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The future of EU-Turkey relations: between mutual distrust and interdependency

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Abstract

This paper aims to offer a forward-looking analysis of EU-Turkey relations based on three scenarios: convergence, cooperation and conflict. It discusses current political and social developments in Turkey and takes stock of the recent EU-level and regional developments under positive, negative and unfolding trends. The discussion shows that the future will be most likely driven by a push and pull between cooperation and conflict scenarios. On the one hand, mutual interests concerning trade, diversification of energy sources, migration and regional security concerns will continue to motivate both sides to engage with each other as partners in the future. On the other hand, Turkey's domestic political developments marked by authoritarianisation since 2013 and violation of the freedom expression and the rule of law in the post-15 July period will strengthen the conflict scenario. It concludes with a discussion that the current EU apathy towards the social and political developments in Turkey undermines the EU's normative influence and the credibility of the enlargement policy.

Bu çalışma AB-Türkiye ilişkilerini ileriye dönük bir perspektifle gerçekleşmesi muhtemel üç senaryo –bütünleşme, işbirliği ve çatışma- kapsamında incelemeyi amaçlıyor. Bu bağlamda, Türkiye'deki güncel sosyal ve siyasi gelişmeleri detaylı bir şekilde ele alırken, AB içindeki ve bölgesel düzlemdeki gelişmelerin AB-Türkiye ilişkilerini öngörülebilir gelecekte nasıl şekillendirebileceğini ortaya koyuyor. Güncel gelişmelerin analizinden yola çıkan çalışma, AB-Türkiye ilişkilerinin geleceğinin işbirliği ve çatışma senaryoları arasındaki çekişmeye sahne olacağını öne sürüyor. Bu bağlamda, ticaret, enerji kaynaklarının çeşitlendirilmesi, göç ve bölgesel güvenlik konularını kapsayan karşılıklı çıkarlar her iki tarafı stratejik ortaklığa dayalı bir işbirliğini devam ettirmek için motive etmeye devam edeceği tartışılıyor. Öte yandan, Türkiye'de 2013'ten beri devam eden siyasi iktidarın otoriterleşme eğilimi ve 15 Temmuz sonrası süreçte artan ifade özgürlüğü ve hukuk devleti normlarının ihlalinin çatışma senaryosunu da güçlendireceği ele alınıyor. Son olarak, çalışma AB'nin Türkiye'deki otoriter eğilimi yavaşlatmak ya da durdurmak için adım atma konusundaki isteksizliğinin, AB'nin normatif nüfuzu ve genişleme politikasının güvenilirliği üzerine öngörüler ortaya koyuyor.

1. Introduction

The relations between Turkey and the European Union (EU) have significantly changed since the period of optimism in the early 2000s. Following the 1999 Helsinki Council decision to grant candidate status to Turkey, relations went through a brief episode of mutual confidence in Turkey's eventual integration into the Union. Especially during the early years of the Justice and Development Party (AKP) government, Turkey's agenda for reform in accordance with EU conditionality and its reconciliatory stance towards a common solution in Cyprus led to an unprecedented transformation of the EU's perception of Turkey and its prospect of joining the Union.

During its first term office (2002-2007), the AKP indeed strengthened basic freedoms, restricted the role of the military in politics by altering the structure of the National Security Council, and increased penalties for torture and maltreatment during detention.¹ In May 2003, then Prime Minister Recep Tayyip Erdoğan asserted the government's determination to join the EU defining it as 'our debt to our people and our country'.² The first four years of the AKP government were the 'golden years' of EU-Turkey relations, as Turkey was seen by the West as a successful case of democratisation in the Muslim world. 'Moderate Islamists' in government, as many observers in Europe and the US labelled the AKP, were increasingly seen as the panacea for radical Islamism in the Middle East and beyond, and thereby a perfect role model to emulate for other Muslim countries in the post-9/11 period.³

However, the momentum for reform in Turkey was short-lived; and paradoxically, it gradually faded away after the EU accession negotiations officially started in 2005. Following the fight over Abdullah Gül's presidency, and the army's e-memorandum and the closure case against the AKP in 2007 and 2008, the Turkish government turned its attention to a domestic to purge secularists and Kemalists⁴ from the army, judiciary and bureaucracy during its second term in office (2007-2011). With the

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¹ Ergun Özbudun, "Democratization Reforms in Turkey, 1993–2004," *Turkish Studies* 8, no. 2 (2007): 179–96; Marcie Patton, "AKP Reform Fatigue in Turkey: What Has Happened to the EU Process?," *Mediterranean Politics* 12, no. 3 (2007): 339–58.

² Feroz Ahmad, *Turkey: The Quest for Identity* (London: Oneworld, 2014), 184.

³ Cihan Tugal, *The Fall of the Turkish Model: How the Arab Uprisings Brought Down Islamic Liberalism* (London ; New York: Verso, 2016).

⁴ Kemalism is the founding ideology of the Turkish Republic set by the early republican elite. Referring to the ideas, and social and political reforms undertaken by Kemal Atatürk during the 1920s and 30s, it is based on three main pillars: republicanism, nationalism and secularism. The ideology dominated the Turkish politics and society following Atatürk's death in 1938. Its followers consider Kemalism as a revolutionary ideology that brought Turkey socially, culturally and politically close to the West, while they perceive public representation of Islam and any form of Political Islam as a threat to the regime's survival. As the political establishment remained committed to a top-down Westernisation and the military considered itself as the defender of Kemalism in Turkey, its content and scope have significantly evolved into a state ideology that is strictly secularist, especially in the post-1997 semi-coup period. As a state ideology guarded by the military, Kemalism did not allow any political party with an Islamist discourse to survive for long. Although the AKP has never openly claimed to be an Islamist party, Kemalists also perceived it as a threat to the secular regime when it came to power in 2002. Starting from its second term in office, the AKP engaged in a fight to undermine the influence of Kemalism and Kemalists in state structures and mostly succeeded in purging staunch Kemalists through Ergenekon and Balyoz trials.

Ergenekon and Balyoz trials, the government launched several waves of arrests of military officers, journalists and academics based on dubious indictments about a joint coup plot.⁵ During the same period, the AKP failed to encourage a nation-wide participatory process to discuss constitutional questions. Contrarily, it sought to capture and control undemocratic state structures and institutions rather than transforming them into truly participatory ones. It polarised the public through the headscarf debate, the attempt to criminalise adultery, and restrictions on the sale of alcohol. In its second term in office, the government gradually increased the pressure on the independent media outlets and the judiciary and established a state machine through several controversial appointments of religious conservative figures close to the AKP to bureaucratic positions.⁶

During its third term, the scale of the undemocratic turn in Turkey was as unexpected to many liberal reformists in Turkey as it was to the EU. The 2010 constitutional referendum paved the way for concentration of power in the hands of the executive and undermined the independence of the judiciary.⁷ The brutality of the government’s response to the 2013 Gezi revolt revealed the previously concealed authoritarian side of the AKP to the West. Since the corruption scandal in late 2013 involving several ministers as well as Erdoğan’s own family, deterioration of democracy and the rule of law have taken a systematic turn. EU reforms have come to a halt and a strictly majoritarian understanding of democracy has become the new tool for discretionary implementation of laws, legitimised as ‘the will of the people’. Following the November 2015 elections, in parallel to the monopolisation of power in the hands of the executive, the AKP and often Erdoğan have openly intimidated the opposition and dissidents as ‘terrorists’, ‘traitors’ and collaborators of ‘foreign enemies’, while dismissing criticisms as the remnants of ‘militaristic mentality’. Furthermore, the current presidential ambition of Erdoğan depends on further monopolisation of the parliamentary power and silencing the opposition.

Following the 15 July 2016 coup attempt, the government initially attempted to initiate a dubious reconciliation process with the two biggest opposition parties. However, the pro-Kurdish People’s Democratic Party (HDP) is adamantly excluded from this reconciliation and ostracised as a satellite of the PKK. Looking at the ongoing arrests and oppression of academics, intellectuals, writers, critical journalists and recently the co-chairs and several lawmakers from the HDP, the coup attempt has not reversed the authoritarian tendencies of the AKP, as hoped by some observers. Quite contrarily, the government continues to use the state of emergency to issue decrees against the constitution and the basic principles of the rule of law. According to independent human rights observers in Turkey, torture and mistreatment under detention has increased following the coup attempt⁸. The war with the PKK

⁵ Gareth Jenkins, “Between Fact and Fantasy: Turkey’s Ergenekon Investigation” (Central Asia-Caucasus Institute, Silk Road Paper, 2009), <http://www.silkroadstudies.org>.

⁶ Ömer Taşpınar, “Turkey: The New Model?,” in *The Islamists Are Coming: Who They Really Are*, ed. Robin Wright (Washington D.C.: USIP, 2012), <https://www.wilsoncenter.org>.

⁷ Ergun Özbudun, “Turkey’s Judiciary and the Drift Toward Competitive Authoritarianism,” *The International Spectator* 50, no. 2 (April 3, 2015): 42–55.

⁸ Human Rights Watch. 2016. “A Blank Check: Turkey’s Post-Coup Suspension of Safeguards Against Torture.” October 24. <https://www.hrw.org/report/2016/10/24/blank-check/turkeys-post-coup-suspension-safeguards-against-torture>.

continues and is likely to take a new turn following Turkey’s change in policy towards Syria and the detention of Kurdish lawmakers and closure of Kurdish news agencies. Society remains highly polarised along partisan lines and the ISIS networks in Turkey pose a great security threat in urban and Kurdish areas.

Equally important to the domestic developments in Turkey are the EU perceptions of Turkey and intra-EU politics. The EU has drifted away from the enlargement policy and conditionality-driven relations with Turkey long ago. The status quo in Cyprus has become one of the stumbling blocks of Turkey’s official accession negotiations in the post-2004 period. Upon Turkey’s refusal to extend the Customs Union Agreement to the Republic of Cyprus,⁹ the European Council suspended the opening of eight accession chapters in 2006.¹⁰ In addition, Cyprus as a member state still blocks six chapters and France initially vetoed the opening of five chapters with Turkey during the presidency of Nicolas Sarkozy.

Even before the eurozone crisis and the Brexit debates, Turkey’s membership has been much used for domestic political gains by both eurosceptic far right parties as well as by mainstream politicians. The French and Dutch constitutional referendums in 2005 put the EU project on hold, pushing the EU away from the question of enlargement. A significant part of the population in Germany, Austria, Netherlands and France show deep scepticism of Turkey’s place in Europe. Mainstream politicians have not hesitated to capitalise on this scepticism for domestic political gains and expressed their objections to Turkey’s full membership. The anti-enlargement sentiments among the European public and the eurozone crisis have obstructed a long-term vision for the future of the EU enlargement. Overall, after a decade of accession negotiations, out of 35 chapters, only 15 have officially been opened and only one was concluded. As Cizre aptly summarises, “[i]ncreasing European reluctance to go ahead with accession talks bolstered an inward-looking conservative nationalism within the AKP, long before the current problems with the EU related to the Syrian war and refugee crisis emerged”.¹¹

Today, one view mutually shared by the EU and Turkey is that the prospect of full membership has become more distant and less desirable for both sides. On several occasions, the EU has not hesitated to openly acknowledge deteriorating democratic governance, checks and balances, and freedoms in Turkey.¹² Some member states have even called for an official end of the accession negotiations, although it is often questionable whether such objections are based on democratic principles or far-right populism.¹³ In return, the Turkish leadership has accused the EU of acting in a hostile manner for

⁹ Bilge Yabanci, “Another Crossroads in the Cyprus Conflict: New Negotiations, Hope for Change and Tough Challenges Ahead – Research Turkey,” *Research Turkey* III, no. 1 (2014): 25–46.

¹⁰ Meltem Müftüleri-Baç, *Divergent Pathways: Turkey and the European Union: Re-Thinking the Dynamics of Turkish-European Union Relations* (Berlin: Barbara Budrich, 2016).

¹¹ Ümit Cizre, “Turkey in a Tailspin,” *Middle East Research and Information Project*, 2016, <http://www.merip.org>.

¹² BBC News, “Turkey Protests: Erdogan Rejects EU Criticism,” 2013, <http://www.bbc.com/news/world-europe-22817460>; Deutsche Welle, “Merkel ‘Shocked’ by Turkish Response to Demonstrations,” 2013, <http://www.dw.com>.

¹³ “Austrian Chancellor Suggests Ending EU Accession Talks with Turkey,” *Reuters*, August 3, 2016, <http://www.reuters.com>.

cultural and religious reasons, and of intruding in the country’s internal affairs.¹⁴ Erdoğan particularly accused the EU of applying double standards towards Turkey and embracing Islamophobia on several occasions. The recent public opinion surveys in Turkey have shown that the number of people who do not believe that the country will become an EU member has increased from 48% to 64%.¹⁵

Despite the heightened tension, relations have not totally ceased. In fact, one can speak of a new momentum with the March 2016 refugee agreement. The mutual willingness to cooperate on irregular migration has partially revived the accession negotiations with the opening of the Chapters on Economic and Monetary Policy and Financial and Budgetary Provisions and the launch of the long-awaited visa liberalisation process for Turkish citizens. While both sides do not hesitate to reveal essential divisions over the state of democracy in Turkey and the AKP’s domestic policies, Turkey and the EU have declared mutual willingness to repair their relations and cooperate on several issues of common interest.

The existence of pragmatism on both sides makes the future of the EU-Turkey relations more intricate and dependent on the interaction of several drivers. It seems like the new ‘normal’ in the EU-Turkey relations is a mutual love-hate relationship. However, both sides need to decide on the final goal of the relationship in other words, on the question of Turkey’s membership. If the EU intends to put its own house in order before turning to the question of enlargement and particularly to Turkey’s EU membership, it might find Turkey already on an irreversible path towards an authoritarian regime consolidated around the presidency of Erdoğan. An undemocratic regime in Turkey would also risk the pragmatic cooperation and partnership on migration.

In this regard, a forward-looking analysis of EU-Turkey relations is needed in light of the heavy baggage of the past and the unfolding developments. The aim of this paper is to discuss possible futures for EU-Turkey relations by taking three potential scenarios set by FEUTURE as its analytical framework.¹⁶ In the following, the paper will first offer a brief overview of the three scenarios: conflict, cooperation and convergence. The second part offers a discussion of the positive trends in EU-Turkey relations. The third section turns to current factors to examine the impact of negative trends in the Turkey-EU relations driven by the domestic developments in Turkey. The final section outlines the unfolding trends determined by regional and global actors and developments that are outside the direct control

¹⁴ Senem Aydın-Düzgit, “De-Europeanisation through Discourse: A Critical Discourse Analysis of AKP’s Election Speeches,” *South European Society and Politics* 21, no. 1 (2016): 45–58.

¹⁵ Diken, “Türkiyelilerin AB’ye İnancı Azaldı [People Lost Their Belief in the EU],” *Diken*, September 16, 2016, <http://www.diken.com.tr>.

¹⁶ FEUTURE (The future of EU-Turkey relations: Mapping dynamics and testing scenarios) is funded by the European Union Horizon 2020 Research and Innovation Programme. Project’s website: <http://feuture.eu/>. Natalie Tocci, “Turkey and the European Union: A Journey in the Unknown,” *Brookings, Turkey Project Policy Papers*, No. 5 (2014).

of the EU and Turkey. The repercussions of these unfolding trends cannot be fully guessed and they could drive relations towards cooperation or conflict.

The paper particularly highlights the most pressing Turkey-centred factors that will have the biggest impact on the relations. While showing the relevance and centrality of the agency of the government and decision-makers in Turkey, it takes into account multiple drivers at different scales (Turkey’s domestic developments, the EU and regional level drivers) that pull and push the relations in different directions. The paper suggests that the future will be marked by the co-existence of these scenarios due to the shifting drivers in the relations as the salience of issues for both parties constantly change and new issues emerge.

2. Three scenarios on the future of the EU-Turkey relationship

The scenarios described below capture the possible future(s) of the EU-Turkey relations in a simplified way.¹⁷ These scenarios offer ‘potential types’ of future relations. They all provide different but plausible constellations of historical and current developments rather than seeking to predict the future accurately. By using these categories, the paper will provide insights for the future developments, especially when actor-choices are uncertain and largely uncontrollable.

Among the three possible scenarios, the first scenario, ‘conflict’, foresees that current developments will generate irreconcilable objectives on the side of Turkey and the EU leading to rising politicisation of the membership question and deepening estrangement between the two. Relations will eventually suffer from a final break and competing goals in the common neighbourhood and foreign policy. The conflict scenario could be fuelled by the current intra-EU crisis, namely increasing euroscepticism, far-right populist appeal in several member states and enlargement fatigue as well as potential future developments such as other ‘Brexit’s’, failure to achieve employment-generating growth in crisis-hit member states, and the escalation of the refugee crisis. A chaotic EU divided internally over fundamental issues and unable to deliver its citizens with welfare might prefer ceasing enlargement-oriented ties with Turkey.

In this scenario, domestic developments in Turkey, especially the current undemocratic turn, can equally press for the final blow to the official accession prospect. In the absence of willingness to work towards membership on both sides, the Turkish government can initiate the official end to the accession negotiations, especially if the AKP increasingly perceives EU membership as a burden for its monopolisation of power at home. The Turkish side would seek carving out an independent place for

¹⁷ The three scenarios discussed in this section were outlined in Tocci, op.cit. in detail.

itself in the greater neighbourhood in alliance with other regional actors such as Russia and Iran; and this role would not necessarily be in line with Western priorities.

The second scenario - ‘cooperation’ - predicts that mutual interests are likely to oblige both sides to brush aside frictions and focus on shared challenges to scale up partnership. In this scenario, full membership for Turkey would not be a part of the future relations. Still, instead of a total break up, a form of ‘external horizontal differentiation’ and strengthened cooperation in areas requiring interdependent policy-making will dominate the EU-Turkey relationship. According to Schimmelfennig et al.,¹⁸ external differentiation occurs “if non-members that are unable to join because EU membership is highly politicised, they opt in selectively in highly interdependent but weakly politicised policy areas”.

What could bind the Turkey and the EU are strategic interests and common threat perceptions in the neighbourhood, as well as the functionality of cooperation rather than mutually shared norms of democracy, human rights and the rule of law. The cooperation scenario foresees selective policy integration of Turkey as a non-member state into the EU.

The third scenario - ‘convergence’ - envisages a gradual reconciliation and the eventual membership of Turkey, which the accession negotiations are destined to achieve in principle. However, the realisation of this scenario is highly dependent on the return by the EU to the question of enlargement upon resolving internal divisions about the future direction of the Union as well as a government in Turkey that is willing to resume the democratisation process to fulfil the Copenhagen criteria. Even in this scenario, Turkey’s integration would be a form of vertical differentiation with some temporary or even permanent derogations from certain policy areas.

In the following, several factors are examined to assess the plausibility of each scenario described above to unravel the emerging modalities of the EU-Turkey relationship and its complexities by taking stock of positive, negative and unfolding trends.

3. Positive trends in EU-Turkey relations: a lasting drive for cooperation

Despite the official negotiations having been stalled since 2006, relations between the EU and Turkey have persisted in different forms regardless of the political dimensions of the accession process. Turkey continues to receive the biggest share of the EU Instrument for Pre-Accession Assistance (IPA)

¹⁸ “The European Union as a System of Differentiated Integration: Interdependence, Politicization and Differentiation,” *Journal of European Public Policy* 22, no. 6 (2015): 764–82.

amounting to 4.5 billion Euro for the period 2014–2020.¹⁹ Instead of full-scale negotiations, “intensified dialogue and cooperation” has become a medium to accommodate mutual interests. Europeanisation, i.e. diffusion and institutionalisation of formal and informal rules and norms of the EU,²⁰ has been noted in a number of areas, such as migration, energy, terrorism, trade and local governance; although these issues were not discussed within the framework of accession.²¹ Recently, high-level dialogue on economy, energy and political issues has been launched. Three areas particularly interest both sides for a long term partnership and collaboration: (i) economic cooperation and trade, (ii) energy, and (iii) renewed accession negotiations after the refugee agreement.

Customs Union and Economic Cooperation

In the middle of Transatlantic Trade and Investment Partnership (TTIP) negotiations, economic cooperation and bilateral trade have become a key issue in EU-Turkey relations in recent years. The EU is an important trade partner for Turkey as well as the largest foreign direct investor in the country. Since 1995 when the customs union was launched, bilateral trade has enlarged six-fold and the competitiveness of the Turkish economy has increased in an unprecedented manner. Several Turkish companies continue to operate as a part of European production networks.²²

The EU and Turkey announced the modernisation of the Customs Union Agreement in May 2015 with an intention to extend its scope beyond the manufacturing sector. There are several expected gains from a modernised customs union agreement for Turkey: alleviation of the potential negative effects of TTIP and the EU’s bilateral trade agreements with third countries on Turkey’s economy, and further adaptation and modernisation of Turkey’s trade regulations, especially intellectual property rights, public procurement, investment, competition and environmental sustainability, in line with the EU rules.²³

The fact that Turkey’s economy is very much integrated into global markets creates an important incentive for economic cooperation with the EU. Moreover, the sanctions by Russia and the decline in tourism revenues following the crisis of shooting down of a Russian jet by the Turkish army in

¹⁹ Marc Pierini and Sinan Ülgen, “A Moment of Opportunity in the EU-Turkey Relationship,” *Carnegie Europe*, 2014, <http://carnegieeurope.eu/>.

²⁰ Claudio Radaelli and R. Pasquier, “Conceptual Issues,” in *Europeanization: New Research Agendas*, P. Graziano and PM. Vink (Basingstoke: Palgrave Macmillan, 2007), 35–45.

²¹ Beken Saatçioğlu, “AKP’s ‘Europeanization’ in Civilianization, Rule of Law and Fundamental Freedoms: The Primacy of Domestic Politics,” *Journal of Balkan and Near Eastern Studies* 16, no. 1 (2014): 86–101; Yaprak Gürsoy, “The Impact of EU-Driven Reforms on the Political Autonomy of the Turkish Military,” *South European Society and Politics* 16, no. 2 (2011): 293–308; B Kaiser and A. Kaya, “Transformation of Migration and Asylum Policies in Turkey,” in *The Europeanisation of Turkish Public Policies: A Scorecard*, ed. A. Güney and A. Tekin (2016), London: Routledge, 94–115; Umut Aydın and Kemal Kirişçi, “With or Without the EU: Europeanisation of Asylum and Competition Policies in Turkey,” *South European Society and Politics* 18, no. 3 (2013): 375–95.

²² Kemal Kirişçi and Sinan Ekim, “Why an EU-Turkey Customs Union Upgrade Is Good for Turkey,” *The German Marshall Fund of the United States*, 2015, <http://www.gmfus.org>.

²³ Kemal Kirişçi and Sinan Ekim, “Why an EU-Turkey Customs Union Upgrade Is Good for Turkey,” *The German Marshall Fund of the United States*, 2015, <http://www.gmfus.org/>; Selen Akses, “Why the Revision of Turkey-EU Customs Union Was Inevitable,” *Hurriyet Daily News*, 2015, <http://www.hurriyetdailynews.com>.

November 2015, the turmoil in the neighbouring countries, and the stalled economic growth since the 2008 global financial crisis have reminded the Turkish leadership of the value of economic relations with the EU. Although the EU economy has not recovered from the shock of the economic crisis, access to the EU market will continue to be a key economic opportunity for Turkey.²⁴ Turkey's stalled mediocre growth can be stimulated only by further integration into global value chains and the EU is still the nearest gate for Turkey to developed economy and capital markets. Similarly, Turkey's growing domestic market and young population will continue to be a destination for European goods.

In this sense, the renewal of the Customs Union Agreement will sustain and extend economic relations creating incentives for both sides to carry on with pragmatic cooperation in the coming years. More importantly, economic relations and customs union can be used by the EU as a critical leverage over Turkey in the future.

Energy Security

Energy dependency is a major concern to both sides. Especially after the crisis in Ukraine and the deterioration in Turkey's relationship with Russia, diversification of supply sources has become a pressing need for Turkey and the EU making cooperation both desirable and unavoidable.²⁵ Due to its proximity and relations with the Central Asian Republics, the EU considers Turkey as a key partner and a major transit hub in the highly valued Southern Energy Corridor. Bringing natural gas from the Caspian region to Europe via Turkey will also benefit both sides and enable them to reduce their energy dependency on Russia.

In view of the mutual interests, the European Commission has already called for an establishment of a new strategic energy partnership with Turkey in February 2015 in its Energy Union Communication opening the way for the EU-Turkey Strategic High Level Energy Dialogue in early 2016.²⁶ The dialogue has set the priority to scale up the energy cooperation. So far, both sides have declared enthusiasm to strengthen energy cooperation on several interlinked pillars including the transportation of alternative regional sources mostly from Azerbaijan and Turkmenistan via Turkey to the EU, the harmonisation of Turkey's energy regulations with the EU *acquis* and the implementation of the Trans-Anatolian Natural Gas Pipeline (TANAP) project which is regarded crucial for supply security for both the EU and Turkey.

Similar to economic cooperation, energy cooperation between the EU and Turkey will be shaped by pragmatic concerns, pushing both sides to leave political disagreements behind and prioritise the

²⁴ The Huffington Post, "Putin Meets With Erdogan To Renew Ties After Turkey's Failed Coup, <http://www.huffingtonpost.com/>; Deutsche Welle, "Turkey, Iran Seek to Triple Bilateral Trade despite Differences over Syria," 2016, <http://www.dw.com/>; Al Jazeera, "Netanyahu: Israel-Turkey Deal Immense Boost to Economy," June, 27, (2016), <http://www.aljazeera.com>.

²⁵ Sohbet Karbuz, "EU-Turkey Energy Cooperation," *IAI Istituto Affari Internazionali*, (2014).

²⁶ Simone Tagliapietra and Georg Zachmann, "Designing a New EU-Turkey Strategic Gas Partnership | Bruegel," *Bruegel Policy Contribution, Issue 10*, 2015, <http://bruegel.org/>.

mutual interest of achieving supply security. Compared to economic relations, the EU’s leverage on energy issues might be weaker due to its own dependency and search for diversification of resources. Still, the realisation of TANAP and cooperation on energy matters is not only profitable for Turkey, but would also relieve its energy dependency on Russia maintaining the Turkish government’s interest in cooperation with the EU.

Revitalised accession negotiations

During almost a decade of stalled accession talks, the question of Turkey’s membership was barely addressed within the EU. Similarly, the Turkish government made a merely rhetorical commitment to Turkey’s place in Europe and to political reforms. The government published its own accession strategy named “New EU strategy of Turkey” in 2014 declaring its aim to “establish new communication channels between Turkey and the EU and accelerate the reform process”. The new strategy also claimed to contribute to reviving the low public support for EU membership and restoring mutual trust between the EU and Turkey. However, since 2005, the actual reform process has been stalled.

The refugee crisis has created an exception to the frozen negotiation process. Following the 2013 EU-Turkey readmission agreement and Turkey’s new law on foreigners and international protection, the EU launched the long-awaited visa liberalisation road map in 2014. Under the November 2015 joint action plan on irregular refugee flows, Turkey agreed to facilitate Syrian refugees’ access to healthcare, education and the job market and to step up border patrols to deter irregular migration and to prevent human smuggling. As a part of the action plan, the EU agreed to provide 3 billion euro in aid for the Facility for Refugees over two years.²⁷ Security cooperation has also been revitalised through renewed joint counterterrorism and border management efforts and a practical cooperation agreement on shared intelligence and strict border control between Turkey and FRONTEX.

Furthermore, under the March 2016 agreement, known as ‘one in, one out’ deal, Turkey accepted the rapid return scheme for all migrants not in need of international protection (namely, migrants who do not qualify as refugees or who did not apply for asylum). In return, the EU promised to resettle one Syrian refugee for every refugee returned to Turkey from the Greek islands. The EU also promised to renew Turkey’s accession talks by opening some of the previously blocked chapters, to provide an additional 3 billion aid for the Facility for Refugees and to lift the visa requirement for Turkish citizens at the latest in June 2016.

Currently, Chapters 17 and 33 on economic, financial and budgetary issues are under negotiation. Additionally, draft screening reports of eight chapters on crucial issues blocked by Cyprus - freedom of

²⁷ European Commission, “Fact Sheet on the EU-Turkey Agreement,” 2016, http://europa.eu/rapid/press-release_MEMO-16-963_en.htm.

movement, energy, judiciary and fundamental rights, justice, freedom and security, and foreign, security and defence - are pending the approval of the European Council.²⁸

Under the current domestic conditions in Turkey and the continuation of the Cyprus dispute, the opening of new accession chapters will not automatically evolve towards the convergence scenario in the future. The conclusion of chapters is still subject to Turkey’s implementation of the Additional Protocol of the Customs Union Agreement to Cyprus. And evidently, Turkey does not prioritise the Cyprus talks after the coup attempt and the regional developments in Syria, although high-level bilateral negotiations between the leaders of Turkish and Greek Cypriot communities continue with the latest round of talks which began in August 2016.

Besides the politicised nature of Turkey’s EU membership, both the EU and Turkey often mention ‘strategic partnership’ to define mutual relations in recent years. For example, in the Joint Statement following the High-Level Political Dialogue in January 2016, Turkey and the EU defined each other as ‘key partners and strategic allies’, albeit the accession prospect is emphasised later on. Similarly, the ‘New European Strategy’ announced by the AKP government emphasised strategic selectivity and mutual gains in the relationship claiming that “Turkey-EU relations are strong and sustainable as they are based on a “win-win” strategy. Turkey and the EU share mutual benefits in many areas”²⁹.

This is an important discursive shift not to be ignored. Although parties always claim negotiations and the membership perspective are the key and eventual objective for both sides, the discursive change from accession conditionality to strategic partnership cannot be treated as a coincidental choice of words. It signals a shift in both the EU and Turkey’s new positions towards a working relationship that resembles cooperation than convergence. Both sides realise that cooperation on mutually beneficial areas such as prevention of human smuggling and infiltration of terrorist networks into Europe is possible without the membership talk. Put differently, the possibility that the ‘soft touch’ to the accession negotiation will culminate in convergence is dim, especially in light of the negative developments that push relations further away from an eventual convergence, as discussed in the next section.

Whether the official accession negotiations will continue to provide drive for cooperation in the EU-Turkey relations will be determined by the EU’s future reaction to democratic decline and Turkish government’s willingness to remain as an official candidate. The paper will now turn to analyse these issues.

²⁸ Ministry for EU Affairs, “Current Situation in Accession Negotiations,” 30 June, (2016), <http://www.ab.gov.tr>.

²⁹ Ministry of EU Affairs, “Turkey’s New European Union Strategy,” 2015, http://www.ab.gov.tr/files/5%20Ekim/turkeys_new_eu_strategy.pdf.

4. Negative Trends in EU-Turkish relations

Negative domestic developments in Turkey increase the political complexity of the EU-Turkey relations and will certainly force the EU to walk a tightrope between its normative influence and strategic interests in its approach towards Turkey. These trends also add the possibility of conflict to the EU-Turkey relations. These developments can be broadly captured in three intertwined categories: (i) authoritarianisation in Turkey and consolidation of a new hybrid regime, (ii) the end of the Kurdish peace process and the renewed military conflict with the PKK and (iii) the far-reaching repercussions of the aborted 15 July coup.

Regime change in Turkey

Until 2011 (for some commentators until 2013), Turkey's domestic politics was shaped by debates on democratisation. The AKP initiated ambitious reconciliation projects (named 'democracy packages') towards the Kurdish, Alevi and non-Muslim minorities and a process to write a new Constitution to replace the undemocratic 1982 Constitution. Despite several breaches of democratic governance and the rule of law during the AKP's second term between 2007 and 2011, the West continued to see Turkey as a role model for the post-Arab Spring period in the Middle East until the 2013 Gezi protests.

However, the so-called democracy packages fell short of expectations mostly because they failed to genuinely incorporate the demands of the minority communities in question and the democratic credentials of Turkey have gradually diminished.³⁰ Especially since the oppression of Gezi demonstrations in June-July 2013, the crack down on the independent media has become a widespread and systematic practice. A gradual consolidation of a hybrid regime, a regime neither democratic nor fully authoritarian ruling with total coercion, but consolidated well enough in the gray zone in between, to replace the weak democracy in Turkey is underway.

The regime change in Turkey has been a long and slow process through several stages. The government first gradually expanded its grasp on the judiciary and the bureaucracy to replace the old establishment with the Gülen cadres through the Ergenekon trials.³¹ Thanks to the simple parliamentary majority,

³⁰ Ali Çarkoğlu, "Riding the Electoral Roller Coaster in Turkey," *IAI Istituto Affari Internazionali*, (December 22, 2015).

³¹ The Gülen movement is one of the most secretive organisations in modern Turkey that claims to advocate Islamic thought and morality and a positive attitude towards the West and other cultures. The leader of the movement Fethullah Gülen is a cleric and a previous member of the Islamist *Nurcu* movement in Turkey. In the 1960s, he established the *Hizmet* (Service) Movement, known as *Cemaat* (the Community) by its followers and as the Gülen community by the public. The movement defines itself as an international charity organisation. However, its worldview is based on a synthesis of Islamism and strict Turkish nationalism. The movement's main power came from private colleges in Turkey and abroad that served to recruit and indoctrinate new members and provide educated cadres to be placed in institutions such as the army, bureaucracy, security forces and the media. Allegedly, the goal is to infiltrate the state from every corner and manipulate these institutions for the community's own interests.

Despite its long history, it remained almost invisible until the 2000s in Turkey. After the 1997 'post-modern coup', Gülen immigrated to the US, while the scope and the number of affiliated organisations have exponentially increased worldwide.

the AKP has asserted itself as the dominant party.³² The majoritarian drift scrapped the institutional checks and balances after the 2010 constitutional referendum, co-opted the judiciary and accumulated excessive power in the hands of the government at the expense of the legislative and the judiciary.³³ In doing so, the AKP continued to depict itself as the champion of democratisation and the EU reforms and as the victim of the military and secular establishment. In doing so, the AKP successfully rallied conservative-Islamist constituencies capitalising on the 1997 post-modern coup against the Islamist predecessor of the AKP and during the fight over the 2007 presidential elections³⁴. The strategy worked well to encompass not only Islamists and conservatives but also liberals and some leftist who wanted get rid of the tutelary regime under the military’s control and conservative Kurds in the AKP’s hegemonic power bloc.³⁵

During the second stage, the AKP’s monopolisation of control and power had expanded beyond the political arena, generating a steady trend of authoritarianisation under censorship, bans on the media and social networks and the arrest and oppression of journalists, academics and dissident voices especially after the corruption scandal in 2013.³⁶ Moreover, the AKP has created its own alternative

The movement has also left its strategy of remaining underground and invested in massive public relations campaigns in Turkey and abroad to increase its visibility as a global charity. However, it has kept its membership and financial sources secretive. Thanks to its public relations campaigns and public face as a moderate Muslim civil organisation, many left- and right-wing governments before the AKP established good relations with Gülen considering his movement as the antidote of political Islam represented back then by the Islamist Welfare Party, the AKP’s predecessor.

Although the relations between Gülen and the AKP’s predecessor Welfare Party were cold, the AKP -challenged by the secular establishment in the early 2000s- chose to cooperate with the Gülen movement and supported it by replacing the emptied ranks of state after the purge of Kemalists and secularists (mostly through the fabricated evidence in Ergenekon and Sledgehammer cases) with Gülen loyalists. However the alliance broke with the crisis over the Turkish Intelligence Service (MIT) in 2012. The rift deepened following the government’s move to close Gülen schools and the corruption scandal involving four ministers and Erdoğan’s family was leaked to the media by the movement in 2013. The government purged several Gülen-affiliated people from state ranks, who were accused of establishing ‘parallel state structures’. The purges reached to many thousands after the 15 July coup attempt. See: Dani Rodrik, “Erdoğan Is Not Turkey’s Only Problem,” *Project Syndicate*, September 11, 2013, <https://www.project-syndicate.org/>, Çakır, Ruşen. 2012. “The Near Future of Turkey on the Axis of the AKP-Gülen Movement.” Perspectives, Heinrich-Böll-Stiftung Türkei. <https://tr.boell.org>, Tol, Gönül, Matt Mainzer, and Zeynep Ekmekçi. 2016. “Unpacking Turkey’s Failed Coup: Causes and Consequences.” *Middle East Institute*. August 17. <http://www.mei.edu>, Tol, Gönül. 2014. “The Clash of Former Allies: The AKP versus the Gulen Movement.” *Middle East Institute*. March 7. <http://www.mei.edu>.

³² Pelin Ayan Musil, “Emergence of a Dominant Party System After Multipartyism: Theoretical Implications from the Case of the AKP in Turkey,” *South European Society and Politics*, 2014, 1–22.

³³ Ergun Özbudun, “AKP at the Crossroads: Erdoğan’s Majoritarian Drift,” *South European Society and Politics* 19, no. 2 (2014): 155–67.

³⁴ The opposition and the military attempted to stall the 2007 presidential elections claiming that the election of Abdullah Gül, the AKP’s candidate, from an Islamist background would violate the principles of the secular republic. Furthermore, AKP’s closure case brought on the ground that the party had become a ‘focus for anti-secular activities’ in 2008 further deepened the confrontation between the AKP and the secular establishment. Sabrina Tavernise and Sebnem Arsu, “Turkish Court Calls Ruling Party Constitutional,” *The New York Times*, July 31, 2008, <http://www.nytimes.com/>.

³⁵ Cihan Tugal, “Religious Politics, Hegemony and the Market Economy,” in *Building Blocs*, ed. Cedric de Leon, Manali Desai, and Tugal (Stanford: Stanford University Press, 2015), 87–122.

³⁶ Berk Esen and Sebnem Gumuscu, “Rising Competitive Authoritarianism in Turkey,” *Third World Quarterly* (2016): 1–26; Ergun Özbudun, “AKP at the Crossroads: Erdoğan’s Majoritarian Drift,” *South European Society and Politics* 19, no. 2 (2014):

civil society organisations and provided them with some legal privileges to monopolise extra-legislative and extra-partisan arenas including the syndical arena and labour rights, media, education, and women's organisations, consolidating a large scale patronage machine and control of the civic space.³⁷ To legitimise the arbitrary arrests and controversial policies, the government frequently resorted to religious and nationalist references and a populist discourse blaming foreign enemies and the domestic elites,³⁸ especially in relation to family, women, social welfare, education and minority issues.³⁹

Secularism, once considered as a founding principle of the state, became an open target by some government representatives who called for a 'religious new constitution'.⁴⁰ When the AKP first came to power in 2002, it did not hide its intention to change the strict militant understanding of secularism as the state's control over religion and redefine it as the state's total neutrality towards religion. In violation of its initial rhetorical commitment, after 14 years in power, the AKP has freed religious symbols and discourses without touching the fundamentally flawed institutional structures of state secularism. It has further monopolised these institutions, e.g. *Diyanet*, to control and claim monopoly over religion to utilise it for its majoritarian aims, i.e. top-down Sunni-Islamisation for a homogenous society.

The last and current stage of slow regime change continues since the elections in June 2015. Political polarisation has deeply penetrated into social and economic fields, challenging social cohesion and the consensus-seeking culture that are at the centre of democracies.⁴¹ The 15 July coup attempt has been used as an opportunity to crack-down on dissidents. So far, more than 100,000 people were sacked or suspended from their positions for allegedly being a member or a sympathiser of the Gülen community. Emergency decrees violate constitutional principles and international obligations of Turkey. For instance, the last two decrees on 29 October 2016 sacked more than 10,000 civil servants and 1,267 academics including members of Academics for Peace and the leftist trade union Egitim-Sen, shut down 14 independent media outlets, banned elections of university rectors by academics, allowed recording on conversations between lawyers and detainees⁴². Since the declaration of the state of emergency, democratically elected mayors of 28 municipalities in the overwhelmingly Kurdish

155–67; Nikolas Stelgias, "Turkey's Hybrid Competitive Authoritarian Regime: A Genuine Product Of Anatolia's," *ELIAMEP Working Paper*, no. 60 (2015): 1–21.

³⁷ Bilge Yabanci, "Populism as the Problematic Stepchild of Democracy: An Analysis of the AKP's Endurance through Meso-Level Actors," *Journal of Southern Europe and Black Sea Studies*, (2016): DOI: 10.1080/14683857.2016.1242204.

³⁸ Bilge Yabanci, "Populism, Elections and the Ever-Present Crisis," *Independent Turkey, Centre for Policy and Research on Turkey (Research Turkey)*, 2016, January, 23 edition, <http://researchturkey.org/populism-elections-and-the-ever-present-crisis/>.

³⁹ Ayhan Kaya, "Islamisation of Turkey under the AKP Rule: Empowering Family, Faith and Charity," *South European Society and Politics* 20, no. 1 (January 2, 2015): 47–69.

⁴⁰ Samuel Osborne, "The Turkish Parliament Speaker Wants to Replace Secularism with an Islamic Constitution," *The Independent*, April 27, 2016, <http://www.independent.co.uk>.

⁴¹ Emre Erdoğan, "Turkey: Divided We Stand" (German Marshall Fund No. 118, 2016).

⁴² *The Economist*. 2016. "Goodbye, 'Republic,'" November 5. <http://www.economist.com/news/europe/21709586-flagship-secular-newspaper-hit-purges-spread-goodbye-republic>.

south-east have been removed by decree and the government appointed trustees in their place⁴³. Following the detention of several HDP lawmakers on 4 November, Facebook, Twitter, YouTube and Whatsapp, now the most reliable sources of news and journalism in Turkey, remain restricted or even totally blocked in some provinces of Turkey. The internet has been slowed down country-wide. In the meantime, the AKP has called for a hyper-presidential system and reintroduction of capital punishment. A draft constitutional reform package has been revealed by the AKP, which would be potentially supported by ultra-nationalist MHP at the parliament⁴⁴.

Under the 14 years of single party government, Turkey has witnessed a gradual shift from tutelary democracy under the military’s control towards a competitive authoritarian regime “in which formal democratic institutions exist and are widely viewed as the primary means of gaining power, but in which incumbents’ abuse of the state places them at a significant advantage vis-à-vis their opponents”.⁴⁵ Weak checks and balances and the rule of law, limitations on civil liberties, and the frequent physical and verbal attacks on the opposition by AKP politicians and supporters confirm that even the weak credentials of Turkish democracy have gradually whittled away. Under the emergency decrees and the AKP’s determination to institutionalize a fully executive presidential system, it is no longer possible to define the regime in Turkey as democracy (even with adjectives such as weak or tutelary).⁴⁶

The ongoing authoritarian consolidation in Turkey has significantly decreased the leverage of EU conditionality as well as the EU’s willingness to engage with Turkey under a nominally one party regime. It can drive relations towards the conflict scenario in the long-term. The key question is to whether and what extent the EU can tolerate an increasingly authoritarian regime in Turkey because of its strategic interests in cooperation in energy, trade, migration and security fields.

To date, the EU’s reaction to the authoritarian turn has been limited. The EU remains divided to come up with a joint response to evident democratic reversal in the largest candidate country. In a controversial move, the Commission avoided publicly commenting on the government’s oppressive policies and delayed the publication of Turkey’s 2015 progress report in order not to create tensions with the Turkish government during the negotiations on the refugee agreement. Only after the 15 July, the Commission and the European Parliament have openly acknowledged the backsliding of democracy and the rule of law in Turkey. The Commission President Juncker and the European Neighbourhood Policy and Enlargement Commissioner Hahn acknowledged that Turkey’s membership

⁴³ Hürriyet Daily News. 2016. “28 Mayors Replaced with Trustees by Turkish Government.” September 11. <http://www.hurriyetdailynews.com/>.

⁴⁴ Hürriyet Daily News. “AKP to Submit Own Constitutional Draft for Presidential System: PM Yıldırım.” 2016, October 12. Hürriyet Daily News. “MHP Backs Government on Charter Bid”. 2016, October 18. <http://www.hurriyetdailynews.com/>.

⁴⁵ Steven Levitsky and Lucan A. Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (New York: Cambridge University Press, 2010).

⁴⁶ Cihan Tugal, “In Turkey, the Regime Slides from Soft to Hard Totalitarianism,” *openDemocracy*, February 8, 2016, <https://www.opendemocracy.net/>.

remains an unrealistic objective in the foreseeable future⁴⁷. However, an immediate official end to the accession talks on a principled basis is unlikely under the current cooperation drive.

The end of the Kurdish peace process

Besides the democratic reversal in Turkey, the end of Kurdish peace process has also become a looming driver for the conflict scenario in EU-Turkey relations. The efforts for a political solution to the Kurdish issue have officially ended after the AKP lost the majority in the parliament in June 2015 elections. The process started at the beginning of 2013 when a group of MPs from the HDP became intermediaries in the talks with the imprisoned PKK leader Öcalan and the state. The negotiations were carried out secretly and under the strict control of the government and especially of Erdoğan between 2013 and 2015. Upon Öcalan's famous Newroz call in 2013, the PKK declared ceasefire and partially withdrew from Turkey to its bases in northern Iraq⁴⁸.

following the June 2015 elections, Erdoğan first denied his involvement in the Dolmabahçe accords, a 10-point agreement between the Kurdish side and the government to solve the Kurdish issue through democratic means.⁴⁹ The withdrawal of the President's support was a major blow for the peace process. In July 2015, Turkish forces started to launch heavy air strikes against the PKK bases in Iraq and a suicide bomb attack by ISIS killed 33 pro-Kurdish activists in Suruç for which the HDP blamed the government. As retaliation, the PKK ended two and a half years of ceasefire by attacking security forces. The conflict has quickly spread to urban areas in the southeast through barricades and ditches. In the meantime, the AKP and the president effectively blocked all the attempts at making a coalition between the opposition parties that potentially included the HDP in a coalition government, opening the way for the November 2015 snap elections.

After the resumption of the armed conflict, the government imposed round the clock curfews in several provinces. Discretionary use of force by the special security forces has created large-scale human rights abuses and civilian deaths in the provinces of Cizre, Yüksekova, Sur and Silopi. According to the Human Rights Foundation of Turkey, 338 civilians were killed between August 2015 and April 2016 in cities under curfew.⁵⁰ Human Rights Watch warned that the country has the worst human rights records in the south-east provinces under curfew due to the excessive use of violence by the security forces.⁵¹ The United Nations High Commissioner for Human Rights also noted that the

⁴⁷ Cynthia Kroet, "Johannes Hahn: It Is 'legitimate' to Question Turkey's Accession to the EU," *POLITICO*, July 29, 2016, <http://www.politico.eu>; Vince Chadwick, "Jean-Claude Juncker: Turkey's Not Ready for EU Membership," *POLITICO*, March 17, 2016, <http://www.politico.eu/>.

⁴⁸ Hürriyet Daily New. 2013. "Öcalan Calls on Kurdish Militants to Bid Farewell to Arms for a 'new' Turkey." March, 21. <http://www.hurriyetdailynews.com>.

⁴⁹ Marie Jégo, "Le gouvernement turc et le PKK proches d'un accord," *Le Monde*, March 2, 2015, sec. International, <http://www.lemonde.fr>.

⁵⁰ TİHV, "Sokağa Çıkma Yasakları ve Yaşamını Yitiren Siviller [Curfews and Killed Civilians]," *Human Rights Foundation of Turkey*, 2016, <http://tihv.org.tr>.

⁵¹ HRW, "UN Committee against Torture: Review of Turkey," *Human Rights Watch*, April 22, 2016, <https://www.hrw.org>.

allegations were brought to the UN's attention to investigate these claims through an independent fact finding mission.⁵²

Since the June 2015 elections, in parallel to the armed conflict with the PKK, the Kurdish question has also been excessively securitised through the government's efforts with an aim to sideline the HDP from the political scene. The domestic security bill opened a new wave of prosecution of activists, human rights defenders, journalists and lawyers working on the Kurdish issue. Moreover, the immunities of lawmakers have been lifted through a parliamentary vote supported by the two biggest opposition parties. Nine HDP lawmakers including the co-chairs under arrest now face persecution and trials on terrorism charges. In short, the government demonstrated an intention to discard all peaceful and political means to solve the Kurdish issue.⁵³

The reasons behind this sharp turn in the government's position in the Kurdish issue are two-fold. First, when the HDP achieved an unprecedented success in June 2015 elections, it rallied a wide spectrum of the electorate. The AKP leadership realised that the HDP's success was at the expense of the support for the AKP among conservative Kurds, left-leaning and liberal voters that could ruin the AKP's hegemonic project. Moreover, the HDP's success was possible thanks to the end of the armed conflict that allowed the Kurdish party to reach out to non-Kurdish voters presenting itself as the only candidate capable to fulfil the need for a left-wing democratic party in the Turkish party system. Through its firm stance against the presidential system, the HDP managed to garner support from voters leftist, democrat and liberal voters who are critical of Erdoğan and the AKP.

However, between the June 2015 elections and the November 2015 snap elections, the escalating armed conflict stirred nationalism. The AKP has used the conflict to reverse the HDP's electoral gains and to assert itself as a Turkey-wide political party the AKP position itself as the protector of stability against terrorists and 'their collaborators' in the parliament. In fact, the revival of the PKK threat quickly scaled up the support for the AKP (especially returning conservative Kurds to the AKP and attracting voters of the ultra-nationalist Nationalist Action Party-MHP) in the repeat elections in November. It also provided another opportunity to the AKP to consolidate its autocratic hold and push for Erdoğan's presidential project.

Second, the change in the government's approach to the Kurdish issue is related to the internal power fight between the AKP and the Gülen community. The PKK and the Kurdish politicians had long perceived the AKP as 'an ally for peace', despite a certain level of mutual distrust and disagreement, for two reasons: (i) the Kurdish side believed that the AKP could undermine the deep state structures - clandestine groups composed of ultra-nationalists and organised crime networks, responsible for

⁵² Amberin Zaman, "Will Turkey Let UN Officials Snoop in the Southeast? - Al-Monitor: The Pulse of the Middle East," *Al-Monitor*, May 17, 2016, <http://www.al-monitor.com/>.

⁵³ Emre Peker, "Turkish Parliament Votes to Strip Lawmakers' Immunity," *Wall Street Journal*, May 20, 2016, sec. World, <http://www.wsj.com/>.

counter-guerrilla warfare, torture, forced disappearances and extra-judicial activities in the Kurdish majority regions during 1990s- within the security establishment; and (ii) the AKP has been the only political actor willing to engage Öcalan and solve the issue through political negotiations.

When the Ergenekon and Balyoz cases were launched in 2008 and 2009, many expected that Turkey under the AKP rule would undermine the notorious 'deep state'. In 2008, Erdoğan claimed that he was 'the prosecutor' of the trials, asserting his personal determination to eliminate the clandestine structures. However, the trials soon turned into an instrument to eliminate the AKP opponents from the army, civil society, the media and the bureaucracy through fabricated accusations forged by the Gülen community.⁵⁴

These trials, however, had far-reaching consequences for the peace process. First, the trials lost credibility due to the political intervention in the judiciary; and in 2015 all suspects of the coup plot were acquitted, including the alleged leaders of the deep state structures⁵⁵ and Turkey lost the chance to eradicate the deep state.⁵⁶ Second, the emptied ranks in the army, security forces and bureaucracy of the secular-Kemalist AKP opponents were filled with the Gülen cadres with the AKP's consent until their quarrel in 2013 (see fn.31).⁵⁷

When the alliance between the Gülen movement and the AKP broke down after the 2013 corruption scandal, the AKP started to eliminate Gülenists from the state and security forces. Since the AKP lacked its own loyal and educated cadres, this time the empty seats were (re-)filled with ultra-nationalist and religious-nationalist figures with sympathy towards paramilitary and counter-guerrilla warfare against Kurds.⁵⁸ Many observers saw this development as a reconciliation with the deep state and concessions by the AKP to 'the old demons'.⁵⁹ This reconciliation has paved the way for the recent human rights abuses and destruction of the civilian areas under curfews, abusive and terrorising use of force by

⁵⁴ Rodrik, Dani. 2013. "Erdoğan Is Not Turkey's Only Problem." *Project Syndicate*. September 11. <https://www.project-syndicate.org/commentary/the-gulenist-subversion-of-turkey-by-dani-rodrik>.

⁵⁵ Marshall, Jonathan. 2016. "Turkey's Revival of a Dirty 'Deep State.'" *Consortiumnews*. February 10. <https://consortiumnews.com/2016/02/10/turkeys-revival-of-a-dirty-deep-state/>.

⁵⁶ In fact, the Gülen movement helped the AKP to bring up fictitious verdicts as it has a more hawkish and nationalist position on the Kurdish issue than the AKP; it is likely that the Ergenekon trials never had the real intention of getting rid of the deep state that committed atrocities in Kurdish regions.

⁵⁷ Haber Sol. 2016. "AKP'li Vekilden İtiraf: Kumpası Cemaat Kuruyor, Biz de İşimize Geldiği İçin İzliyorduk [Confessions of an AKP MP]" September 17. <http://haber.sol.org.tr>.

⁵⁸ Başaran, Ezgi. 2014. "Cemaatçı Polisler Gitti, 'Dombra'cılar Mı Geldi." *Radikal*. May 8. <http://www.radikal.com.tr>; Çakır, Ruşen. 2014. "Ulucular Cemaat Hükümet Savasının Neresinde [Where Do Ultra-Nationalists Stand in the Fight between the Government and the Cemaat]." *Vatan*, 10 February. <http://rusencakir.com>.

⁵⁹ Karabekir Akkoyunlu, "Old Demons in New Faces? The 'Deep State' Meets Erdoğan's 'New Turkey,'" 25 October, *The Huffington Post*, (2015), <http://www.huffingtonpost.com>; Ruşen Çakır, "Ulucular Cemaat Hükümet Savasının Neresinde [Where Do Ultra-Nationalists Stand in the Fight between the Government and the Cemaat]," *Vatan*, 2014, 10 February edition, <http://rusencakir.com/Ulucular-Cemaat-hukümet-savasının-neresinde/2456>.

special forces targeting the civilian population, and several deaths caused by sniper and grenade attacks, as reported by Amnesty International.⁶⁰

In the long term, the continuing polarisation along the Kurdish-Turkish cleavage and the spiral of armed violence can only benefit the AKP by weakening the HDP and ultra-nationalist MHP (Nationalist Movement Party). In fact, the polls conducted by the HDP revealed its support is declining after the suicide bomb attacks by TAK (Teyrêbazên Azadiya Kurdistan) and the PKK’s war with the security forces. Melting electoral support of the HDP means that it might remain below the 10% electoral threshold in the next elections.⁶¹ Within the context of the current electoral system’s highly disproportional distribution of seats to the first party, the AKP can rule with a super majority in the parliament. The same poll also demonstrated that the AKP is likely to gain nationalist votes from the MHP which is torn by intra-party conflict.

In view of the political repercussions of the renewed Kurdish conflict, i.e. the revival of the deep state atrocities and a weakened Kurdish political party⁶², return to the political process is more difficult. If the two opposition parties HDP and MHP continue to lose electoral appeal, the AKP might seek early elections to scale up its parliamentary majority and impose a presidential system. In fact, with the arrest of HDP lawmakers on 4 November, early elections are not a distant option. If arrested MPs are found guilty of terrorism charges, a highly possibility under the current judiciary system controlled by the executive, they will lose their seats in the parliament. The Article 78 of the Constitution foresees snap elections within 3 months, if 5% of parliamentary seats (28 seats) become vacant. Currently, nine MPs are arrested; however, 50 HDP lawmakers out of 59 in the parliament face criminal charges.

Considered together with the authoritarian consolidation, the Kurdish question is likely to push the cooperation-driven relationship between the EU and Turkey towards a conflict scenario. After the arrest of HDP lawmakers, it is likely that the government’s handling of the Kurdish question, the civilian casualties and human rights conduct will ignite another period of intense criticism due to its historic EU sensitivity towards Kurdish rights in Turkey⁶³, adding to the intra-EU debate on Turkey’s membership. The European Parliament has already voiced human rights abuses and military

⁶⁰ Bilge Yabancı, “Where Every Man Is Enemy to Every Man,” 20 June, *Independent Turkey*, (June 20, 2016), <http://independentturkey.org/where-every-man-is-enemy-to-every-man/>; Amnesty International. 2014. “Turkey: End Abusive Operations under Indefinite Curfews.” AI Index: EUR 44/ 3230 /2016; BBC Türkçe. 2016. “Silopi’de Üç Kadın Siyasetçi Öldürüldü.” January 6. <http://www.bbc.com/turkce/>; Kurdish Question. 2016. “12 Civilians Killed In Cizre, Silopi And Şırnak Laid To Rest.” January 12. http://kurdishquestion.com; Hurriyet Daily News. 2015. “More than 20 Cizre Civilians Dead during Eight-Day Curfew: Relatives.” *More than 20 Civilians Died in the Southeastern Town of Cizre of the Şırnak Province in Clashes during the Eight-Day Curfew between Sept. 4 and 12, Eyewitnesses and Relatives of the Dead Have Elaborated on How the Civilian Deaths Occurred*. September 15. <http://www.hurriyetaidailynews.com>.

⁶¹ t24, “HDP’nin Yaptırıldığı Ankete Göre Hangi Parti, Yüzde Kaç Oyda?,” *t24.com.tr*, 2016, <http://t24.com.tr>.

⁶² Hurriyet Daily News, “Turkish PM Vows ‘all-out War’ after Latest Deadly PKK Attack,” 26 August, (2016), <http://www.hurriyetaidailynews.com>.

⁶³ Ayşe Betül Çelik and Bahar Rumelili, “Necessary But Not Sufficient: The Role of the EU in Resolving Turkey’s Kurdish Question and the Greek-Turkish Conflicts,” *European Foreign Affairs Review* 11, no. 2 (2006): 203–22.

operations in the Kurdish region calling for a separation of Turkey’s membership talks from the current cooperation on irregular migration.⁶⁴

However, the EU soft warnings about the state of democracy will not change the Turkish government’s attitude. Still worse, the AKP will easily utilise these criticisms to blame the EU for behaving differently towards terrorist threats in Europe and in Turkey and for intervening in internal affairs. Under the increasing Islamist-nationalist fervour and the anti-EU feelings in the post-coup period, the government and Erdoğan will not have much trouble manipulating public opinion on the EU. As the EU warnings falls on deaf ears in Turkey, the Kurdish issue is likely to provide yet another contribution to the estrangement between the EU and Turkey.

15 July Coup Attempt and the Post-Coup relations with the West

The repercussions on the 15 July coup on the society, political institutions and the democratic culture of Turkey will be analysed for many years ahead by observers of Turkish politics. One thing is already clear: following the coup attempt, the AKP has won an unparalleled victory to re-incorporate masses into its hegemony project. The coup attempt has not only scaled up the self-confidence of the AKP and Erdoğan for further monopolisation of power through a presidential system. It has also created a rift between the Turkish government and the West – namely, the US and the EU about the future of democracy in Turkey.

The AKP has used the coup attempt to reassert itself as the champion of democracy and the victim of another undemocratic intervention. In fact, when the Gülen movement and the AKP fell out in 2013, the government struggled to convince the majority about the so-called parallel structures. As the Gülen movement is now defined as a threat to national unity and people’s sovereignty, the aborted putsch has provided an unexpected advantage to the government to eliminate both Gülenists and dissidents and still maintain a high popularity.

The developments in the post-coup period have initially thawed the relations between the main opposition parties CHP and MHP and the government. Many observers in Turkey and in the West hoped that the reconciliation between leaders would trickle down to the societal level and help restore the rule of law and personal freedoms in Turkey. However, after only a few weeks of the aborted coup, there were already signs that the fight against the Gülen movement is going to be used as an alibi to crush all AKP dissidents and Kurds. The government totally excluded the HDP leadership from ‘the pro-democracy solidarity’ and ‘national unity’, took direct control of the military and the security forces by closing military academies, equipped the police with heavy weaponry and started several waves of arrests targeting journalists and academics unrelated to the Gülen movement. Currently, the government uses the state of exception not only to purge Gülenists from public institutions and

⁶⁴ “Schulz: EU Migrant Talks with Turkey Separate from Membership Discussions,” *The Guardian*, March 7, 2016, <https://www.theguardian.com/>.

business, but also to detain several dissidents, including academics, human rights activists and journalists.⁶⁵ These developments validated the Western fears that the coup could be used for further consolidation of an authoritarian regime.

In addition, it has been revealed that the so-called national unity of the post-coup period is not as pluralist and democratic as it seemed at first instance. A survey by KONDA⁶⁶ on the profile and motivations of the participants of ‘the democracy rallies’ showed that a dominant majority on the streets was composed of loyal AKP voters (79.5%), while the supporters of other parties among the participants were a small minority (CHP: 2.9%, MHP: 4.3%, HDP: 1.1%). The majority of the participants (53%) decided to join the rallies upon Erdoğan’s call. 83% of the participants defined themselves as religious conservative or traditional conservative. Clearly, the survey did not reveal the motivations of people who chose not to participate in the mass rallies; however it is clear that a dominant majority responded to Erdoğan with a partisan feeling, which contradicts with the claim that Erdoğan has become the most uniting figure in the country after the coup.

Moreover, contrary to the romanticised depiction of rallies as a symbol of national unity behind the elected government and democracy, the motivation of participants was not to defend democracy or democratic values, another misrepresentation by the government and the controlled media. The participants displayed either a nationalist or a pro-AKP/Erdoğan motivation: 35% stated their main incentive was to defend ‘the nation’; 21% declared their motivation was ‘to support the democracy rallies themselves’ showing a clear pro-government tendency, as these rallies were organised and sponsored by the AKP; 10% stated ‘the homeland’; yet another 10% declared their motivation was ‘to respond Erdoğan’s call’. Only 8% stated they joined the rallies because of their general ‘anti-coup stance’ and 4% ‘for national unity’.

Within this domestic context, the government/AKP has become even more assertive and impudent in its relations with the EU. This is partially due to the half-hearted condemnation of the coup by the EU and US. In the immediate aftermath of the coup attempt, the West failed to disassociate its reaction to the coup from its anti-Erdoğan attitude. Although member state leaders, the Commission and the US leadership condemned the coup attempt, the government was obviously disappointed with the West’s attitude. The Western media focused on Erdoğan’s heavy-handed leadership but failed to discuss the dynamics and possible perpetrators of the coup attempt.⁶⁷ Moreover, several positive accounts on Gülen⁶⁸ appeared in the media depicting him as a moderate cleric in self-exile and ‘an

⁶⁵ Ayla Yackley, “Turkish Police Detain Two Dozen Journalists after Closing pro-Kurdish Daily,” *Reuters*, August 17, 2016, <http://www.reuters.com/>; Joe Parkinson and Emre Peker, “In University Purge, Turkey’s Erdogan Hits Secularists and Boosts Conservatives,” *Wall Street Journal*, August 24, 2016, sec. World, <http://www.wsj.com/>.

⁶⁶ KONDA, “Democracy Rallies (Available in Turkish),” 2016, <http://konda.com.tr/demokrasinobeti/>.

⁶⁷ BBC News, “Recep Tayyip Erdogan: Turkey’s Ruthless President,” July 21, 2016, <http://www.bbc.com/>.

⁶⁸ The argument by the government and the pro-AKP media on the Gülen movement as a ‘terrorist organisation’ should be taken with a grain of salt. There is still lack of solid public information on the details of the motivation and identities of people who carried out the failed coup attempt and their links to Gülen. However, long-term experts of the Gülen movement in

Erdoğan critique'.⁶⁹ Some accounts openly showed disappointment with the failure of the coup claiming that 'Turkey's last hope died'.⁷⁰ Given the lack of sympathy for Erdoğan and his brash and undiplomatic fame, Europe and the US totally failed to anticipate the societal trauma of the coup attempt: the bombings of the Parliament and the widespread terror and violence that caused more than 200 civilian deaths.

The government did not miss this opportunity to launch a disproportional assault against the EU and the US. Accordingly, the US/CIA was blamed for being behind the attempt to overthrow Erdoğan and the AKP; and it was claimed that the West would be prepared to work with the coup government, if it had succeeded. These conspiracies have been largely circulated as 'facts' by the pro-AKP media creating an anti-Western and eurosceptic public opinion. The government and the pro-AKP media and some civil society organisations emphasised the role of Erdoğan's leadership to unite the people and the triumph of Turkish democracy⁷¹, while blaming the EU and the US for failing to stand up for democratic values.⁷² Popular resistance on the night of 15 July and wide participation in the so-called 'pro-democracy rallies' including the leaders of the two biggest opposition parties have been shown to the West as the proofs of social solidarity, pluralism and the presence of 'a first-class' democracy in Turkey.⁷³

Although the long-term implications of the 15 July coup attempt cannot be fully analysed today, the failed coup have so far strengthened the existing tension between the EU and Turkey. Erdoğan has scaled up his legitimacy at home through the mass mobilisation, exactly when the AKP faced strong international criticism for its Syrian policy and authoritarian practices and when the public support for an executive presidential system plunged.⁷⁴ The AKP's West-bashing and efforts at depicting the post-coup political and social developments as an emblem of solidarity better than the Western standards

Turkey and abroad have provided convincing explanations on the cleric's direct involvement and leadership in the coup. Moreover, the majority of the mid-ranking generals and admirals involved in the aborted coup were appointed to their ranks right after the massive purge in the army following the Ergenekon and Balyoz cases between 2007-2010. Several AKP representatives also acknowledged that these empty positions in the army and security forces were filled by Gülen loyalists. Considering the fact that the secular/Kemalist establishment was purged from the army, the only organised clique with an aim to remove the elected government within the army belongs to the Gülen movement. Since the 2013 corruption scandal, the AKP-Gülen quarrel has turned into a power struggle for survival. For these discussions, Dani Rodrik, "Is Fethullah Gülen behind Turkey's Coup?," 2016, <http://rodrik.typepad.com/>; Gareth Jenkins, "Turkey's Latest Crisis," *Survival* 50, no. 5 (2008): 5-12; available only in Turkish Bianet, "Ruşen Çakır: 15 Temmuz Erdoğan'a İktidarının Ne Kadar Kırılgan Olduğunu Gösterdi," *Bianet - Bağımsız İletişim Ağı*, 2016, <http://www.bianet.org/>; Cumhuriyet, "HDP'li Fırat: Cemaat'i Emniyete, Askere ve MİT'e Karşı Biz Yerleştirdik," July, 21, (2016), <http://www.cumhuriyet.com.tr/>.

⁶⁹ Peter Beaumont, "Fethullah Gülen: Who Is the Man Turkey's President Blames for Coup Attempt?," *The Guardian*, July 16, 2016, <https://www.theguardian.com/>; The Washington Post, "Turkey's Erdogan Mounts His Own Political Coup," July 20, 2016, <https://www.washingtonpost.com/>.

⁷⁰ Ralph Peters, "Turkey's Last Hope Dies", *FoxNews.com*, (July 16, 2016), <http://www.foxnews.com>.

⁷¹One example is the recent book by SETA, a think tank close to the AKP: Fahrettin Altun and Burhanettin Duran, *The Triumph of Turkish Democracy: The July 15 Coup Attempt And Its Aftermath* (Istanbul: SETA PublicationS, 2016), <http://setav.org/>.

⁷² Carl Bildt, "Europe, Stand up for Erdoğan," *POLITICO*, August 2, 2016, <http://www.politico.eu/>.

⁷³ Mass rallies and public gatherings were organised in every city for almost a month every day.

⁷⁴ Birgun, "Erdoğan'a Anket Şoku, Halk Başkanlık İstemiyor [People Don't Want a Presidential System]," 1 June, *Birgun.net*, (2016), <http://www.birgun.net/>.

of democracy should also be read as a response to the deteriorating image of Erdoğan abroad and the strained relations with the West. Especially, as the ripples of corruption scandal, i.e. the case of Erdoğan’s son’s money laundering in Italy and the trial of Reza Zarrab in the US, hit the headlines in the West, Erdoğan and the AKP also seek to assert moral high ground by emphasising Turkey’s ‘high standards of democracy’ over the West’s ‘double standards’. This strategy also helps maintaining popularity at home through constantly feeding public fears and conspiracies about the EU and the West.

On the other hand, the EU’s suspicion in the immediate aftermath of the coup attempt that the government might attempt to further monopolise the power has been confirmed. Since the coup attempt, more than 40,000 people have been arrested and more than 100,000 people were dismissed from their jobs. The current political situation and undemocratic rule under the state of exception increase the EU’s distrust of Erdoğan and the AKP. Overall, the AKP’s high popularity among its supporters after the coup and the EU’s confirmed fears about the Turkish government will prevent normalisation of relations in the short to medium term and increase the EU’s dilemma between its interests and normative position vis-à-vis Turkey.

5. Unfolding Trends

Regional developments, the role of regional and global powers, non-state actors and insurgents groups closely shape the mutual dependency and interests of the EU and Turkey. Although they are not under the total control of both sides and their impact is most difficult to predict, their role will be assessed below with regards to the EU-Turkey refugee agreement and the wars in the common neighbourhood.

The refugee deal and its implementation

Since the coming into force of the EU-Turkey refugee agreement in April 2016, the Commission noted a considerable decline in the numbers of irregular migrants arriving in Europe.⁷⁵ Both sides continue to acknowledge the necessity of cooperation to secure their borders from the threat of illegal networks and unmanageable refugee influx. As mentioned previously, there is a mutual interest in coping with the refugee crisis that contributes to the cooperation dynamics of the EU-Turkey relations. However, the sustainability of the cooperation drive depends on further harmonisation of Turkey’s asylum and migration policies and the existence of political willingness to cooperate on both sides.⁷⁶ The latter particularly depends on an effective implementation of the refugee deal.

⁷⁵ Sputnik, “Migrant Flow ‘Drastically Reduced’ Two Months After EU-Turkey Deal – Berlin,” 2016, <http://sputniknews.com/>.

⁷⁶ Ahmet İçduygu, “Turkey’s Evolving Migration Policies: A Mediterranean Transit Stop at the Doors of the EU,” *IAI Working Papers*, 2015; Kaiser and Kaya, “Transformation of Migration and Asylum Policies in Turkey”; Bürgin, “Why the EU Still Matters in Turkish Domestic Politics”; Osman Seyhan, “Changing the Status Quo of Migration and Asylum Policies in Turkey: A Narrative Inquiry,” *Journal of Organisational Transformation & Social Change* 11, no. 3 (2014): 185–206.

Four issues are highly uncertain: (i) humanitarian and human rights implications of safe country of origin and safe third country principles, (ii) political concerns of some member states over granting visa-waiver to Turkey, (iii) Turkey’ willingness to commit itself to the effective implementation and the conditions attached to the visa roadmap and (iv) a long-term solution to the Syrian war and the threat of radical Islamist networks in the Middle East.

First, although the deal has been justified on humanitarian grounds, strategic interest in stemming the refugee influx is the major motivation behind the deal. When the deal was announced, several refugee organisations and UN agencies voiced human rights related concerns. The UNHCR condemned the categorisation of refugees according to nationality as a clear violation of international law and norms, and declared that it would take no part in its implementation.⁷⁷ Amnesty International’s evaluation of the agreement was particularly severe: “EU and Turkish leaders have today sunk to a new low, effectively horse trading away the rights and dignity of some of the world’s most vulnerable people. The idea of bartering refugees for refugees is not only dangerously dehumanising, but also offers no sustainable long term solution to the ongoing humanitarian crisis”.⁷⁸ These concerns have become difficult to ignore as the implementation have revealed significant humanitarian, legal and practical deficiencies.

One of these deficiencies is related to the principles of safe third country and safe country of origin. The European Commission’s current proposal on a common list of safe countries of origin considers Turkey and the Western Balkan countries as safe countries. This evaluation was based on an argument that these countries are stable democratic systems, and there are no significant breach of human rights or degrading treatment and punishment of refugees. The Commission’s evaluation has been challenged by several experts and human rights organisations in light of the current treatment of Syrians in Turkey, especially ones living outside refugee camps under the national ‘temporary protection scheme’ as well as deepening human rights violations in Turkey against Turkish citizens.

Regarding the condition of Syrians in Turkey, the major concern is that Turkey is not a party to the additional protocol of the 1951 Refugee Convention and it is doubtful whether the rights of refugees can be duly protected under the domestic legislation, namely the 2014 Foreigners and International Protection Law, which is currently the only legislative framework regarding refugee protection in the country. Moreover, Turkey has resorted to measures that are in violation of humanitarian principles

⁷⁷ Financial Times, “UN Refugee Agency Says It Will Resettle Migrants despite Concerns,” *Financial Times*, 2016, <http://www.ft.com/>.

⁷⁸ Amnesty International, “EU Turkey Summit: EU and Turkish Leaders Deal Death Blow to the Right to Seek Asylum,” 2016, <https://www.amnesty.org/>; see also Jacopo Barigazzi, “Human Rights Groups Warn EU and Turkey over Migrant Deal,” *POLITICO*, April 1, 2016, <http://www.politico.eu/>; Elisabeth Collett, “The Paradox of the EU-Turkey Refugee Deal,” *Migrationpolicy.org*, March 24, 2016, <http://www.migrationpolicy.org/>.

in the past such as, multiple blockings at the Syrian border, push backs and mass returns.⁷⁹ Some reports have revealed that child labour among Syrian refugee children in the textile industry, mistreatment and violence against Syrian migrants, and sexual harassment of refugee women have seen a rampant increase.⁸⁰

Besides the moral and human rights concerns, there are legal and practical impediments to the implementation of the refugee agreement. The Appeals Committee of Greece has suspended a decision to deport a Syrian refugee to Turkey upon an individual request in May 2016 on the basis of the decision is the lack of refugee protection under Turkey’s temporary protection scheme⁸¹. The decision has set a precedent for several refugees awaiting deportation under the refugee agreement. This decision has not only confirmed the legal and humanitarian criticisms of the UNHCR and human rights organisations, but also challenged the practicality of the deal. According to the third implementation report released in September 2016, the Greek Appeals Committee has received more than 1,000 cases and the number is expected to rise⁸². Sooner or later, the EU and Turkey will have to face these criticisms, especially if refugee protection in Turkey falls short of the international humanitarian standards.

Furthermore, Turkey’s renewed Kurdish conflict also raises questions for the implementation of the deal. The curfews have affected more than a million people and displaced around 350 thousand civilians in Turkey, the highest number since the 1990s.⁸³ If the conflict with the PKK continues to affect the civilian population, the number of asylum seekers from Turkey is likely to increase in Europe. In fact, some Kurds from Turkey were recently detected en route to Greece among other refugees⁸⁴. Moreover, due to the post-coup purges in Turkey, asylum applications by Turkish citizens have already soared; and many people express their wish to escape the country.⁸⁵

⁷⁹ Amnesty International, “Turkey: Illegal Mass Returns of Syrian Refugees Expose Fatal Flaws in EU-Turkey Deal,” *April*, 2016, <https://www.amnesty.org/>; Cowburn, “Turkish Forces ‘Open Fire on Syrian Refugees Fleeing Isis,” *The Independent*, April 15, 2016, <http://www.independent.co.uk/>.

⁸⁰ Frederik Johannisson, “Hidden Child Labour: How Syrian Refugees in Turkey Are Supplying Europe with Fast Fashion,” *The Guardian*, January 29, 2016, <http://www.theguardian.com/>; Mark Lowen, “Turkey ‘Acting Illegally’ over Syria Refugees Deportations,” *BBC News*, 2016, <http://www.bbc.com/>; Brenda Stoter, “Syrian Women Refugees Humiliated, Exploited in Turkey - Al-Monitor: The Pulse of the Middle East,” *Al-Monitor*, March 12, 2014, <http://www.al-monitor.com/>.

⁸¹ Apostolis Fotiadis, Helena Smith, and Patrick Kingsley, “Syrian Refugee Wins Appeal against Forced Return to Turkey,” *The Guardian*, May 20, 2016, <http://www.theguardian.com/>.

⁸² European Commission, Third Report on the Progress made in the implementation of the EU-Turkey Statement, Brussels, 28.9.2016, COM(2016) 634 final.

⁸³ Alper Kaliber, “De-Europeanisation of Civil Society and Public Debates in Turkey: The Kurdish Question Revisited,” *South European Society and Politics* 21, no. 1 (2016): 59–74; TİHV, “Sokağa Çıkma Yasakları ve Yaşamını Yitiren Siviller [Curfews and Killed Civilians].”

⁸⁴ Zia Weise, “Turkey’s Other Refugee Crisis: Kurds Fleeing ‘terror’ in Country’s South East,” February 26, 2016, <http://www.telegraph.co.uk/>.

⁸⁵ “Turkey’s Purge of Academia Leads to Record Asylum Requests,” *Times Higher Education (THE)*, September 16, 2016, <https://www.timeshighereducation.com/>.

Given that prevention of further refugee inflow is the EU's number one priority and the Kurdish asylum seekers due to the war with PKK in 1980-90s are fresh in memories in Europe, the political situation in Turkey under authoritarian consolidation is likely to put pressure on the implementation of the refugee deal's visa liberalisation component. Some member states, including France and Germany, have signalled their reservations to the visa-waiver policy and introduced an 'emergency brake' mechanism to suspend the visa free regime under extraordinary circumstances.⁸⁶ If the number of asylum applications exponentially rises in the future, the visa freedom could be entirely shelved.

Moreover, Turkey is still obliged to meet 5 criteria out of 72, including the amendment of the notorious counter-terrorism law, personal data and anti-corruption measures. The divide over the anti-terrorism law is not likely to be resolved smoothly due to the extremely securitised approach of the government towards the Kurdish issue. Adding to the existing disagreements, in an attempt to put pressure on the EU for visa liberalisation, Erdoğan threatened to abandon the refugee agreement unilaterally and send irregular migrants back to Greece.⁸⁷

The refugee deal was created out of a mutual interest but is based on complex legal, humanitarian and practical implications as well as different priorities of the parties. The effective implementation of the refugee agreement will either make or break the pragmatic relations. So far, meeting the mutual expectations has been difficult. There are several weaknesses of the implementation as the Commission mentions in reports, such as effective border patrolling and a functioning readmission deal. For the Turkish government, the visa liberalisation aspect of the deal is the most important incentive for abiding by the refugee deal. It is currently the only channel to encourage the Turkish government to meet some EU conditions and keep the cooperation channel open. However, making the deal work will continue to require continuing political and diplomatic effort as well as the international response to the developments in Syria, which will be discussed in the final section.

The ongoing turmoil in the neighbourhood

The continuation of the war in Syria, the increasing presence and recognition of the Iraqi and Syrian Kurds in the region and the ISIS threat are key factors that will affect the future relationship between Turkey and the West/EU. The historical alliance between the West and Turkey has been undergoing a period of mutual suspicion for a while. Since the beginning of the Arab Spring, Turkey's ambitions to become a regional power and a role model for the Middle East did not only open way to the adoption of a set of inconsistent and often unrealistic foreign policy goals by the Turkish government, but also

⁸⁶The measure aims to allow member states to lift visa-free travel for the nationals of a certain country for six months in case the number of asylum seekers from that country increase unexpectedly. Gabriela Baczynska, "EU Ministers Make It Easier to Suspend Visa-Free Travel amid Immigration Worries," *Reuters*, 2016, <http://uk.reuters.com>.

⁸⁷Kadri Gürsel, "Turkey-EU Clash Is Now Just a Matter of Time," *Al-Monitor*, August 15, 2016, <http://www.al-monitor.com/puls>.

created a negative perception of the AKP's shifting foreign policy priorities in the West⁸⁸. Turkey's foreign policy goals were indeed mostly informed by a unique synthesis of Islamic-Ottoman-national elements to define a new foreign policy identity under Davutoğlu's leadership. As a result, Turkish foreign policy promoted a sectarian outlook to the Middle East.

Over the last few years, Ankara has increasingly found itself isolated as the turmoil in Libya, Egypt and Syria continues. The factions supported by Turkey in the post-Arab Spring did not gain international recognition. Turkey failed to respond in a timely manner to the ISIS threat, especially demonstrated in its late participation in the anti-ISIS coalition. What is more, the deterioration of relations with Russia and Israel threatened Turkey's capacity to influence regional developments. Overall, the AKP's foreign policy has not only hindered Turkey's ability to respond regional crises effectively and sustainably, but also created tensions with the West raising questions about Turkey's reliability as an ally.

As a result of the deepening isolation within the Western coalition and from regional developments, the Turkish government has been compelled to seek reconciliation with the West and regional powers. Since the departure of Davutoğlu in May 2016, there are signs of a return to the traditional pragmatic approach in foreign policy with an aim to balance the relations with the neighbours and the West. As a result, Turkey has considerably repaired its relations with Israel and Russia and resumed bilateral cooperation, and begun to strengthen the relations with Iran on the shared perceived threat of Kurdish autonomy in Syria.

Recently, relations with the West have been set for a deeper cooperation with regards to common security concerns in the Middle East. The Turkish government has joined the anti-ISIS coalition and gave up its unyielding position on removing Assad and emphasising the shared concerns between the EU/West and Turkey regarding the ISIS threat. Besides the strategic concerns that have forced Turkey to recalibrate its foreign policy, domestic security concerns have also played a critical role in improving its cooperation with the Western coalition. Underground networks of ISIS are well-organised in Turkey. Especially since the beginning of 2016, these networks have become a real threat in the urban and Kurdish areas. Similarly, the EU also needs to find an effective response to the radicalisation of its Muslim population and returning foreign fighters.⁸⁹ Cracking down on illicit traders of ISIS oil also remains a key priority for the West and Turkey to curtail the major financial source of the jihadi

⁸⁸ Meliha B. Altunişik and Lenore G. Martin, "Making Sense of Turkish Foreign Policy in the Middle East under AKP," *Turkish Studies* 12, no. 4 (2011): 569–87; Tarik Oğuzlu, "Middle Easternization of Turkey's Foreign Policy: Does Turkey Dissociate from the West?," *Turkish Studies* 9, no. 1 (2008): 3–20; Ahmet Sözen, "A Paradigm Shift in Turkish Foreign Policy: Transition and Challenges," *Turkish Studies* 11, no. 1 (2010): 103–23.

⁸⁹ Bilge Yabancı, "When Did the EU's Future Member States Become a Shelter for Extremists?," Centre for Policy and Research on Turkey, *Independent Turkey*, (2016), <http://researchturkey.org/when-did-the-eus-future-member-states-become-a-shelter-for-extremists/>; Bérénice Boutin et al., "The Foreign Fighters Phenomenon in the European Union: Profiles, Threats and Policies" (Netherlands National Coordinator for Security and Counter terrorism, 2016); Eline Gordts, "This Is How ISIS Makes \$3 Million A Day," *The Huffington Post*, 2014, <http://www.huffingtonpost.com>; Erika Solomon, Guy Chazan, and Sam Jones, "Isis Inc: How Oil Fuels the Jihadi Terrorists," *Financial Times*, 2015, <http://www.ft.com/>.

organisation. Turkey's role as a transit country for ISIS oil and foreign fighters makes cooperation vital to Turkey and the EU with regards to the fight against terrorism.

While common security concerns have allowed a certain level of improvement in relations between Turkey and the West/EU, the divergent opinions of Turkey and the EU-US on the autonomous Kurdish cantons have so far been difficult to reconcile. The West perceives the effective the Kurdish Democratic Union Party/People's Protection Units (PYD/YPG) as a crucial asset on the ground against ISIS in Syria. Brussels and Washington do not hide their increasing sympathy and direct aid towards the Kurdish rebel units⁹⁰.

Turkey, on the other hand, perceives YPG/PYD as an arm of the PKK and a national security threat. This perception prevented the government from adopting a humanitarian approach to Kurds fleeing from Kobane in 2014 when the city fell to ISIS. Turkey also halted the PYD's participation in the multilateral peace talks in Geneva in 2015. Turkey's major concern is to prevent another autonomous Kurdish region in the Middle East as a continuation of an age-old policy towards Kurdish minorities in the Middle East. The possibility of the PKK getting its hands on the US arms distributed to YPG to use them fighting against the Turkish army has also added to Turkey's fears and friction with the West over support to the Kurdish insurgents.⁹¹

Driven by these concerns and alarmed by the recent gains of the US-backed YPG in Manbij, Turkey launched a ground operation in Syria in collaboration with the anti-Assad Free Syrian Army (FSA) in August 2016. The official aim of the operation was to clean the border town Jarabulus of ISIS. However, the undeclared objective of the operation was to prevent YPG from establishing a long corridor alongside Turkey's southern border, therefore connecting the two regions under its control in the north of Syria. More recently, Turkey's insistence to be a part of Mosul operation created further frictions with the Iraq government and the coalition forces. The West initiated the Raqqa operation in Syria relying on the Kurdish militia's ground offensive, despite Turkey's concerns⁹². There are several questions about the role of Turkey and future cooperation between coalition forces and Turkey in the region.

The first concern is whether Turkey's presence in Syria will be tolerated in the long-term by the West, on the other. The West prioritises a unified front against ISIS that also includes the YPG. Currently, the exact objective of Turkey in Syria is unknown: to what extent and how long Turkey is willing to

⁹⁰ Fehim Taştekin, "Syrian Kurds Expand Diplomatic Network in Europe," *Al-Monitor*, April 22, 2016, <http://www.al-monitor.com/>; Adam Taylor, "How Western 'foreign Fighters' Are Being Recruited Online to Join Kurds against Islamic State," *Washington Post*, 2014, November, <https://www.washingtonpost.com/>.

⁹¹ Soner Cagaptay and Andrew Tabler, "The U.S.-PYD-Turkey Puzzle" (Washington Institute Policy Analysis, 2015), <http://www.washingtoninstitute.org/policy-analysis/view/the-u.s.-pyd-turkey-puzzle>.

⁹² Idiz, Semih. 2016. "Turkey Demands Role in Mosul Battle, but Coalition Unconvinced." *Al-Monitor*. September 15. <http://www.al-monitor.com/>. Reuters. 2016. "U.S.-Backed Syrian Alliance Declares Attack on Islamic State in Raqqa," November 6. <http://www.reuters.com>.

physically stay in Syria and whether Turkish army will target Kurdish forces. The coalition is divided between a long-term ally and the most reliable ground forces (i.e. YPG) in the fight against ISIS. The US has tried hard to reduce the tension between the two by preventing the YPG from further territorial advances.⁹³ After the direct clashes between Turkey and YPG on the ground and the death of 25 civilians,⁹⁴ several observers foresaw a potential march by Turkish forces towards YPG-controlled Manbij and towards the south of Syria to prevent the advance of Kurdish forces. This would equate to opening a new front in the Syrian war between the two US allies.⁹⁵

The second concern is related to the reliability of the anti-Assad forces backed by Turkey in the fight against ISIS. The FSA is now composed of a mish-mash of several unorganised brigades and some Islamist proxies. These forces previously failed to maintain the control of the same area and ceded it to ISIS. The West largely perceives the FSA as an incapable actor with dubious links to radical Islamist networks and Turkey might itself responsible to the West and to its own public, if the operation fails in the long term.

Third, Turkey's ground operation would not have been possible without restoring a certain level of confidence in bilateral relations both with Russia. Yet, Turkey faces another dilemma. Russia considers FSA as a terrorist network due to its fight against the Assad regime. Turkey cannot sustain its support for anti-Assad forces against ISIS and fight against YPG at the same time without creating frictions with Russia. Turkey seemingly lacks a clear plan about it.

Finally, the rising authoritarian governance in Turkey and the isolation of HDP from the political scene cannot be considered separately from Turkey's response to the Syrian turmoil and the Kurdish insurgency. Whether the AKP will return to the peace process at home is another question central to the cooperation between the West/EU and Turkey in Syria. Turkey cannot maintain an effective policy towards Syria and solve disagreements with the West without solving its internal problems with the Kurdish minority. As discussed previously, the AKP has lost its interest in solving the Kurdish issue through democratic means. As the oppression of HDP and Kurdish civil society continues, the PKK gets stronger and becomes more reluctant for a ceasefire and a decisive demobilisation.⁹⁶ As long as Turkey treats its own Kurdish population and the active participation of the Syrian Kurdish forces in the fight against ISIS as a more imminent security threat than ISIS itself, there will be another major stumbling block to the cooperation between the West and Turkey in Syria. Evidently, the continuation of the

⁹³ AFP, "US-Backed Kurds Move East of Euphrates in Syria: Defense Official," August 29, 2016, <https://www.afp.com/>.

⁹⁴ "Syria War: Rival Claims as Turkish Strikes Kill at Least 25," *BBC News*, August 29, 2016, sec. Middle East, <http://www.bbc.com/news/world-middle-east-37208941>.

⁹⁵ Al Jazeera, "Turkish-Backed Syrian Rebels Advance towards Manbij," 30 August, (2016), <http://www.aljazeera.com/>.

⁹⁶The PKK leader Cemil Bayik declared that war would now be staged everywhere because as the peaceful channels to resolve the conflict have been systematically disabled by the government and the PKK is convinced that Turkey would not be democratised as long as the AKP is in power. Bianet, "Bayik: There Will Be War Everywhere Now," *Bianet*, 2016, March, <http://www.bianet.org/>.

Syrian war will also mean further instability and irregular migration via Turkey putting the effective implementation of the EU-Turkey refugee agreement at risk.

To summarise, the regional actors and dynamics are very complex forcing Turkey to juggle several issues at once in order to maintain its cooperation with the US-EU, to prevent further territorial advances by the YPG units and to avoid creating tension with Russia. Turkey’s response to Mosul and Raqqa operations will also be critical in the coming weeks. Finding a common ground between Turkey and the West/EU over Syrian civil war, the role of Kurdish militia and the fight against ISIS seems more unlikely as the war against ISIS and the role of YPG deepens in the Middle East.

Conclusion

How should one read the balance sheet of the EU-Turkey relations given the complexity of recent developments in Turkey’s political scene and the turmoil in the common neighbourhood. The mutual mistrust remains high, despite shared interests that push sides for cooperation. The analysis of the complex developments in this paper suggests that no single scenario is likely to dominate the future of the relations. The competing dynamics will act as a continuous push and pull between three scenarios making their co-existence across different issue areas possible.

Among the three scenarios, convergence will be surely the weakest driver of future EU-Turkey relations. At least as long as the AKP stays in power, a return to reform agenda on the Turkish side seems out of the picture especially looking at the developments in the post-coup period. The consolidation of an authoritarian regime under a strong presidential system is underway at full speed. Repression of human rights activists, journalists and academics as well as censorship and bans on social networks and the media increase on a daily basis.

Global/regional factors such as economy, trade and finance, energy and circular migration will continue to remind interdependence to both sides, unambiguously ensuring that cooperation will be a mutually desired path for both sides. However, the unprecedented deterioration of the democratic standards under an elected government and Erdoğan’s presidential ambitions suggest that tensions will be a part of the EU-Turkey relations, pushing for a deepening rift and open disagreements.

The question then becomes whether a shift to full-size conflict and an official end of Turkey’s accession negotiations is possible. Earlier, the Commission President Juncker dismissed the call to end Turkey’s membership talks.⁹⁷ Some member states, particularly Germany, are also determined to address the

⁹⁷ Ivo Oliveira, “Juncker Dismisses Calls to Halt Turkey Membership Talks,” *POLITICO*, August 4, 2016, <http://www.politico.eu/article/juncker-dismisses-calls-to-halt-turkey-membership-talks-austria-christian-kern/>.

refugee crisis and see cooperation with Turkey as vital in this sense. The EU will probably try to avoid expelling Turkey from the list of candidate countries as dominant view is that such a radical move would sever the cooperation on migration and end whatever leverage the EU has over Turkey⁹⁸.

While there is a possibility that Erdoğan might seek an official end to the accession process, especially if the EU turns to be openly critical of Turkey’s domestic developments, a definitive ‘divorce’ is unlikely. The political calculations will also prevent the Turkish government from being the party that officially halts the accession negotiations. The Brexit referendum encouraged many eurosceptics in Turkey, including Erdoğan himself;⁹⁹ yet the instrumentalisation of the ongoing EU accession process benefits the AKP more than ending it. The government still claims the credit for the start of the EU negotiations in 2005, which is often utilised by the government to respond international criticisms and demonstrate its ‘commitment to democracy’.

Likewise, international legitimacy and prestige matters for the AKP. Unilaterally ending Turkey’s accession process would equate to an acknowledgement of international and domestic criticisms that the AKP undermined democracy. Given the cumulating international criticism over Erdoğan’s high-handed politics, the end of the EU membership process would also lead to Turkey’s marginalisation in the West and a very likely blow in the economy, a cost that the AKP is not yet willing to bear. The economy has been one of the strengths of the AKP in maintaining electoral support. Thanks to the well-established myth that without AKP, economic growth and stability will be lost, the Turkish government has been able to create a loyal conservative middle class and strong patronage networks with the urban and rural poor.¹⁰⁰ A total isolation from the EU is likely to deteriorate the economy and trade relations in terms of both direct investments and short-term capital flows on which the AKP’s electoral success largely depends. Moreover, ending Turkey’s candidate unilaterally would risk the upcoming talks over revision of the Customs Union Agreement.

The claims that the AKP can abandon the West/EU and pivot towards Russia and Iran equally fail to reflect the Turkish interests. Since the departure of Davutoğlu, Turkey’s foreign policy priorities have been recalibrated towards a balancing act between global and regional powers. Historically, Turkey’s regional role has been based on this pragmatic approach, rather than a strategic alliance with Russia and Iran, with which Ankara always had serious disagreements in the past. A potential alliance with Russia and severed ties with the West would only put Turkey in a weak position in the long term.

⁹⁸ Yabancı, Bilge, and Kerem Öktem. 2016. “What Could and Should the EU Do with Turkey?” *openDemocracy*. November 4. <https://www.opendemocracy.net/bilge-yabanci-kerem-oktem/what-could-and-should-eu-do-with-turkey-s-authoritarian-consolidation>.

⁹⁹ Zoya Sheftalovich, “Erdoğan May Call Brexit-Style Referendum on Turkey’s EU Bid,” *POLITICO*, June 23, 2016, <http://www.politico.eu/>; Hurriyet Daily News, Erdoğan tells EU: ‘We’re at the end of the game’, October 2, 2016, <http://www.hurriyetdailynews.com>.

¹⁰⁰ Sebnem Gumuscu and Deniz Sert, “The Power of the Devout Bourgeoisie: The Case of the Justice and Development Party in Turkey,” *Middle Eastern Studies* 45, no. 6 (November 1, 2009): 953–68; Ayşe Buğra and Çağlar Keyder, “The Turkish Welfare Regime in Transformation,” *Journal of European Social Policy* 16, no. 3 (2006): 211–28.

Moreover, the prospect for Turkey to join a Russian-led organisation, such as the Shanghai Cooperation Organisation remains unrealistic.¹⁰¹

The Turkish government will prefer playing the two-level game with the EU accession process as long as it preserves its status as the dominant party in Turkish politics and as long as the EU does not get serious with the political conditionality. At the same time, bashing and criticising the EU for being unjust and cynical towards Turkey and promoting ‘Ankara criteria’ as opposed to Copenhagen criteria will justify the lack of progress in the accession process at the domestic level. Indeed, the AKP’s populism largely benefits from the discourse of ‘powerful Turkey’ treated in an unfriendly manner by the EU.¹⁰²

The future also depends on the EU’s response to the domestic developments in Turkey and the direction of the intra-EU debate on the question of enlargement. To date, the EU remains highly divided over its approach. On the one hand, the European Parliament is openly critical of the deteriorating democratic credentials under the AKP rule, arguing Turkey’s accession should not be linked to the refugee deal.¹⁰³ On the other the Commission and several member states highlight the importance of keeping cooperation channels open. However, criticisms from democratic constituencies in Turkey and from international observers increase with regards to the EU’s apathy towards the authoritarian drift in the largest candidate country¹⁰⁴. The EU might soon find it difficult to balance its historically normative approach towards human rights violations and undemocratic practices in Turkey and its strategic interests.

One way or another, a serious challenge awaits the EU in its relations with Turkey. While relations with the executive in candidate countries is a crucial aspect of the EU accession process, as reform agenda is very much dependent on the political will of the incumbents, the EU should remember that Europeanisation is not only an elite-driven process. Turkey, as a deeply polarised country, still has dynamic civil society and a considerable part of the population is supportive of EU membership,

¹⁰¹ Taştekin, Fehim. 2016. “What Will Be Turkey’s Toll for a Second Chance with Russia?” *Al-Monitor*. August 11. <http://www.al-monitor.com/>. Idiz, Semih. 2016. “Can Turkey Really Turn to Russia?” *Al-Monitor*. August 2. <http://www.al-monitor.com>.

¹⁰² Aydın-Düzgüt, “De-Europeanisation through Discourse”; Başak Alpan, “From AKP’s ‘Conservative Democracy’ to ‘Advanced Democracy’: Shifts and Challenges in the Debate on ‘Europe,’” *South European Society and Politics* 21, no. 1 (2016): 15–28.

¹⁰³ Hürriyet Daily News, “European Parliament’s Piri Criticizes Bill to Scrap MPs’ Immunity as ‘historic Mistake,’” 2016, <http://www.hurriyetcailynews.com>; Vince Chadwick, “Martin Schulz: Turkey on the Way to Becoming a ‘one-Man State,’” *Politico*, 2016, <http://www.politico.eu/>; European Parliament, “2015 Report on Turkey” (European Parliament resolution of 14 April 2016 on the 2015 report on Turkey (2015/2898(RSP)), 2015).

¹⁰⁴ Yabancı, Bilge, and Kerem Öktem. 2016. “What Could and Should the EU Do with Turkey?” *openDemocracy*. November 4. <https://www.opendemocracy.net/bilge-yabanci-kerem-oktem/what-could-and-should-eu-do-with-turkey-s-authoritarian-consolidation>. Ugur, Mehmet. 2016. “Turkey: The Road towards Dictatorship and the West’s Responsibility.” *openDemocracy*. November 4. <https://www.opendemocracy.net/mehmet-ugur/turkey-road-towards-dictatorship-and-west-s-responsibility>.

democracy, peace and the rule of law. The future of relations with the Turkish government will be driven by both interest-driven cooperation scenario and conflict reproduced by an increasingly undemocratic regime. Still, the EU should not forget and abandon democratic groups and talk to civil society and people directly. Setting future relations with Turkey only with a perspective of the ruling party would only strengthen the claims of the far-right groups that oppose Turkey's membership on culturalist and racist arguments.

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