and in strengthening EU cooperation in Justice and Home Affairs (2002).<sup>56</sup>

Ankara also found Spain's support consistent throughout these mandates, which has been especially important as the Presidencies were assumed during critical moments in Turkey-EU relations. The first presidency, in 1989, took place two years after the submission of Turkey's full membership application and just before the Commission published its decision. In fact, this was the occasion when the then Prime Minister Turgut Özal first visited Madrid. During a meeting there, Felipe González reiterated Spain's support for Turkey's European vocation while Özal expressed Turkey's wish to increase commercial relations and, specifically, to purchase Spanish aircraft.<sup>57</sup>

The second Spanish Presidency dealt with Turkey-EU relations in a more direct fashion. During the second half of 1995 there was tense debate in the EU regarding the entry into force of the

<sup>55</sup> European Commission, 2006; Eurobarometer Special Survey 255.

<sup>56</sup> Barbé, E. (1999), *La Política Europea de España*, Barcelona, Ariel.

<sup>57</sup> *El País*, 15/09/1989.

Customs Union with Turkey. In contrast with the current ideological divides in Europe, in 1995 the main opposition to the Customs Union was from leftist and social-democrats protesting against violations of Human Rights in Turkey. The debates in the European Parliament were particularly tense and Spain, being governed by a Socialist Party, contributed to reducing opposition to the entry into force of the Union.

The third Presidency, which was held during the first semester of 2002, coincided with the increasing controversy over Turkey's 'Europeanness' in countries like France and Germany, and also under rising political instability in Turkey. And while it was under the subsequent Danish Presidency and specifically during the Copenhagen European Council, that the roadmap allowing Turkey to start accession negotiations was set in motion, many aspects of this agenda were first negotiated during the Spanish Presidency - the most relevant being the negotiations to allow the EU make use of NATO facilities and capabilities in its new ESDP missions, a decision that required Turkey's consent. Once more, Turkey found Madrid willing to speed up the process and to facilitate a compromise among all parties.

Generally speaking, the Spanish presidencies have backed Turkey's aspiration to join the EU, reassured Ankara that the goal of EU-Turkish relations is Turkey's full membership in the EU and laid the basis for the opening of accession negotiations. However, they did intend to provoke a fundamental shift in mainstream tendencies, usually built around the position of Paris, Berlin and London.

### THE 2010 PRESIDENCY

During the six months of the EU Presidency, Spain will reiterate that EU-Turkish relations should be revitalised. However, its margin for manoeuvre and its capacity to influence other European countries positions will be small. This is aggravated by a series of contextual issues: this Presidency is taking place in a turbulent international and domestic context due to the intensity of the global economical crisis; it is also a sui generis Presidency as it is simply implementing the transition to the EU's post-Lisbon institutional setting, which in addition coincides with a remodelling of the European Commission that took longer than expected.

Despite these difficulties Spain's Presidential Work Programme stated that it will work to "maintain a suitable pace of accession negotiations with Turkey, reforms in said country will be fostered and endorsed, ensuring the prompt opening of the various chapters as soon as the relevant technical requirements are met".<sup>58</sup> Spanish Foreign Affairs Minister, Miguel Ángel Moratinos, even declared in 2008 that Spain will focus on confirming "the irreversibility of the accession negotiation process".<sup>59</sup> Being more specific, at the press-conference following the Spain-Turkey high-level summit in February, José Luis Rodríguez Zapatero affirmed that the goal for the following months was to open four new chapters: food safety, education and culture, infrastructure and energy.

However, opening new chapters is becoming more and more difficult as most of the remaining chapters are either blocked due to the Cyprus conflict, a French unilateral veto or are too complicated and costly for Turkey at this stage (e.g. public procurement). Thus, if we examine the list given by José Luis Rodríguez Zapatero, we see that food safety is the chapter that is most likely to be opened. Even if both Turkey and Spain have expressed their interest in overcoming the current obstacles to opening the energy chapter, they will have to face, once more, opposition from Cyprus.

On this issue, it is worth noting that Spain has, in fact, excellent relations with the government of the Republic of Cyprus, where Moratinos himself used to live when he was special envoy of the EU for the Middle East Peace Process. In these conditions, one could expect Spain to play a positive role in supporting the negotiations launched by (the leaders of Cyprus' rival Turkish and

<sup>58</sup> Innovating Europe, The Programme for the Spanish Presidency of the Council of the European Union, 1 January -30 June 2010, p. 20.

<sup>59</sup> J.C.S "España quiere que el proceso de adhesión de Turquía a la UE sea irreversible" in *El País*, 21 October 2008.

Greek communities) Talat and Christofias. In fact, Talat visited Spain in February as a guest of the Spanish government and had the opportunity to discuss the Cyprus issue with Moratinos, who, a few days later, visited Nicosia and met with Christofias. However, Spain's capacity to facilitate an agreement is rather limited.

In the particular case of Cyprus, as well as in the case of Turkey's accession negotiations, the main problem is the gap between expectations and the capacity to fulfil them. For instance, in an interview with the Spanish daily *El País*, Turkish Prime Minister Erdoğan said he believed that "Spain could change the negative dynamics against Turkey's integration into the EU".<sup>60</sup> In a more nuanced manner, Turkey's Foreign Affairs Minister expressed in an article, also in the Spanish Press, the belief that Spain would preside the EU in a manner benefiting both Turkey and the EU.<sup>61</sup>

Actually, Turkey's expectations of the Spanish Presidency are high and, consequently, there is a risk of falling short of meeting those expectations. We believe, then, that extra effort is needed to begin breaking up the pessimistic mood into which EU-Turkish relations seem to have fallen. Certainly, Spain cannot do it alone and it will be difficult to change the positions of France and Germany. However, Spain should make an effort to animate those EU countries (which are the majority) that are in favour of treating Turkey in a fair manner and, as said in the report published by CIDOB and the *Círculo de Economía* states Spain should "push Turkey's application forward by keeping the issue high on the agenda, and in turning the strategic alliance with this key partner into tangible actions within the EU".<sup>62</sup>

60 Interview published in *El País*, 22/02/2010.

61 Davutoğlu, A. (2010), *España y la incorporación de Turquía a la UE*, in: *El País*, 16/11/2010.

62 CIDOB & *Círculo de Economía* (2009), *A project for Europe: Reflections and proposals for the Spanish Presidency of the Council of the European Union*, p. 29.

## Conclusions

The opening of negotiations towards membership between Turkey and the EU in 2005 was a momentous occasion. It demonstrated the huge pull the EU has both internationally and domestically and in terms of its capacity to positively influence the reform process in Turkey. It is also evidence of the distance Turkey has travelled in the last 10 years from a country prone to massive financial instability with the undue influence of undemocratic forces to a dynamic regional economic force that is going through a period of rapid democratic transformation. The pace of this change has been unprecedented.

The process of EU accession was never going to be easy. Turkey is a divisive candidate that highlights the internal divisions that are present in the EU and undermines its ability to speak as a coherent unit. Indeed, the pace of reform – something the EU has been previously very influential in encouraging – has wavered significantly. The heady days of the early 2000s are a distant memory. The lack of recent reform has often been cited as a reason for distancing Turkey. This however doesn't acknowledge the changes Turkey has enacted nor does it recognise the efforts the country is making to reform highly complex and engrained issues. Some of these require paradigmatic shifts.

Turkey has much to give. With a new High Representative for Foreign Affairs and Security Policy and the prospect of a European External Action Service it appears the EU wants to play a more active role in international affairs. On the other hand, Turkey is increasingly an important actor on the global stage. Now a regional player in the Middle East, Turkey could significantly improve the role of the EU in foreign affairs.

As a long-term supporter of enlargement and Turkey, Spain is in a position to help reinvigorate Turkey's membership process. By reiterating its support for the process and encouraging its EU and Turkish counterparts, Spain can create tangible outcomes in Turkey's membership process. This will then benefit the EU by repairing its credibility in Turkey and benefit Turkey by introducing momentum into its reform process. No doubt technical barriers exist: Cyprus and France continue to block the opening of negotiation chapters and a number are deemed too expensive to be tackled at the moment. Despite this, Spain's Presidency is too important an opportunity to miss.

# Recommendations

## **ON EU-TURKEY RELATIONS:**

The EU is an essential anchor in Turkey's reform process. Yet its commitment to the prospect of Turkish accession is unclear, particularly as seen in Turkey. The messages are mixed and incoherent. Chancellor Merkel continues to reiterate her view that negotiations are open ended and that privileged partnership is a distinct option. As this has little obvious benefit to Turkey, the EU's ability to influence the reform process in Turkey is declining rapidly. If the EU wants to be a credible actor in Turkey, it must reemphasise its commitment to Turkey and fast. Turkey should try to influence the general debate on EU enlargement, putting more efforts in its relationship with the members who acceded to the EU in 2004 and 2007 and whose public and governments are largely in favour of Turkey's EU accession. Developing effective communication with these member states could prove a useful instrument to influence the predominant negative discourse on enlargement.

## **ON THE REFORM PROCESS:**

Turkey has covered a vast distance in a short space of time. Still complicated political, social and economic challenges need to be tackled. These will take renewed effort. The current government's recent Kurdish and Constitutional reform programmes are to be commended, but they have yet to yield the desired results. If Turkey wants the EU to be clear in its commitment to accession negotiations, it must also underline its commitment to the necessary reform process.

## **ON TURKEY'S FOREIGN POLICY:**

Turkey's policy in the Middle East and Caucasus has transformed in recent years. It is now a positive actor in both regions. If the EU wants to play a greater role outside of its borders, Turkey could make a significant contribution. For it to do so, however, the EU needs to establish what role it wants to play in the world. Following the introduction of the Lisbon Treaty, there is potential for the EU to make a difference.

Turkey still has problems to solve, notably with Armenia, which it should look to address as quickly as possible. Currently, both the Turkish public and the government continue to link the normalisation of relations with Armenia to achieving a lasting solution in Nagorno-Karabakh. This has not worked. Turkey needs to rethink its strategy. In the Middle East, Turkey has made great strides. However, to increase its effectiveness in the region it should look to increase the tools it has at its disposal. To be a genuine soft power, Turkey needs to maintain relations on all sides, develop the requisite financial leverages and increase the number of regional specialists and linguists in academia and government.

## **ON SPANISH-TURKISH RELATIONS:**

Bilateral relations between the two countries are at an all-time high. Spain is now a key supporter of the enlargement process and thus Turkish accession. Spain's six-month tenure as President of the Council of the EU presents opportunities for both Spain and Turkey. For both it is an opportunity to reignite Turkey's currently fractious accession process. Effort is required from both sides in order for the process to get back on track.

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