

Turkey on the Threshold:

Europe's Decision and U.S. Interests

Morton I. Abramowitz • Co-Chair
Richard R. Burt • Co-Chair
Donald K. Bandler
Frances G. Burwell
William Drozdiak
Eric Melby

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THE ATLANTIC COUNCIL
OF THE UNITED STATES
910 17TH STREET, N.W., SUITE 1000
WASHINGTON, DC 20006

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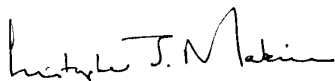
Foreword

In December 2004, the European Union will decide whether or not to begin accession negotiations with Turkey. Whatever the outcome, the implications for U.S.-Turkish relations and U.S.-EU relations — indeed, for transatlantic relations generally — will be significant. The challenges for U.S. policy both before and after the EU decision are correspondingly important.

To explore the likely course of Turkish-EU-U.S. relations, and how best U.S. foreign policy might play a constructive role, the Atlantic Council sent a delegation of U.S. leaders and experts to Europe in March 2004. The delegation met with key government and private sector policy makers in Brussels, Berlin, Ankara, Istanbul and Athens for discussions about prospects for the December 2004 decision and its aftermath. This report contains the group's conclusions and recommendations for keeping both transatlantic and U.S.-Turkish relations on a constructive course. The report reflects the consensus of the views of the delegation members, although not every member of the delegation would necessarily subscribe to every judgment in the report. The views expressed herein do not necessarily reflect those of the Atlantic Council.

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Christopher J. Makins

President

Atlantic Council of the United States

Turkey on the Threshold:

Europe's Decision and U.S. Interests

Executive Summary

In December 2004, the European Union will decide whether to begin negotiations ultimately leading to Turkey's membership. This will be a crucial decision not only for the European Union and Turkey, but also for the United States and transatlantic relations. For strategic reasons, the United States has long been a strong advocate of Turkish accession to the EU, in the belief that membership is in the long-term interests of all the parties. But if the decision in December is to be positive, the EU must first determine that Turkey has met the "Copenhagen criteria," and the EU must also reconcile its concerns about Turkey's impact on European social integration, and governance. The United States can contribute to a positive decision by pursuing an active but differentiated approach. In particular:

- the United States should focus on the new EU members and a few others, where U.S. advocacy could make a positive difference, but not campaign openly in those countries such as Germany or France, where public efforts are likely to be counterproductive. In those countries, quiet encouragement of favorably inclined leaders is likely to be a more effective strategy;
- the United States and Turkey should reach out to the human rights community and other key constituencies in Europe with the message that accession is the surest way of addressing their concerns;
- the United States should work to broaden the debate in Europe beyond internal issues, such as EU governance, and instead encourage greater emphasis on the strategic implications of the decision, including its impact on Euro-Atlantic relations with the Muslim world;
- the United States and the European Union should continue working with the United Nations to achieve a Cyprus settlement. But the absence of such an accord should not be reason to delay the start of Turkish accession negotiations. The United States can be particularly helpful in encouraging Turkey to take some new steps to demonstrate its continuing commitment to a solution, perhaps including a reduction in its military

presence in northern Cyprus. The United States and the European Union should make clear to the Greek Cypriots that a similarly constructive and serious initiative is expected from them.

Once past the December decision, the United States is likely to find that the path to Turkish accession to the European Union will present a number of challenges. The U.S.-Turkey relationship will change, and not necessarily for the better. As Turkey must prove its willingness to adhere to common European positions, the United States may well find Turkey on the other side of the transatlantic fence on some key issues. Differences are most likely to emerge over the Israeli-Palestinian conflict, the International Criminal Court, and perhaps over Iran and the need for reform in the broader Middle Eastern region. Turkey's candidacy and eventual membership may give the EU more weight in NATO decision-making and NATO-EU relations, requiring the United States to change the way it manages issues within NATO. But membership may also enhance the military capabilities of the European allies, bolstered by Turkish armed forces.

These changes will not always be easy for the United States, Europe, or Turkey to manage. At times, it will be important to recall that the alternative to Turkish accession would be a Turkey less anchored in the West and more susceptible to domestic and regional pressures that could lead to instability — an outcome that would benefit no one. To ensure that Turkish accession is beneficial for the larger transatlantic relationship, the United States, Europe Union, and Turkey should:

- Avoid the temptation to view this as a zero-sum game, with the United States “losing Turkey” and the EU gaining a new adherent to its position, or as the United States interfering in an EU decision;
- Acknowledge the complexities of integrating Turkey into the EU, but not neglect the strategic advantages of accession, both for Turkey and the broader Middle East region, as well as for the United States and the European Union;
- Establish a mechanism for regular trilateral discussions about the impact of Turkish accession on transatlantic relations, including NATO, and on other priority regions, especially the broader Middle East.

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The Choice Ahead

In December 2004, the European Union will face a crucial decision: whether to provide Turkey with a date for the beginning of accession negotiations. This decision represents one of the most significant and irrevocable steps on the road toward Turkey's goal of membership in the EU. It will signal the start of a difficult and lengthy process of negotiations that will change both Turkey and the Union. Turkey's potential accession to the EU is not a matter of importance only within Europe. The United States has long had an exceptionally close security and foreign policy relationship with Turkey, as well as a very close partnership with the European Union. As Turkey moves nearer to EU membership, both of these relationships will change. Yet, how they change, and what the impact will be on U.S. foreign policy and the transatlantic relationship, is far from clear.

The United States has an important stake in this decision involving two close partners and can be expected to make its views known. Previous U.S. involvement in Turkey-EU relations has not been universally applauded. In response to the U.S. campaign on behalf of Turkey's membership ambitions at previous European Councils, some EU member states made clear that they believed the United States had interfered in internal EU matters. However, other member states and numerous Turkish voices maintained that the EU would have been unlikely to make a commitment without such pressure. The exchange between Presidents George Bush and Jacques Chirac in Istanbul at the June 2004 NATO summit revived memories of this earlier episode.¹ As Turkey and the EU approach December 2004, U.S. statements and actions will be watched very carefully.

While the U.S. government must focus first on the decision in December, it must also remember that the transforming nature of that decision will only become apparent during the lengthy accession negotiations. U.S. policy must be carefully calibrated, encouraging closer ties between Turkey and the European Union, but also ensuring that this process leads to

¹ Following a June 20 speech in which President Bush said, "America believes that as a European power, Turkey belongs in the European Union" President Chirac responded that the U.S. leader had "gone too far," saying, "It's a bit like if I told the United States how they should manage their relations with Mexico." [Chaffin, Joshua, "EU Anger as Bush calls for Turkish Membership," *Financial Times*: June 30, 2004.]

stronger relations between itself and both partners. The United States should consider how its Turkey policy will be affected by the move closer to the EU, and especially how that might affect the U.S.-Turkish security partnership, including in NATO. How will Turkish accession change the European Union, and what are the implications for U.S.-EU partnership? Finally, what will be the impact of Turkish accession on U.S. initiatives to foster reform throughout the broader Middle East region? If U.S. priorities remain focused on building reform and stability that region, Turkey's future path will become even more critical.

These longer-term considerations should not be forgotten as the United States considers the most effective approach towards the December decision. To date, the United States has followed its past policy of vigorously encouraging the EU to move as quickly as possible toward beginning accession negotiations. The EU has consistently maintained that Turkey must meet the established criteria for membership, while Turkey points out that it has undertaken unprecedented reforms. Meanwhile, the continuing division of Cyprus adds another element of complexity and uncertainty.

Perhaps the biggest challenge is that all three parties see the December decision from decidedly different perspectives. For Turkey, EU membership represents acceptance into the European club and also a guarantee of modernization and reform. For the EU, this debate is not just about Turkey, but the future of Europe and the scope of its integration process. For the United States, this is largely a strategic issue, with Turkish membership in the European Union representing the best option for ensuring the western orientation and stability of an important regional power. These differing perspectives are at the root of the tensions that have characterized this issue and they will be central to the debate at the December European Council.

One Issue, Three Views

The Turkish View

For many Turks, the quest for integration into Europe is a reflection of geography, political identity, and economic ties. It dates back to at least 1923, when Kemal Atatürk began a radical transformation of Turkish society by adopting western — primarily European — dress, institutions, and practices, and establishing a secular democracy. Turkey's political, economic, and military elites believe that integration into Europe will make Atatürk's reforms — including the secular nature of Turkey's government — finally irreversible.

An important step toward inclusion in Europe came in 1952, when Turkey joined NATO. In 1959, Turkey applied to join the then European Communities, but that languished until 1963, when Turkey and the EC signed an Association Agreement outlining a framework for cooperation in trade and economic relations. The Association Agreement was not aimed at membership, but was intended to culminate in the establishment of a customs union, which

eventually came into force in 1996². This allowed duty-free and quota-free access for Turkish goods into the EU, while extending the EU's trade and competition laws, including protection of intellectual property, to the Turkish market. Although there continue to be some difficulties with implementation of the customs union, in theory at least, there is already greater economic integration between Turkey and the EU under the customs union than there is among members of the North American Free Trade Agreement.

A qualitatively new relationship was established between Turkey and the European Union in December 1999 when Turkey was recognized as a candidate for accession at the European Council meeting in Helsinki. This was formalized in March 2001 when the EU Commission adopted an Accession Partnership for Turkey and Turkey reciprocated by adopting its own "National Program for the Adoption of the EU *acquis*". With these two documents as a basis, the Turkish-EU Association Council began regular meetings to determine the steps Turkey must take to harmonize its legislation and practices with EU law. Specifically, Turkey must meet the so-called "Copenhagen criteria," established by the EU in 1993 as pre-requisites for the Central and East European countries to begin accession negotiations. These criteria require that the candidate country must have achieved:

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.³

At the 2002 European Council meeting in Copenhagen, Turkey lobbied hard — with active support from the United States — to get a formal commitment to open accession talks. For a variety of reasons, including their preoccupation with the debate over the European constitution and the impending entry of ten new members from Central and Eastern Europe, EU leaders could only agree that they would decide by December 2004 whether Turkey had met the Copenhagen political criteria, and if so, that they would then begin negotiations "without delay."

The current Turkish government, headed by Recep Tayyip Erdogan and his AK Party (AKP), has been the most successful in moving Turkey towards compliance with EU norms, despite the fact that it is still regarded with suspicion by many in the traditional governing elites because of its Islamist roots. Elected in November 2002 in a contest that swept out of parliament all but one of the parties that had ruled Turkey since 1945, the AKP has used its large parliamentary majority to pass several major reform packages instituting significant

² European Commission, Directorate General for Enlargement: "Turkey's pre-accession strategy," <http://europa.eu.int/scadplus/leg/en/lvb/e40113.htm>

³ European Commission, Directorate General for Enlargement: "EU Enlargement: A Historic Opportunity," <http://europa.eu.int/comm/enlargement/intro/criteria.htm>.

political and social change. The Erdogan government has also made far-reaching economic changes, building on reforms begun by its predecessor under a plan agreed with the International Monetary Fund (IMF). While the reform packages have been sold as necessary to meet IMF and EU requirements, they would not have passed without the support of the AKP and of Turkey's traditional elites. Clearly, a broad Turkish coalition believes that the EU-mandated reforms are consistent with the changes Turkey must make to become a fully modern country.

Government and business elites believe that getting the green light for accession talks will have significant positive economic consequences for Turkey. Because the customs union has already lowered tariffs, the level of trade with the EU is unlikely to increase much. But due to recent economic instability, Turkey has experienced relatively little foreign direct investment for an economy of its size: less than \$1 billion annually.⁴ With inflation now markedly lower and economic reform measures in place, a "yes" from the EU in December is expected to serve as a "Good Housekeeping Seal of Approval," triggering an influx of foreign direct investment that in turn will lead to the economic take-off some believe is just over the horizon.

A positive decision in December is also viewed as providing a virtual reform straightjacket that will ensure that Turkey proceeds along a secular and democratic path. Ironically, both sides of the Turkish political spectrum view this reform straightjacket as desirable. The political and military elites remain skeptical of the AKP because of its Islamist roots, but believe EU membership would gradually transform the party, eventually turning it into the equivalent of the German Christian Democratic Union — a political party with strong religious roots and beliefs, but committed to a secular state. The AKP leadership sees EU-backed political reform as a key component in the liberalization that has allowed it to come to power. They also believe membership talks will help confirm the Turkish military's retreat from involvement in politics by placing an effective "padlock on the barracks," as one leading businessman remarked.

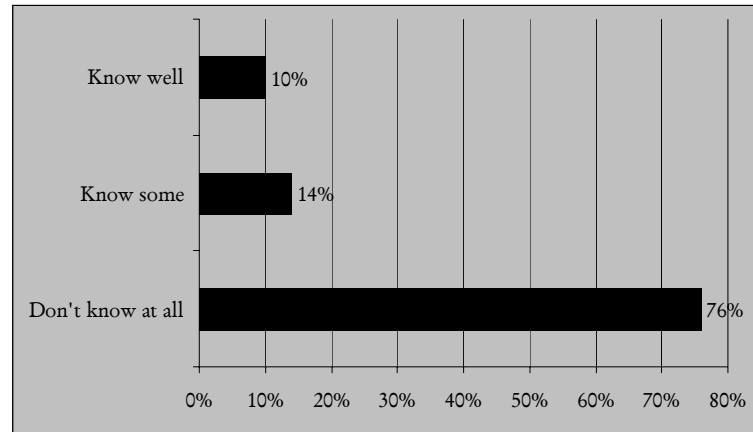
Turkey's European ambitions are not motivated only by domestic political and economic concerns; foreign policy considerations are also important. Turks are well aware that their country sits in a volatile neighborhood, with few confirmed democracies on its borders, except for Israel in the south and Europe to the west. Turkish elites have watched the rise of Islamic extremism with alarm: given that 99 percent of the Turkish population is Muslim⁵, some fear that such extremism could gain a foothold in Turkey if the secular and democratic nature of the government erodes. Recent terrorist incidents in Istanbul and Ankara have heightened awareness of Turkey's position as a "front-line state" in the struggle against radical Islam. In this environment, EU membership represents a guarantee that Turkey will not fall prey to the instabilities that have plagued its Muslim neighbors.

⁴ U.S. Central Intelligence Agency, *The World Factbook*, 2004 <http://www.cia.gov/cia/publications/factbook/geos/tu.html#Econ>.

⁵ *ibid.*

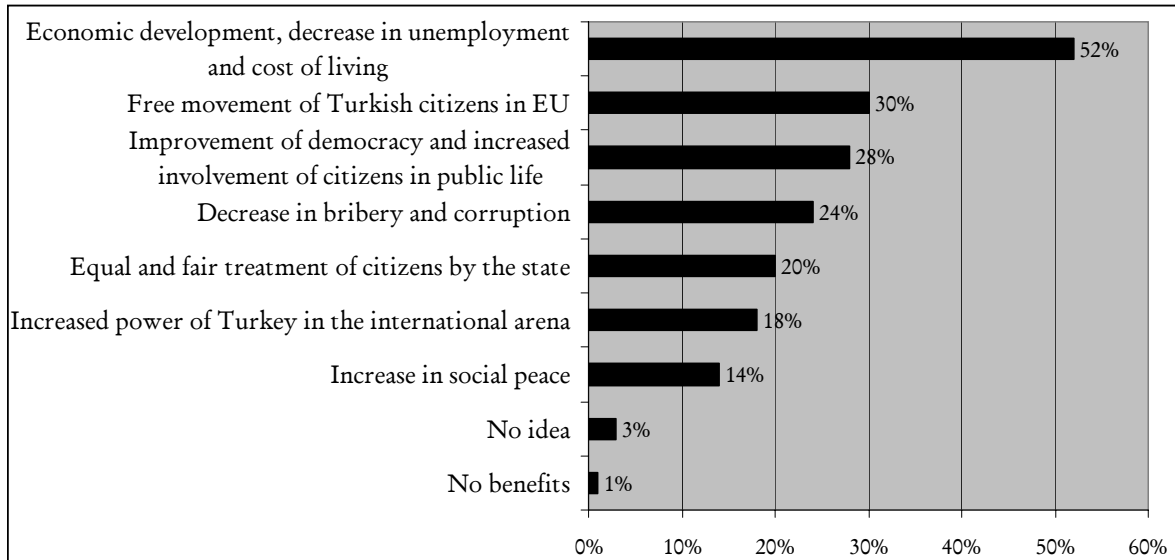
Turkey's efforts to join the EU have focused almost entirely on the December decision to begin accession negotiations. Most Turks seem aware of the long road to membership that will follow. Yet, except within the elites, there seems little understanding of the even deeper transformation that will be required of Turkey as it adopts the *acquis*. But virtually all are agreed that having a date for the start of accession talks is the next big step and one Turkey has earned. It will be the ultimate fulfillment of Atatürk's political agenda, which is still so dominant in Turkish life and politics. For the 71 percent of Turks who support EU membership⁶ (even if they may not fully appreciate all the implications), the EU is seen as the guarantor of stability and predictability that will bring a new level of economic growth and development.

Survey of Turkish respondents to the question:
 "How much do you know about the Copenhagen Criteria which Turkey has to fulfill in order to become a member of the EU?"



Source: Turkish Economic and Social Studies Foundation (TESEV), 2002

Survey of Turkish respondents to the question:
 "What will be the two most important benefits of joining the EU for Turkey?"



Source: Turkish Economic and Social Studies Foundation (TESEV), 2002

⁶ The Gallup Organization, Hungary: "Candidate Countries Eurobarometer Spring 2004.1." May 2004: http://europa.eu.int/comm/public_opinion/archives/cceb/2004/cceb_2004.1_first_anx.pdf

The European View

It is misleading to talk of a single “European” view on Turkish accession to the European Union. Different member governments have different opinions, and there are opposing views within member countries. Moreover, within Europe the debate over Turkish membership is often conducted on two levels. The most visible level focuses on the Copenhagen criteria and examines such issues as Turkey’s record on human rights, judicial practices, and economic standards, as well as the strategic and foreign policy considerations of membership. At another level, however, the debate is about differing cultural traditions, Turkey’s largely Muslim population, and the feared influx of Turkish workers into the member states. These considerations are often just below the surface, but they are undoubtedly of consequence for the general public and also susceptible to exploitation by the various political groups, especially those on the right.

For Europe — and certainly for the fifteen members of the pre-enlargement EU — Turkey is more a domestic issue than a foreign policy or strategic issue. The “Turkish question” raises fundamental issues about the future of the European Union, including its composition, its direction, and its governance. As one German foreign policy commentator remarked, “the issue is not whether Turkey is ready for the EU, but whether the EU is ready for Turkey.”

The situation has been exacerbated by the admission on May 1 of ten new members to the EU, bringing the total to twenty-five. While the new members have all met the Copenhagen criteria, the task of fully integrating them into the EU politically, economically, and socially will take many years and require substantial resource transfers from existing members. No one knows how smoothly this process will unfold, or whether EU institutions are up to the task of managing the integration of the new members.

Moreover, enlargement has never been very popular among the European public: support for the inclusion of the ten new members was only 42 percent in early 2004, while opposition was at 39 percent, a situation that represents a very slight decline in support during the previous year.⁷ In Germany, where only 28 percent favored enlargement, public skepticism has been reinforced by the experience with integrating the former East Germany — a process that is seen as bearing much responsibility for increased tax burdens and the sluggish German economy. Thus, even though celebrations were held as the new members entered the Union on May 1, there was caution about the future and little public support for a further enlargement involving such a large and complicated country as Turkey.⁸

⁷ European Opinion Research Group EEIG: “Standard Eurobarometer 61, Spring 2004: p. 10. http://europa.eu.int/comm/public_opinion/archives/eb/eb61/eb61_first_res_en.pdf.

⁸ In March 2003, 54 percent of the public in the EU believed that the Union “should accept other new members beyond the 13 current candidate countries. However, 76 percent believed that “before any further enlargement, it will be necessary to agree on the final borders of the European Union, and 69 percent agreed that the EU “should develop an alternative relationship that does not go as far as EU membership for other neighbouring countries.” Flash Eurobarometer 140, “Enlargement of the European Union.”

The effort to conclude and now ratify the European constitution has also complicated matters by focusing attention on fundamental questions about European governance and identity, which do not play to Turkey's advantage in the public debate. With agreement on the final text reached at the European Council on June 17-18, the campaign for ratification is likely to dominate the European agenda for the next two years. There is a real possibility of some negative votes, especially as the British and French governments have pledged to hold referenda. European political leaders are acutely concerned that the debates over Turkish accession and the Constitution could become linked. Specifically, they fear that public concern over Turkish accession could lead to negative votes in constitutional referenda, even though these are legally separate issues.

Aside from the Constitution, the European political agenda is likely to be focused on domestic economic issues — including the future of the Stability and Growth Pact — and pursuing the goals of the Lisbon strategy, an agreement among the member states to adopt reforms intended to make the EU “the most competitive and dynamic knowledge-based economy in the world” by 2010. These efforts would be challenging under normal circumstances, but the current environment of anemic economic growth, stubbornly high unemployment, low birth rates, and an aging population contributes to a European environment that is less than conducive to launching yet another enlargement project.

Turkey also presents another challenge to the European Union: it would be one of the largest EU members and the largest in terms of population. Currently Germany is the largest with approximately 82.4 million in population, while Turkey is now at 68.1 million. But by the potential accession date of 2015, Turkey's growing population and Germany's shrinking one will have likely converged to approximately 82 million each⁹. While some observers believe another “large” country would help balance the recent enlargement (which included nine small states and one large), it is not clear

Total population, current and projected

<i>Millions</i>	2003	2015	2025	2050
Germany	82.5	82.5	82.0	79.1
Turkey	71.3	82.2	89.0	97.8
Total EU 25	454.2	456.8	421.2	431.2
Total EU 28 (with Turkey)	555.7	567.8	570.8	552.3
Turkey as % of EU 28	12.8%	14.4%	15.5%	17.7%

Source: UN World Population Division: World Population Prospects: the 2002 Revision Population Database.

⁹ United Nations Population Division: World Population Prospects, the 2002 Revision Population Database.

whether the other large states will welcome Turkey as an ally or view it as a competitor. What is clear, however, is that Turkey's size alone will give it a significant role in EU decision-making. It will most probably have more representatives in the European Parliament than any other member, at a time when the Parliament is gaining in power. And if population size plays a larger role in the Council of Ministers decision-making, Turkey will be that much more influential.¹⁰

The prospect of Turkish membership is also inextricably linked to the issue of the changing ethnic composition of Europe. There are now 780,000 German citizens of Turkish origin, and approximately 1.8 million non-citizen Turks living in Germany.¹¹ For some, particularly on the far right, the social changes required to accommodate these immigrants have not been welcome, and Turkish accession raises the prospect of even more immigrants and more change. For others, however, the growing political clout of German citizens of Turkish origin means that they are a political constituency to be courted. Social Democrats, for example, support Turkish accession in part as a way to win votes among this new community. In contrast, France has few Turkish immigrants, but Turkish accession has become linked in the French public with increased Muslim immigration. The difficulties France has faced in integrating its existing Muslim population, coupled with the discovery that some radical elements in these communities have been linked to terrorism, has made support for Turkish accession a political liability in parts of the French political arena. France and Germany are not alone in finding that Turkish accession is a domestic political issue. Throughout Europe, concerns about the changing ethnic nature of the continent and the difficulties of integrating newcomers, especially in a stagnant economy, has had a real political impact.

Given these concerns, Turkey might seem unlikely to get a date to begin negotiations. But within the European perspective, there are also positive elements. First, there is a general recognition that with the decision to admit Turkey to candidacy stature in 1999, membership became a question of when, not whether. The focus should clearly be on whether Turkey will fulfill the Copenhagen criteria by December, and if the EU determines that it has done so, negotiations should begin. There is a consensus throughout Europe's political leadership that the AKP government has made significant strides toward meeting the criteria. In fact, opinion on the Erdogan government is generally very positive, with most observers commenting that, although there are still difficulties, they never imagined that Turkey could progress so quickly.

Second, Europeans are beginning to debate the strategic implications of Turkey's accession, and although there are some hesitations on this score, the balance sheet is largely positive. If

¹⁰ Under the proposed constitution, the current system of weighted voting would be replaced by a "double majority" in which decisions would require the approval first, of a majority of states and, second, of states representing a majority of the EU population.

¹¹ EurActiv.com PLC: "Poll: Germans' support of Turkey's EU bid at 45 per cent." June 11, 2004. <http://www.euractiv.com/cgi-bin/cgint.exe/2354773-337?204&OIDN=1507838>

admitted to the EU, Turkey would expand the Union's borders, bringing it into direct contact with some problematic neighbors. But increasingly, EU citizens realize that the instabilities from those regimes present a risk to the EU whether or not Turkey is a member. In fact, bringing Turkey into the EU would help guarantee Turkish stability and western orientation. It would also demonstrate an alternative path for Muslim countries to avoid the instability and fundamentalism most feared by Europeans.

In sum, there are many different strands in the European debate about Turkish accession to the Union. The period prior to the December European Council will probably be dominated by discussions about whether Turkey has met the Copenhagen criteria. But it would not be wise to underestimate the concerns about what Turkish membership will mean for European identity, integration, and governance over the long term. These are central to the future of Europe and to the eventual acceptance of Turkey as a full member state.

The U.S. View

The United States has a long history with Turkey, both bilaterally and through NATO. As a key ally on the southern flank of the Alliance, Turkey played a critical role during the Cold War. Today, although the geopolitical and security challenges are quite different, Turkey continues to be a major security partner and political ally of the United States, and has played a prominent role in Afghanistan since the September 2001 attacks, through participation in the NATO-led stabilization force and reconstruction activities.

The Iraq crisis has been particularly difficult for Turkey, as it has raised the specter of instability in its immediate neighborhood and reawakened concerns about the nationalist ambitions of the Kurds, both in Turkey and Iraq. A few months after the conflict in Iraq, terrorist attacks in Istanbul and Ankara killed more than sixty people. For these and other reasons, the conflict in Iraq has been deeply unpopular in Turkish public opinion. Nevertheless, Turkey has provided critical support for coalition military forces transiting Turkey, and served as a major supply route for humanitarian and reconstruction assistance. In March 2002, Turkey's parliament narrowly failed to provide authorization for U.S. forces to open a northern front in the military campaign against Iraq, but soon after, Prime Minister Erdogan — at the request of the United States — persuaded a reluctant parliament to authorize a Turkish peacekeeping force for Iraq (the United States then was unable to persuade the interim Iraqi Governing Council to accept Turkish forces).

Because of this long-standing security relationship, the U.S. perspective on Turkey's accession to the European Union has always been dominated by strategic considerations. Given Turkey's geopolitical importance, the United States has been keenly interested in its political and economic stability. The view has long prevailed in Washington that closer ties between Turkey and the EU — including membership — would enhance Turkey's political stability and promote economic growth, as well as help ensure a strong, democratic Turkey on the doorstep of a sometimes turbulent Middle East and Central Asia.

This strategic emphasis has been reinforced by two factors. First, those in the U.S. government most supportive of Turkey have tended to be the officials responsible for security and defense policy. They have emphasized the strategic advantages of Turkish membership, but at the same time, their rhetoric has sometimes given the impression of a lack of understanding of the complexities of the EU membership process. Second, the recent priority given to the greater Middle East region in U.S. foreign policy has reinforced that strong support for Turkish membership in the EU. Turkey has become more important as a demonstration of successful reform and as a stable element in the region.

This enthusiasm for Turkish membership has led the U.S. government to take an active role in previous European discussions about Turkey's status. In advance of the European Council meetings in Luxembourg (1997), Helsinki (1999), and Copenhagen (2002), the United States lobbied actively on Turkey's behalf. Some observers credit U.S. efforts with securing "candidate country" status for Turkey at Helsinki. At Copenhagen, U.S. lobbying was also intensive (including calls by President Bush to his EU counterparts), leaving no one in doubt about the keen U.S. interest in a positive outcome for Turkey. While EU leaders decided to defer the issue until December 2004, there could be no doubt that the U.S. government saw a stable Turkey as a strategic asset and viewed closer Turkish association with the EU as the best guarantor of its stability.

The Road to December

Three major steps must be taken before Turkish accession negotiations can begin:

- the European Commission will issue its assessment as to whether Turkey has met the Copenhagen criteria;
- the European Parliament will issue an advisory opinion based on the Commission report; and
- EU heads of government will decide at the European Council in December whether to initiate accession talks in light of the Commission report.

In theory, this should be a fairly objective process — if Turkey is judged to have met the Copenhagen criteria, it should receive a date for talks to start sometime in the first half of 2005. However, in reality, this will be a fundamentally political decision, taken at the highest level of European leadership. Issues such as the situation on Cyprus, the experience of enlargement to 25, and public sensitivities will contribute to the context in which the European Council makes its decision. But the first, and most important, part of the decision will be the assessment of whether Turkey has met the Copenhagen criteria.

The Commission plans to issue its final report on Turkey in October 2004, just before the end of its term. As with previous reports relating to Turkey (annual assessments have been issued since 1998), the report will outline the criteria Turkey has to meet and the methodology for assessing its progress. The Commission makes every effort to ensure that the criteria and

methodology are as specific and objective as possible, to minimize the potential for political pressure from member states. Inevitably, some elements of judgment will be required, especially in drawing general conclusions. But it will be difficult to argue that the Commission's judgments are based on a lack of familiarity with the situation in Turkey. The Enlargement directorate of the Commission, led by Gunter Verheugen, has consulted extensively with the Turkish government throughout the reform process. Indeed, Commission involvement has been much more intensive — even intrusive — than with any other candidate for membership.

In recent months, Commission officials, including Enlargement Commissioner Verheugen, have been generally positive in their statements regarding Turkey.¹² The current assessment credits Turkey, under the leadership of the AKP, with making remarkable progress in meeting the Copenhagen criteria. Nevertheless, officials caution that additional progress is still needed in several areas, particularly in implementing recently passed legislation. The Commission regards reforms in the following areas as key to its assessment:¹³

- **Judiciary:** Although the abolition of the death penalty was an important step forward, a new penal code, which is in the drafting process, still needs to be adopted. The independence and effectiveness of the judiciary should be strengthened, especially vis-à-vis prosecution. The AKP government recently pushed through another reform package, which included the very important step of abolishing the state security courts, and those imprisoned under that system have been able to appeal for release through the civilian courts.¹⁴
- **Civil-Military Relations:** Although recent reforms removed the military from the national High Education Board, military participation in other civilian bodies still needs to be curtailed. More effective parliamentary control over the entire military budget should be established; indeed, ending the practice of “extra-budgetary” funds is also a longstanding requirement of the IMF.

¹² See, for example, the statement by Commissioner Gunter Verheugen in an interview with Inforadio: “Turkey will of course join the ranks of the EU if Ankara fulfills the Copenhagen criteria in [their] entirety.” Cited at http://www.tusiad.us/specific_page.cfm?CONTENT_ID=417. Verheugen also recently issued a statement in reaction to the constitutional amendments passed by the Turkish Parliament, remarking that the new legislation “shows once again the strong commitment of Turkey to political reforms”. IP/04/624: Brussels, 10 May 2004.

¹³ The following is based on interviews with Commission officials and on the “Draft Position of the European Union” for the 43rd meeting of the EC-Turkey Association Council, held in Brussels, May 18, 2004 (“the mid-term report”).

¹⁴ In June 2004, this appeals procedure led to the provisional release of Leyla Zana and three other former parliamentarians who had been the most prominent prisoners of the state security courts. Later that month, the Council of Europe Parliamentary Assembly ended its monitoring process in Turkey, recognizing it had fulfilled its goals in the areas of democratization, rule of law, and human rights. Council of Europe: “Press Release 106a(2004).” [http://press.coe.int/cp/2004/106a\(2004\).htm](http://press.coe.int/cp/2004/106a(2004).htm). In July, it was announced that Zana and her colleagues will now be retried in a newly established specialized criminal court.

- **Fundamental freedoms, including freedom of expression, association, and religion:** The new reform package includes provisions on freedom of the press, but other elements of Turkish law can be interpreted in ways that restrict fundamental rights. Of particular concern has been the need for additional measures to safeguard human rights, including against torture. Turkey has removed all references to the death penalty in the constitution and signed some relevant international protocols. But there is a need for more education and monitoring of implementation, especially at the local level.
- **Cultural rights:** The Commission has acknowledged that greater tolerance for diversity now exists in Turkey, but cautions that it is only slowly becoming enshrined in law. While the EU has emphasized the need to ensure cultural diversity (including legal protection for non-Muslim communities), the Turkish government has focused on maintaining the secular nature of broadcasting and other cultural and educational activities. The Commission has been critical of the lack of broadcasting in any language other than Turkish; but in an important step forward, this was rectified in mid-2004.
- **Regional disparities:** The primary focus has been on the southeast region and especially on those persons suffering from internal displacement following the state of emergency.¹⁵ There has been some cooperation with the World Bank and United Nations Development Programme in addressing the economic and social needs in the area, but there is still much to be done.

Despite this list of challenges, EU officials emphasize an emerging positive dynamic in Turkey. Some of the problems cited, especially those related to implementation, are ones that would be encountered in any large country undergoing reform. For example, it was a significant step to legislate limits on police treatment of suspects, but converting that into reality in thousands of local police stations will not happen overnight. Nevertheless, Commission officials clearly expect and require further progress before their report is issued in October, and that progress must be visible and irreversible.

There is a general expectation in the EU that the Commission report will be largely positive. There might be a few specific concerns remaining, but most observers—including those who have serious concerns about Turkish accession—believe the Commission will conclude that Turkey has met the Copenhagen criteria. Not surprisingly, this is also the view in Turkey, where a positive report is regarded as the deserved reward for the extensive reform effort.

Once the Commission issues its report, the European Parliament will prepare an advisory opinion. Although this will not have any binding effect, the Parliament's report could exacerbate an already sensitive public debate. The most recent European Parliament was

¹⁵ According to the Commission, estimates on the number of internally displaced persons range from 300,000 – 1,000,000, with the lower number probably more accurate.

noted for its frequent criticism of Turkey, primarily on human rights grounds. In April 2004, the Parliament adopted the Oostlander report, which concluded that Turkey needed to make more progress before accession negotiations could begin, and identified reforms largely in line with Commission opinion.¹⁶ The Party of European Socialists, led by the German Social Democrats and the British Labour party, supported the report. The conservative European People's Party split evenly on the report, with the German and French delegations especially opposed to the report's acceptance of Turkey's eventual accession.¹⁷

It is too early to speculate whether the new Parliament that took office in July will have a different attitude towards Turkey. Like past European Parliament elections, the June 2004 contest seems to have been largely won or lost based on the popularity of the incumbent national government, with "European" issues not very prominent in most campaigns. Some politicians, especially in France and Germany, clearly hoped to make Turkish accession an issue, exploiting the European public's concern about Turkey in order to win more seats. But it is unclear whether the public responded to their anti-Turkish rhetoric or their general criticism of the incumbents.

Thus, the Parliament's reaction to the Commission's report is likely to depend, first, on whether the members of Parliament find the Commission's assessment accurate, and, second, on the vagaries of party politics in their home countries. For some, particularly the German members of the European People's Party, there is likely to be a significant domestic political incentive to be seen as opposing the start of accession talks. Whatever position the new Parliament takes toward Turkey, its report, even though merely advisory, is likely to focus public attention on the Turkish issue at a sensitive time before the European Council meeting.

Decision in December: The EU's Choices and their Implications

The final decision on the start of accession talks will rest with the European Council. If the Commission unexpectedly presents a report that finds serious failings in Turkey's adoption of the Copenhagen criteria, the Council would most likely follow the Commission's lead and delay the start of negotiations. If the Commission arrives at a positive conclusion, however, agreement by the European Council should not be presumed. Decision-making in the Council is often very political and a unanimous verdict must be reached. Apart from Turkey's satisfaction of the criteria, several major issues are likely to affect Council deliberations.

¹⁶ The report was adopted with 211 in favor, 84 against, and 46 abstentions.

¹⁷ For a thorough analysis of EP reaction to the Oostlander report, see "Views on Turkish Accession from the European Parliament" by Senem Aydin, *Turkey in Europe Monitor*, Centre for European Policy Studies, Issue 4, April 2004.

The Cyprus Issue

Resolution of the thirty-year division of Cyprus has never been a formal pre-condition for the EU to open accession talks with Turkey. Nevertheless, the absence of a settlement has cast a noticeable shadow over Turkey's relations with the EU, since the majority Greek Cypriot part of the island, internationally recognized as the sole government of the divided island, entered the EU as a full member on May 1. The assumption in Brussels and Ankara has been that Turkey's chances for starting accession talks would be enhanced by Turkey taking an active role in facilitating re-unification.

Prime Minister Erdogan took this message to heart when the AKP came to power in late 2002. Distancing himself from the Turkish Cypriot leader, Rauf Denktaş and his hardline positions, Erdogan reversed longstanding Turkish practice and cajoled both the Turkish military and most Turkish Cypriot politicians into supporting UN Secretary General Kofi Annan's peace plan for Cyprus. The agreement did present difficulties for the Turks and Turkish Cypriots. In particular, they feared that the removal of the dividing line would lead to wealthy Greek Cypriots quickly purchasing much of the property in the less prosperous north. At the last minute, Turkey pushed the EU for a permanent derogation of EU law to prevent such purchases, but without success. Nevertheless, rather than being the stumbling block, Turkey and the majority of Turkish Cypriots (though notably not Rauf Denktaş) became advocates for settling the dispute.

The Greek Cypriots, led by newly-elected President Tassos Papadopolous, faced no serious penalty for continuing to disagree, as the EU had already promised to allow Cypriot accession on May 1 whether the island was divided or not. The Greek Cypriot leadership continued its pro-settlement rhetoric, but pronounced itself dissatisfied with the Annan plan and Papadopolous called on Greek Cypriot citizens to vote against it in the April 24 referendum. While the Greek government supported the settlement publicly, it did not break with the Greek Cypriot leadership. The shift in approaches was dramatically confirmed in the April 24 referendum on the Annan Plan, when 65 percent of the Turkish Cypriots voted in favor, while 75 percent of the Greek Cypriots voted against, dooming the latest effort to re-unify the island. From Turkey's perspective, the unhappy result of this experience is that the opponent of the Annan Plan — the recognized government of Cyprus — nevertheless entered the EU as a full member on May 1, while the Turkish Cypriot part remains isolated.

There may yet be a silver lining in the abrupt collapse of the EU's Cyprus strategy, however. Turkey's positive role in promoting a settlement is widely recognized throughout the European Union. There may well be some EU members who will balk at starting accession talks as long as Turkish troops remain in the north, thus technically "occupying" the territory of an EU member. But the strong stance of Turkey in favor of the Annan Plan and the impressive efforts of Prime Minister Erdogan in reversing decades of Turkish policy, have earned Turkey substantial goodwill among European leaders. Whether it will be sufficient to overcome all obstacles to getting a green light to open accession talks is unclear at this stage,

but it would undoubtedly be in Turkey's interest to identify specific steps it could take to demonstrate its continued commitment to a settlement. For example, even a modest reduction in Turkey's military forces on northern Cyprus would help alleviate European concerns about "occupation" of a member state and demonstrate the AKP government's continued willingness to take bold steps to resolve this issue.

The Turkish Cypriots have also earned considerable good will, as most European leaders recognized the significantly more flexible position taken by Turkish Cypriot leader Mehmet Ali Talat after he took over the negotiations from Denktash. On July 7, the European Commission proposed a comprehensive plan to ease the isolation of the Turkish Cypriot community by pledging €259 million in aid for economic development in the north and for improving contacts between the two Cypriot communities. It also proposed regulations to facilitate direct trade from northern Cyprus to the EU, with appropriate documentation to be supplied by the Turkish Cypriot Chamber of Commerce. Commissioner Verheugen left no doubt about the link with Turkish Cypriot support for the Annan plan, saying "As the Turkish Cypriot community expressed overwhelming support for the UN Plan to reunify Cyprus, it would have been unfair, to say the least, to leave it out in the cold. The Commission is therefore happy to propose an aid and trade scheme which...will foster the economic development of the northern part of the island."¹⁸ However, when the proposal was later reviewed in the EU Council of Ministers, Cyprus opposed the package on legal and political grounds, delaying further consideration until the fall.

This and other actions, including the refusal of Greek Cypriot television channels to carry an address by Commissioner Verheugen prior to the referendum may lead to a chilly reception for the Greek Cypriots from their EU colleagues. They will have to prove their *bona fides*, and if these are not quickly apparent in both word and deed, quiet retribution (such as slowing down disbursement of EU assistance for Cyprus) cannot be ruled out.

Cyprus itself could play a decisive negative role in December by opposing — and even vetoing — the opening of talks. While such a move is not expected by most EU observers, Cyprus would be within its rights as an EU member. Some other member states may even encourage Cyprus in this direction, in the hope that they could prevent Turkish accession talks while avoiding taking the blame themselves. Cyprus, however, might instead seek to hide behind the veto of another member state opposed to beginning talks, perhaps Austria or France, rather than cast its first veto on such a sensitive matter. Taking a public position against Turkish accession talks would be a risky strategy for Cyprus. Since the referendum, the position of the Cypriot government has been far from clear, and the impact of the continuing division of Cyprus on the December decision remains similarly cloudy.

¹⁸ These measures must be approved by the Council of Ministers. "Commission proposes comprehensive measures to end isolation of Turkish Cypriot community" Brussels, 7 July 2004, IP/04/857.

European Issues

The same factors that caused European leaders to defer a decision on Turkey in December 2002 are present today: concerns over enlargement, the European constitution, and the European economy, and a general malaise about the EU as an institution. By December 2004, Europeans will have had six months' experience in dealing with a Union of twenty-five members. The accession of Romania and Bulgaria will be on the horizon, with Croatia likely to be not too far behind. If the integration process is going smoothly, EU leaders are likely to find it easier to contemplate another accession process. But if the integration of the ten new members is not going well, EU leaders may be under pressure to delay beginning another set of accession talks, using whatever guise they felt most credible.

As for the constitution, as noted above, any link with public concerns about eventual Turkish membership is likely to make ratification even more challenging. Yet this is exactly the connection that those who oppose Turkish membership or the proposed constitution will seek to establish. Such opposition is likely to come from both the extreme right and the left — the right because it plays to fears of greater immigration, and the left because it sees Turkish membership as endangering the goal of a truly supranational Union. Much will thus hinge on the ratification process in individual member states, specifically those where the constitution must be approved by referendum and concern about Turkish accession is high. If ratification of the constitution seems to be in danger because of concern about Turkey, there may be even more pressure to delay a decision on accession talks until after ratification is complete.

The Strategic Context

The situation in the broader Middle East is also likely to influence the EU's attitude toward Turkey. If the region seems more stable by December, especially if there are indications that reform is being pursued in a gradual but effective manner, the EU member states will find it easier to contemplate Turkey as an eventual member — one that could help build a bridge to that region and even act as an example of positive reform. If, however, the situation in the region worsens, especially in Iraq, the West Bank, and Gaza, opinion is likely to be sharply divided. A resurgence of Kurdish nationalism on Turkey's borders could also prove destabilizing, especially if the PKK renews terrorist activities within Turkey. Under these circumstances, some in Europe will be tempted to make Turkey into a barrier — a *cordon sanitaire* — that keeps those instabilities distant from EU borders. Others will argue that the more volatile circumstances make it even more crucial that Turkey be brought into the safety of the Union, where it can continue on its current democratic and stable path.

The European Council can, in theory, give three possible answers to the question of whether to open accession talks with Turkey:

- “Yes,” with a specified date for the convening of an intergovernmental conference that will launch negotiations, probably in the first half of 2005 (all parties acknowledge that it will take a few months to prepare for the talks);
- “Yes, but,” which could take several forms. A positive assessment could still be accompanied by a delay in the start of negotiations, or simply a failure to specify a particular date. Or the European Council could decide that one particular aspect of Turkey’s progress is insufficient (for example, if a serious human rights breach should come to light just before the meeting) and delay talks until that specific condition is corrected or until after another review.
- “No,” with the implication that Turkey’s membership prospects will be on hold for the indefinite future. Assuming the Commission issues a favorable progress report, this would be surprising, but is certainly not impossible.

In practice, any answer other than “yes” is likely to require political contortions and rationalizations that EU leaders will seek mightily to avoid. But some European leaders will face powerful domestic political incentives to delay the start of accession talks. In Turkey, any answer other than a whole-hearted “yes” with a specific date is likely to be perceived as a rejection. Moreover, it is difficult to see how EU leaders realistically could delay a decision past December. A new deadline in one to two years would scarcely be credible. EU leaders could conceivably delay opening accession talks for a finite period, but this would give little practical cover to those who may be worried about domestic reaction in their countries. Even a minor delay will be seen as holding Turkey to a higher standard than any other candidate country.

A negative decision from either the Commission or the European Council would cause a genuine crisis in relations between Turkey and the EU. While Prime Minister Erdogan’s government probably would not fall, given the overwhelming majority it enjoys in parliament, it would be severely weakened. Opponents of EU membership — in the military, among the religious extremists, and among ethnic minorities — might find more support for nationalist and anti-Western perspectives. Although the government would most likely continue to push for further reforms, many others may find it difficult to support reforms without EU pressure. Under these circumstances, Erdogan might seek support by adopting a more nationalist tone that would exacerbate resentment of a negative EU decision. Inevitably, some Turks would interpret a “no” decision as Europe turning its back on non-Christians, and their reaction may hinder Erdogan’s efforts to transform the AKP into a secular, yet Muslim, political party and perhaps lead to greater tension with the Turkish General Staff.

A “no” decision in December could have other negative consequences. Perhaps most importantly, it could be a serious setback for the Turkish economy. The EU-Turkey Customs Union would undoubtedly suffer, especially in those areas where the Commission has already noted problems with implementation. If accession negotiations were to begin,

Turkey would have to correct these issues quickly; without that incentive, little progress should be expected. A “no” would also be a significant blow to the prospects for foreign investment. Not only would Turkey no longer be considered part of the European market, many investors may fear a return to economic instability. As a result, the prospects for economic take-off would vanish.

There would also be serious consequences for the European Union, both internally and in foreign policy. A rejection of Turkey would undoubtedly have repercussions within Europe's Muslim communities, perhaps exacerbating the alienation of some from European social and political life. There is also likely to be little cooperation with Turkey on political issues of mutual concern, such as immigration, the rights of Kurds, or the contested delineation of the continental shelf in the Aegean. Turkey would have little incentive to continue pushing its Turkish Cypriot allies toward a settlement. Even if the AKP government was convinced that a settlement was in Turkey's interest, it would be extremely difficult to maintain military acquiescence in such a policy.

The impact of a negative decision would quickly spill over into U.S. relations with Turkey and the EU. In the short term, the effect on bilateral U.S.-Turkish relations would be limited, as Turkey is well aware of U.S. support. But even though Turkey may look to the U.S. government for sympathy, those relations are unlikely to be strengthened significantly, as there is little the United States can offer Turkey that would compensate for a “no” from Brussels. A reinforced U.S.-Turkey security relationship would do little to promote Turkish economic development, and it might even strengthen the influence of the military and security forces at the expense of the reformers.

A negative decision would seriously aggravate U.S.-European relations, as the United States has long made clear its desire to see Turkey begin accession talks as soon as possible. Coming on the heels of major differences over Iraq and the Israeli-Palestinian issue, a “no” on Turkey could put transatlantic relations at a new low. The situation could be further complicated if Turkey were to decide to take a less cooperative line with its European allies within NATO. Turkey has demonstrated in the past that it is willing to impose restrictions on NATO-EU cooperation when it believes its interests are at stake. With the EU taking over the Bosnian military operation from NATO in January 2005, there will be a need for unfettered NATO-EU cooperation. And if repercussions are felt within NATO, the United States may find itself pressured to choose sides between Turkey and its other European allies, with potentially serious effects on issues where NATO is a key player, such as Kosovo, Afghanistan, and Iraq. While this would not lead to a breakdown of the Alliance, it may well make cooperation and building consensus on certain issues more difficult.

In sum, the negative consequences of a “no” vote would be considerable. The question for U.S. policy is what the U.S. government can do practically to encourage a “yes” vote with a commitment to open accession talks in spring or summer 2005.

Decision in December: Toward a Constructive U.S. Approach

Some EU members have made clear that they view the December decision purely as an internal matter to be addressed only by EU members. But it is unrealistic to think that the United States will remain on the sidelines. The question is not whether the U.S. government will take an active role, but how it will do so. EU officials are practically unanimous in urging that the U.S. government take a sophisticated, low-key approach that would complement the efforts of Turkey's advocates within the EU. They warn that strong public advocacy such as that before previous European Councils is likely to backfire. Even if this opinion is discounted because of the European interest in minimizing U.S. involvement, U.S. strategy does need to take into account two factors that make aggressive U.S. lobbying problematic:

- The political sensitivity of this issue in key European countries — especially Germany, France, and Austria — puts any U.S. advocacy squarely in the middle of a charged domestic debate. The question of Turkish accession is not only linked to the sensitive issue of European multiculturalism but also increasingly used in efforts to gain political advantage in European elections. A strong and vocal U.S. approach will be seen by some as interference in domestic affairs.
- Following the conflict in Iraq, the decline in U.S. popularity and credibility among the European public makes the U.S. government a less effective advocate in Europe on any issue. A strong public argument in favor of Turkish membership is unlikely to be well received by those Europeans already skeptical of U.S. motivations and intentions.

Nevertheless, there are constructive steps the United States can and should take to increase the chances of a positive decision in December.

- The U.S. government must demonstrate that it understands EU accession is a complex and significant undertaking — it is not simply joining a trade pact. U.S. rhetoric during previous enlargement debates left many EU officials skeptical of U.S. understanding on this point. U.S. officials must work to correct this misapprehension.
- The United States should continue to encourage Turkey to fulfill the Copenhagen criteria, urging the AKP government not only to pass legislation, but also to enforce it. For example, the State Department, by publishing human rights reports that have been critical of Turkey over the years, has usefully demonstrated to Turkey that its human rights record is of concern beyond the European Union and heightened the pressure on Turkey to change. As those imprisoned under the state security courts system now go through a process of appeals, the United States should join with the EU in stressing the importance of all new procedures being consistent with the Copenhagen criteria.
- The U.S. government should seek to improve the atmosphere surrounding the December decision, focusing on some issues that are not strictly part of the

Copenhagen criteria. For example, an improvement in Turkish relations with Armenia would be helpful. The opening of another transit point on the Turkish-Iraqi border might demonstrate a willingness to cooperate with the Kurds. Perhaps most important, the United States should make clear to Turkey that progress must continue on the Cyprus issue, and it should encourage Turkey to take new steps toward reconciliation as proof of its determination to contribute to a resolution. Similarly, the United States, with others in the international community, should also push the Greek Cypriots to take serious steps toward resuming Cyprus talks. However, they should also make clear to the Greek Cypriots that a Cyprus settlement is not —and never has been — part of the Copenhagen criteria, and lack of a resolution should not be grounds for denying Turkey a starting date for negotiations. Movement in a positive direction on any of these issues before December could have a very real impact on the tenor of the debate at the European Council and on the political acceptability of the decision.

- The U.S. government should select the targets for its lobbying on behalf of Turkish accession very carefully. A pan-European strategy will not be effective; instead the U.S. approach should be differentiated. A public campaign in either Germany or France would probably not be advisable. Chancellor Schroeder favors starting negotiations, while President Chirac has also voiced his support, pending a positive Commission report. A vocal U.S. advocacy would probably only strengthen those in the German Christian Democratic Union/Christian Social Union and in Chirac's Union for a Popular Movement who are much less favorably inclined. In the Netherlands, where there is significant opposition to Turkish membership, it might be useful to quietly praise the government's determination to act in a neutral fashion during its six month presidency of the Union, which ends just after the December European Council. In some cases, it is not the government that should be the target of U.S. advocacy, but key interest groups, such as human rights NGOs, who have an interest in seeing Turkey move toward membership. The United States should certainly focus on the ten new member countries of the European Union, reminding them that they should not shut the door after their own accession, and reinforcing the recent announcement by the Czech Republic, Hungary, Poland, and Slovakia supporting Turkey's bid. Some of the other new members may need encouragement, especially as Turkey may be viewed as a future rival for regional and structural funds.
- The United States should do what it can to broaden the debate into two different directions. First, the emphasis on the strategic implications of a "yes" should be prominent, so that all understand the importance of a major Muslim country progressing toward membership in the EU. Second, the U.S. message should underline that starting accession talks is the surest guarantee of human rights improvements in Turkey. This message should resonate well with human rights groups in Europe and with Kurds who have immigrated to the EU and now constitute an important interest group on this issue.

Beyond December: The Implications and Uncertainties of Accession

It can hardly be repeated too often that a date to begin accession talks is not the same as a date for membership. The two are often confused, both by those in the EU wary of Turkey's accession, and by many Turks, who see a positive decision in December as the final resolution of their relationship with Europe. Agreement to begin accession talks carries with it the presumption that the talks will be successful and the results will be ratified by all existing members — as indeed has been the case with every candidate country to date. But this is not a foregone conclusion, and Turkey is likely to experience a lengthy and perhaps contentious negotiation.

The accession negotiations will focus on Turkey's adoption of some thirty "chapters" of EU legislation, governing everything from foreign policy to environmental regulation and social policy. The term "accession negotiations" is a misnomer. In reality, the talks are about how quickly the candidate country can adopt the established *acquis communautaire*. The candidate has no choice about which elements to adopt, but may negotiate transition periods for about fifteen percent of the *acquis*. Thus, Turkey will have to be in compliance with 85 percent of EU legislation, with plans for adopting the remainder, before becoming a member. Moreover, the *acquis* is not static; additional legislation is added every year. EU regulations can be quite intrusive and will affect how things are done in Turkey at every level of government. An increasing portion of the legislation of EU member states is determined by Brussels, with the national parliament then transposing it into national law with few, if any, changes. Some observers, both in Turkey and in the EU, question whether Turkey realizes how much sovereignty it will have to cede in the process of becoming a member.

Given the scale of this process, it is unclear how long the accession talks will take. Both sides will probably wish to complete the relatively easy chapters quickly in order to show progress. Because a Turkey-EU customs union already exists — which was not the case with other candidates — some of the trade-related chapters may be relatively easy. The more difficult chapters are likely to be those dealing with EU funds — especially agriculture and structural funds — or that deal with very intrusive and specific regulations, such as home and judicial affairs, financial matters, environment, and transport. A common assumption among EU officials is that ten to fifteen years will be required to complete the whole process: accession negotiations, ratification, and entry into force. However, some EU officials with direct experience acknowledge that in all accession negotiations to date, a momentum develops quickly once the process has begun. Even under the most optimistic scenario, however, negotiations would take until 2010, ratification could be completed by 2012-13 and Turkey could formally join the EU in 2014-15.

Perhaps not surprisingly, Turkish officials and business leaders involved with the EU believe the process is likely to go faster. They assert that Turkey is more familiar with the *acquis communautaire* than other candidate countries were at the beginning of their accession talks. Other Turkish observers are more cautious and stress that much time will be required to

ensure that both Europe and Turkey are comfortable with the changes required by accession. They emphasize the importance of starting the process in early 2005, but leave open the timeframe for completing negotiations.

Because Turkey's candidacy poses so many challenges, many within the EU — even among those who support Turkish accession — believe that the talks should be genuinely open-ended, with no hidden agenda on either side. If one side or the other decided at a certain point that membership would not work, there should be no recriminations, just a commitment to look at alternative approaches to tie the two closer together. Turkey is unlikely to decide not to conclude negotiations, but much can change during a 10-12 year process.¹⁹ Prudence, perspective, and patience will be needed by all participants once accession talks begin.

Turkish Accession: A Good Choice for the United States?

While a keen advocate of EU membership for Turkey, the United States will undoubtedly feel the impact — not always positively — of the accession talks and later of Turkey's EU membership. The adage “be careful what you wish for” could very well apply as the full ramifications of membership begin to impinge on the close political, economic, and military ties that have linked Turkey and the United States for over fifty years.

There has been relatively little discussion about the potential impact of Turkey's accession to the EU on its bilateral relationship with the United States or on transatlantic relations generally. Some in the EU believe that Turkey cannot expect to maintain a special relationship with the United States and be a full member of the European Union. They also worry that Turkey's friends in the United States might start a debate on “who lost Turkey?” if they are disappointed to find Turkey adopting a more pro-EU posture. Turkish officials, not surprisingly, discount concerns that accession will lead to a less robust U.S.-Turkey relationship. They see Turkey maintaining a strong Atlanticist position within NATO and the EU, similar to that of the Netherlands or the United Kingdom. They insist that Turkey, even as a member of the EU, would maintain a strong strategic defense relationship with the United States, arguing that security concerns such as global terrorism or weapons of mass destruction would not allow Turkey to take an EU-only position at the expense of NATO.

As the accession negotiations proceeds, the United States should expect changes across a range of economic, political, and defense issues.

¹⁹ Both Norway and Switzerland have rejected the possibility of EU membership, although at different stages of the process.

Economic Impact

Accession will result in an eventual extension of the EU regulatory and economic zone to the east. This may not be entirely welcomed, but it is no different from the experience of other EU enlargements. There may be a need for U.S.-EU compensation arrangements as trade barriers shift; this has been done before and in the last enlargement was relatively uncontroversial. U.S. companies may also find that the Turkish government exhibits an increasing tendency to award big contracts — military sales and other large government procurements — to European firms. For example, during a July 2004 visit by Prime Minister Erdogan to Paris to seek President Chirac's support for the start of Turkish accession negotiations, Turkish Airlines signed a contract to purchase 36 airplanes from Airbus (it will buy 15 airplanes from Boeing). On the whole, however, accession will have the concrete benefit of anchoring the growing Turkish economy in a relatively transparent legal and regulatory framework; one that provides access to the large EU market and offers the predictability sought after by the business community, including those in the U.S. business community seeking new opportunities for investment.

Political Impact

U.S.-Turkish political relations are likely to be affected in two ways. First, as soon as the talks begin, Turkey will be increasingly focused on European issues and processes. This has already happened to some extent — and will increase as December nears. But it will become more intense and will affect more issues as Turkey becomes enmeshed in the intra-EU bargaining process. The U.S. government will increasingly find that Turkey must consult with its soon-to-be EU colleagues before taking a final decision, including on some issues of keen interest to the United States.

Second, throughout the accession process, Turkey will be expected to harmonize its foreign policy positions with those of the EU's Common Foreign and Security Policy and European Security and Defense Policy. Some Turkish observers argue that when the EU manages to reach a common position on politico-military issues, it is rarely very different from that of the United States. Accordingly neither the U.S. nor Turkish governments should anticipate any serious clashes. But several issues stand out as offering the potential for unsettling changes. For example, although the United States and the European Union are cooperating in addressing Iranian nuclear ambitions and the need for reforms in the broader Middle East and North Africa region, should differences over those issues re-emerge, Turkey would find itself under pressure to adopt the EU perspective. Perhaps the most significant shifts are likely to arise over the Israeli-Palestinian conflict and the International Criminal Court.

- Israeli-Palestinian conflict: Turkey has a long-standing and close security relationship with Israel, despite the fact that this has sometimes put it at odds with its Arab neighbors. While some EU members, especially Germany, also have close ties with

Israel, the EU has criticized Israel's treatment of Palestinians on the West Bank and Gaza. Over the years, the EU has provided significant financial assistance to the Palestinian Authority, as well as to non-governmental humanitarian groups. This European approach has often differed considerably from that of the United States. As Turkey moves toward EU membership, it may find itself under pressure to take a more critical stand toward Israel. Other factors, such as the AKP's wish for close relations with the Arab world and growing links between Israel and the Kurds may reinforce this change.²⁰

- **International Criminal Court:** As a prospective EU member, Turkey will be expected to sign up to the International Criminal Court. When Turkey joins the ICC, the United States will ask to negotiate an Article 98 agreement exempting U.S. citizens. However, the EU guidelines permitting its members to sign such agreements are not consistent with the U.S. interpretation. Although Turkey, as a NATO member will not suffer a loss in security assistance, it will be forced to choose sides in a rather bitter transatlantic quarrel indicative of a broader range of disagreements on multilateral governance.

Defense and Security Impact

In the defense and security arena, the most important consequence of Turkish accession may be the impact on NATO. With the December decision looming, some U.S. observers have noted that, at least in public, Turkey is beginning to distance itself from its close alignment with the United States and is taking on an increasingly pro-EU stance. Although there is no "EU Caucus" within NATO, once accession negotiations begin Turkey will be under increasing pressure to conform to those positions on which the EU is unified. Ironically, Turkey may have more flexibility once it is actually an EU member, with a "seat at the table" when the EU debates ESDP or its relationship with NATO. In the interim, however, this shift will not always be easy for the United States to accept. At the inevitable moments of frustration, it should be kept in mind that the only real alternative — a Turkey rejected by the EU and without a view of its place in Europe — will make cooperation within the Alliance even harder to achieve.

Turkish accession to the EU will affect not only bilateral U.S.-Turkish relations, but also the broader transatlantic relationship. Bringing the Turkish economy — with its higher growth rate and more flexible workforce — into the EU will make Europe more dynamic, and thus a more attractive place for U.S. investment, and will further strengthen U.S.-EU economic ties. More important, however, will be the strategic implications: with its borders now reaching to Syria and Iraq, the European Union is likely to become a more active player in the region.

²⁰ For example, Turkey has joined the members of the EU in supporting UN General Assembly resolutions critical of Israel's construction of a security barrier in the West Bank, while the United States has opposed such resolutions.

Once Turkey is a member and participates fully in EU deliberations, it will add another atlanticist voice to the intra-EU debate. This voice will not always agree with the United States, but it will help ensure a better hearing within the EU for the U.S. perspective and the merits of transatlantic cooperation. Turkish membership will also add a significant measure of military capability to ESDP, which may reinforce those who are eager to see the EU more active militarily, especially in cooperation with NATO. By the time of Turkish accession, the United States, Canada, Iceland and Norway are likely to be the only NATO members not in the European Union; a development that will require the United States to re-evaluate the way it manages issues within NATO and the ties between that institution and the EU.

Recommendations

The United States should continue to work for a positive decision by the European Council to open accession talks with Turkey in spring 2005. To achieve that goal, the United States should:

1. Continue to encourage Turkey to fulfill all the Copenhagen criteria, especially stressing the importance of implementing and enforcing the recent reforms.
2. Work to improve the atmospherics surrounding the December decision by encouraging the resolution of issues that are not strictly part of the Copenhagen criteria. This may involve encouraging a resolution to some remaining specific human rights cases, as well as better relations between Turkey and Armenia, and between Turkey and the Kurds.
3. The United States should especially encourage Turkey to maintain its positive approach on Cyprus and perhaps even to find new ways to demonstrate its commitment to finding a solution, for example, by reducing its large military presence on Cyprus. In cooperation with the European Union and the United Nations, the United States should also push the Greek Cypriots to provide equivalent demonstrations of good will both now and at the December European Council meeting.
4. Undertake an active but differentiated effort to influence the December decision in a positive direction.
 - The United States should not campaign openly in countries where such efforts would exacerbate a sensitive domestic debate, but should instead focus on those countries — especially among the new EU members — where U.S. advocacy might make a positive difference.
 - The United States should reach out to non-governmental organizations and other constituencies, especially in the human rights area, in the European Parliament, and among the Kurdish community in Europe, with the message that accession is the surest way of addressing their concerns about Turkey and should encourage them to speak in favor of starting negotiations.

- The United States should work to broaden the debate beyond the intra-European issues so that more emphasis is given to the strategic implications of the decision, and particularly its implications for Euro-Atlantic relations with the Muslim world.

For Turkey, the priority between now and December should be to continue its impressive efforts to meet the Copenhagen criteria, with a focus on implementing the recent reforms. In addition, Turkey should:

1. Reach out to human rights and ethnic advocates in Europe who could be key to a positive decision if they are convinced that accession to the EU is the best guarantee of permanent reforms in the areas of human rights and treatment of minorities.
2. Work to reinforce the gains it has reaped by its constructive attitude during the Annan plan negotiations. It should avoid the temptation to backtrack on Cyprus in the wake of the failed referendum, and instead look for new ways to demonstrate its desire for a settlement.

For the European Union, the priority for December will be to focus on the Copenhagen criteria and to evaluate Turkey's progress in meeting them. In addition, the European Union should:

1. Recognize that the United States has a legitimate strategic interest in Turkish accession and work with the United States to ensure that its efforts are channeled in a constructive direction.
2. Continue to push all parties toward a return to negotiations on a Cyprus settlement while not allowing the absence of such an accord to delay the start of talks with Turkey.
3. Balance its consideration of Turkey's impact on European integration and governance with the strategic benefits of bringing Turkey closer to the European Union, keeping in mind the positive impact it may have on EU relations with the Muslim world.

Although it would be premature to identify specific recommendations for the post-December period, a few key requirements are already apparent:

1. When differences emerge — as they undoubtedly will — all parties should avoid casting them as part of a zero-sum game, but instead recognize that they are part of a longer term adjustment process without winners and losers.
2. The United States must recognize and be tolerant of the demands accession will place on both Turkey and the EU, should also not allow the strategic benefits of accession to be ignored.

3. The United States, Turkey, and the European Union must recognize that trilateral communication will be essential and should establish a regular consultative mechanism that encourages discussion of the external implications of enlargement and shared regional concerns.

Members of the Atlantic Council Delegation

Morton I. Abramowitz is a senior fellow at The Century Foundation. He previously served as U.S. ambassador to Turkey, before becoming president of the Carnegie Endowment for International Peace.

Donald K. Bandler is a senior director at Kissinger McLarty Associates. He was previously U.S. ambassador to the Republic of Cyprus, and special assistant to the President and senior director for European Affairs at the National Security Council.

Richard R. Burt is chairman of International Equity Partners, a Washington-based investment banking and advisory services firm. He has served as ambassador to the Federal Republic of Germany and as ambassador chief negotiator in the Strategic Arms Reduction Talks (START) with the former Soviet Union.

Frances G. Burwell is director of the Atlantic Council's Program on Transatlantic Relations. Prior to joining the Council, Dr. Burwell was executive director of the Center for International and Security Studies at Maryland (CISSM).

William Drozdiak is the executive director of the Transatlantic Center of the German Marshall Fund of the United States. He was previously chief European correspondent of the Washington Post.

Eric Melby is a founding member of The Scowcroft Group. He served as a senior staff member on the National Security Council during the administrations of Presidents Reagan and George H.W. Bush.