

## COMMENTARY

**REVIVING TURKEY'S STALLED EU DRIVE?**

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On April 10-12, 2008, the Justice and Development Party (JDP) government hosted European Union (EU) Commission President Jose Manuel Barroso on his first official visit to Turkey. The trip to Ankara and Istanbul by Barroso, who was accompanied by the EU Commissioner for Enlargement, Olli Rehn, was widely interpreted as providing an opportunity for a new impetus to Turkey's effectively stalled accession negotiations. Equally importantly, it was also seen as a display of support by the JDP which is confronting a very real threat of closure by the Constitutional Court. However, while it is not clear whether Barroso's visit will help to reinvigorate Turkey's EU drive, it is apparent that its current predicament has served to revive the JDP government's interest in the EU.

**ANATOMY OF A SLOWDOWN**

The JDP had focused on EU accession as its primary objective when it came into office in November 2002. After duly pushing the remaining reform packages necessary to satisfy the EU's Copenhagen Criteria through the Turkish Grand National Assembly (TGNA) it had succeeded in obtaining its goal of beginning accession negotiations in October 2005. However, the JDP government had then adopted a policy of what can legitimately be described as an unacknowledged slowdown. Its detractors saw its apparent loss of interest as confirmation that the JDP had only been motivated by a desire to use its commitment to EU accession as a means of countering accusations that it had 'a secret Islamist agenda' to divert Turkey away from the West. In fact, the stalling of the process was the product of domestic preoccupations on the Turkish side and growing resistance to Turkey's accession on the European side.

The most visible sign of the slippage of the EU in the JDP government's list of priorities was the fact that Chief EU Negotiator Ali Babacan had to combine his important role first with his responsibilities as Minister of State for the Economy and then as Foreign Minister. Unable to spend much time in Brussels, Babacan was inevitably the target of criticism by pro-EU advocates inside and outside Turkey for the government's lack of a sense of urgency to complete the promised package of additional EU reforms despite virtually daily reminders by EU officials. The items in the package included revision of Article 301 of the Penal Code outlawing criticism of Turkish identity as well as measures relating to the freedom of speech, women, trade unions, religious and ethnic minorities and the Kurds.

The dynamics of the Ankara-Brussels relationship was also adversely affected by EU insistence on Turkish implementation of the Customs Union provisions it had signed in 2005 by opening up its ports and airports to Greek Cypriot ships and aircraft. Turkey's rejection of compliance on this issue

led in December 2006 to suspension by the EU of negotiations in eight of the thirty-five chapters in the accession process coupled with a declaration that none of the chapters would be closed until the resolution of this problem. The EU demand for what was interpreted as a unilateral Turkish diplomatic retreat on Cyprus, a long-standing national cause in Turkey, contributed to the souring of the European dream on the part of the Turkish public evidenced by a fall in support for the EU from 73 percent in 2004 to 40 percent in 2007. Needless to say, the increasingly negative Turkish sentiments were reciprocated in Europe where backers for Turkey's EU membership continued to be a minority in every EU country and support was at only 21 percent throughout the EU in 2007.

Despite Prime Minister Recep Tayyip Erdogan's frequent assertions that Turkey would 'not abandon its goal of membership no matter how difficult or long,' the JDP government was in fact forced into balancing the requirements of the EU accession process with domestic imperatives associated with the 2007 presidential and parliamentary elections. Parallel to his awareness of the aversion of the increasingly nationalistic and xenophobic Turkish electorate to EU demands and the dangers of being outflanked by the opposition parties, Erdogan was also aware of the sensitivities of the powerful Turkish General Staff (TGS). Accordingly, he chose to pursue a course of lower gear engagement with the EU while pointedly claiming that it would not be 'a disaster' if Turkey were to be rejected by the EU as Turkey would 'happily continue down its own road.'

## **BACK TO THE EU TRACK**

Erdogan and the JDP were able to weather the political storms of 2007, which included mass demonstrations by secularists worried about the ultimate aims of the JDP and a public warning by the TGS, with a second successive victory in parliamentary elections in July and the election by the JDP-dominated TGNA of Abdullah Gul as president in August. Nevertheless, there was little immediate movement on the EU track after the elections as the Erdogan government focused on domestic issues, including most notably easing restrictions on Islamic headscarves in universities in February. However, the unveiling on March 14 by Chief Prosecutor Abdurrahman Yalçinkaya of an indictment to close the JDP and to ban seventy of its members led by Erdogan, along with Gul who is no longer a member of the JDP, from political activity for undermining the principle of secularism, combined with the March 31 decision of the Constitutional Court to consider the case, have transformed the political agenda and redirected the JDP's attention back to the EU as part of its effort to garner international support.

On March 17, Rehn stated that "in a normal European democracy, political issues are debated in parliament and decided in the ballot box, not in the courtroom." Adding that "the legal system shouldn't meddle with democratic politics," Rehn also expressed the hope that "this incident does not consume much political energy and does not delay or distract attention from EU reforms." On March 29, Babacan went to Slovenia where the EU Foreign Ministers were meeting for a long meeting with Rehn. After his talks with Babacan, Rehn declared "I hope that the judges in the Constitutional Court will consider Turkey's long-term goal of joining the EU and becoming a functioning European democracy." On his flight back to Turkey, Babacan made a point of praising "Rehn's characterization of the closure case as being contrary to the Copenhagen Criteria and as a problem in EU-Turkish relations." He also noted "the importance of his warning that closure would have an impact on negotiations."

During his visit to Ankara, Barroso underlined Rehn's earlier messages by saying "It is something not normal in a stable democratic country that the party that was chosen by the majority of the

Turkish people is now under this kind of investigation. You cannot impose religion by force; you cannot impose secularism by force. Since Turkey is an EU candidate country, we cannot be indifferent to this type of development.” Confirming that the EU Commission was “following the latest developments with utmost attention,” Barroso said Turkey should “devote all its energies to pursuing long-awaited reforms” to “open the way for further progress in the accession negotiations.” As “the main challenge was to keep the momentum going,” Barroso said he was “happy to hear from the President and the Prime Minister that the accession process remains a priority.”

However, while noting progress in Turkey’s efforts to adapt to EU legislation in the six chapters which were opened, Barroso said that more reforms were needed as they were “the keys to accession.” While welcoming the announcement by the Erdogan government a few days prior to his arrival that it would finally send a bill to parliament requesting the amendment of the controversial Article 301, he called for additional steps including “a comprehensive strategy” to “combine efforts for the socio-economic development of the Southeast region and ensure cultural and political rights for Turkish citizens of Kurdish origin.” Barroso also urged “concrete steps to improve the overall climate in Cyprus” and reminded his hosts that this was “the main external obstacle for significant progress in Turkey’s accession process.”

The importance of the support from the EU for the JDP government in its hour of difficulty, which was echoed by similar messages by the Parliamentary Assembly of the Council of Europe and the European Parliamentary Committee on Foreign Affairs, was underlined by the more nuanced stance of the Bush Administration. After a number of carefully worded statements by her spokesmen following the indictment, Secretary of State Condoleezza Rice deliberately refrained from touching on the closure case in a major speech on Turkey on April 15. In her answer to a follow up question on the case, Rice avoided condemnation of the indictment while underlining the importance of the principles of the rule of law and secular democracy.

However, it needs to be noted that it is the EU Commission conducting the negotiations with Turkey rather than the governments of the member states which is taking the lead in this issue. This is not surprising as many of these governments are either opposed to or are skeptical about Turkish entry into the EU. In fact, the current threat to the Turkish democratic process criticized by Barroso and Rehn may provide additional ammunition to those who believe that Turkey’s geographical location and population size along with its religious and cultural differences should serve to exclude it from the EU. Significantly, French President Nicholas Sarkozy, who has emerged as Turkey’s main opponent in the EU and whose country takes over the EU presidency on July 1, reiterated on April 24 that he was “always opposed to the entry of Turkey” into the EU because Turkey was “not in Europe.”

At the same time, confronted with what it sees as ‘a judicial coup’ and understandably distracted by the possibility of being closed down and pushed out of the political arena, the JDP could find it difficult to move ahead on the sensitive issues identified by Barroso. The domestic forces opposed to Erdogan and his party are also at the forefront of resistance to additional concessions to the EU. Consequently, Erdogan might once again choose to avoid additional risks associated with bold action and try to balance the commitment to the EU with internal considerations. As a result, it may be too early to state with any degree of confidence that Turkey is on the verge of a new chapter in its EU odyssey.