

#BerlinPerspectives

Analysing German European Policy

Five Years After the EU-Turkey Statement:

Germany Can Contribute to Navigating a Turbulent Relationship

by Funda Tekin*

- *Five years after the EU-Turkey statement, the challenges facing the two sides have changed – and not necessarily for the better.*
- *The three faces of EU-Turkey relations are accession, Customs Union and transactional cooperation and all of them have taken deep blows in recent years and months.*
- *The EU needs to manage the fragile state of conflictual cooperation in EU-Turkey relations and Germany can play an active role.*
- *Germany has leadership potential because of its strong economic, societal and political relations and promotes a conciliatory position that can help mitigate the current conflictual situation.*
- *The EU can capitalise on this if Germany plays the good cop along those member states that have open conflicts with Turkey representing the bad cops.*

In November 2015, the EU and Turkey, triggered by an unprecedented surge in migration from the Middle East, agreed on a package of measures that were meant to upgrade their relationship. Accordingly, accession negotiations were to be re-energized, visa liberalization was to be facilitated, cooperation in areas of mutual interest were to be intensified through high-level dialogues, the Customs Union was to be modernized and mechanisms for tackling the ‘refugee crisis’ – including a Refugee Facility for Turkey of €6 billion – were to be set up.

However, instead of improving, the relationship between the EU and Turkey has deteriorate even further since, repeatedly reaching all-time lows in the intervening years. The landmarks in this deterioration have been:

- the failed coup attempt in Turkey in July 2016 and the subsequent two-year state of emergency,
- the repeated calls by the European Parliament to suspend accession negotiations in reaction to the deterioration of the rule of law and democracy in Turkey and their eventual de facto suspension,
- the decision by the EU to cut funds for Turkey under the Instrument for Pre-accession Assistance,

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- Turkey's alienation from its Western allies as exemplified by its purchase of the S-400 missile defence system from Russia,
- the EU's decision to block the modernization of the Customs Union,
- Turkey's military interventions in Syria,
- Turkey's drilling activities in the Eastern Mediterranean that eventually led to the EU's decision on restrictive measures against it in November 2019,
- the stand-off between Turkey and Greece in the Eastern Mediterranean, and
- the military tensions between Turkey and France off the coast of Libya.

As a result, five years after the EU-Turkey statement, the challenges facing the two sides have changed – and not for the better.

There is increasing potential for conflict between the two sides even in areas of transactional cooperation, putting in question whether Turkey will remain a strategic partner for the EU at all

At the special European Council summit on 1–2 October 2020, EU heads of state or government agreed to launch a positive political agenda that – just like the 2015 statement – promises the modernization of the Customs Union and trade facilitation, people to people contacts, high-level dialogues, and continued cooperation on migration issues, all of this provided constructive efforts to stop illegal activities vis-à-vis Greece and Cyprus are sustained. Simultaneously, the EU said it would resort to the decision on restrictive measures taken in November 2019 if Turkey continued its unilateral actions in breach of international law. This represents an attempt to set the course for preventing EU-Turkey relations, which are in a state of 'conflictual

cooperation', from deteriorating even further. Just like five years ago, Germany can play an important role in the EU's navigations of the turbulent waters of EU-Turkey relations.

In that context, what role, if any, should Germany play and how can it navigate the turbulent waters of EU-Turkey relations?

The Complexity of EU-Turkey Relations and of Germany's Position

Broadly speaking, EU-Turkey relations have three dimensions, which are reflected in different institutional frameworks.

First, Turkey is embedded in the EU's enlargement policy. It has been a candidate for membership since 1999 and accession negotiations started in 2005. However, its prospects have always been contested and negotiations had been stagnating for more than a decade before the General Affairs Council decided in June 2018 against opening additional negotiation chapters putting the accessions perspective off the table for the time being.

Second, in economic terms Turkey is a key partner for the EU and they are associated through the Customs Union. Yet, the EU-Turkey Association Council has convened only once over the past four years and the June 2018 General Affairs Council also decided to put on hold plans for modernizing the Customs Union.

Third, Turkey is a strategic partner for the EU in security and the fight against terrorism, in migration issues and in energy policy. Transactional cooperation in these fields have gained in importance in recent years and changed the overall terms of the relationship. In view of Turkey's diminished accession prospect and its key role in the EU's migration policy, there is a question as to how much the EU might have lost leverage over the country. The most recent developments also show that there is increasing potential for conflict between the two sides even in areas of transactional cooperation, putting in question whether Turkey will remain a strategic partner for the EU at all.

The relationship between Germany and Turkey is similarly complex. The two countries have strong bilateral relations that date back centuries and that are particularly strong in the economic, societal and political spheres. As political elites in Turkey persistently demand EU membership, this prevents Germany from openly contesting it. Consequently, German positions regarding the EU-Turkey relationship are diverse and to a certain extent ambiguous, and attempt not to alienate Turkey.

There is nonetheless broad agreement across the political spectrum in Germany on Turkey's geostrategic relevance

The coalition of the Social Democrats and the Greens between 1998 and 2005 was the only government that proactively supported Turkey's EU membership. Since then, the different governments led by Chancellor Angela Merkel have been less convinced about this and only supported the accession process on the principle that Germany should keep to agreements reached earlier. One of the first concepts for a possible alternative to membership – 'privileged partnership' – was coined by Merkel's Christian Democratic Union and the Christian Social Union in the early 2000s. However, during the federal elections campaign of 2017 it was the Social Democrats' candidate for chancellor, Martin Schulz, who promised to put an end to accession negotiations with Turkey.

There is nonetheless broad agreement across the political spectrum in Germany on Turkey's geostrategic relevance, irrespective of the question of its EU membership. Economic relations are likewise traditionally perceived as important since Germany is Turkey's leading trading partner. In 2015 the migration dimension also became important and Chancellor Merkel played a decisive role in striking the 'migration deal' between the EU and Turkey in March 2016.

Way forward: Germany as the 'good cop'

The EU-Turkey relationship has so far proven resilient and its multiple, highly interdependent dimensions have prevented a full breakup. However, things have changed to the extent that conflict and adversarial actions threaten to become its predominant feature.

The EU's decision in October to offer a positive political agenda while reserving the right to use restrictive measures in case of continued adversarial actions by Turkey is an attempt to balance relations within the state of conflictual cooperation. For this to succeed, three conditions are needed.

First, it is necessary to prevent the positive political agenda from getting overtaken by negative developments, just like the EU-Turkey statement of 2015. The fact that the modernization of the Customs Union is now linked to foreign policy issues rather than to political conditionality might help. At the same time, it is important to capitalize on the fact that the upgrading of the Customs Union is currently the only functioning framework of rules-based cooperation that can have an effect on domestic reforms in Turkey. Second, Turkey needs to stop its adversarial actions. Its decision to send the exploration vessel Oruç Reis into the Eastern Mediterranean right after the EU's October summit was not helpful. Third, both sides need to re-engage in dialogue in areas of mutual interest.

There are two advantages to its long-lasting and strong relationship with Turkey that Berlin should build on

Germany can be an important player in facilitating such conditions. There are two advantages to its long-lasting and strong relationship with Turkey that Berlin should build on. First, Germany's stance matters a lot within the EU while Turkey's elites perceive the country as an important negotiation partner on behalf of the EU. Hence, Germany has leadership potential in

this field. Second, Germany promotes a conciliatory position towards Turkey within the EU that can help to mitigate the current conflictual situation. For example, its mediation in the summer of 2020 contributed to bringing Turkey and Greece back to the table for exploratory negotiations over the issue of continental shelves in the Eastern Mediterranean, highlighting how effective German interventions can be.

There are at least three EU member states in open conflict with Turkey today: Greece over the issue of continental shelves, Cyprus over territorial issues, and France over the issue of Libya and recently Islam and Islamism. These countries can only be expected to take harsh positions vis-à-vis Turkey. Negotiations sometimes benefit from a combination of 'bad cop' and 'good cop' positions. Hence, while acting in full solidarity with its fellow member states, Germany should use its leadership potential and not shy away from playing the 'good cop' in negotiations between the EU and Turkey.

This #BerlinPerspectives reflects the author's views only.

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