

**TOWARDS CALMER WATERS**  
**A REPORT ON RELATIONS BETWEEN**  
**TURKEY AND THE EUROPEAN UNION**

No. 9, July 1999

## Members of the Advisory Council on International Affairs

<b>Chair</b>	Professor R.F.M. Lubbers
<b>Members</b>	Professor F.H.J.J. Andriessen A.L. ter Beek Prof. C.E. von Benda-Beckmann-Droogleever Fortuijn Professor G. van Benthem van den Bergh Dr O.B.R.C. van Cranenburgh Professor C. Flinterman Professor E.J. de Kadt Dr B. Knapen
<b>Official advisors</b>	Dr K.A. Koekkoek ( <i>Ministry of Foreign Affairs</i> ) E. Kwast ( <i>Ministry of Defence</i> )
<b>Staff</b>	F. van Beuningen

P.O. Box 20061  
2500 EB The Hague  
The Netherlands

telephone +31(0)70 - 348 5108/6060  
fax +31(0)70 - 348 6256  
e-mail [AIV@SBO.minbuza.nl](mailto:AIV@SBO.minbuza.nl)  
internet [www.AIV-Advice.nl](http://www.AIV-Advice.nl)

# Contents

Foreword

Summary 7

<b>I</b>	<b>The undertone of the debate: history, civilisation and Islam</b>	<b>10</b>
<b>I.1</b>	<b>The political and cultural debate</b>	<b>10</b>
<b>I.2</b>	<b>Negative stereotypes</b>	<b>12</b>
<b>I.3</b>	<b>No unbridgeable gap</b>	<b>12</b>
<b>I.4</b>	<b>Conclusion</b>	<b>14</b>
<b>II</b>	<b>Turkey: a profile</b>	<b>15</b>
<b>II.1</b>	<b>The domestic political situation in Turkey</b>	<b>15</b>
<i>II.1.1</i>	<i>Kemalism</i>	<i>15</i>
<i>II.1.2</i>	<i>The role of the state and the military in Turkish domestic politics</i>	<i>17</i>
<i>II.1.3</i>	<i>Kemalism under pressure</i>	<i>18</i>
<i>II.1.4</i>	<i>The political role of Islam</i>	<i>21</i>
<b>II.2</b>	<b>Turkey in the region</b>	<b>22</b>
<i>II.2.1</i>	<i>Strategic and regional significance</i>	<i>22</i>
<i>II.2.2</i>	<i>Turkish foreign policy and Islam</i>	<i>24</i>
<b>III</b>	<b>Human rights in Turkey</b>	<b>26</b>
<b>III.1</b>	<b>General</b>	<b>26</b>
<b>III.2</b>	<b>The European Convention for the Protection of Human Rights and Fundamental Freedoms</b>	<b>27</b>
<b>III.3</b>	<b>European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment</b>	<b>28</b>
<b>III.4</b>	<b>Freedom of expression</b>	<b>28</b>
<b>III.5</b>	<b>Disappearances and extrajudicial executions</b>	<b>29</b>
<b>III.6</b>	<b>Status of women</b>	<b>29</b>
<b>III.7</b>	<b>Employee and trade union rights</b>	<b>30</b>
<b>III.8</b>	<b>Conclusion</b>	<b>31</b>

<b>IV</b>	<b>The economic outlook</b>	<b>32</b>
	<b>IV.1</b>	<b>Outline of Turkey's economy 32</b>
	<i>IV.1.1</i>	<i>A functioning market economy 32</i>
	<i>IV.1.2</i>	<i>Capacity to cope with competitive pressure within the Union 34</i>
	<b>IV.2</b>	<b>Customs union 35</b>
<b>V</b>	<b>The European Union and the the import of conflicts</b>	<b>37</b>
	<b>V.1</b>	<b>Turkey and the armed struggle of the PC 37</b>
	<b>V.2</b>	<b>A constant bone of contention: Cyprus 38</b>
	<i>V.2.1</i>	<i>General 38</i>
	<i>V.2.2</i>	<i>Cyprus and the European Union 40</i>
	<i>V.2.3</i>	<i>A different attitude towards Cyprus's accession 41</i>
	<b>V.3</b>	<b>Greece and Turkey: soured relations becoming sourer 42</b>
	<b>V.4</b>	<b>A fault confessed is half redressed 43</b>
<b>VI</b>	<b>A political agenda for Turkey and the European Union</b>	<b>46</b>
	<b>VI.1</b>	<b>Forty years of equivocation 46</b>
	<b>VI.2</b>	<b>From discussion about membership to practical cooperation 48</b>
	<b>VI.3</b>	<b>A Turkish-European agenda for practical cooperation 49</b>
	<i>VI.3.1</i>	<i>Preliminary work 50</i>
	<i>VI.3.2</i>	<i>The customs union and further economic cooperation 51</i>
	<i>VI.3.3</i>	<i>Aiming for clarity 53</i>
	<i>VI.3.4</i>	<i>The regional position of Turkey 54</i>
	<i>VI.3.5</i>	<i>The military and the security services 54</i>
	<i>VI.3.6</i>	<i>Observance of human rights 55</i>
	<i>VI.3.7</i>	<i>Minorities, including the Kurds 56</i>
	<i>VI.3.8</i>	<i>Bilateral 57</i>
<b>Annexe I</b>	Request for advice	
<b>Annexe II</b>	List of persons and bodies consulted	
<b>Annexe III</b>	Key of abbreviations	
<b>Addendum</b>	'The position of the European Union on Turkey: 1959 to the present day'	

## Foreword

Turkey is a country of varying worlds. It is located not only geographically but also politically and culturally at the meeting point of Europe (the Balkans), Central Asia and the Arab world. The great majority of the country (Anatolia) is situated in Asia, but Istanbul, the best known Turkish city and the economic and commercial hub of the country, lies in Europe. Turkey is a Mediterranean country, but its Black Sea coastline is almost as long. In the 1920s Kemal Atatürk founded a modern Turkish state modelled on European lines in an effort to reduce its dependence on the European countries. In short, Turkey is a variegated palette, a country that cannot easily be put in any of the usual geographical, political and cultural categories that help to make sense of the international landscape. As a country of varying worlds modern Turkey is therefore prey to tensions, for example between its European and its Middle Eastern identity, between modernisation and the traditions of its Ottoman history, and between democracy (or rather the efforts to achieve democracy) and authoritarian rule. Owing to the interplay of such disparate forces Turkey can be described, to borrow what T.S. Eliot wrote about the currents in the straits near Istanbul, as “the still point of the turning world”.

Relations between Turkey and the European Union (and its Member States) have had their ups and downs over the years. In recent years the possibility of Turkey's membership of the European Union has introduced an element of tension into these relations, certainly since the Luxembourg European Council in December 1997, where Turkey felt that it had been treated differently from other candidates for membership. The request for advice that has occasioned the present report demonstrates the wish of the Netherlands Government to review relations with Turkey. The report is intended to contribute to this review. The basic premise of the report is that relations between Turkey and the European Union would benefit if less emphasis were to be put on the debate about membership since it has given rise to misunderstandings, dissatisfaction and confusion. Hence the title of the report: “Towards calmer waters: a report on relations between Turkey and the European Union”.

The Advisory Council on International Affairs adopted this report at its meeting on 2 July 1999. The report was prepared by the Council's 'Turkey' Committee under the chairmanship of Dr. B. Knapen. As issues in the fields of European integration, human rights, peace and security and, to a lesser extent, development cooperation all play a role in the relations with Turkey, the 'Turkey' Committee consisted of members of all four standing committees of the Advisory Council. These members were: Professor P.R. Baehr (Human Rights Committee), Professor G. van Benthem van den Bergh (Peace and Security Committee), Ms D.J.M. Corbey (European Integration Committee), Mr T. Etty (Human Rights Committee), Lieutenant-General G.J. Folmer (retd.) (Peace and Security Committee), Dr M. van Leeuwen (Peace and Security Committee), Mr F.D. van Loon (Development Cooperation Committee), Professor R. Rabbinge (Development Cooperation Committee) and Mr P. Scheffer (European Integration Committee). Mr F. van Beuningen (head of staff of the Advisory Council) acted as secretary to the Committee, and was assisted by the trainees Ms C.T. Aalbers, Ms K.M.M. Boeije and Ms E. Erygit.

In preparing this report members of the 'Turkey' Committee sought the views of policy-makers and experts. The Committee, accompanied by the chairman of the Advisory Council professor R.F.M. Lubbers, also made a fact-finding visit to Ankara and Istanbul

for this purpose in the period from 31 January to 4 February 1999. (A list of the persons and bodies consulted is attached as an annex.) The Advisory Council is grateful to those consulted for their contribution, and takes this opportunity to express its great appreciation of the support it received from the Netherlands Embassy in Ankara and the Consulate-General in Istanbul in organising this fact-finding trip.

Chapter I deals with a question which was not raised by the Government in its request for the report, but which is always close to the surface of political and public debates on relations between Turkey and the European Union. This is the question of whether Turkey could belong to the European Union in view of its cultural and historical background. Chapter II gives a profile of Turkey in terms of its internal political situation and its position in the region. Chapter III deals with human rights and chapter IV with economic developments. Chapter V examines relations between Turkey, Cyprus and Greece and draws conclusions and makes recommendations on the subject. Chapter VI describes recent developments in the relations between Turkey and the European Union and looks ahead at the form these relations could take. It does this among other things by making policy recommendations about the previous chapters. Conclusions and recommendations are printed in italics in the text. However, this does not apply to chapter VI, which consists largely of conclusions and recommendations. Annex I to the report contains the request for advice, annex II the list of persons and bodies consulted, and annex III the list of abbreviations. The report starts with a summary.

The report also has an addendum: "The position of the European Union on Turkey: 1959 to the present day". This gives a chronological survey of relations between the European Union and Turkey and summarises important documents.

## Summary

Relations between Turkey and the European Union have been a chapter of misunderstandings, dissatisfaction and confusion. Moreover, the issue of Turkey's possible membership of the European Union (not only the prospect of membership but also the unease about it) has placed a great strain on the relations, particularly in recent years. This is because the opening up of Central and Eastern Europe means that Turkey has once again been obliged to take a step back.

This report is intended to help clarify relations between Turkey and the European Union and to put them on a sounder footing. The Advisory Council notes that there is no convincing reason why Turkey should in principle be rejected as a possible member of the European Union, but it also points out that Turkish membership is still a long way off. Turkey is, after all, still evolving towards a plural, democratic society. The present shortcomings of the system distance Turkey from the European Union and its Member States. It is important to note in this connection that Turkey has armed forces that play an important political role as the guardian of Kemalism. The exercise of power by the state is still not subject to sufficient control by parliament and by a free press, and can still not be scrutinised sufficiently in public debate. This is because the free institutions of civil society have not yet been adequately developed in Turkey (see I, II and VI.3.5).

Turkey still has a long way to go before it can fulfil the conditions regarding democracy, human rights, treatment of minorities, the rule of law and the free market economy, as laid down in the Copenhagen criteria, since this will have a far-reaching impact on Turkish domestic politics. The Advisory Council considers it advisable to state this plainly so that the relations between Turkey and the European Union are not constantly overshadowed by a "possible future membership" and/or recognition as a candidate State, given the disappointments and misunderstandings to which they have given rise in recent years (see III and VI.1).

This can be illustrated by the Cologne European Council in June 1999, at which Turkey was once again not designated as a candidate State. In the opinion of the Advisory Council, recognition of Turkey as a candidate State will remain too much a political step of symbolic value unless it is accompanied by a deepening of cooperation at a practical level. Ultimate Turkish membership of the European Union should be the conclusion of a process in which Turkey and the European Union mentally accept each other as partners and have the opportunity to draw closer together through practical cooperation. It would benefit relations between the European Union and Turkey if they were both to acknowledge that this will be a long drawn-out process (see I, VI.1 and VI.2).

As against this, the European Union should, when elaborating the European strategy, show itself to be a more reliable partner than hitherto and treat Turkey in a clear and businesslike manner. The Advisory Council believes that economic cooperation should be accorded priority since more constructive cooperation and integration is possible in this field than has been achieved so far. The regular report on Turkey of November 1998 of the European Commission may provide a good basis for this. The Advisory Council formulates numerous policy proposals for giving effect to economic cooperation with Turkey, for example strengthening of the customs union, promotion of trade and the free movement of capital, including measures to curb inflation. If the European Union is prepared to engage in this cooperation, it will also fulfil the expectations

aroused in Turkey by the conclusion of the association agreement of 1963 and the customs union of 1995 (see IV and VI.3.2).

The European Union should give priority to fulfilling its obligations under the customs union. If Greece refuses to accept that its veto of these funds has now become counter-productive, the other fourteen countries should make financial resources available at national level - in other words outside the formal framework of the EU - in order to compensate Turkey for the default of the European Union. The Advisory Council requests the Netherlands Government to promote this. To obviate any misunderstanding, the Advisory Council considers that the Netherlands too should offer this financial compensation to Turkey in its bilateral relations. It should be noted that Turkey is not eligible for funds in connection with the enlargement of the European Union. Nor is it any longer eligible under the ORET programme (Development-related Export Programmes). This is why the Advisory Council believes that this compensation could mark the start of a Turkey facility: i.e. financial resources that can be used by the Netherlands Government to intensify relations with Turkey (see V.3 and VI.3.1).

The Advisory Council starts from the premise that Turkey is a country of importance to the European Union. It is a regional power which continues to be of strategic significance both from a political and economic viewpoint and from the viewpoint of security policy. In this respect Turkey's membership of NATO is important, although the Advisory Council would not view relations with Turkey in the context of the European Union in terms of risks to the cooperation within NATO, as mentioned in the request for advice. Although the Turkish government feels aggrieved by the course of the debate on Turkey's candidacy for membership of the European Union it has taken the position that no political link should be made between the two - i.e. relations with the EU and relations with NATO. What is much more important is to involve Turkey as closely as possible in the consultations on European security. As the consultations on this subject start to assume a more prominent position within the European Union Turkey will wish to be involved in a pragmatic way. The Advisory Council regards Turkey's involvement as necessary in order to allow for the possibility of European-led military operations and as an opportunity for involving Turkey more closely in parts of the second pillar (II.2 and V.3.4).

The European Union should be sensitive to the fact that Turkey is an important regional power and that this entails dilemmas and difficult decisions for Ankara. Turkey is trying to pursue a multi-dimensional foreign policy, which involves intensifying its contacts in the region in order to supplement its traditional orientation towards the United States and the European Union. In the opinion of the Advisory Council there are no regional structures for cooperation that could at present provide Turkey with an alternative to cooperation with the West. In cultural terms Turkey serves to some extent as a role model for other countries in the region since it is a secular state with an Islamic past. The European Union should both support Turkey financially by making MEDA funds available again and also encourage it to strengthen its regional cooperation. This would also be in Europe's interest, given the growing economic importance of the countries around Turkey (see II.2 and VI.3.4).

In view of the requirement that a democratic, plural political system be developed the Advisory Council makes proposals aimed at ensuring that Turkey observes the international human rights conventions to which it has consigned. These proposals relate not only to the European Union but also the Council of Europe and the OSCE (see III and VI.3.6). The current trial of PKK leader Abdullah Öcalan is a case in point (V.1).



In the AIV's view, thinking similar to that on which the Stability Pact (the Balladur Plan) of March 1995 was based could be a valuable addition to the Copenhagen criteria when it comes to relations with Turkey and the complex of relations between Turkey, Cyprus and Greece. Under the Stability Pact accession negotiations with the countries of Central and Eastern Europe that were interested in joining the European Union were made conditional upon their own efforts to resolve their problems, particularly border problems, with neighbouring countries and to resolve problems involving minorities. The Advisory Council starts from the premise that the European Union must no longer be prepared to import conflicts that offer no prospect of a solution. The Advisory Council considers that Cyprus's membership is not on the agenda at present. Its accession at this juncture would, after all, mean that a conflict which offers no prospect of a solution and in which the use of force cannot be excluded, would be imported into the European Union. The Advisory Council notes that the intention behind the European Union's decision to embark on accession negotiations with Cyprus has hitherto been frustrated. The negotiations have not yet induced the parties concerned to make an effort to bring closer a solution to the conflict. On the contrary, the accession negotiations and the manner in which they are being conducted have now themselves become a subject of disagreement. In the AIV's opinion, the accession negotiations with Cyprus should not in these circumstances produce a tangible result (see V).

Suggestions are made at various places in this report for the further development of relations between the Netherlands and Turkey. The Advisory Council notes in particular that the Netherlands should pay more attention to the possibility of exchanges at numerous levels and of bilateral visits at the political level and to encouraging a dialogue between Dutch and Turkish non-governmental organisations. The basis for such dialogue could be laid by holding periodic Turkish-Dutch conferences (modelled on the German-Dutch conferences) on topical themes, which could be attended by both government officials and representatives of NGOs (see VI.3.8).

# I The undertone of the debate: history, civilisation and Islam

## I.1 The political and cultural debate

Europe's boundaries cannot be precisely defined geographically, politically or culturally. To attempt such a definition in the context of the present report would be to risk becoming bogged down in a semantic, ideological and at times almost mystical debate without prospect of obtaining a workable answer to the question of whether or not Turkey forms part of Europe. By the same token there is no reason to suppose that defining the boundaries would shed light on how relations between Turkey and the European Union should be developed.

There is often a certain discrepancy between the terms used in official documents about relations between Turkey and the European Union and the undertone of the political debate, in which the parties frequently refer back to Turkish history, to the development of Ottoman civilisation and to Islam. These political and cultural aspects of the relations with Turkey are not touched upon in official documents, although they are of definite importance to the political and public debate in Turkey and Europe. This is why this report deals with a question which has not been raised by the Government, but which does play a role under the surface of many political and public debates: namely whether Turkey's cultural and historical background is such that the country could ever belong to the European Union.

In December 1989 the then President of the European Commission, Jacques Delors, gave a speech in which, without in fact mentioning Turkey, he described Europe as a product of Christianity, Roman law and Greek humanism. This characterisation went down badly in Ankara, particularly since it was given only a few hours after the then Turkish President Turgut Özal had advocated to the Council of Europe that an accommodating attitude be adopted towards his country on the grounds of the Turkish contribution to the defence of the West against the communist threat, which still existed at that time. In March 1997, on the eve of the Brussels European Council, it was stated at the end of a meeting of the Christian Democrat heads of government of the European People's Party that the "cultural, humanitarian and Christian values of Europe are different from the values of Turkey", and that accordingly Turkey should not be allowed to join the European Union.<sup>1</sup> The corollary of this statement is the view that Christianity is the element that binds together the united Europe.<sup>2</sup>

1 NRC-Handelsblad, 20 April 1997. Following the commotion caused by these statements the then German Chancellor Helmut Kohl disassociated himself from them. In the Netherlands one of the main proponents of such views is the former leader of the Liberal Party (VVD) Frits Bolkestein, who has argued that Turkey is not eligible for membership of the European Union for historical and cultural reasons. Bolkestein's principal argument is that Turkey, unlike other (European) countries, was never part of the Enlightenment.

2 See for example Powers, J. (1998), *Christendom is het bindmiddel van een Verenigd Europa*. NRC-Handelsblad, 31/12/98.

A more general basis for views of this kind is provided by the work of the American political scientist S.P. Huntington.<sup>3</sup> Huntington expects that conflicts that occur after the Cold War will be mainly between countries that belong to different civilisations. In Huntington's view, religion is a central feature of civilisations. The risk of conflict will be greater between states that belong to different civilisations and have a different religious background than between states that share the same civilisation and religion. By the same token, Huntington expects that a common civilisation and religion will promote political and economic cooperation and that a different civilisation and religion will make cooperation difficult and perhaps even impossible. According to Huntington, it is therefore hardly surprising that the European Union does not wish to admit Turkey: it is "different".<sup>4</sup>

According to this way of thinking, rejection of Turkish membership of the European Union is based not on its level of economic development, its domestic political situation, any lack of respect for human rights or the rights of minorities or on any other possible grounds about which a political debate could be conducted. Instead Turkish membership is implicitly excluded or explicitly rejected on the grounds that there is an unbridgeable political and cultural gap between Turkey and the Member States of the European Union. The political and cultural identity of Europe, the European Union and its Member States is described in such a way (the precise mix of history (civilisation), Christianity, humanitarian principles and the ideals of the Enlightenment differs from author to author) as to emphasise the differences with Turkey, which is viewed purely as the heir of the Ottoman Empire and as an Islamic country.

It has naturally not gone unnoticed in Turkey that the question has been raised in Europe whether Turkey - as the heir to the Ottoman Empire and as an Islamic country - can form part of the European Union. Turkey's rebuttal is that Atatürk's revolution should be regarded as the Turkish Enlightenment. Atatürk emphatically decided to make a break with the past and to found a secular state in an attempt to gain acceptance in Turkey for civil and democratic values. Furthermore, in Turkish eyes Turkey has been European for centuries and has nothing to prove in this regard. To quote the Turkish Foreign Minister Ismail Cem:

"If 'being European' is a cultural fact, then Turkey is a country that shares such values as democracy, pluralism, secularism, human rights and equality between man and woman, all of which constitute the basis of contemporary European culture [...] Turkey's Europeanness is not something which requires the approval of others; it is an historical, geographical and cultural fact".<sup>5</sup>

3 Huntington, S.P. (1995), *The Clash of Civilizations and the Remaking of World Order*. New York: Simon and Schuster.

4 On the subject of relations between Europe and Turkey Huntington writes, "Asians [...] are determined to exclude Australia from their club for the same reason that Europeans do Turkey: they are different from us". See Huntington, 1996, p. 152.

5 See the text of the press conference of the Turkish Foreign Minister Ismail Cem, Ankara 18 July 1997.

## **I.2 Negative stereotypes**

In his classic history of the Balkans Schevill describes the Ottoman domination of the Balkans and the Turkish advance towards Vienna as follows, “[...] the Ottoman empire ruled with a Moslem sword, inflicting spiritual wounds upon all Christians”.<sup>6</sup> One of the consequences of the many military conflicts in the past between Christian and Islamic countries is the mutually negative image they have of one another. The poor image of the Turks therefore has a long tradition in Europe, stretching from the cruel, bloody, authoritarian and expansionist “Mussulman” of the Ottoman Empire to the criminal, drug-dealing and vengeful Turk of the present day. It is lamented in Turkey that the Europeans have been raised on “the legend of the Terrible Turk”.

Against this background it should come as no surprise that there are Turks who regard Europe as perfidious and its politicians as unreliable pupils of Machiavelli who conspire against Turkey purely out of self-interest.<sup>7</sup> This image can be traced back to the role which the European powers played in the disintegration of the Ottoman Empire (see II.1.1). One of the characters in a novel by the Turkish author Orhan Pamuk refers to the gap between Christian Europe and Islamic Turkey, between West and East, describing them as “being completely opposites, [they] rejected and excluded one another like good and evil, white and black, devil and angel. Despite what some dreamers thought, it was inconceivable that these two worlds would ever come closer together and be able to live at peace with one another”.<sup>8</sup>

These mutually negative stereotypes contribute to and may even be the origin of the idea that the political and cultural differences between Turkey and the countries of the European Union cannot be bridged.

## **I.3 No unbridgeable gap**

Like many other commentators the Advisory Council on International Affairs (AIV) does not share the view that historical and cultural factors have made the gap between Turkey and the European Union unbridgeable. Unmistakeable political and cultural differences do exist and the arguments set out above underline them and should therefore be taken seriously. The European Union itself consists of Member States whose own differences did not form an obstacle to the creation of the Union. In other words, these gaps could be bridged. Although the question now facing the European Union - namely whether a large country with a predominantly Muslim population can become part of it - is of a different order of magnitude, it does not differ in principle from the question posed by previous enlargements of the Union.

6 Schevill, F. (1991/1921), *A History of the Balkans - From the Earliest Times to the Present Day*. New York: Dorset Press; this a republication of the book originally published in 1922.

7 Iskenderoglu, B. (1998) “*Turkey vs the West*”, an article in two parts by Birsan, which was published in the Turkish Daily News of 30 and 31 October 1998.

8 Pamuk, O. (1998) *Het zwarte boek* (The black book) (translated from Turkish by Margreet Dorleijn), Amsterdam/Antwerp: De Arbeiderspers, p. 327.

Between 17 and 21 million Muslims already live in the Member States of the European Union. The accession of Turkey will simply serve to strengthen the trend and mean that Islam and Islamic culture should be accorded a place in Europe. It should, however, be noted in this connection that the scale is different: Turkey is not only an Islamic country, it is also a large country. An impression of its size can be gained from some forecasts that its population will exceed one hundred million in 2015. Other forecasts, however, suggest that the population will grow less fast.

Religion, history and cultural heritage cannot by definition demonstrate that the gap between Turkey and the European Union is incapable of being bridged. The AIV rejects cultural and historical determinism of this kind on the following grounds:

- First of all, it should be noted that some historians argued in the 1970s that Spain too was unsuitable for parliamentary democracy owing to its culture and heritage. Caution should therefore be exercised when making predictions on the basis of a particular interpretation of history, particularly if they are made to support political views and result in self-fulfilling prophecies. Whether history, tradition and culture will have the effect of keeping Turkey and the European Union apart is uncertain.
- The notion that the political and cultural identity of Europe and Turkey are opposites is generally based on the assumption that culture and civilisation are static concepts, constants that are not susceptible to change and that also form a homogenous and sealed whole. According to this way of thinking, cultures are viewed as billiard balls that can collide but not merge.<sup>9</sup> If the problem is viewed in this way the only possible conclusion is that it is insoluble.
- What this view of civilisations and cultures overlooks is that they evolve by processing new influences and elements from other civilisations.<sup>10</sup> For example, Delft and Iznik ware have influenced one another, the concept of the garden shed originates in Turkey and we also acquired the habit of drinking coffee from the Turks. After the Turks had been defeated for the second time at Vienna in 1683 and were therefore no longer regarded as a threat, a veritable craze for things Turkish swept over Europe. As the Ottoman Empire formed part of the European balance of power, it was described in its twilight years as "the sick man of Europe". Today, in 1999, the success of the Turkish pop singer Tarkan, whose records are high in the hit charts, is evidence that Turkey and Europe share elements of their culture. From the Crusades to the Silk Route and right down to the arrival of Turkish "guest workers", Turkey and the countries of Europe have a shared history. Indeed, it could be argued on the basis of Turkey's association agreement with the European Union and its membership of the Council of Europe, NATO and the OSCE that it is already part of the European (or European-Atlantic) community of shared values.

9 For the wording see Van der Staay, A. (1997), *Anti-Huntington*, *Internationale Spectator*, 51, no. 7/8, July/August, p. 374.

10 McNeill, W. (1991), *The Rise of the West: a History of the Human Community*. Chicago, University of Chicago Press.

- Even if religion and history are not immediately seized upon to prove the existence of an unbridgeable gap, reference may still be made to traditions supposedly derived from the Islamic culture of Turkey such as family honour and blood feuds. However, these also occur in other Mediterranean regions such as Italy and France, where there is a Christian tradition. Here too, therefore, Turkey does not differ from a number of Member States of the European Union. This also puts into perspective the assertion that cultures within the European Union are homogenous.
- Generally speaking, it is fair to say that arguments can be derived from history and culture both to support and to oppose Turkish membership of the European Union. It is all a matter of assessment, of weighing up the data and determining what importance to attach to interpretations of past and present. The fact that Turkey is "different" could, for example, be just as easily used to justify the conclusion that it should accede to the European Union without delay, since this could contribute to the solution of the problems facing Turkey. Although it is by far not certain that a Turkey with close links to Europe based on the prospect of possible accession would be quickly able to solve its problems, the encouragement, criticism and help of the European Union might well facilitate this.

#### **I.4 Conclusion**

The answer of the Advisory Council on International Affairs to the question of whether the European Union should in principle be prepared to accept Turkish membership is in the affirmative. In the view of the Advisory Council Turkey cannot be refused simply because it is "different", in other words because of its Islamic character and Ottoman history. Furthermore, closer relations between Turkey and the European Union could in principle promote the stability and prosperity of all countries concerned. However, Turkey should be set conditions that apply in general to countries that wish to join the European Union. As is common knowledge, these conditions relate to democracy, human rights, the treatment of minorities, the rule of law, the free market economy and the ability to fulfil the obligations of membership as laid down by the European Union in the Copenhagen criteria.<sup>11</sup> Given Turkey's political culture, these criteria will clearly present a high hurdle that will not easily be cleared. But this does not detract from the AIV's conclusion that there is no decisive reason why Turkey should be rejected in principle as a possible member of the European Union.

11 During the European Council meeting in Copenhagen (June 1993) the following criteria for accession were formulated:

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- the existence of a functioning free market economy and the capacity to cope with competitive pressure and market forces within the EU;
- ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union;
- the EU must be able to absorb the new members without any adverse impact on the process of European integration.

It is evident from the European Commission's report on relations with Turkey (the Regular Report from the Commission on Turkey's progress towards accession) that Turkey does not fulfil the Copenhagen criteria at present.

## II Turkey: a profile

### II.1 The domestic political situation in Turkey<sup>12</sup>

The factors that have had a decisive influence on contemporary Turkish politics are, first, the foundation of the secular state of Turkey by Mustafa Kemal Atatürk in 1923 and, second, the introduction of democracy and a multi-party system after the Second World War, the operation of which has since been interrupted by three military coups.

#### II.1.1 *Kemalism*

Mustafa Kemal Atatürk founded the Turkish state in 1923 in the course of the struggle to shake off domination by the European countries and avoid dependence on them. After the First World War the Ottoman Empire had been partitioned among the victors, especially France and Britain, in the Treaty of Sèvres (1920). Little more was left of the Ottoman Empire than a rump state in the north of Asia Minor (Anatolia). The Treaty of Sèvres also provided that the straits in the vicinity of Istanbul should be internationalised. Furthermore, parts of Turkey's territory were assigned militarily to European countries (including Greece, Italy and France), another part was to be transferred to Armenian control and the region of Kurdistan was granted autonomy and given the possibility of applying to the League of Nations for full independence within a year. Atatürk succeeded in channelling Turkish anger about Sèvres into political and military resistance. His victory in battle over the Greeks in 1922 paved the way for the foundation of the Turkish state a year later. Turkey was therefore literally recaptured from the European countries. The humiliation at the hands of the European countries in the Treaty of Sèvres is still an affront to the Turkish psyche. Turkish independence was recognised internationally in the Lausanne Treaty of 1923.

To modernise the state on the basis of the European model, a state ideology that would later become known as Kemalism was developed under the rule of Atatürk. This was largely a reaction to the country's Ottoman past. According to this ideology Turkey should be secular and not theocratic, nationalist (Turkish) and not multi-ethnic. The interests of the people as a whole should prevail over group interests (minorities) and there should be a republic with a president rather than a sultanate with a hereditary head of state. Social and economic stagnation and rigid traditional structures should be replaced by constant change and modernisation. And all of this should take place in a strong state that is assigned the leading role in the reforms designed to transform Turkey into a vigorous, independent and economically flourishing state.

Secularisation focused not only on the state but also on the fabric of society. In particular, efforts were made in the 1920s to replace religious symbols with symbols of a modernised society. The population had less difficulty in accepting the abolition of the caliphate than the suppression of expressions of Islam in daily life. The effect of the reforms should not, however, be overestimated. "The reforms barely touched the life of the villagers, who constituted the great majority of the population."<sup>13</sup> Nonetheless, this

<sup>12</sup> The publications of Professor E.J. Zürcher have been consulted for section II.1, in particular Zürcher, E.J. (1995), *Een geschiedenis van het moderne Turkije* (A history of modern Turkey). Nijmegen: Sun.

<sup>13</sup> Zürcher (1995), p. 237.

repression resulted, unintentionally, in the politicisation of Islam, which has thus been the main vehicle for opposition to the Turkish state from the 1920s to the present day.

Under Atatürk's rule the objective was to make Turkey into a powerful state that would never again be the pawn of European powers as it had been in the days of the Ottoman Empire. With this aim in mind Atatürk modelled Turkey in military, economic and political terms on the Ottoman Empire's European conquerors. Following the collapse of this multicultural and multinational empire and the abolition of the Islamic caliphate in 1924, the notion of a Turkish nation rooted in history replaced Islam as the determinant of the new nation's identity. The aim of this process of "Turkification" was to establish social and political cohesion in a new state, in which population groups of entirely different origin had been brought together largely by the vagaries of history. Ottoman history made the Turkish regime sensitive to the country's waning power and loss of population groups and territory. This is why it used Turkification as a means of creating political and social coherence, of creating a nation. This resulted in state-imposed uniformity. The first half of this century the process was strengthened by forced migration on a large scale, in which minorities (including Greeks and Armenians) were compelled to leave Turkey. This had been preceded by the massacres of Armenians at the end of the First World War. Likewise, Turkish minorities in other countries were obliged to uproot and move to the new Turkey. As recently as the 1950s many Greeks were driven out of Istanbul. These ethnic cleansings *avant la lettre* and the consistent process of Turkification continued right down to the present day have been largely responsible for obscuring the religious, ethnic and cultural differences between the different groups of the Turkish population.

The efforts to create a uniform Turkish identity based on the Western model included the introduction of the Latin alphabet and the Gregorian calendar, the "purification" of the language by the purging of Arabic and Persian influences, and the introduction of rules favouring Western-style dress. Even today the Turkish state does not recognise minorities, with the exception of a few religious minorities (the Greek Orthodox, Armenian Christian and Jewish minorities). The Turkish government believes that to recognise other differences between population groups (Turkey's minorities include Alawites, Syrian Orthodox Christians, Laz, and Kurds) would mark the start of the slide down the slippery slope of social and political discord. The frantic efforts to cling on to a uniform Turkish identity means that even today it is virtually impossible to overcome social and political differences. Just how much of an obstacle Turkification may be to membership of the European Union is evident from the fact that Prime Minister Bülent Ecevit is still not prepared to accept the Copenhagen criteria in public since Turkey does not have any minorities, only Turkish citizens.<sup>14</sup> Kemalism has thus created its own minorities problem, since it takes the view that issues connected with minorities do not exist and therefore cannot be discussed.

Academic research in the national archives into Turkey's past is still subject to restrictions even today, certainly as regards the decline of the Ottoman Empire and the treatment of minorities. The political culture of Turkey is characterised by historical myopia and a distorted approach to its own past. If Turkish historians were to acknowledge the inherent weaknesses of the Ottoman Empire, this could help the Turks to rid themselves of the feeling that they are a misunderstood nation whose greatness outsiders wrongly fail to appreciate. Above all, Turkey must come to terms with its own past,

14 Die Zeit, 25 March 1999, no. 13.



especially its treatment of Armenians and Greeks. The treatment of other minorities, particularly the Kurds, is an additional factor. By abandoning the historical myths of offended honour and victimisation and contradicting the stereotypes so easily accepted, in short by coming to terms with the past, Turks could contribute to the establishment of a plural, democratic political culture in their country.

### *II.1.2 The role of the state and the military in Turkish domestic politics*

In the absence of a social class capable of undertaking the development and modernisation of Turkey, the task fell to the state bureaucrats and the military as the best organised and most experienced administrators. This put both these groups in extremely strong positions. This was particularly true of the armed forces, which acquired an almost unassailable position in Turkey, enabling them to put a marked stamp on domestic politics. The Turkish military intervened in the political arena by staging coups in 1960, 1971 and 1980 because they considered that the Kemalist heritage was in jeopardy. And on each occasion they handed back power to a civilian government on condition that the political debate should be conducted within the framework of Kemalist state ideology.

The constitution, drawn up by the military rulers who had carried out the 1980 coup, provides that the armed forces are charged with safeguarding the integrity of the Turkish state and ensuring that Kemalist state ideology and the secular character of the Turkish state are maintained. This gives the army every opportunity to act as anchor of the ship of state, a self-imposed duty which is the result of its unique role in the formation and development of Turkey. The way in which the military have justified their emphatic presence both on stage and offstage in Turkish politics has tended to vary over the years, ranging from dealing with "enemies" such as communism to combating Islamic fundamentalism.

To illustrate the circumstances in which the Turkish military felt obliged to act, the Advisory Council will briefly examine the situation in Turkey in the late 1970s. During that period armed communist groups had "liberated" parts of Turkey, over which the Turkish authorities had thus lost control. A famous or, rather, infamous example was the town of Fatsa on the Black Sea, where preparations had supposedly been made to invite the Soviets on the opposite shore to enter Turkey. In the same period Erbakan and his Islamic supporters were greatly impressed by the Islamic revolution in Iran in 1979 and tried to emulate it by creating an Islamic free zone in the city of Konya. Whether this loss of control by the Turkish authorities and the street war that raged between leftists and rightists was sufficient justification for a military coup will probably remain a matter of dispute for a long time. However, the chaotic situation in Turkey at that time was partly due to the irresponsible conduct of civilian politicians. This is why the military still justify their role on the political stage by reference to the populism, abuse of power, cronyism and fraud of the politicians. However, the other side of the coin is that as long as the military are prepared to assume the role of stabiliser, civilian politicians can permit themselves this kind of behaviour. After all, they need not feel responsible for the stability of the Turkish political system.

The armed forces play their political role mainly by wielding influence behind the scenes. During the last three years, however, the General Staff has issued statements

on a frequent basis.<sup>15</sup> These are generally regarded as warnings to the politicians not to stray from the Kemalist path. The changes to the school system and the strict observance of the rule prohibiting the wearing of shawls in public buildings are just two of the matters with which the military have concerned themselves in recent years. It is therefore no exaggeration to say that the political profile of the military is now higher than at any time since they returned power to the civilian government in 1983.

The National Security Council is the political body through which the military exercise their influence. Besides the chief of the General Staff and the commanders-in-chief of the armed forces (army, air force, navy and gendarmerie), the Council consists of the President, the Prime Minister and the Ministers of Defence, Home Affairs and Foreign Affairs. Although little is known about the process by which decisions are taken in the National Security Council, it seems safe to assume that the power of the military in relation to the civilian politicians is such that there is no real democratic control of the armed forces, if only because the possibility of military intervention casts a shadow over the National Security Council. The chief of the General Staff - the highest military officer in Turkey - is accountable to the Prime Minister, but acts autonomously in practice. He, and not the Minister of Defence, is in control of the armed forces.

Since the early 1990s the armed forces have concentrated their efforts within Turkey on combating the political Muslim elements which are seen as posing a threat to the secular character of the political system. This is despite the introduction of a certain degree of Islamification since the 1980 coup. Islam was at that time viewed as an effective antidote to the communist poison. In 1997 Prime Minister Necmettin Erbakan, the leader of the Islamic Welfare Party, was obliged to resign as a result of the actions of the military. The Welfare Party was banned a year later and Erbakan was denied the right to take part in the elections of 18 April 1999. After the fall of the Yilmaz government in October 1998 the senior officers of the armed forces expressly warned that the leader of the Virtue Party, the successor to the Welfare Party, should not be given the responsibility of forming a transitional government to organise the elections of 18 April 1999. By playing this political role the military have put an important stamp on Turkey's political culture: the Kemalist elite - civilians and military - tend to view political relations in terms of enemies, of internal and external threats to Turkish integrity, to unity or to secularism.

In summary, the military can be said to play a stabilising role and, in doing so, to adhere strictly to the letter and the spirit of Kemalism. However, their involvement has contributed to the closed nature of the Turkish political system, which is hardly compatible with the efforts to achieve a plural, open democracy in Turkey.

### *II.1.3 Kemalism under pressure*

After the Second World War the Turkish state introduced a multiparty political system and permitted private enterprise. This was prompted by the widespread resistance in Turkey to the dictatorial regime of the then government. Other factors were the example set by American capitalism and plural democracy and the conditions attached to

15 This happened most recently on 8 January 1999. A document entitled "Current Issues" was circulated on the occasion of the opening of the press centre of the General Staff. The stated purpose of the document was to remove misunderstandings about the Turkish political system, the actions of the armed forces and the observance of human rights, but it soon lapsed into a long tirade about the lack of understanding towards Turkey and a not terribly successful attempt to expose abuses in other countries.

Marshall aid for Turkey. The state authorities also relaxed their position on Islam somewhat in this period.<sup>16</sup>

As time went on, the liberties (civil, economic and religious) granted by the authorities began to undermine the Kemalist foundation of the Turkish state, particularly since the state ideology proved incapable of providing an answer to the political and economic problems facing society. The shortcomings of Kemalism were implicitly recognised in the 1980s and early 1990s in the policy of the prime minister Turgut Özal, who later became president. This can be seen as an attempt to achieve a Turkish-Islamic synthesis combining political democratisation, economic change and a nationalist, Turkish perception of Islam. Özal's ideal was that every Turk should have "a laptop and the Koran". However, this synthesis did not succeed because the political strength of Özal's movement ebbed away, not least owing to suspicions of bribery and fraud.

Since the Özal era, the Turkish political system has been plagued by instability. In barely eight years Turkey has had more than ten governments. This has been due not only to political differences of opinion but also to a fragmentation of the political system in Turkey caused by other factors. First of all, there is the variegated political landscape. A large number of political parties contested the elections of 18 April 1999. There were two centre-right parties (the Motherland Party and the True Path Party), both of which obtained fewer votes than had been expected. On the ultra-right of the political spectrum is the Nationalist Movement Party, which performed better than expected in these elections and obtained 18% of the votes. There are also two centre-left parties, one of which - the Democratic Socialist Party (DSP) of Prime Minister Bülent Ecevit - obtained 21.5% of the votes and is generally regarded as the winner of the elections of 18 April 1999. The party was aided in achieving this electoral success by the arrest and imprisonment of Öcalan, the leader of the Kurdistan Workers' Party (PKK). The other centre-left party - the Republican People's Party (CHP) - has now disappeared from parliament as it failed to reach the electoral threshold. There is also Fazilet (the Islamic Party of Virtue), which is the successor to Refah (the Welfare Party) that was banned in January 1998. During the 1990s the Islamic parties have steadily managed to increase their number of votes, partly aided by the fragmentation to the left and right of them. Despite obtaining over 20% of the votes Fazilet unexpectedly failed to become the largest political party in the elections of 18 April 1999. However, the mayors of a number of important cities, including Istanbul and Ankara, are members of Fazilet. The Kurdish party HADEP did not reach the electoral threshold. But, then, the mayors of almost 40 towns in south-eastern Turkey are members of HADEP.

The election results described above led to the formation of a coalition government under Prime Minister Ecevit in May 1999. The coalition consists of the Democratic Socialist Party, the Nationalist Movement Party and the Motherland Party. The first two of these parties in particular are expected to adopt a nationalist course, although the Nationalist Movement Party is likely to be more radical about this than the Democratic Socialist Party of Prime Minister Ecevit. This will evidently have an impact on government policy.

16 On this point see Zürcher (1995), p. 254 ff.

Other factors contributing to the fragmentation of the Turkish political system are:

\* *the extremely varied nature of Turkish society*

It is as though there is not one Turkey but several: besides the modern Turkey there is the Turkey of the large state corporations, the Turkey that is in the process of industrialising and rural Turkey. A factor of importance in this connection is the mass exodus from the country to the city, which is rightly regarded as a social revolution: each year approximately half a million people move from rural Anatolia to settle in the towns and cities, especially Istanbul. The situation is exacerbated by the huge numbers of migrants jammed together in the shanty towns (*gecekondus* - literally "homes built overnight") on the edges of the cities. These conditions are conducive to unpredictability and instability.

\* *the great emphasis on persons rather than programmes*

The military coups in the past and the subsequent bans on political parties have been largely responsible for depriving today's parties of strong enough roots in society. Time and again the old politicians have returned as a result of popular pressure, whereas the "old" political parties have remained banned. As a result, political parties as the sources of ideas and political positions have been subordinated to the cult of personality around political leaders and have done little to develop programmes that offer any prospect of reconciling political and social differences. The leaders have in their turn dug in their heels and, owing to the rivalry between them over many years, are at best able to form fragile coalitions. Often the only way in which the younger generation of politicians can climb higher is by forming a new party, thereby causing further fragmentation of the political system.

\* *the public interest is of insufficient concern*

The emphasis on persons rather than programmes is reflected in the failure of the political parties to concern themselves sufficiently with the public interest; instead these parties have mainly become instruments representing private interests. Accusations of nepotism, fraud and bribery are rife. Politicians and officials, including the police, gendarmerie and prison officers, are increasingly suspected of having close ties with organised crime (there are no charges of this kind against the military). These accusations are levelled in particular against the Turkish political class, with the result that public confidence in the political and government system is waning.

Moreover, Turkey still has few non-governmental organisations capable of functioning as a counterweight to the political parties. Where such organisations do exist (for example, the employers' organisation Tusiad and a few trade unions and human rights organisations) their activities are regularly thwarted by the state. Indeed, the state makes it virtually impossible to function for the human rights organisations in particular. The public interest is still insufficiently embedded in a "civil society" capable of producing political and social decisions that enjoy wide support, helping to establish a political agenda, and so forth. Civil society is not yet sufficiently developed in Turkey.

The process of globalisation too is having an impact on Turkey, thereby putting further pressure on the Kemalist foundation of the Turkish state. Economic markets are international, the media and other forms of communication cross frontiers, and people have become much more mobile. In short, Turkey can no longer shut itself off from external political, economic and cultural influences.

#### II.1.4 *The political role of Islam*

Kemalist state ideology has endeavoured to offer the Turkish population a national and secular alternative to the Ottoman and Islamic identity. The political and economic elite in the towns and cities in western Turkey have adopted this new identity to the extent that representatives of this elite may be regarded as the exponents of Kemalism. However, Kemalism has much less significance for the rest of the population.

It is no exaggeration to say that there has been a resurgence of political Islam, certainly since the early 1990s. The Turkish state has also provided the scope for this resurgence, since the invocation of Islam as a source of inspiration for the practice of politics is no longer treated as subversion. The Islamists have become an increasingly dynamic force for social change, aided by financial support from Turkish emigrants in Europe. The Islamic movement now seems to have acquired roots in society, not only because of the growing religious awareness in society but also because it has provided facilities in areas in which the Turkish authorities have failed to perform. Examples are (affordable) education, health care and housing, as well as clean drinking water in the summer and coal in the winter for destitute families. Gradually a parallel Islamic society has evolved, including its own market for books, audio cassettes, newspapers, television, etc.

99 per cent of Turks are Muslims, for the most part Sunnites. The great majority of them are moderate in their faith. The Alawites, who constitute about a third of the population, are adherents of a faith that combines Shiite beliefs with other religious elements. There are different views in Turkey about the role which religion should play in relation to the state and within society:

- \* First of all, there are the Kemalists who wish to maintain the status quo. They support the control of Islam by the Directorate for Religious Affairs and feel at home in this form of secularism. Those of a more liberal frame of mind advocate the separation of church and state, although they are not dissatisfied with the status quo.
- \* Second, there are the moderate Islamises. They wish to weaken the secular character of Turkey. The adherents of this view come mainly from a relatively new economic elite, most of them from eastern Turkey, where they have prospered as a result of the trade with Central Asia and the Middle East.
- \* Finally, there is a small group of Islamic fundamentalists. They reject the Turkish political system and wish to model it on that of Iran or Saudi Arabia.<sup>17</sup>

17 For a description of these fundamentalist movements see Franz, E. (1997) *Religion un Gesellschaft in der Türkei: Laizismus contra Islamismus in Gesellschaft un Politik*. In: Döpman, H.D. (Hrsg.), *Religion un Gesellschaft in Südosteuropa*. Munich: Südosteuropa-Gesellschaft, pp. 299-307. Fundamentalism in general, in other words not specifically in relation to Islam, can be defined as "a tendency within religious movements in which one element, peculiar to religions, is elevated to the status of absolute truth, namely the belief in the objective character of the truth and its recognisability. [...] However, fundamental movements press the claims to truth to ever greater heights and present their religion as a closed model that has peremptory and detailed rules governing all areas of life. [...] Intolerance is an essential element of fundamentalism". This description comes from Stefan van Wersch, *Islamic fundamentalism and Dutch foreign policy* (Internationale Spectator, vol. 49, no. 10, October 1995), p. 531.

The moderate Islamises presently have the upper hand in the Fazilet party. Its ideology focuses on traditional Turkish values and rejects western consumerism. For the supporters of Fazilet, Islam provides a source of identity, legitimacy and power, but above all holds out the prospect of better times. Fazilet representatives have functioned satisfactorily in local government. They also appear to be less susceptible to corruption, nepotism and other unethical practices than representatives of the secular parties.

It is often suggested that the more radical Islamic movements pose an acute threat to the Turkish state and social order. The adherents of Kemalism are all too ready to invoke this spectre in order to mobilise forces to combat Islam in the political arena. It is important to note in this connection that the introduction of the free market economy under Özal had led to the establishment of a far-reaching capitalist system that has already widened the gap between rich and poor to a frightening extent. Kemalism is still failing to provide an adequate solution to the problem of the increasingly large group of economically disadvantaged people. The question is whether this is creating circumstances, given the further politicisation of the Islamic movement, in which radical Islamist groupings can flourish.

## **II.2 Turkey in the region**

### *II.2.1 Strategic and regional significance*

During the Cold War little was said about the strategic importance of Turkey. Turkey was (and still is) a member of NATO and associated with the European Union (formerly the European Community), and was therefore part of the West. The prime aim during the Cold War was to close ranks against the ideological antipode on the other side of the Iron Curtain. The strategic importance of keeping Turkey stable and Western-oriented explains the accommodating attitude towards the lack of democracy and the violation of human rights and the rights of minorities.<sup>18</sup> The fact that these and other issues are now being raised more emphatically indicates that the political climate facing Turkey has indeed changed since the end of the Cold War.

Turkey has remained an important strategic partner of the United States even since the end of the Cold War. This is mainly because of American policy with regard to the Middle East, the Caucasus, Central Asia and the Russian Federation. For example, Turkish air bases are essential to control of the air space over Iraq (Operation Provide Comfort) and also play a part in air operations over Serbia ("little Yugoslavia"). NATO's southern flank has also become more important to the United States. The recent intensification of contacts between Turkey and Israel is being welcomed and encouraged in Washington. Turkey concluded a military cooperation agreement with Israel in February 1996. Since then the United States, Israel and Turkey have conducted joint military exercises. The United States is also a major arms supplier to Turkey, although the Turkish military are now aiming to step up domestic arms production in order to avoid being vulnerable to embargo. Turkey also views relations with the United States as an alternative to relations with the European Union.

Since the Luxembourg European Council of December 1997 when Turkey considered that it had not been recognised as a candidate for accession to the European Union, it

18 Zürcher, E.J. (1998), *Turkije: ouwe vrijster of begeerlijke bruid* (Turkey: old maid or desirable bride?). *Internationale Spectator* 52, no. 5, p. 273.

has made greater efforts than in the past to establish a multi-dimensional foreign policy. To supplement the traditional focus on the United States and the European Union, Turkey is intensifying its contacts in the region. Since the disintegration of the Soviet Union, Turkey is re-establishing historical ties with numerous neighbouring countries which formerly belonged to the Soviet Union. First of all the aim is to provide Turkey with alternatives to the European Union. By now Turkey's foreign policy interests extend beyond the European Union to the whole of Eurasia. Turkey believes that the process of strengthening political ties with one country or group of countries helps to strengthen ties with others too. The better its relations with the European Union, the better will be its relations with the countries of the Middle East, the Caucasus, the Russian Federation, the countries of Central Asia, the Balkans and so forth. As regards Turkey's efforts to establish a multi-dimensional foreign policy it should be noted that the opening towards Central Asia, the Caucasus and the Arab and Islamic world are being hampered by lack of funds. To a certain extent Turkey (as a secular state with an Islamic past) functions as a role model for related states in Central Asia (particularly states related by language). Through the intervention of the Turkish government, Turkmenistan, for example, has switched from the Cyrillic to the Latin alphabet.

Turkey's position in the region can also be illustrated by reference to the following points:

- Turkey has close ties with Israel. In an attempt to remove the impression of an anti-Arab alliance it also maintains intensive contact with Jordan.
- There is rivalry between Turkey and Syria, which has been reflected among other things in Syrian support for the armed insurgence of the Kurdistan Workers' Party (PKK). In response Turkey increased military pressure on Syria in the autumn of 1998 in an effort to end its support for the PKK. The most striking result of this pressure was that the leader of the PKK, Öcalan, was no longer able to hide on Syrian territory and is now in a Turkish prison following an odyssey through Europe and Africa (Kenya). It also appears that Syria has ended its support for the PKK.
- The traditional enmity between the Persian and Ottoman empires is still apparent in a certain rivalry between Iran and Turkey. How great this rivalry is depends on the extent to which Iran endeavours to export its theocratic political system to other countries following the 1979 Islamic revolution.
- Although military operations against the Kurds in northern Iraq were conducted jointly in the past, they are now a source of irritation to Iraq and, to a lesser extent, to Syria. Turkey's support for the American and British air operations over Iraq is also not conducive to an improvement of relations between the two countries.
- There is disagreement with Syria and Iraq about the use of water from the Rivers Euphrates and Tigris, which flow from Turkey into Iraq and Syria. As Turkey has constructed dams in the upper reaches of both rivers for the purpose of irrigation and energy generation, it has for a number of years controlled the supply of water to Iraq and Syria.

Turkey is an associate member of the Western European Union (WEU). Although it is not yet a member of the European Union, it still wishes to become a full member of the WEU since it will then be fully involved in consultations on security in Europe. As WEU consultations on European security (or aspects of European security) become

increasingly significant in the European Union, Turkey wishes to be involved in them in a pragmatic way. It once again became apparent at the NATO summit in Washington in April 1999 that unless Turkey is involved in the consultations and decisions it will not be prepared to make available NATO resources on a regular basis to European countries for military operations. Turkey will examine from case to case whether NATO resources can be made available and wishes to be involved in the relevant consultations in good time. *The Advisory Council views Turkey's participation as necessary in order to facilitate European-led military operations and as a way of involving Turkey more closely in the second pillar (or parts of it) of the European Union.*

Although the Turkish government feels aggrieved by the course of the discussions on Turkey's membership of the European Union, it has hitherto taken the position that neither bilateral relations nor NATO may suffer as a result. This is why the Turkish government is making a careful but rather artificial distinction between its relations with the European Union and its relations with the Member States of the Union. It is also not Turkey's intention that the European Union's attitude towards Turkey should harm Turkish relations with members of NATO which are also EU Member States.

The economic aspects of Turkey's strategic position have become more important since the end of the Cold War. Turkey can play a key role in the supply of energy from East (Central Asia) to West (Europe). Turkey also wishes to become a major hub for the supply of energy from the region of the Caspian Sea and parts of the Middle East (oil and gas). As a result of its geographical position Turkey provides an alternative route for the pipelines of the Russian Federation from the Caspian Sea basin to Europe. From Turkey's point of view, the most important pipeline to be constructed is that between Baku, the capital of Azerbaijan, and Ceyhan, a seaport in south-eastern Turkey that is accessible to supertankers. The question is whether the huge investment required for the construction of such a pipeline will pay off in view of the present low oil prices. In addition, recent forecasts of oil reserves in the region of the Caspian Sea indicate that the expectations of the early 1990s must be adjusted downwards. The instability in south-eastern Turkey on account of the armed struggle with the PKK has also made industry wary, although the level of military activity seems to be declining.

Turkey participates in a number of regional cooperative arrangements such as the Organisation of Islamic States, the D(development) 8 and the South-Eastern Cooperation Initiative. The Black Sea Economic Cooperation, which is in the course of being set up, seems very promising. However, as it is not yet in existence this regional organisation does not constitute an alternative to cooperation with the United States and the European Union (and its Member States). *In the view of the Advisory Council, the European Union should both support Turkey financially by making MEDA funds available (again) and encourage it to strengthen regional cooperation. The Advisory Council recommends that the Netherlands Government promote this approach. This would be in the interests of both Europe and the Netherlands in view of the growing economic importance of the countries around Turkey.*

### *II.2.2 Turkish foreign policy and Islam*

The Islamic tradition has played some role in Turkish foreign policy for some years and not merely, as is sometimes supposed, since the advent of the Erbakan government. The military regime that was in power from 1980 to 1983 was the first Turkish government to send a head of government to the periodic conference of the Organisation of Islamic States. This was a matter of necessity since the government was endeavouring



to get financial support and credits following the decision by Western governments to cut off financial support after the military coup.<sup>19</sup>

Turgut Özal, as Prime Minister and as President, underlined the Islamic orientation of Turkish foreign policy, based partly on his domestic Turkish-Islamic synthesis. He presented Turkey as a "natural bridge" between East and West. In its foreign policy Turkey has tried right down to the present day to act as a springboard for relations with countries in the region. It should be noted that Turkey has attached much greater significance to its role as intermediary than have other countries, which generally prefer to establish contact directly with one another. Nonetheless, more and more foreign companies are setting up branches in Turkey partly for the purpose of creating an opening to the Central Asian market.

It was for the reasons described above that Erbakan wished to emphasise the Islamic nature of Turkish foreign policy in the period from 1996 to 1997. In this connection he was unable to ignore the domestic political situation, in particular the position of the military. Under his government cooperation with Israel was therefore extended to include arms production. Nonetheless, Erbakan emphatically sought to present Turkish foreign policy as Islamic, for example by visiting Iran and Libya.

19 Franz, E. (1997), pp. 306 and 307.

## III Human rights in Turkey

### III.1 General<sup>20</sup>

Chapter II described the statist tradition and authoritarian traits of the Turkish political system and the policy of Turkification. It is the lack of a plural, democratic system that distances Turkey from the European Union (and its Member States). After all, many countries, both in Europe and in Latin America too, have recently switched to such a system. Under a plural, democratic system, not only are free elections held regularly but also all power exercised by the state is subject to scrutiny by parliament and by a free press and can be judged in open public debate. If necessary, the authorities can be called to account for their actions before an independent court. It is respect for human rights that contributes to the development of the free institutions of civil society. It was noted in II.1.3 above that this has not yet evolved sufficiently in Turkey.

As indicated in chapter II the Turkish military have imposed the following limitations on political debate, which are explicable in the light of the history of the Turkish state and Kemalism:

1. The territorial integrity and unity of Turkey may in no way be jeopardised. Nor does the Turkish state recognise minorities, with the exception of religious minorities (see II.1.1). Those who nonetheless portray themselves as a minority (or as the representative of a minority) undermine the unity of Turkey and are accused of separatism.
2. The secular character of the Turkish state is not open to discussion. Secularism is laid down in articles 2 and 3 of the constitution. State control of religion may not be queried.

The vulnerable groups in Turkey are those whose political aims do not come within this framework, for example those who regard themselves as a minority and actually proclaim themselves as such (mainly the Kurds), those who question the relationship between church and state (a section of the political Islamises), those who champion the rights of these groups (in general the representatives of human rights organisations) and those who publicly report on them (journalists). By way of illustration it should be noted that even before the elections of 18 April 1999 the public prosecutor in Ankara had instituted an investigation into the pro-Kurd HADEP party on account of its ties - or alleged ties - with the PKK. In the run-up to the elections dozens of representatives of this party were imprisoned. Similarly, a representative of Fazilet (the Islamic Party of Virtue) wore a headscarf at the inauguration of the new parliament after the elections of April 1999. A complaint was then filed against this party on the grounds that she had infringed the secular character of the Turkish state.

<sup>20</sup> For a description of human rights in Turkey, the following have been consulted: Zwaak, L. (1998), *Turkey and the European Convention on Human Rights*, in Castermans-Holleman, M., Van Hoof, F. & Smith, J. (eds.) *The Role of the Nation-State in the 21st Century: Human Rights, International Organisations and Foreign Policy*. The Hague/Boston/London: Kluwer Law International, pp. 209-228; Zwaak, L. (1998) *Human Rights News: Council of Europe*. Netherlands Quarterly of Human Rights, vol. 16, no. 4, pp. 506-524; Poulton, H. (1998), *State before Freedom: Media Repression in Turkey*, London: Article XIX, Amnesty International (1998), *1998 Yearbook*, Amsterdam, pp. 408-412, Amnesty International (1998), *Concerns in Europe, January-June 1998: Turkey*. AI INDEX:EUR 1/2/98, pp. 62-65, and U.S. Department of State (1999), *Turkey Country Report on Human Rights Practices for 1998* (Washington).

It is mainly representatives of the groups described above who are subjected to the repression of the Turkish authorities. Journalists may also practise self-censorship, especially in reporting on the Kurdish issue and Islamic fundamentalism. Those who commit violations of human rights are mainly in the security services, i.e. the police, above all the special arrest and anti-terrorism squads, the prison authorities, the gendarmerie and, in south-eastern Turkey, the village watches. Such violations are insufficiently punished by the courts.

Turkey has been a party to the European Convention for the Protection of Human Rights and Fundamental Freedoms since 1954, although it is not a party to the Convention's Sixth Protocol concerning the abolition of the death penalty. In addition, Turkey is a party to the Council of Europe's European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and to the UN Convention against Torture. Turkey has also ratified the Universal Declaration of Human Rights of 1948. In short, there are sufficient grounds on which to tackle Turkey about its actions, for example in relation to the arrest of over 2,000 Kurdish activists in February 1999, the events in the aftermath of the arrest of PKK leader Öcalan and the refusal of the Turkish authorities to allow Akin Birdal, the chairman of the Human Rights Association, to come to the Netherlands to receive an award (the *Geuzenpenning*) in March 1999.

Like the majority of Member States of the Council of Europe, Turkey is not a party to the Council's Framework Convention for the Protection of National Minorities. As mentioned previously, Turkey recognises only religious minorities.

The following section will examine major violations of human rights. It should be noted in advance that the Turkish legal system has a number of structural defects, such as regular interference from government authorities and a considerable shortage of judges. On the other hand, the Turkish government recently changed the composition of the state security courts by abolishing the requirement that one of the three judges should be from the armed forces. Although this positive development contributes to the independence of the judiciary, it does not alter the fact that the state security courts can still meet in camera and accept in evidence reports of police interrogations conducted without defence counsel being present. The link with human rights violations by the security services is obvious. *The Advisory Council considers that the Turkish government should now be urged to remedy other defects of the legal system following the changes to the composition of the state security courts. In particular, the role of these courts should be scaled down.* It should be noted in this connection that the European Court of Human Rights in Strasbourg has ruled that the state security courts are not in accordance with the European Convention on Human Rights.

### **III.2 The European Convention for the Protection of Human Rights and Fundamental Freedoms**

Turkey was one of the first countries to become a party to the European Convention for the Protection of Human Rights and Fundamental Freedoms, which it ratified in 1954, but it did not recognise the right of individual petition until January 1987. Turkey has recognised the jurisdiction of the European Court of Human Rights since 1990. It has regularly made use of the possibility under Article 15 of the Convention to derogate from its obligations "in time of war or other public emergency threatening the life of the nation". The emergency which was proclaimed in 1987 and is still in force in six provinces in south-eastern Turkey entails among other things limitations on the

freedom of the press and the power both to expel people from the area who pose a threat to public order and to detain people incommunicado for 30 days.

The Parliamentary Assembly of the Council of Europe passed a resolution in 1995 calling on the Committee of Ministers to suspend Turkey's membership of the Council unless it improved its human rights policy and the treatment of the Kurdish minority (Recommendation 1266, 1995). The Committee of Ministers has not yet acted on this recommendation, but has decided to keep the issue of Turkey on its agenda.

The European Court of Human Rights regularly hears cases against Turkey. Major grounds on which the Court ruled in 1998 that Turkey had been in breach of its obligations were unlawful deprivation of life, deprivation of the right to effective legal redress, the right to petition, the right to effective legal protection and the right to a fair hearing within a reasonable time, and failure to guarantee adequately the right to freedom of expression. Incidentally, none of these cases caused Turkey to reconsider its membership of the Council of Europe.

### **III.3 European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**

Turkey was the first country to ratify the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (in February 1988). The European Committee against Torture published three reports in the 1990s (in 1992, 1996 and 1999) in which it noted that torture was practised systematically in Turkey. The Committee's most recent report deals with its visit to Turkey from 5 to 17 October 1997 and, unlike its previous reports, was published on 23 February 1999 with the consent of the Turkish government. The Committee reported that it had received full cooperation from the Turkish authorities, with the exception of a few instances involving the deliberate provision of incorrect information. The Committee endorsed the view of the Turkish authorities that the situation in Turkey was improving. It was particularly pleased with the Prime Minister's circular of December 1997. The Committee felt that if this were to be implemented in full, it would mark a turning point in the human rights situation in Turkey. Nonetheless, the Committee noted that torture still occurs in Turkey and that, despite improvements in the rules and regulations, their implementation was deficient, particularly in police stations and prisons.

### **III.4 Freedom of expression**

Freedom of expression is subject to many restrictions in Turkey. Often this is connected with "the separatism in the south-east" (i.e. the PC) and with the maintenance of the secular character of the Turkish state. Article 13 of the constitution provides for statutory limitations on fundamental rights and freedoms in order to ensure the indivisible integrity of the state, its territory and nation. Article 14 states that none of the constitutional rights and freedoms may be exercised for the purpose of undermining the indivisible integrity of the state and its territory and nation. It is on the basis of these articles that political parties are declared unconstitutional and banned, either because they pose a threat to the secular nature of the state or because they question the unity of state and nation, regardless whether or not this is accompanied by calls for the use of force.

Turkish legislation contains a wide range of provisions that can be used to curb the freedom of expression. Articles 158 and 159 of the Criminal Code contain penalties

for insulting the institutions of state. Article 312 of the Criminal Code provides for sentences ranging from 6 months to 2 years for those guilty of "openly inciting others to break the law" and sentences of between 1 year and 3 years for "incitement to hatred based on class, race, religion or religious sect" or incitement to hatred between different regions. The latter article is used against leftist activists, Islamises and people who raise the Kurdish issue.

What is also important in this connection is the 1991 Anti-Terrorism Act. This contains a very broad definition of the term terrorism. Section 6 of the Act makes it an offence to write about ideas which the government may view as a threat to the state, including ideas that can cause damage to "the indivisible integrity of the state" and endanger "the existence of the Turkish State and Republic". Other legislation which imposes limitations on the freedom of expression are the Press Act of 1950 and the Act for the Protection of Atatürk of 1951. According to the information of the Turkish Committee for the Protection of Journalists, 25 journalists were imprisoned at the end of 1998 for articles they had published. Legislation intended to relax to some extent the curbs on freedom of expression and to facilitate the prosecution of those who commit human rights violations was laid before parliament in 1998, but has not yet been dealt with.

### **III.5 Disappearances and extrajudicial executions**

The Turkish authorities have acknowledged their involvement in the killing and disappearance of Kurdish activists in the south-east of the country. Little has been done to find and try those guilty of these offenses. If journalists report these incidents, they run a great risk of being prosecuted for "insulting" the armed forces. According to Amnesty International's information, at least 9 people "disappeared" and 20 people were killed in circumstances suggestive of extrajudicial execution in south-eastern Turkey in 1997. Amnesty International also reports that "armed opposition groups" (by which it probably means the PC) intentionally and arbitrarily killed prisoners and civilians. The U.S. State Department too reports "widespread abuses" by the PC, including the murder of noncombatants.

According to the U.S. State Department's information, extrajudicial executions also occur in areas other than the south-east. It refers in this connection to deaths in custody due to torture and the excessive use of force, "mysterious murders" and disappearances. Although the number of disappearances does seem to be declining according to the figures published by human rights organisations in Turkey, some 30 cases were still reported in 1998. In only a few cases those responsible for these abuses were convicted. The U.S. State Department refers in this connection to a "climate of impunity". For more than 3 years a group known as the "Saturday Mothers" holds a silent weekly demonstration in Istanbul in order to induce the authorities to provide information about the fate of their relatives who have disappeared. Since May 1998 more and more of these demonstrations have been interfered with by the Turkish police.

### **III.6 Status of women**

Although Turkish legislation generally accords women a position equal to that of men, culture and customs are still major obstacles to the realisation of this equality in practice. Women are still employed mainly in Turkey's large casual sector and work in family businesses in such sectors as agriculture, commerce and the hotel and restaurant trade. Through their work women contribute to the family income. Although the law

provides for equal pay for men and women, discrimination certainly still occurs both in business and in the public service. This also applies to job promotions.

Marital abuse was made a criminal offence in Turkey in January 1998. Nonetheless, it is still very common and few complaints are filed. This is because such abuse is regarded first and foremost as a private matter that should be kept within the family and is of no concern to outsiders. The same is largely true of domestic violence against wives. Another problem is that of the murder of women suspected of adultery. This still occurs in rural areas and in the suburbs of the major cities. Such murders are committed in order to save the honour of the family, and again, they are seldom reported. There are few facilities in Turkey for looking after women who are disinclined to have their fate determined by traditions and customs. Indeed, there are few women's organisations in Turkey and those that do exist have insufficient freedom. It is reasonable to expect the Turkish government to ensure that no obstacles are put in the way of these organisations that would prevent them from representing the interests of women.

### **III.7 Employee and trade union rights**

There is every reason to focus on employee and trade union rights in Turkey as they have been seriously and systematically violated over a long period. The rights in question are freedom of association, the right to bargain collectively, freedom from discrimination in employment and occupation, and the banning of child labour. Turkey has been criticised by the International Labour Organisation (ILO), especially since the military coup of September 1980, for the extent to which it has violated employee and trade union rights. The constitution of November 1982 contains a number of provisions that are at odds with the standards of the ILO. This also applies to the legislation based on these articles that deals with the trade unions and collective bargaining. Although the legislation in question has been slightly amended in recent years, it is still in principle contrary to the standards of the ILO.

The conditions in which trade unions must function are downright bad. They are documented in the report of the International Confederation of Free Trade Unions on the social policy of the Turkish government, which was drawn up for the World Trade Organisation in 1997.<sup>21</sup> The IAO's annual International Labour Conference criticises Turkey almost every year for serious violations of Convention No. 98 (right to collective bargaining) and Convention No. 111 (discrimination in employment and occupation). In 1997 there was also criticism following the first report of the Turkish government on the application of Convention No. 87 (freedom of association and protection of right to organise), which had been ratified in 1993.

Turkey has ratified five of the ILO's seven human rights conventions. The Minister of Employment and Social Security stated at the plenary session of the International Labour Conference in June 1998 that the National Assembly had approved the other

<sup>21</sup> See the text of the application by Turkey of ILO Convention 98 (collective bargaining) in the report of the Committee of Experts of the ILO at the eightieth session of the International Labour Conference in June 1997, the summary of the discussion in the Commission for the application of conventions of the Conference with the Turkish government on the basis of this text, and finally the text on Turkey in the Annual Survey of Violations of Trade Union Rights for 1997 of the International Confederation of Free Trade Unions.

two conventions, namely Convention No. 29 (forced labour) and Convention No. 138 (minimum age). Once Turkey has ratified the seven conventions of the ILO it will be required to report to the International Labour Office every two years. The ILO Committee of Experts will then express its opinion on the legislation and implementation every two years. When Turkey has ratified all seven ILO Conventions it will actually have made more progress in this respect than some Member States of the European Union. Not all Member States have ratified all seven ILO conventions.

After a difficult start and following pressure from the ILO, there has now been some improvement in the Turkish legislation implementing the ILO's human rights conventions. Regular dialogue between the European Union and Turkey on this subject will have to focus in particular on the application of the legislation, certainly if the European Commission and the Member States involve employers and employees in this process. This form of dialogue is in keeping with the tripartite nature of the ILO and with ILO Convention No. 144 (on tripartite consultations about international labour standards), which has been ratified by 14 Member States of the European Union (Luxembourg is the sole exception) and by Turkey. There are various ways in which the European Union could help Turkey to improve its track record in this respect, for example by providing training for and arranging exchanges of civil servants and specialists of employers' and employees' organisations, and by drawing this subject to the attention of multinationals which are based in Member States of the European Union and have branches in Turkey.

### **III.8 Conclusion**

*Generally speaking, the serious shortcomings with regard to democracy and respect for human rights have created a gap between Turkey and the European Union. The aim must be to try to bridge this gap. Turkey must show that it is serious about drawing closer to the European Union and about putting the standards and values that have been incorporated in its legislation into practice. The legislation has on the whole been improved in recent years. For now it is necessary to convert words into action. Implementation is the problem, partly because the legislation is still not fully the product of a political and public debate. Chapter VI makes recommendations for the strengthening of democracy and respect for human rights in the context of a political agenda for Turkey and the European Union.*

## IV The economic outlook

### IV.1 Outline of Turkey's economy

Turkey's economy has expanded rapidly since the Second World War. The industrial and service sectors have grown strongly since the 1960s, reaching a share of GNP of 24.8% and 55.1% respectively in 1997 (compared with 16% and 36% in 1960). Agriculture's share of GNP declined over the same period from 42% in 1960 to 14.2% in 1997. Nonetheless, agriculture continues to provide work for some 40% of the active population.

The import substitution model was replaced in the 1980s by an open economy with a reduced role for the State and a greater role for market forces. Since then Turkey's economy has become more open and able to compete internationally, and international trade has gained in importance. Indeed, it has been among the world's fastest growing economies since 1980, although the growth has been cyclical (stop-go) with periods of very fast growth being followed by periods when the economy has grown little, if at all, or even shrunk. In addition, the growth has been concentrated in a number of regions, mainly in the north and west of Turkey. This has created great (regional) disparities in income. Below is a brief description of the Turkish economy, with particular reference to the Copenhagen criteria, namely the existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union.<sup>22</sup>

#### IV.1.1 A functioning market economy

Turkey's economy has the features of a market economy since there are functioning institutions, including a statutory framework geared to the operation of the market, a dynamic private sector and liberalised regulations on trade. The Turkish economy is an open economy geared to the world market and has the capacity to adapt to international developments. Estimates put the size of the informal economic activities at a third of that of the registered economy.

Turkey is suffering from the economic crises in the Russian Federation and Asia. These have had an impact on world trade in general and hence on Turkish exports too (according to some estimates, Turkish exports to the Russian Federation were down by 35% and to Asia by 43% in 1998). A large part of the trade with the Russian Federation consists of what is termed "suitcase trade", in other words informal trade. This is estimated to be worth around 8 billion dollars, i.e. in excess of half of the registered trade with the Russian Federation. Another reason why the growth of the Turkish economy has declined is lack of investment. Nonetheless, the Turkish economy still has so much scope for further growth that the present slackening of the rate of growth does not change the medium-term outlook.<sup>23</sup>

The European Commission concluded in its Regular Report that Turkey had not attained the degree of macroeconomic stability required to participate in the internal

<sup>22</sup> The Advisory Council has based this description on the Regular Report on Turkey of the European Commission of November 1998.

<sup>23</sup> Economic Outlook of the Turkish Economy as of January 1999 - Tusiad.



market and not interfere with its smooth working. It cited as structural problems the public sector deficit, the poor tax collection system and the lack of investment, particularly foreign investment. The continuing public sector deficit (9.5% of GNP in 1997) is also a major cause of the rampant inflation. This was above 50% in 1998 and rose as high as 90% in some months. The interest rate was around 50% in 1998. The constantly high rate of inflation is a serious problem. It dislocates the economy and causes injustices that affect the weaker groups in particular. The rate of inflation and the expectation that it will remain high is one of the main reasons why the financial sector functions poorly and why foreign investment is lower than expected. If the Turkish authorities could curb inflation, this might boost the already substantial rate of economic growth. There are in fact indications that inflation has actually increased in the first half of 1999.

The main heads of expenditure in the public sector budget are defence (6 billion dollars), social security (6 billion dollars) and debt servicing (between 3 and 4 billion dollars). It appears that the public sector budget deficit is increasing in 1999. The total public sector debts amounts to 37% of Turkish GNP.

Attempts to restructure the economy still further have failed because of the political instability in Turkey. Successive coalition governments have failed to find a solution to the problem of the ongoing budget deficits or to the defects of the tax system. Although the Yilmaz government did make some improvement in this connection, its fall and the limited elbowroom of the transitional government under Ecevit have meant that major legislation (including legislation on the banking system, reform of the social security system and privatisation) has not been completed.

A situation has gradually come about in which the Turkish state is benefiting from inflation because of its large internal debts. The amount to be redeemed, although constant in nominal terms and subject to a high rate of interest, is in fact constantly depreciating in real terms because of inflation. This is why curbing inflation will increase the real debt burden of the Turkish state in the short term. In the longer term, when public sector finances have been put on a sound footing and the domestic financial market has thus been stabilised, a budget deficit could best be financed by means of domestic savings. In the short term, however, efforts will be concentrated (with the help of the IMF) on replacing the expensive, short-term domestic debts by cheaper, long-term debts in foreign currency. The exchange rate of the Turkish lira is regularly adjusted within the system of floating exchange rates. Generally speaking, the Central Bank has ensured that the Turkish lira has not been unduly overvalued or undervalued.

Another problem facing Turkey's public sector budget is the generous organisation of the social security system for those eligible to claim. Pensions, for example, are paid once a given period of service has been completed, regardless of the age of the person concerned. The system had a deficit in 1997 that was equal to around 2.5% of Turkish GNP. It has been forecast, for example by the IMF, that this could rise to 5-6% of GNP in 2002, at which level it would become virtually impossible to incorporate the deficit in the budget. The inability of the Turkish authorities to reform this system is contributing to the macro-economic instability. Here too, the dislocating effect of inflation is evident since the purchasing power of pensions and other benefits rapidly decreases.

As mentioned above, Turkey attracts relatively little foreign direct investment. In view of the size of the domestic market and the years of high economic growth, more foreign

investment might have been expected. Macro-economic instability and regulatory inadequacies have been the main obstacles to investment. Total foreign investment averaged \$ 731.2 million per year in the period 1993-1997. This is no more than 0.5% of GNP per year. By way of comparison, Israel, Spain, Portugal and Greece each manage to attract foreign investment of between 1 and 2% of GNP annually. And Hungary attracts considerably more. As already mentioned, Turkey's poor performance in this area is due to regulatory inadequacies, but other contributory factors are opaque bureaucratic procedures, unfamiliarity with the Turkish market and political instability in Turkey and the surrounding region. In addition, many foreign products are manufactured in Turkey under licence or in partnership. The Netherlands was the largest foreign investor in Turkey in 1998, accounting for approximately a quarter of total foreign investment.

#### *IV.1.2 Capacity to cope with competitive pressure within the Union*

A stabilisation programme aimed at bringing down inflation has been mounted in cooperation with the IMF since June 1998. This programme has been overhauled since the Ecevit government took office. In consideration of IMF support of around 10 billion dollars, the Ecevit government intended to embark on a radical restructuring of the Turkish economy, chiefly in order to curb inflation and reduce the public sector deficit. Owing to the rapid succession of governments, too little attention has been paid to combating inflation. The public sector deficit has been one of the factors responsible in recent years for the rise in inflation to levels of around 100% in some months. The problem has been compounded by the deficient structure of the financial sector, which means that Turkish banks find it hard to compete with their counterparts in the Member States of the European Union. No less than 40% of the total assets of Turkish banks is held by public sector banks. The difficulty experienced by trade and industry in finding financing is not only due to the general shortage of money. Another factor is that the private banks are too small to service the business community. But the main problem is that the major banks, which are largely state owned, are less interested in making loans than in the more profitable business of trading and investing in the instruments of internal public sector debt.

The Turkish economy is integrated into the global economy. Imports and exports totalled 23.9% and 29.5% of GNP respectively in 1997. The European Union is Turkey's most important trading partner (51.2% in 1997), but the countries of the former Soviet Union are gaining in importance in this respect (12% in 1997). This means that the Turkish economy is liable to serious problems affecting the economy of these countries. It seems that in 1999 Turkey will be unable to escape the effects of the rouble crisis and that its exports to former Soviet Union countries will be reduced. The Turkish economy is also seriously affected by the sanctions against Iraq. Until the Gulf War Iraq was one of Turkey's major trading partners (oil pipeline, transport routes, border trade etc.). These revenues of over \$ 500 million a year have now largely vanished. Turkey is, however, benefiting from the limited resumption of oil exports from Iraq (under the oil-for-food programme).

Since 1983 Turkey has pursued a policy of privatising state-owned enterprises. Although the pace was initially sluggish, it picked up considerably in 1998 when privatisations were carried out on a large scale. The total projected earnings should total up to \$ 3.6 billion, of which some \$ 2 billion was received in 1998 alone. Among the major projects completed were the sale of Etibank (\$ 155 million), the sale of licences to operate mobile phone networks (\$ 1 billion) and the sale of a 12% stake in Is-bank, one of Turkey's largest banks (\$ 628 million). The plan was to carry out 25 large

privatisation projects (including the sale of Turkish Airlines and Telecom) in 1999 with total estimated earnings of \$ 4 billion. Owing to the changes of government not all the intended projects were implemented. Moreover, the privatisation programme is seriously hampered by the fact that not all the requisite legislation is in place and by the lack of transparency in the decision-making. This opens the door to cronyism, bribery and other forms of fraud. Accusations of such fraud precipitated the political crisis in 1998, which led to the fall of the Yilmaz government.

There are major differences in the level of economic development between the various regions in Turkey. This is why programmes have been drawn up to stimulate economic development in the areas that lag behind (mainly the provinces in central, eastern and south-eastern Turkey). Programmes have also been developed for the "Turkish Republic of Northern Cyprus" as part of the common economic zone. The Ecevit government has announced that it will help south-eastern Turkey economically by means of large-scale industrial projects (electricity generation, irrigation projects, road building, etc.). However, it is questionable whether the Turkish authorities are capable of fully financing these projects. Slowly but surely Turkish companies are investing more in south-eastern Turkey, probably because there is an impression that the PC is no longer able to do much militarily. Foreign businesses, especially Israeli companies, are showing interest in the enormous agricultural area created by the Euphrates and Tigris irrigation projects.

#### **IV.2 Customs union<sup>24</sup>**

As a result of the customs union, the European Union has started to export more to Turkey, thereby worsening Turkey's already negative balance of trade. However, the customs union does create a more liberalised economic climate and thus helps Turkey to participate in the global market. The customs union came into force on 31 December 1995. The aim is for both parties to abolish tariffs on imports. Whereas agricultural produce accounted for 75% of Turkish exports in 1965, the figure was only 10% in 1996. Manufactures and semi-manufactures, especially textiles and clothing, now account for 80% of Turkish exports. Half of Turkish exports to Europe consists of these products. In the negotiations on the customs union Turkey and the European Union failed to reach agreement on agricultural produce and services. However, they agreed to continue the negotiations.

The proximity of such a prosperous area as the EU is of great economic importance to Turkey. 42.6% of total exports went to the European Union in 1997 and 49.7% of imports came from the European Union. Germany is by far Turkey's most important trading partner, but Italy too plays a significant role. The Netherlands, like the European Union as a whole, has a positive balance of trade with Turkey. Another important trading partner is the United States.

The customs union means that Turkey must ensure that its economy is able to compete with that of the European Union. It is also due to the customs union that Turkey is already well on its way to aligning its internal legislation to meet EU standards. The

<sup>24</sup> For a description of the creation of the customs union and the historical background to this, reference should be made to the addendum entitled "The position of the European Union on Turkey: 1959 to the present day".

dismantling of the tariff walls mentioned above is boosting Turkish economic growth. The customs union is providing access to export markets, helping Turkey to rationalise its economy and making it easier for it to attract foreign investment.

Negotiations between Turkey and the European Union on the agricultural sector in the context of the customs union were resumed in 1997. It was agreed that a start should be made on dismantling the protectionist measures. However, the Turkish authorities have largely failed to comply with the agreements that took effect on 1 January 1998 for tariff quotas for beef, cattle, dairy products and other foods. This hesitation to comply can be explained by the high degree of protectionism (high subsidies, cheap credits, guaranteed sales, etc.) that is characteristic of Turkish agriculture. Farms are mainly small and productivity is low. However, it is possible that the reluctance to implement the agreements is also due to the role that some large Turkish food companies may be playing in the background.

There is every reason to believe that Turkey is on the eve of a major transformation in the agriculture and agribusiness sector. 40% of the active population still worked in agriculture in 1997, although its contribution to GNP was under 15%. In the years ahead agriculture will have to modernise in terms of its economic operating criteria, cultivation techniques and ecological compliance. Turkey has great agricultural potential, as has been confirmed by intensive soil studies and agro-ecological surveys. If this potential is developed, Turkey can become a major supplier of food to a large number of countries in the region. In addition, a start can be made on the development of a highly productive agricultural industry aimed at exporting quality, value-added products. Developing this potential will require capital, know-how and expertise. If the transformation process is initiated, it can be expected to result not only in a substantial increase in productivity but also in the release of labour from agriculture.

Chapter VI contains policy recommendations on how to deepen and expand the customs union.

## **V The European Union and the import of conflicts**

It is an essential element of the European Union achievements that the use of force is excluded in relations between the Member States. As no Member State expects another to use force, no preparations are made for such an eventuality. It is for this reason that the European Union is described as a 'security community'. Given the central role accorded to this achievement in the relations between the Member States, it must not be lost simply because further enlargement of the European Union is a political imperative.

The Advisory Council starts from the premise that the European Union should not be prepared to import conflicts that offer no prospect of a solution. If the parties to a conflict do not demonstrate a willingness to exclude the use of force and to work towards a political solution, the tension could subsequently spiral to a point at which the dispute is no longer controllable by the European Union and the effects on the Union would be incalculable. It was precisely for this reason that the countries of Central and Eastern Europe, interested in becoming members of the European Union, were asked in the mid-1990s to join the Stability Pact (Balladur Plan) which was concluded in Paris in March 1995. In order to promote neighbourly relations between the countries concerned, the accession negotiations were made conditional upon their own efforts to resolve their problems, particularly border problems, with neighbouring countries and to resolve problems involving minorities. This has been done in numerous declarations and agreements that have been added to the Stability Pact. Where desired by the parties concerned, the European Union has provided guidance in the settlement of disputes and held out the prospect of aid. *In the view of the Advisory Council the line of thinking on which the Stability Pact was based could be a valuable addition to the Copenhagen criteria when it comes to relations with Turkey and the complex of relations between Turkey, Cyprus and Greece.*

### **V.1 Turkey and the armed struggle of the PC**

The situation of the minorities in Turkey has, where relevant, been raised above. The most striking minority issue in Turkey at present is that of the Kurds, partly because of the armed insurgence of the Kurdistan Workers' Party (PC) in south-eastern Turkey. The population of south-eastern Turkey finds itself caught in the crossfire, sometimes all too literally. The violations of human rights in this region by the Turkish authorities and by the PC are a cause of major concern.

The arrest of PC leader Abdullah Öcalan in February 1999, the subsequent threat of the PC to carry the armed struggle to other parts of Turkey and the demonstrations by Kurds in European countries have plainly demonstrated the intensity of the struggle. In these circumstances the possibility of a political dialogue would still seem remote, particularly since there is a chance that the passing of the death sentence on the PC leader could cause the armed struggle to flare up. During his trial Öcalan called on his followers to stop the armed struggle, but also threatened that the armed struggle would be intensified if he were executed. The Turkish Prime Minister Bülent Ecevit has, for his part, called on the PC members to give up the armed struggle. A law is being prepared to make provision for members who have left the ranks of the PC. The Ecevit government has also announced that it intends to stimulate the social and economic development of south-east Turkey by economic aid programmes aimed at promoting

investment and trade. The European Commission too proposed in 1997 that the economic development of the region should be promoted as part of the MEDA programme. This proposal is now before the European Parliament.

The course of the proceedings against PC leader Öcalan has been reviewed by a variety of bodies including the Council of Europe, Amnesty International and the European Union. Views are divided on whether the standards of an open and independent trial both at national and at European level have been fulfilled hitherto. It is important to note in this connection that the case against the PC leader must still be heard on appeal. Even if the death sentence is upheld on appeal, it must still be approved by the Parliament and the President. In addition, the case has also been brought before the European Court of Human Rights in Strasbourg. Generally speaking, the Kurdish question is too complicated and relations between Turkey and the European Union are too wide-ranging to make them exclusively dependent on the fate of the PC leader. However, if the death sentence is ultimately carried out this is bound to affect relations between Turkey and the European Union in the short term.

Although the Kurdish problem is defined as a minority rights issue, this should not obscure the fact that countless Kurds are fully assimilated into Turkish society. Indeed, the majority of Kurds do not live in south-eastern Turkey but in the west of the country (in the big cities). It is, therefore, all the more astonishing that the Turkish state makes no distinction between, on the one hand, Kurds who wish to assert their identity in freedom and, on the other, the armed fighters of the PC. There is only one organisation that stands to gain from this situation: the PC. *In view of the international legislation on this subject the Advisory Council believes that scope should be created in Turkish society for assertion of Kurdish identity. If Turkey wishes to become a member of the European Union, it must show that it is no longer resorting only to force to solve its problems with the Kurds and is instead endeavouring to achieve a political solution.*

## **V.2 A constant bone of contention: Cyprus**

### *V.2.1 General*

The intractable nature of the Cyprus issue is illustrated by the length of time that the UN peacekeeping force has been present on the island. It has been stationed there since 1964 and has had a Dutch contingent since 1998. During this period numerous mediators acting under the aegis of the UN have tried and failed to resolve the conflict. One of these is the American diplomat Richard Holbrooke, whose proposal of a 'Day-ton-type' approach has been rejected by both parties. The group of industrialised countries and the Russian Federation (the G8) tried to get things moving in the right direction in June 1999 by calling on the parties to hold discussions in the autumn of 1999 without making preconditions. This appeal was made under the auspices of the United Nations, which itself called on the parties to embark on discussions in Security Council Resolution 1250 of 29 June 1999.

Before 1960 Cyprus had almost always been part of larger empires, for example the Ottoman Empire and later the British Empire. When Cyprus gained its independence in 1960 three countries - the United Kingdom, Turkey and Greece - guaranteed its independence, territorial integrity and security. The 1960 Treaty of Guarantee also provided that Cyprus could not participate in a union with another country or be partitioned into a Greek and a Turkish part.

It was not long after 1960 that Cyprus experienced a political and constitutional crisis. This was accompanied by an armed struggle that cost many lives in both communities. After mediation in 1964 a United Nations peacekeeping force (UNFICYP) was stationed on Cyprus in an attempt to end the armed struggle. Initially UNFICYP did not succeed. During the armed struggle, which continued throughout the 1960s, talks were also held between representatives of the two communities. Even at that time the respective delegations were led by Glavkos Clerides, the present President of the Republic of Cyprus, and Rauf Denktash, the President of the "Turkish Republic of Northern Cyprus", which is recognised only by Turkey. These talks were fruitless.

Following a pro-Greek coup d'état on Cyprus, Turkey intervened in 1974 (this was, incidentally, at a time when a previous Ecevit government was in office). The Turkish army occupied about 37% of the territory of Cyprus. As a result of the conflict, tens of thousands of Turkish Cypriots fled to the north of the island and over 100,000 Greek Cypriots to the south. Cyprus has been partitioned de facto since 1974 and an imaginary Green Line boundary separates the Turkish Cypriot and Greek Cypriot communities. Tension can mount quickly and unexpectedly, as became apparent in 1996 when incidents on both sides of the demarcation line cost lives.

Formally speaking, the sole mediator on Cyprus is the United Nations, supported by among others the European Union and by the United Kingdom (in its role as guarantor power). It remains to be seen whether the G8's call of June 1999 and Resolution 1250 of the United Nations Security Council, which was adopted on 29 June 1999 and which urges the parties to negotiate without preconditions, can break the current impasse in the mediation process. Hitherto the representatives of the two communities have always imposed preconditions for the start of discussions. The Greek Cypriots demand the complete demilitarisation of the island, but this is unacceptable to the Turkish Cypriots because it would entail the departure of the Turkish troops. In the opinion of the Turkish Cypriot community this would leave them insufficiently protected, just as before 1974. For their part the Turkish Cypriots demand as a precondition for talks recognition of the "Turkish Republic of Northern Cyprus" as a sovereign entity and equal to the (Greek) Republic of Cyprus. This is unacceptable to the Greek Cypriots because such a recognition would legitimate the partition of Cyprus. In fact, there is still what is termed a 'set of ideas' of the United Nations dating from 1992, which lists the points on which Greek Cypriots and Turkish Cypriots have agreed in the past. This could form the basis for an overall settlement. As far as practical cooperation is concerned, there is a package of fourteen confidence-building measures, which have been drawn up by the United Nations. Although they have not been accepted, they can help the two communities to cooperate at a practical level.

Despite all the efforts by the United Nations it has to be concluded that there is still not even a glimmer of a solution. The problem is all the more serious because, as stated above, the Treaty of Guarantee provides that Cyprus may not be partitioned into a Greek and a Turkish part. This situation is now damaging the relations of both Greece and Turkey with the European Union. Although Cyprus takes the position that it must join the European Union in 2003, there seems no prospect of a solution if the current approach is continued. This may in itself cause the situation to deteriorate still further. It also raises the question of whether the existing treaty obligation to achieve an unpartitioned Cyprus is compatible with accession to the European Union. Alternatives may have to be considered at some point, including a permanent partition of Cyprus with

the consent of the parties concerned. As long as this potential solution is beyond the internationally accepted parameters of the Cyprus issue, there seems little point in elaborating it more fully. This is why the Advisory Council simply mentions this possibility and will now concentrate on proposals that are more in keeping with the way in which the (international) debate on Cyprus is currently being conducted.

#### *V.2.2 Cyprus and the European Union*

There has been an association agreement between Cyprus and the European Union (and formerly the Community) since 1973. The application for membership in 1990 was preceded by a customs union between the European Community and Cyprus, which resulted in an intensification of economic relations after 1988. To all intents and purposes this is restricted to the Greek part of Cyprus. The decision to start accession negotiations with Cyprus formed a quid pro quo for the consent to a customs union with Turkey. The underlying idea of the European Union was that accession negotiations would induce the Greek Cypriot and Turkish Cypriot communities on the island to break the impasse in connection with the partition of the island. It might also help to ease relations between Greece and Turkey. In the mid-1990s, following publication of its opinion on the accession of Cyprus in 1993, the European Commission ordered an 18-month pause in the process in order to induce the parties to negotiate a possible solution. This was unsuccessful at that time.

Accession negotiations with Cyprus were formally initiated in 1998. At present, the European Commission is screening the progress that Cyprus has made in adopting the 'acquis communautaire'. In practice this screening has been confined to the Greek part of Cyprus. As the Greek-Cypriot government does not have control over the entire territory of Cyprus, it cannot guarantee that the acquis will be implemented throughout Cyprus. Cyprus has indicated that it wishes to join the European Union in 2003.

The objective of the European Council, as formulated at the Luxembourg meeting, is also important in this connection. This is to ensure that the future accession of Cyprus benefits both communities on the island. In addition, the European Council has emphasised the importance of Turkish-Cypriot participation in the delegation that negotiates accession. At present, however, the negotiations are being conducted by a delegation consisting solely of representatives of the Greek Cypriot community. This is because the Turkish Cypriots have taken the position that the application for accession to the European Union is unlawful because the Republic of Cyprus is not competent to speak on their behalf. In addition, they have invoked the Treaty of Guarantee which provides in their view that neither Turkey nor Greece may obtain a preferential relationship with Cyprus. According to the Turkish Cypriots, who are supported by Turkey, this provision of the Treaty of Guarantee would be breached upon accession to the European Union because Greece but not Turkey is a member of the European Union. Despite an offer by President Clerides of the (Greek) Republic of Cyprus, representatives of the Turkish Cypriots have therefore refused to be part of the negotiating delegation. On the contrary, since the accession negotiations started the leader of the Turkish Cypriots Rauf Denktaş has even given the impression that he wants nothing more to do with the European Union. He receives no representatives of the European Union and has indicated quite unequivocally that as the accession negotiations have started with a delegation consisting exclusively of Greek-Cypriots, the Turkish Cypriot community does not wish to be involved in the accession process under any circumstances. Since the start of the accession negotiations Turkey and the Turkish-Cypriot community have greatly intensified their cooperation.



The view of the Netherlands Government is that the accession negotiations should go hand in hand with the search for a political solution to the Cyprus issue, preferably under the auspices of the United Nations. The Netherlands proceeds on the assumption that in the present circumstances accession will ultimately not be possible without a solution to the existing problem of partition. A declaration drawing attention to the specific problems posed by the negotiations with Cyprus and to the problems involving the functioning and coherence of the Common Foreign and Security Policy (CFSP) was issued by France, Italy, Germany and the Netherlands at the start of the accession negotiations in 1998. According to Greece, this position means that not all candidates for membership are being treated equally, which could jeopardise the entire accession process. This is tantamount to saying that if Cyprus is not among the countries joining the Union, the entire enlargement of the European Union may be blocked.

### *V.2.3 A different attitude towards Cyprus's accession*

The intractable nature of the Cyprus issue is clear from what has been said above. No solution is possible without the cooperation of the four parties involved, i.e. the Greek Cypriots, the Turkish Cypriots, the Greeks and the Turks. Since both sides believe that time is working to their advantage - the Greek Cypriots expect that Cyprus will become a member of the European Union and the Turkish Cypriots that the northern part of the island will eventually obtain independence - they confine themselves to repeating their diplomatic formulas whenever there is an attempt at mediation. In consequence, the parties are digging themselves deeper and deeper into their trenches, and a solution is still as far away as ever.

*In the light of the above the Advisory Council comes to the following conclusions regarding the negotiations on the accession of Cyprus to the European Union:*

- \* The Advisory Council agrees with the position taken by the Netherlands Government to the effect that in the present circumstances membership of the European Union is not possible for Cyprus. The Advisory Council considers that Cyprus's membership should not be on the agenda at present. Its accession at this juncture would, after all, mean that a conflict which offers no prospect of a solution and in which the use of force cannot be excluded would be imported into the European Union.*
- \* The Advisory Council notes that the intention behind the European Union's decision to embark on the accession negotiations with Cyprus has hitherto been frustrated. The negotiations have not yet induced the parties concerned to make an effort to bring closer a solution to the conflict. On the contrary, the accession negotiations themselves and the manner in which they are being conducted have now become a subject of disagreement. In the opinion of the Advisory Council, the accession negotiations with Cyprus should not produce a tangible result in these circumstances. If the prospect of membership does not have the intended effect, this effect will not materialise once Cyprus - or, rather, part of Cyprus - has passed through the door of the European Union and become a Member State. The prospect of membership gives the European Union more scope for influencing the situation on Cyprus - provided it is willing to use it - than Cyprus's actual membership.*
- \* As mentioned above, Greece has raised the possibility that if Cyprus is not treated in the same way as the other candidates for membership, Greece may not agree to the overall enlargement of the European Union. However, the Advisory Council sees*

*no political, substantive connection here and would point out that Cyprus - unlike the other candidates - is a divided country. In the opinion of the Advisory Council, this fact has been wrongly overlooked in the recent past: Cyprus should no longer be treated on an equal footing because, unlike the other candidates for membership, it is divided and there are no indications that the accession negotiations will have any effect on the attitude of the parties concerned to their political conflict.*

### **V.3 Greece and Turkey: soured relations becoming sourer**

Greece and Turkey are oversensitive to each other. Greece feels threatened by its much larger neighbour, which also has a large military machine. Turkey, for its part, feels at a political disadvantage, partly because of Greek membership of the European Union. The negative images that each has of the other are mutually reinforcing and result in comparable behaviour: politicians play on national sentiments, the media emphasise rivalries rather than common interests, and the governments allow themselves to be led by public opinion rather than giving a lead themselves. Indeed, the governments of the two countries are constantly reacting to or anticipating each other's actions. The main subjects of disagreement between Greece and Turkey are the issues connected with the Aegean and Cyprus. Nonetheless, mutual recriminations about the treatment of minorities (Turks in Western Thrace, Greeks in western Turkey and Kurds in Turkey) and (alleged) Greek support for the armed struggle of the PC also fly thick and fast.

Relations between Greece and Turkey have soured. The Greek position is jeopardising not only relations between the European Union and Turkey but also relations between Greece and other Member States of the European Union. Greece systematically thwarts decisions in the European Union on relations with Turkey. The conclusion of the customs union with Turkey was an exception to this, but only because there was the quid pro quo of the start of the accession negotiations with Cyprus.

Under the terms of the customs union the European Union has promised the following assistance to Turkey:

1. regular assistance in the context of the MEDA programme (Barcelona process) amounting to 375 million euros;<sup>25</sup>
2. special assistance to support the customs union amounting to 375 million euros;
3. loans of 750 million euros to be granted by the European Investment Bank;
4. macroeconomic support for the implementation of the Turkish programme of economic reform; no amount has been fixed for this.

This assistance has been largely frustrated as a result of Greek vetoes. Greece has agreed only to the granting of loans by the EIB on a small scale. It has withheld its consent to the provision of financial assistance under the customs union because of a dispute about the islet of Imia/Kardak in the Aegean. Although the political crisis occasioned by this dispute has now passed, Greece has not changed its attitude. The argument now advanced is that Turkey should recognise the jurisdiction of the International Court of Justice both in this dispute and in other disputes about islands in the Aegean.

<sup>25</sup> The European Parliament has indicated that this money must be spent on civil society, the rule of law and democracy.

Given the relative ease with which this Greek attitude is accepted, the extent to which the other Member States of the European Union are willing to stand up for the development of relations with Turkey is questionable. At present they can hide behind Greece and need not nail their colours to the mast. It does not, in any event, look for the time being as though the financing of the customs union can be arranged in the Council of Ministers. This is why alternatives are being sought. There is, for example, a suggestion that part of the money could be designated as development aid (approximately 150 million of the total of 375 million). A decision on this can be taken by majority vote, thus avoiding the need for unanimity. This suggestion is presently being considered by the European Parliament. Greece has already announced that if such a decision is taken it will challenge it before the European Court of Justice. This would mean years of delay. In the short term, therefore, this approach would solve nothing. And in the long term it is doubtful whether the Court of Justice would approve this manner of making available part of the money for the customs union with Turkey. The other Member States of the European Union evidently see no options to circumvent the Greek position. The end result, however, is that the European Union is now being accused by Turkey of being an unreliable partner on account of its failure to fulfil its financial obligations.

#### **V.4 A fault confessed is half redressed**

The present policy of the European Union is not producing the desired results:

- \* When Greece joined the European Union in 1981 both Greece and the European Union declared that this accession would not influence relations between Turkey and the European Union. A comparable declaration was issued at the start of the accession negotiations with Greece in 1975. These declarations must be observed within the European Union if relations with Turkey are to be developed further.
- \* When Greece became a member of the European Union, it was expected that this would lead to a mellowing of Greek attitudes to Turkey and, in the longer term, contribute to the stabilisation of relations between Greece and Turkey. The effect has been the opposite. From the comfortable position of membership of the European Union, Greece has actually hardened its stance and now has no incentive whatever to adopt a constructive attitude. Evidently membership of the European Union has not been able to remove Greece's sense of insecurity in relation to Turkey. Another unintended effect is that Turkey's position too has hardened.
- \* One of the conditions for countries of Central and Eastern Europe that wish to become members of the European Union is, in effect, that they should regulate relations with neighbouring countries and solve disputes about minorities. The basic premise is that new Member States should not import unresolved conflicts with neighbouring countries and/or minorities into the European Union. As mentioned previously, the Stability Pact has been established for this purpose. The present policy of the European Union has led to a situation in which Greece - an EU Member State - is not acting in accordance with the standards required of other states. It should be noted in this connection that the other Member States of the European Union have given Greece a free rein in political terms to act in this way.
- \* By opening accession negotiations with Cyprus the European Union planned to bring a solution closer and hoped that the parties would relax their positions. In the event, however, a solution to the present partition of Cyprus is no nearer and

seems even further away than ever. Here too one party (the Greek Cypriots) feel themselves to be in a comfortable position: they need not budge and can take an uncompromising stance. This is all too eagerly seized upon by the other party (the Turkish Cypriots) to formulate uncompromising positions of their own. Furthermore, Turkey and the "Turkish Republic of Northern Cyprus" are intensifying their ties, one of the implicit objects being to complicate closer relations between Cyprus and the European Union.

*On the basis of this analysis, the Advisory Council takes the view that the European Union should not continue to import conflicts which it is clearly unable to help resolve. This means that it is necessary to avoid importing the conflict about Cyprus into the European Union. This is why the Advisory Council argues in V.2.3 that the accession negotiations with Cyprus should not produce a tangible result.*

*The complex of relations between Turkey, Greece and Cyprus should also be viewed in this light. In the AIV's opinion the European Union should adopt a more active role in an attempt to help improve relations between Greek-Cypriots, Turkish Cypriots, Greeks and Turks:*

- \* The fourteen other EU Member States should no longer allow themselves to be towed along by Greece in matters concerning relations with Turkey. The European Union should give priority to fulfilling its obligations under the customs union. It has hitherto made insufficient efforts to provide the financial assistance to Turkey in the agreed manner. If Greece refuses to accept that its negative attitude has now become counter-productive, the other fourteen countries should make the financial resources available at national level - in other words outside the European Union - in order to compensate Turkey for the EU's default. The Advisory Council requests the Netherlands Government to promote this. To obviate any misunderstanding, the Advisory Council considers that the Netherlands too should offer this financial compensation to Turkey in its bilateral relations. As Turkey is not eligible for funds in connection with the enlargement of the European Union and as Turkey is no longer eligible under the ORET programme (Development-related Export Programmes) since the per capita income of the population is too high, this compensation could mark the start of a Turkish facility: i.e. financial resources that can be used by the Netherlands Government to intensify relations with Turkey.*
- \* By analogy with the thinking underlying the Stability Pact for the countries of Central and Eastern Europe, as described in this chapter, and in keeping with the G8 initiative and the efforts of the United Nations, the European Union should endeavour to induce the parties to work towards a solution concerning the Cyprus issue. The Advisory Council recommends that the Netherlands Government convey this position more emphatically. It must be made clear that the responsibility lies in the first instance with the parties concerned - the Greek Cypriots, the Turkish Cypriots, the Greeks and the Turks - and that the European Union is prepared to use its good offices provided that there is a willingness to reach a solution. In practice these good offices might amount to the provision of expertise to solve practical problems and the prospect of financial support if progress is made in resolving the conflict.*
- \* It will have to be made clear to the parties concerned that before there can be any question of membership relations between them should be regulated in the same manner as those between the countries of Central and Eastern Europe under the*

*terms of the Stability Pact. If the parties concerned fail to resolve the issues between them despite the good offices of the European Union, neither Cyprus nor Turkey can, according to this line of thinking, become a member of the European Union.*

# VI A political agenda for Turkey and the European Union

## VI.1 Forty years of equivocation

Turkey and the European Union (formerly the Community) have spent the best part of forty years communicating with each other in equivocal terms. Relations between them go back to 1959, the year in which the negotiations started on the association agreement between the EEC and Turkey which was concluded in 1963. (For a detailed chronological survey of the position of the European Union on Turkey, reference should be made to the addendum entitled 'The position of the European Union on Turkey: 1959 to the present-day'. This also contains a summary of important documents on the relations between Turkey and the European Union.) After an initial period during which the association was developed in a fruitful manner, the relationship was put on the back burner for economic and political reasons, notably the coup d'état of 1980. Nonetheless, the European Union (the Community) continued to profess that intensification of the relationship was necessary and did not discourage Turkey from aspiring to membership.

Turkey applied for membership of the European Community in 1987. The EC indicated in its response to the application in 1990 that Turkey was not yet ready for membership in social and economic terms, that there were insuperable differences between Turkey and Greece and that there were problems in Turkey in connection with democracy, human rights and minorities. Since it nonetheless considered that it should strengthen its ties with Turkey, the Community proposed that there should be a political dialogue ("at the highest level") and a customs union.

Five years later, on 31 December 1995, the customs union between Turkey and the European Union took effect. As described in chapter V.3, Greece is withholding its assent to the implementation of the financial assistance package of ECU 375 million to Turkey under the customs union.

During the second half of the 1990s the Member States of the European Union and its institutions (the European Parliament, the European Commission, the General Affairs Council and the European Council) regularly expressed their concern about the strengthening of democracy, about human rights and about the position of minorities in Turkey. However, the political signals given by the Member States and institutions of the European Union about the consequences that they attach (or wish to attach) to cooperation with Turkey have differed and have also been inconsistent over time. This inadequate coordination - the failure to speak with one voice - has sometimes been described by the European Union as "constructive ambiguity", that is ambiguity intended to guide relations with Turkey into the right channels. From Turkey's point of view this has tended to cause confusion about the course taken by the European Union.

Turkey was very dissatisfied with the results of the Luxembourg European Council (December 1997) because it was not treated in the same way as the other candidate States.<sup>26</sup> Moreover, Turkey believes that the conditions imposed on it as regards improvement of relations with Greece, observance of human rights, protection of minorities and solving the Cyprus issue are one-sided. It regards participation in the European Conference as insufficient compensation and has therefore not taken part in it to date.

Turkey's reaction shows that psychological factors play an important role in its relations with the European Union. The reaction to the decisions of the Luxembourg Council is explained by a recurrence of the "Sèvres feeling" (as explained in II.1.1, Turkey felt humiliated by the Treaty of Sèvres after the First World War): in other words, a feeling that the European countries again wish to determine Turkey's fate without allowing it to have a say in the decision. Turkey feels that as a result of the decisions taken in Luxembourg it has not been treated as an equal partner and recognised as part of Europe. It is undeniable that the European Union has given other states precedence over Turkey in starting negotiations on accession and drawing up a pre-accession strategy. In consequence, Turkey has been sent to the back of the queue, despite relations with the European Union stretching back some 40 years.

Over the years the Turkish government has not always been clear about its position on Europe. It has regularly swung between enthusiasm and aloofness. Since the Luxembourg European Council aloofness has been the order of the day. In Ankara there is no belief that the European Union is really prepared to admit Turkey. Although the political compass of the Turkish elite still points to Europe, there is less willingness than formerly to take much heed of the European political agenda. However, the position is a cause of concern to the Turkish business community. Turkey's ambivalence makes it vulnerable to changing signals from the European Union.

Although documents on relations between Turkey and the European Union have been drawn up by both parties since the Luxembourg European Council they have not brought about any improvement in these relations. The positive phrases employed time and again by the European Union to dangle the prospect of membership before Turkey can no longer conceal the differences. Whenever Turkey's membership seems to be just within reach, the European Union manages to put it beyond Turkey's grasp again. This cycle of inviting and rebuffing advances results in mutual incomprehension and frustration. Turkey is frustrated because the European Union is constantly asking Turkey to adapt and, when it does so, is still refusing to recognise Turkey as a European state on a basis of equality. The European Union for its part cannot understand how Turkey can time and again maintain that its future lies in Europe and yet fail to take the practical steps necessary for this purpose. Each side then blames the other for getting no further than protestations of good intentions. Turkey blames the European Union for the insufficient prospect of membership and the European Union blames Turkey for its insufficient efforts to regulate practical matters.

This can be illustrated by the attempts of the German presidency to secure acceptance of Turkey as a candidate State at the Cologne European Council in June 1999. Despite the obliging attitude taken by Turkey these attempts failed, partly due to Greek and

26 The term candidate State is used both for the countries with which the European Union is negotiating on accession (Cyprus, Hungary, Poland, Estonia, the Czech Republic and Slovenia) and for the countries with which the preparations for negotiations on accession are being discussed. (This pre-accession strategy applies to Romania, Slovakia, Latvia, Lithuania and Bulgaria.) Turkey belongs to neither group. However, it has been invited to the European Conference, as have all the other countries referred to above. The European Commission reported on all these countries (i.e. including Turkey) in November 1998 in its Regular Reports on Progress towards Accession. (For the Regular Report on Turkey see the addendum entitled "The position of the European Union on Turkey: 1959 to the present day'.)

Italian opposition. In the opinion of the Advisory Council, recognition of Turkey as a candidate State will remain too much a political step of symbolic value unless it is accompanied by a deepening of cooperation at a practical level.

Turkey and the European Union have both benefited to some extent from this equivocation. Turkey has not *actually* had to commit itself to the European Union and vice versa. However, the incomprehension and frustrations have led to such a level of equivocation that it is no exaggeration to say that Turkey and the European Union have become estranged. Ambiguous phrases can no longer conceal the cracks in the relationship. This is why the Advisory Council proposes that the European Union should try to be clearer about the future of relations with Turkey.

## **VI.2 From discussion about membership to practical cooperation**

The Advisory Council starts from the premise that Turkey is a country of importance to the European Union. It is a regional power which continues to be of strategic significance both from a political and economic viewpoint and from the viewpoint of security policy. If the relations between the European Union and Turkey are to be put on a new footing the debate should, in the view of the Advisory Council, for the time being avoid focusing on the desirability of Turkey's membership of the European Union. As a corollary, the European Union should take concrete steps to intensify the customs union with Turkey and should no longer hide behind Greek vetoes. In short, the European Union should show itself to be a reliable partner.

The following factors suggest that the relations should be revitalised and put on a more practical footing:

### *1. Mental acceptance*

The basic question is whether Turkey can in principle become a member of the European Union. This question was dealt with in chapter I. While acknowledging the political and cultural differences between Turkey and the European Union (and its Member States), the Advisory Council noted that Turkey could not be refused on the grounds of its religion (Muslim) or history (Ottoman), and could in principle become a member of the European Union. Whether the two parties succeed in overcoming their political and cultural differences largely depends on their own efforts. It goes without saying that such a process will take time.

### *2. Practical cooperation*

There is much cooperation between Turkey and the European Union (and its Member States) at the political, military and economic levels. This practical cooperation takes place to some extent outside the framework of the European Union, namely in NATO (security), the OSCE (political cooperation), the Council of Europe (mainly human rights) and the OECD and the WTO (economic cooperation).

### *3. Formal accession*

Points 1 and 2 can pave the way for formal accession. Turkish membership of the European Union should be the conclusion of a process in which Turkey and the European Union accept each other as partners and have the opportunity to draw closer together through practical cooperation.

The Advisory Council believes that the dissension about Turkey's accession to the European Union is hampering the debate on further intensification of practical coopera-



tion. It must therefore be plainly acknowledged that accession negotiations with Turkey should not start before they have a chance of success. In the meantime there should be a growing willingness on the part of both sides - Turkey and the EU Member States - to make mutual adjustments. This will require perseverance for the following reasons:

- \* The European Union is only at the start of the process of bridging its political and cultural differences with Turkey, although there are already between 17 million and 21 million Muslims living in the Member States of the European Union. In this respect, the future accession of Turkey is bound to strengthen the arguments for according Islam and Islamic culture a place in Europe.
- \* The European Union has not yet made the slightest preparations for the accession of a country of the size of Turkey. The financial effects on the common agricultural policy and the structure and cohesion funds are at present incalculable. But what is more important is that Turkey will be a factor of importance in the balance of power within the European Union and will radically affect relations between the Member States and within the EU institutions. The European Union has not yet considered these aspects of Turkey's possible future membership.
- \* Turkey is ambivalent about its European aims. Turkey is much less concerned about its European positions, view and standards and values than, say, the countries of Central and Eastern Europe. Full political, economic and legal integration with the EU Member States will entail such far-reaching changes to the domestic political situation in Turkey that the customs union will, by comparison, seem in retrospect mere child's play.
- \* Turkey is still a long way from being the kind of European democracy that is customary in the European Union. It does not fulfil and indeed in some cases does not wish to fulfil the criteria of Copenhagen as interpreted by the European Commission. As already noted, the main problems are in the fields of democracy, human rights and the rights of minorities rather than in the application of the economic criteria.<sup>27</sup>

Even if membership of the European Union is still far away for Turkey, mental acceptance and practical cooperation would benefit both Turkey and the Union and would also be worthwhile in themselves.

### **VI.3 A Turkish-European agenda for practical cooperation**

The recent history of relations between Turkey and the European Union is such a chapter of disappointments and misunderstandings that it would be arrogant to believe that proposals and policy recommendations could bring about major progress. Turkey's membership is still far away, and the prospect of membership has been dangled for so long that it has now lost its function as a sop. Indeed, the internal situation in Turkey since the elections of 18 April 1999 suggests that nationalism is resurgent. This is why it would be better to try - without having too many illusions - to improve the climate by means of concrete steps aimed at the gradual establishment of closer relations between Turkey and the European Union. This is the aim of the Turkish-European agenda described below.

<sup>27</sup> The Copenhagen criteria are described in footnote 12 to chapter I.

The European Union should take account in this connection of the expectations it has aroused in Turkey. The Turks argue that Turkey is entitled to membership of the European Union on the basis of the association agreement. By contrast, the Member States of the European Union argue that the political aim was to cooperate with Turkey and that the possibility of membership would be examined in this connection.<sup>28</sup> When the association agreement was concluded in 1963, however, the other contracting party was the European Economic Community and not a European Union involving close cooperation in the economic (monetary) and political fields. Whatever the case, it would seem advisable for practical reasons for cooperation to concentrate for the time being on the economy, in other words the First Pillar of the European Union (sectoral integration). The customs union has already provided the basis for this cooperation. Cooperation within the Second Pillar can remain limited because Turkey is a member of NATO, quite apart from the European interest in ensuring that Turkey is involved in good time in decisions on European-led military operations. However, Turkey is by no means ready for participation in the Third Pillar, although some of the themes of this Pillar are suitable for cooperation. As the Turkish-European agenda continues to evolve, the Second and Third Pillars of the European Union can be involved more closely in the cooperation.

### *VI.3.1 Preliminary work*

- \* As argued in chapter V, the European Union should give priority to fulfilling its obligations in the context of the customs union. It has hitherto made insufficient effort to provide Turkey with financial assistance in the agreed manner. If Greece refuses to accept that its negative attitude has now become counter-productive, the other fourteen countries should make the financial resources available at national level - in other words outside the European Union - in order to compensate Turkey for the EU's default. The Advisory Council requests the Netherlands Government to promote this. To obviate any misunderstanding, the Advisory Council considers that the Netherlands too should offer this financial compensation to Turkey in its bilateral relations. As Turkey is not eligible for funds in connection with the enlargement of the European Union and since Turkey is no longer eligible under the ORET programme (Development-related Export Programmes) since the per capita income of the population is too high, this compensation could mark the start of a Turkey facility on the budget of the Netherlands ministry of Foreign Affairs: i.e. financial resources that can be used by the Netherlands Government to intensify relations with Turkey.
- \* Turkey for its part may be expected to make an unambiguous statement of its European aims and to show itself prepared in principle to accept the Copenhagen criteria.<sup>29</sup> The problems are mainly with the criteria of democracy, human rights and respect for minorities, rather than with the economic criteria. A clear statement on this by Ankara would make it easier for the advocates of cooperation in the European Union to plead Turkey's case. Such a statement would be desirable not only

28 Prime Minister Ecevit stated in Die Zeit of 25 March: "Wir betrachten es auf der Grundlage des Assoziierungsabkommen von 1963 als unser Recht, EU-Mitglied zu werden". However, article 28 of the Association Agreement merely refers to examination of "the possibility of Turkey's accession to the Community".

29 Prime Minister Ecevit recently stated publicly that he did not wish to accept all the criteria: "Dem Kopenhager Minderheitenkonzept können wir uns nicht anschliessen" (Die Zeit, 25 March 1999).

with a view to future membership, but also because the efforts to gain acceptance of the Copenhagen criteria are worthwhile in themselves. The Advisory Council is very well aware that if Turkey were to make a frank statement to this effect it would be committing itself to adjustments that entail far-reaching changes to its political culture and internal position. Without visible progress in the areas of further democracy, observance of human rights and respect for minorities, the political distance between Turkey and the European Union will remain.

#### VI.3.2 *The customs union and further economic cooperation*<sup>30</sup>

- \* The Advisory Council considers it important that the operation of the customs union should be strengthened still further by providing Turkey, if desired, with technical assistance and working more closely with it in the administrative field. The aim should be to ensure that the customs union functions as well as possible in administrative and technical terms. There could, for example, be support or cooperation in relation to the cumulation of rules of origin, agreements on customs transit and the single document, and the conclusion of preferential agreements by the European Union with third parties (which in general affect the operation of the customs union).
- \* Turkey has largely completed the programme of legislation required by the customs union. This is why the Advisory Council sees merit in the idea put forward by the European Commission of enabling Turkish officials responsible for applying the statutory regulations to spend a period with the services of the European Commission in order to gain practical experience. The Advisory Council proposes that this idea be taken a stage further by: (1) casting it in the form of an exchange programme designed also to allow officials of the European Union to become more sensitive to Turkey's problems in implementing legislation, and (2) initiating an exchange programme for customs union legislation with Turkey on a bilateral basis.
- \* The Advisory Council recommends to the Netherlands Government that it helps to intensify the consultations with Turkey in the areas that are of direct interest to the functioning of the customs union. As direct investments and other capital flows (especially through banks, insurers and so forth) seem to be playing an increasingly important role in economic relations between the European Union and Turkey, the Advisory Council recommends that there should be closer consultation on this subject and that technical assistance should be provided. Turkey has indicated its willingness to engage in such consultation with the European Union.
- \* In view of Turkey's negative balance of trade with the European Union, efforts should be made not only to see how trade barriers can be removed but also to devote more attention than in the past to increasing Turkey's exports to the EU. As a first step, the European Commission could cooperate with the Ministry of Economic Affairs in Ankara in listing the most promising export sectors.
- \* In view of the importance of public procurement to the operation of the internal market, the Advisory Council recommends that the Netherlands Government helps to open negotiations with Turkey on this subject.

<sup>30</sup> These policy recommendations are based on the European strategy for Turkey and the Regular Report on Turkey, both of which are documents of the European Commission

- \* The high rate of inflation and defective operation of Turkey's financial sector in the broad sense (e.g. the banking industry, insurance industry, pension system and social security system) are generally regarded as the main obstacles to the further development of the Turkish economy. The link between the necessary reforms of the social security system and the equally necessary strengthening of the domestic capital and money markets is also starting to become apparent. The Advisory Council therefore recommends that the European Union (and the Netherlands in particular, since it has special expertise in this field) should strengthen this cooperation and offer technical support that is coordinated with the World Bank and the IMF. Cooperation in this field should concentrate above all on combating some of the main causes of the inflation that is dislocating the economy.
- \* The Advisory Council recommends that a political dialogue be initiated with Ankara on the free movement of capital (building on articles 50, 51 and 52 of the association agreement). The topics could include further liberalisation by Turkey (abolition of limitations on foreign investments, property transactions, application of legislation to the banking and insurance industries, etc.) and the effects of the introduction of the euro on the customs union and economic cooperation.
- \* The Advisory Council proposes that the negotiations with Turkey on the free movement of services should be pursued with vigour in view of the importance of this sector to the Turkish economy and to the operation of the internal market of the European Union. Important sectors that could be suitable for economic cooperation include transport and telecommunications. The efforts of the European Commission to achieve a preferential agreement for services with Turkey should be supported.
- \* The customs union definitely has the potential for further development in the agricultural sector. What is of particular importance from the point of view of the European Union is the reluctance to implement the agreements regarding market access. The Advisory Council supports the European Commission's programme to establish free movement of agricultural products. It is therefore desirable that the talks on scaling back tariff and other trade barriers should be expedited, so that the customs union can be fully implemented in this area too.
- \* The Netherlands can contribute bilaterally too to the further development of agriculture and agribusiness in Turkey. Great interest in this possibility has been shown in Turkey. Measures can be taken to stimulate the availability of know-how and expertise to Turkey and to intensify the information networks. Concrete examples of such measures include: (1) a scientific programme of support and exchange; (2) a cooperation programme for consultancy firms and research institutions; (3) a framework for cooperation between Dutch industry and Turkish firms that are setting up or expanding; (4) a programme to encourage Dutch firms (for example through the provision of credit guarantees) to invest in Turkish agribusiness, in particular in bulbs, cut flowers and the processing industry.
- \* The Advisory Council proposes that further cooperation with Turkey take the form of a macroeconomic dialogue, which should in principle take in all aspects of the economic cooperation between Turkey and the European Union. Areas of special importance to the Netherlands, as a major foreign investor in Turkey, are energy, the financial sector and transport. Turkey's strategic position in the supply of energy is

self-explanatory. Turkey has also signed the Energy Charter Treaty. Since the privatisation of the domestic market is just starting to gain momentum, there is scope for further cooperation. There is already cooperation in the transport sector since Turkey is situated on two pan-European transport corridors and in two of the pan-European transport areas (the Black Sea area and the Mediterranean area). This cooperation can be strengthened still further.

- \* There is still considerable scope for stepping up cooperation in the fields of consumer protection and health standards. This could involve the creation of early warning systems, the provision of technical and financial assistance by the European Union, support in training personnel and the establishment of laboratories in Turkey. The Turkish consumer association should receive financial support from the European Union.

### *VI.3.3 Aiming for clarity*

- \* The European Union (either the European Council or the Council of the European Union) should plainly state (as the European Parliament has already done) that Turkish membership of the European Union cannot be refused on historical grounds or for political and cultural reasons (see chapter I). Turkey can in principle become a member of the European Union. This should be the background to (further) practical cooperation.
- \* According to the line of thought of the Stability Pact for the countries of Central and Eastern Europe, as described in chapter V, and in keeping with the G8 initiative and the efforts of the United Nations, the European Union should endeavour to induce the parties to work towards a solution to the Cyprus issue. The Advisory Council recommends that the Netherlands Government convey this position more emphatically. It must be made clear that the responsibility lies in the first instance with the parties concerned - the Greek Cypriots, the Turkish Cypriots, the Greeks and the Turks - and that the European Union is willing to use its good offices provided that there is a willingness to reach a solution. In practice these good offices might amount to the provision of expertise to solve practical problems and the prospect of financial support if progress is made in resolving the conflict.
- \* The Advisory Council considers that Cyprus's membership should not be on the agenda at present. Its accession at this juncture would, after all, mean that a conflict which offers no prospect of a solution and in which the use of force cannot be excluded would be imported into the European Union.
- \* The Advisory Council notes that the intention behind the European Union's decision to embark on the accession negotiations with Cyprus has hitherto been frustrated. The negotiations have not yet induced the parties involved to try to resolve the conflict. On the contrary, the accession negotiations themselves and the manner in which they are being conducted have now themselves become a subject of disagreement. In the opinion of the Advisory Council, the accession negotiations with Cyprus should not in these circumstances produce a tangible result. If the prospect of membership does not have the intended effect, the effect will certainly not materialise once Cyprus - or, rather, part of Cyprus - has passed through the door of the European Union and become a Member State. The prospect of membership gives the European Union more scope for influencing the situation on Cyprus - provided it is willing to use it - than Cyprus's actual membership.

- \* As mentioned above, Greece has raised the possibility that if Cyprus is not treated in the same way as the other candidates for membership Greece may not agree to the overall enlargement of the European Union. However, the Advisory Council sees no political, substantive connection here and would point out that Cyprus - unlike the other candidates - is a divided country. In the opinion of the Advisory Council, this fact has been wrongly overlooked in the recent past: Cyprus should no longer be treated on an equal footing as the other candidates for membership because, unlike them, it is a divided country and there are no indications that the accession negotiations will have any effect on the attitude of the parties concerned to their political conflict.
- \* It will have to be made clear to the parties concerned that before there can be any question of membership relations between them should be regulated in the same manner as those between the countries of Central and Eastern Europe under the terms of the Stability Pact. If the parties concerned fail to resolve the issues between them, neither Cyprus nor Turkey can, according to this thinking, become a member of the European Union.

#### *VI.3.4 The regional position of Turkey*

- \* The European Union should be sensitive to the fact that Turkey is an important regional power and that this entails dilemmas and difficult decisions for Ankara. Turkey is trying to pursue a multi-dimensional foreign policy, which involves intensifying its contacts in the region in order to supplement its traditional orientation towards the United States and the European Union. In the opinion of the Advisory Council there are no regional structures for cooperation that could at present provide Turkey with an alternative to cooperation with the West. In cultural terms Turkey serves to some extent as a role model for other countries in the region since it is a secular state with an Islamic past. The European Union should both support Turkey financially by making MEDA funds available again and also encourage it to strengthen its regional cooperation. This would also be in Europe's interest, given the growing economic importance of the countries around Turkey.
- \* The question raised in the request for advice as to whether Turkey has alternatives to its relations with the European Union does not admit of a simple denial. Turkey's relations with both the United States and Israel and the possibility of expanding them provide Turkey with a strategic alternative, although the emphasis would then be on security policy.

#### *VI.3.5 The military and the security services*

- \* It cannot be denied that the military in Turkey are regarded as the guardian of the constitution and Kemalism. This means that in Turkish eyes the military are in a virtually inviolable position. Furthermore, they have a good record of combating corruption and fraud. Here too, therefore, they serve as a role model. Nonetheless, the political role of the military is at odds with the democratic standards that prevail in the Member States of the European Union. This is why the European Union should - while respecting the situation in Turkey - encourage Turkey to take steps itself to bring the military increasingly under democratic control. As democracy grows, so the military can gradually retire from the political arena. This is not just a wish of the European Union: there are also calls in Turkey itself for the political role of the military to be curbed. Detailed proposals have been drafted for this purpose.<sup>31</sup>

- \* Turkey should observe the agreements that have been made in the OSCE about the provision of information on the structure and activities of the military and the security services. It is reasonable to expect Turkey to provide transparency about the existing position.
- \* With the exception of the actions of the military in south-eastern Turkey, most of the violations of human rights seem to be committed by the security services and the police. The Council of Europe is preparing a training and information programme designed to help the security services to function in accordance with the standards accepted in Europe. The aim of the programme is to strengthen political control over the security services and the police. The Advisory Council calls on the Netherlands Government not only to support this programme but also to ensure that sufficient financial resources are made available for its implementation (and to set aside the Dutch share of these funds).
- \* Bilateral exchange programmes for police personnel should focus on observance of the standards accepted in Europe. This could in the long run improve the effectiveness of the measures to combat crime, in particular drug trafficking and migrant smuggling.

#### *VI.3.6 Observance of human rights*

Turkey should make serious efforts to observe the provisions of the international human rights conventions to which it is a party. Its human rights policy would be more credible if it were to take the following measures:

- \* further scaling back of the role of the state security courts;
- \* full implementation of the judgments of the European Court of Human Rights and measures to prevent further violations of the kind identified by the Court;
- \* guarantees that trials are conducted in public and that defence counsel can have immediate and confidential access to suspects, no matter what the type of custody;
- \* ending of cases of torture and cruel, inhuman or degrading treatment of prisoners; this must be achieved among other things through a strict policy on prosecution of those guilty of such conduct and implementation of the recommendations of the UN Committee against Torture and the European Committee for the Prevention of Torture;
- \* Turkey should become party to the Sixth Protocol to the European Convention on Human Rights concerning the abolition of the death penalty;

31 For example, a report of the employers' association Tusiad advocates that a distinction should be made in Turkish politics between internal and external security and that the military should confine themselves to the latter. The report also makes out a strong case for political control of the armed forces through a provision that the Chief of the General Staff should be appointed by the President of Turkey on the recommendation of the Minister of Defence, rather than by the Supreme Military Council as at present. The National Security Council should also confine itself to international security issues in its deliberations. The legal measures by which this could be achieved are elaborated in the report. ("Perspectives on Democratisation in Turkey", - Tusiad (Turkish Industrialists' and Businessmen's Association, Istanbul 1997, pp. 87-90)).

- \* recognition and application of the right to peaceful demonstration, if necessary with protection;
- \* recognition of and respect for the freedom of religion, including the right to manifest religious beliefs in a peaceful manner;
- \* complete respect for freedom of expression and press freedom, even in provinces that have a Kurdish majority; this should include publications and radio and television broadcasts in Kurdish;
- \* provision of protection for women who are in a vulnerable position, for example the victims of marital abuse and violence. There should be a policy of actively providing information, particularly in rural areas;
- \* vigorous investigations to discover the fate of missing persons;
- \* the European Union could help Turkey to improve its record in respect of employees' rights and trade union rights, for example through the provision of training and the exchange of officials and specialists of employers' and employees' organisations, and by drawing this subject to the attention of multinationals which are based in Member States of the European Union and have branches in Turkey. Once these rights have been dealt with, an attempt could at some stage be made to tackle more sensitive subjects (trade union freedoms and discrimination in employment and occupation) in a comparable manner.

#### *VI.3.7 Minorities, including the Kurds*

- \* The history of Turkey explains why it does not recognise minorities, with the exception of religious minorities (the Greek Orthodox, Armenian Christian and Jewish minorities). Nonetheless, Turkey will have to find a way of acknowledging the identity of other minorities (e.g. the Alawites, Syrian Orthodox, Laz and Kurds) without this being seen as striking a blow at the roots of Turkish unity. If Turkey is to meet the Copenhagen criteria it must in any event break the taboo that minorities do not exist.
- \* The European Union should issue a declaration calling on the Turkish authorities and the PC to end the armed struggle in south-eastern Turkey. This declaration should also condemn every form of terrorism.<sup>32</sup> The European Union as a whole should adopt such a declaration. If this proves to be impossible because of Greek opposition, it should be adopted by the other fourteen Member States.
- \* Given the position that it does not wish to import further conflicts, the European Union cannot offer Turkey membership as long as there is no prospect of a solution to the armed struggle in south-eastern Turkey. If the Turkish government shows that it is serious about looking for a political solution to the conflict, the European Union could consider making a political gesture by designating south-eastern Turkey as eligible (once again) for funds under the MEDA programme.

<sup>32</sup> For a description of terrorism in Turkey, see U.S. State Department (1999), Turkey, Country Report on Human Rights, in particular p. 6.



### VI.3.8 *Bilateral*

- \* The Advisory Council recommends that the Netherlands, as a major foreign investor in Turkey, should establish an incentive programme that offers Turkish trade and industry opportunities in the Netherlands. Cooperation of this kind could in turn enable Dutch companies to gain access to the Turkish market or to consolidate their position there. By way of preparation the employers' federations in both countries (Tusiad in Turkey and VNO in the Netherlands) could be encouraged to contact one another.
  
- \* The Netherlands Government could emphasise its interest in Turkey to a much greater extent than at present by arranging bilateral visits aimed at encouraging and deepening the wide range of existing contacts. This would send a political signal not only to Turkey but also to the Turkish community in the Netherlands.
  
- \* The Netherlands Government should do much more to promote exchanges between Turkey and the Netherlands not only in a European framework but also on a bilateral basis. Examples of what could be done bilaterally are the provision of grants to enable students to study at a university in the other country, arrangements for judges to receive part of their training in the other country, exchanges for women active in women's groups in the Netherlands to encourage existing women's organisation in Turkey, and exchanges for journalists in order to promote unbiased reporting in the Netherlands and Turkey. Moreover, the Netherlands Government (and non-governmental organisations in the Netherlands) should not shun dialogue with non-governmental organisations in Turkey. In cases where the Turkish authorities are found wanting, consumer associations, employers' and employees' organisations, women's organisations and human rights organisations can be important interlocutors. The basis for such dialogue could be laid by holding periodic Turkish-Dutch conferences (modelled on the German-Dutch conferences) on topical themes, which could be attended by both government officials and representatives of NGOs.

The Advisory Council calls on the Netherlands Government to promote an intensification of the contacts with Turkey and to create facilities and allocate funds for this purpose. The idea of visits and exchanges generates tremendous interest in Turkey. After the disappointment of the relations with the European Union, much value is attached to the alternative of bilateral relations.

**Request for advice**

Professor R.F.M. Lubbers  
Chairman, Advisory Council on  
International Affairs  
P.O. Box 20061  
2500 EB The Hague

Strategic Policy Orientation Unit (SBO)  
Bezuidenhoutseweg 67  
P.O. Box 20701  
2500 ES The Hague

<i>Date</i>	6 July 1998	<i>Contact</i>	DEU and DIE
<i>Our ref.</i>	SBO-534/98	<i>Telephone</i>	+31-70-348 .....
<i>Encl.</i>	-	<i>Fax</i>	+31-70-348 .....
<i>Re:</i>	Request for advice on Turkey	<i>E-mail</i>	dvb-cv@minbuza.nl

*Introduction*

Turkey's geographical position alone gives it great strategic significance. With its imposing land mass and large population, it sits between two unstable regions of vital importance to Europe: the Balkans and the Middle East. It borders three major players in the Middle East: Iran, Iraq, and Syria. And it has good relations with Israel.

Turkey is strategically situated vis-à-vis the Caucasus (where it has friendly relations with Azerbaijan), the Caspian Sea region (from whose large oil and gas reserves pipelines cross Turkey en route to Europe), and the republics of Central Asia.

Turkey has been a member of NATO since 1952 and has close ties with the European Union. In late 1964, Turkey and the then EEC entered into an association agreement, article 28 of which held out the prospect of eventual accession. On 1 January 1996, the EU and Turkey entered into a customs union.

Turkey is now pressing its application for full membership of the EU, but has a long way to go before it meets the political and economic criteria established at the Copenhagen and Luxembourg European Councils. The Cardiff European Council set in motion the implementation of a strategy to make eventual accession possible. But an important question remains: how can the EU uphold the criteria mentioned above while credibly and convincingly speeding up the accession process and supporting Turkey's orientation towards the West?

*EU policy*

The conclusions of the Luxembourg European Council contained elements favourable to Turkey. The Council reaffirmed its support for eventual accession and decided to launch a European Strategy to prepare for it.

Turkey itself, however, was unhappy with this result. It felt excluded because it was the only one of the 11 participants in the enlargement process not to be given the status of applicant state. Turkey was also disappointed that the EU had still not decided to release the special aid it had promised in 1995 in preparation for the customs union (this aid is especially important for the implementation of the European Strategy). Finally, Turkey was vexed that the conclusions of the Luxembourg European Council mentioned progress in important political areas (human rights, minorities, the Aegean, and Cyprus) as criteria for strengthening its relations with the EU. In response, Turkey suspended its political dialogue with the EU in these areas.

Although dialogue has still not been resumed, Turkey did respond fairly positively to the conclusions of the Cardiff European Council, which ceased to set Turkey apart and promised that Turkish preparations for membership would be regularly assessed in accordance with article 28 of the 1963 association agreement. The Cardiff Council also asked the Commission to submit proposals for the implementation of the European Strategy, and the Commission said that it would think about ways of underpinning the Strategy.

In March 1998, the Commission itself made initial operational proposals in many areas. The European Strategy could help widen the political dialogue, especially on human rights, and it could improve the workings of the customs union. But there is much room for improvement in agriculture, and the liberalisation of services has hardly been touched. A very promising start has been made on cooperation with Turkey in the important area of justice and home affairs, including immigration. Cooperation is called for in the areas of illegal immigration and asylum policy. And cooperation in the fight against organised crime (drugs, money laundering) is being looked into.

However, the European Strategy cannot be implemented without adequate financial support. Ways are being sought to release the money promised to Turkey in 1995 within the framework of the customs union. Adopting a regulation to this effect by qualified majority vote under Article 130W of the EC Treaty would have the disadvantage that Turkey would receive the aid as a developing country.

Questions:

*How can substance best be given to the new European Strategy? What areas should have priority? What are the possible remedies for the release of the money promised within the framework of the customs union?*

### *The Cyprus question*

Some years ago, a far-reaching compromise was reached to free the way for Greek acceptance of the EU-Turkey customs union. It included a commitment to negotiate with the Republic of Cyprus on accession to the EU. The reasoning behind this compromise was that strengthening the EU's relations with Turkey would help lead to a solution of the Cyprus problem in the form of a bicomunal Cypriot federation divided into two zones. But such a solution now seems further away than ever. Turkey and the Turkish Cypriots oppose Cypriot accession because the EU does not recognise the "Turkish Republic of Northern Cyprus" as an equal negotiating partner.

This may - to some extent - be a negotiating bid. On the one hand, Turkey and Northern Cyprus will not, on any conditions, agree to a return to the pre-1974 situation. On the

other, Turkey may want to bolster its own prospects of membership with some willingness to oblige on the accession of Cyprus (in the form mentioned above, with firm guarantees for Turkish-Cypriot autonomy).

Question:

*Given these conditions (including relations between Turkey and Greece), how might the EU motivate Turkey to make a constructive contribution to the future of Cyprus? What form would the Turkish contribution take? What would the EU's input be?*

### *Security and integration in the Atlantic community*

Turkey is the only European member of NATO not to be a member of either the EU or the European Economic Area (EEA), though it is a member of the Council of Europe and the OSCE and an associate member of the WEU.

The end of the Cold War did not put an end to Turkey's importance to the West from the point of view of peace, security, and stability. The country is still essential for the strategic balance between NATO and Russia. And it is located in a very tense part of the world, where NATO countries have significant political and economic interests, some oil-related. Turkey could make a valuable contribution to crisis management in neighbouring unstable regions.

At the same time, NATO is still very important to Turkey, even in the new security situation, primarily because of Turkey's relations with Russia, in which rivalry has always played a major part. But NATO is also vital to Turkey because of risk factors in adjacent regions, such as the proliferation of weapons of mass destruction.

In the Amsterdam Treaty, the EU countries stated their intention to set up a common defence policy, making use of the WEU. NATO decided to set up the European Security and Defence Identity (ESDI) within its own structure. If the EU orders the WEU to carry out military operations, Turkey will be involved - even though it is not part of the Common Foreign and Security Policy (CFSP) - because associate members of the WEU in practice take part in almost all WEU activities, especially if NATO resources have to be used.

Question:

*Should Turkey's membership of NATO be a factor in its prospects of accession to the EU? Does Turkey's (continuing) non-membership of the EU - and hence its non-involvement in the ESDI - jeopardise its willingness to cooperate as a NATO member and more generally its orientation towards the West? And could its non-membership put pressure on its willingness to cooperate in the Council of Europe and the OSCE?*

### *Turkey in the region*

Turkey's strategic position is important not only for reasons of security. The country could also take advantage of its position to enter into cooperative arrangements in the region, possibly in addition to its future membership of the EU.

In 1991, Turkey took the lead in setting up the Black Sea Economic Cooperation Zone. It is also a member of the Economic Cooperation Organisation (ECO), which was enlarged on Iran's initiative in 1992. Up to then, the ECO's only members had been Turkey, Iran, and

Pakistan. Turkey has ties of language, religion, and culture with Azerbaijan and four of the five Central Asian republics. As a secular state with a mainly Muslim population, a democratic constitution and a market economy, it could provide these countries with an alternative model to the Iranian-style Islamic republic (the Tajiks are the only people in the region to be ethnically related to the Iranians).

Turkey is also a member of the Organisation of the Islamic Conference (OIC), which gives it an entrée to the Islamic world even though its relations with the Arab countries are historically fraught. It also has close ties in the Balkans, especially with the FYROM, Albania, and Bulgaria.

Question:

*How does Turkey stand politically, economically, and culturally in the Greater Middle East region and the Islamic world as a whole? Are any regional organisations offering Turkey an alternative to closer cooperation with the West in general and the EU in particular? Are there any that might complement its ties with the West and/or the EU? Should the EU encourage Turkey to seek more integration in its own region?*

### *Democracy and human rights*

Although Turkey has a democratic constitution, it fails miserably in some areas to live up to principles of democracy and human rights. It has an especially poor record in its dealings with the Kurds and its treatment of detainees (in the form of abuse and torture). Disappearances and summary executions have been reported, and freedom of expression is not sufficiently guaranteed. The Constitutional Court's disbandment of the REFAH party shows how imperfect Turkey's democratic structure is.

But there are favourable developments. The Turkish government has invited the UN special rapporteur on torture and the working group on involuntary disappearances to visit the country. And it is preparing an extensive training scheme for the army, police, and gendarmerie on observing human rights.

Still lacking, however, are moves to shorten the duration of pre-trial detention and improve legislation on prosecuting torture suspects.

Question:

*Could the EU consult and work with other organisations, such as the Council of Europe and the OSCE, to foster respect for democracy, respect for human rights, and improvements to the implementation of the rule of law in Turkey? If so, how?*

### *Bilateral*

Turkey is an important partner for the Netherlands in bilateral terms too, for various reasons, the most obvious being that hundreds of thousands of people of Turkish origin live in the Netherlands. It is essential for the Netherlands to ensure that political rivalries in Turkey do not have repercussions in the Turkish community here. Trade between the two countries and Dutch investment in Turkey are also increasingly important.

Question:

*How could the Netherlands best give substance to the further development of bilateral relations?*

We would appreciate receiving a report from the Advisory Council on International Affairs in response to the questions above and any other relevant issues, if possible in the first half of 1999.

H.A.F.M.O. van Mierlo  
Minister of Foreign Affairs

J.J.C. Voorhoeve  
Minister of Defence

J.P. Pronk  
Minister for Development Cooperation

**List of persons and bodies consulted**

- Mr Henk Adams, country manager, Rabobank, Istanbul
- Mr Şahnur Agaik, member of the Foreign Relations Committee of the Turkish Industrialists' and Businessmen's Association (TÜSIAD)
- Mr Engin Akçakoca, general manager, Koçbank, Istanbul
- Mr Alaaddin Aktaş, head, economic news department of the journal ANKA review; on the staff of the television broadcasting station TRT1
- Mr Yusuf Alatas, lawyer, Human Rights Association
- Mr Shamil Aleskerov, project coordinator and assistant to the secretary-general of the Black Sea Economic Cooperation Council (BSEC)
- Professor Hüseyin Baği, International Relations Department of the Middle East Technic University (METU); on the staff of *Turkish Daily News* (TDN)
- Professor Ali Ihsan Bağış, Hacettepe University; head, International Relations Department
- Mr Sankaran Balasubramian, representative IFC Istanbul
- Mr Vassil Baytchef, ambassador and secretary-general of the BSEC
- Mr Akin Birdal, chair, Human Rights Association
- Mr Hero E.G. de Boer, chargé d'affaires, Dutch Embassy, Ankara
- Mr Evgueni Borissenko, second deputy secretary-general of the BSEC
- Mr Ismail Cem, Minister of Foreign Affairs, Turkey
- Mr Hikmet Çetin, speaker of the Turkish National Assembly
- Mr Ilnur Çevik, editor-in-chief of the *Turkish Daily News*
- Asst Professor Ihsan Daği, International Relations Department, METU
- Mr Selim Demiren, member of the TÜSIAD Foreign Relations Committee
- Mr Piet Dankert, former Dutch State Secretary for Foreign Affairs and former Member of the European Parliament
- Mr Kemal Dirioz, head, Bilateral Economic Relations Division, Turkish Ministry of Foreign Affairs
- Mr Cem Duna, former ambassador
- Mr Necip Egüz, head, human rights division, Ministry of Foreign Affairs
- Mr Yilmaz Ensarioglu, chair, Mazlum-Der (Organization of Human Rights & Solidarity for Oppressed People)
- Mr Gazi Ercel, governor of the Turkish Central Bank
- Mr Hüseyin Erkan, vice-chair of the Stock Exchange, Istanbul
- Ms Karen Fogg, representative of the European Commission in Ankara
- Mr Adriano Franchini, director, Caritas, Istanbul
- Mr Jack Gillespie, country manager, ABN-AMRO Bank, Istanbul
- Mr Şadi Gücüm, member of the TÜSIAD Foreign Relations Committee
- Mr Sükrü Gürel, minister of state responsible for relations with Greece and Cyprus
- Mr Üstün Güven, deputy secretary, external trade relations, Ministry of Economic Affairs
- Mr Atok İlhan, member of TÜSIAD
- Ms Ümit İzmen, deputy secretary general of TÜSIAD
- Mr Yusuf Kanli, journalist, Turkish Daily News
- Mr Murat Karayalcin, chair of the Foreign Relations Committee of the Turkish National Assembly
- Mr Aldo Kaslovsky, chair of the TÜSIAD Foreign Relations Committee

- Mr Stephen Kinzer, journalist, *The New York Times*
- Mr Mustafa V. Koç, chair, TÜSIAD Committee for Relations with Professional and Business Associations
- Mr Sami Kohen, columnist on foreign relations for the newspaper *Milliyet*
- Mr Andriy Kononenko, second deputy secretary-general, BSEC
- Mr Selim Kunalalp, director, EU Affairs, Turkish Ministry of Foreign Affairs
- Mr Çelik Kurdođlu, member of the TÜSIAD Foreign Relations Committee
- Mr Yidirim Koç, advisor to the chair of TÜRK-İŞ (confederation of trade unions in Turkey)
- Ms Jessica Lutz, Istanbul correspondent for Elsevier and the GPD
- Ms Aylin McCarthy, member of the TÜSIAD Foreign Relations Committee
- Mr T. McCarthy, director and country manager, ING Bank/ING Barings
- Mr Nurver Nureş, first deputy secretary-general of the BSEC
- Mr Saim Oguzülgen, assistant manager of the Turkish Maritime Organization Corporation (TMO)
- Mr Tansu Okandan, director, Bilateral Political Relations, Turkish Ministry of Foreign Affairs
- Mr Ates Oktem, head, Cyprus and Greece Division, Turkish Ministry of Foreign Affairs
- Ms Fofu Öney, representative of Caritas and chair of the Inter-Parish Migrants Programme (IMP)
- Mr Y. Akin Öngör, president, CEO Garanti Bank, Istanbul
- Mr Fuat Özdođru, head of the UNHCR mission, Istanbul
- General H. Ozkök, headquarters General Staff
- Mr Uluç Özülker, ambassador, deputy state secretary for bilateral political relations (United States, Europe, European Union)
- Mr Adriaan Quanjer, Dutch consul-general, Istanbul
- Mr Ihsan Sakarya, head, NATO and WEU Division, Turkish Ministry of Foreign Affairs
- Ms F. Santingh, journalist, NRC Handelsblad
- Ms Cana Merve Sonbudag, embassy secretary, bilateral political relations, Ministry of Foreign Affairs
- Mr Mehmet G. Sungur, representative of the Halkin Demokrasi Partisi (HADEP)
- Professor Sübidey Togan, specialist in international economics and liberalisation in Turkey, economics faculty, Bilkent University
- Professor Nahit Töre, director of the EU research centre of the University of Ankara
- Mr Sami Türk, Minister of Defence of Turkey
- Mr Ferit Ulker, director, Intelligence Service Division, Turkish Ministry of Foreign Affairs
- Mr Engin Ural, secretary-general of the Environment Foundation, Turkey
- Ms Ann Mary Winter, Istanbul representative of the Inter-Parish Migrants Programme (IMP)
- Mr Zekeriya Yildirim, member of TÜSIAD
- Mr Erkut Yüceođlu, secretary-general of TÜSIAD
- Professor E.J. Zürcher, professor of Turkish language and culture at Leiden University



**Key of abbreviations**

<b>AIV</b>	Advisory Council on International Affairs
<b>BSEC</b>	Black Sea Economic Cooperation Council
<b>CFSP</b>	Common Foreign and Security Policy
<b>D 8</b>	Development 8
<b>DSP</b>	Democratic Socialist Party
<b>ECHR</b>	European Convention for the Protection of Human Rights and Fundamental Freedoms
<b>EEC</b>	European Economic Community
<b>EIB</b>	European Investment Bank
<b>EU</b>	European Union
<b>G 8</b>	The seven wealthiest industrialised countries plus Russia
<b>GNP</b>	Gross National Product
<b>HADEP</b>	Halkim Demokrasi Partisi
<b>HRA</b>	Human Rights Association
<b>ICFTU</b>	International Confederation of Free Trade Unions
<b>ILO</b>	International Labour Organisation
<b>IMP</b>	Inter-Parish Migrants Programme
<b>IMF</b>	International Monetary Fund
<b>Islamic Party of Virtue</b>	Successor to Refah, the Welfare Party banned in January 1998
<b>Mazlum-Der</b>	The Organization of Human Rights & Solidarity for Oppressed People
<b>MEDA</b>	Measures to support the reform of economic and social structures in Mediterranean non-member countries and territories
<b>METU</b>	Middle East Technic University
<b>Motherland Party</b>	Centre-right political party
<b>Nationalist Movement Party</b>	Nationalistic, right-wing party
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NGO</b>	Non-governmental organisation

<b>NPA</b>	National Press Association
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>ORET programme</b>	Development-related export transactions programme
<b>PC/PKK</b>	Kurdish Workers' Party
<b>Republican People's Party</b>	Centre-left political party
<b>TDN</b>	Turkish Daily News
<b>TMO</b>	Turkish Maritime Organization Corporation
<b>True Path Party</b>	Centre-right political party
<b>TURK-IS</b>	Confederation of trade unions in Turkey
<b>TÜSIAD</b>	Turkish Industrialists' and Businessmen's Association
<b>UNFICYP</b>	UN peacekeeping force stationed on Cyprus
<b>US</b>	United States
<b>UN</b>	United Nations
<b>VNO</b>	Federation of Netherlands Industry
<b>WEU</b>	Western European Unio
<b>WTO</b>	World Trade Organisation

**Previous reports published by the Advisory Council on International Affairs**  
(available in English)

- 1 AN INCLUSIVE EUROPE, *October 1997*
- 2 CONVENTIONAL ARMS CONTROL: urgent need, limited opportunities,  
*April 1998*
- 3 CAPITAL PUNISHMENT AND HUMAN RIGHTS: recent developments,  
*April 1998*
- 4 UNIVERSALITY OF HUMAN RIGHTS AND CULTURAL DIVERSITY,  
*June 1998*
- 5 AN INCLUSIVE EUROPE II, *November 1998*
- 6 HUMANITARIAN AID: redefining the limits, *November 1998*
- 7 COMMENTS ON THE CRITERIA FOR STRUCTURAL BILATERAL AID,  
*November 1998*
- 8 ASYLUM INFORMATION AND THE EUROPEAN UNION, *July 1999*

**The position of the European Union  
on Turkey: 1959 to the present day**

Addendum to report No. 9

## Foreword

This addendum describes developments in relations between the European Union and Turkey from 1959 to the present day, with an emphasis on the most recent developments surrounding the enlargement of the European Union and its position on Turkey. It contains the following five sections: 1. Friendly relations following initial problems; 2. Losing sight of the goal; 3. The Turkish application of 1987 and partnership with the Mediterranean; 4. The customs union and receding prospects of membership; 5. Turkey on the threshold?

### *1. Friendly relations following initial problems*

#### **1959**

On 31 July 1959, the government of Turkey sought an association agreement with the European Economic Community (EEC), intended as a step towards future membership. A major reason for wishing to join the common market was the fact that the biggest single slice of Turkish foreign trade (over 30%) was with the six Member States of the EEC, from whom Turkey also received financial assistance. An additional reason was the inclusion of agriculture in the Treaty of Rome, at a time when this was the largest sector in the Turkish economy. The Turkish application for association with the EEC was also politically motivated: it came just four days after an application from Greece.

Because of the problems surrounding the Greek application, the Council of Ministers hesitated in the first instance to enter into negotiations with Turkey, given that its economy was in an even worse state than that of Greece. Turkey responded by consistently emphasising the importance of its geopolitical position to the EEC. The words of the Netherlands explanatory memorandum on the later association agreement (of 1964) shows that this was regarded as a major argument: "Turkey's membership of NATO and the strategically exposed geographical position of the country are pressing reasons for enabling Turkey to establish closer ties with the free West. An association between Turkey and the EEC, bringing benefits to Turkey, could create opportunities for this". Eventually, on 11 May 1960, the Council of Ministers authorised the European Commission to start negotiations, which were then however considerably delayed by that year's military coup in Turkey.

#### **1963**

The association agreement between the EEC and Turkey (the Ankara Agreement) was eventually signed on 9 September 1963. It provided for three phases of development:

1. An initial '*preparatory phase*' to enable Turkey to work towards economic recovery and to achieve a sufficiently solid position to be able to assume the responsibilities associated with the gradual establishment of a customs union. The Community was to provide commercial and financial assistance and Turkey was offered tariff quotas allowing it to sell a number of Turkish products on the European market at reduced tariff levels. An association council was to supervise the implementation of the agreement. This body was to be made up of members of the Turkish government on the one hand and representatives of the European Commission, the Council of Ministers and Member State governments on the other.

The association council was to take its decisions by unanimous vote and had powers to settle all disputes connected with the association.

2. The second or '*transitional phase*' was designed to enable the establishment of a customs union between Turkey and the Community. The 1963 agreement had done no more than lay down a framework for traffic in goods and other economic transactions. Institutional powers were now to be extended, with the association council being given additional authority in the second phase to take community action to achieve one of the aims of the association agreement without any explicit authorisation for this being contained in that agreement. The association council was also to take responsibility for contacts between the Economic and Social Committee and the other bodies of the European Community on the one hand and counterpart Turkish bodies on the other. Practical arrangements for the transitional phase were to be decided by the association council.
3. In the '*final phase*' of the association, the achievements of the first two phases were to be expanded. The customs union which was gradually being built up in this way would also require ever closer coordination between the economies of the various parties to the agreement.

#### **1964**

The association agreement came into force on 15 January 1964. Tariff quotas were fixed during the first meeting of the association council.

#### **1965**

During the association council's second meeting, a parliamentary association committee was appointed. Its membership consisted of 15 elected representatives from the Turkish parliament and 15 members of the European Parliament.

#### **1969**

Meeting of the parliamentary association committee in Paris: the committee felt that relations between the EEC and Turkey should take account of the fact that Turkey was an associated country that eventually expected to become a member of the Community. The European Parliament adopted this recommendation in its resolution of 30 June 1969.

#### **1970**

The second phase of the association agreement - the process of gradual integration between the Turkish economy and the common market - began with the signing of an additional protocol to the agreement intended to lead to the gradual development of a customs union. The deadline for the harmonisation of the Turkish economy was to be 12 years, but that period could be extended to a maximum of 22 years. The protocol encompassed the entire economy with the exception of the agricultural sector. The reason for this was the sensitivity of the subject within the European Community. Agriculture, it was decided, should be considered only at the end of this phase (in other words, at the end of the 12 to 22-year period). The protocol does, however, include a detailed section on the free movement of labour, to be achieved between 1976 and 1986.

## 1973

The complementary protocol to the association agreement between the European Economic Community and Turkey relating to the accession of the new Member States (the United Kingdom, Ireland and Denmark) came into force, as did the additional protocol of 1970. This marked the start of the second phase of the association agreement.

### *2. Losing sight of the goal*

## 1974

On 3 July 1974, Turkey intervened in Cyprus and occupied the northern part of the island reportedly to protect the Turkish-Cypriot community against Greek/Greek-Cypriot efforts to achieve *enosis* (the union of Cyprus and Greece). Relations between Turkey and the European Community were unaffected by the military intervention: relations within the framework of the association continued as normal. As regards the association agreement between the EEC and Cyprus, the EEC took the view that its benefits must accrue to the entire Cypriot community.

Not so much the occupation of Cyprus but economic developments brought in the **midseventies** a deterioration in relations between Turkey and the EEC. The association found itself in crisis following an extremely serious economic crisis in Turkey. A request from Turkey for concessions on a number of Mediterranean products prompted the EEC to adopt a protectionist stance. Then in 1977 Turkey suspended the reform of its tax and tariffs systems which was intended to bring them into line with the economic policies of the European Community. However, perhaps the most crucial factor in the hardening of relations was the refusal of the EEC Member States to introduce freedom of movement for Turkish workers. The period of labour migration ('guest workers') was over and many Member States were facing rising rates of unemployment.

## 1980-1985

In February **1980**, the association council decided to revive the agreement. A number of decisions were taken concerning cooperation in social, economic, technical, financial and agricultural fields. However, the revival was soon quashed by the Turkish military coup of September 1980. The institutions of the European Community called for a rapid reinstatement of democratic institutions and for respect for human rights. In the light of assurances from the military authorities, relations under the association agreement continued for a time but financial assistance (at this period amounting to around 647 million ECU) was suspended.

In **1981**, negotiations were concluded on a further financial protocol but the political situation in Turkey made the Community institutions delay the completion of formalities for its approval. The Community continued to emphasise the importance of parliamentary democracy and respect for human rights. Turkey announced that, following the restoration of democracy, it would wish to proceed as quickly as possible to membership of the EEC. However, restoration did not come immediately and this caused delays in the operation of the association agreement. On 1 January 1981, Greece acceded to the Community, adding a new dimension to the issue of Cyprus and relations with Turkey within the EEC.

In **1982**, the association council met only once. It did so at the request of Turkey and met at ambassadorial level.

In **1983**, relations between Turkey and the Community deteriorated still further and were eventually limited to the routine operation of the association agreement. The stagnation was due not only to the freezing of relations as a consequence of the political situation within Turkey, but also to the tension between Greece and Turkey. On November 15 1983, the Turkish Republic of Northern Cyprus declared independence but received recognition only from Turkey. The European Community regretted the situation, especially in the light of earlier attempts by the United Nations to bring the two parties to the negotiating table. In line with the position of the United Nations, the Community emphasised the unity, independence and sovereignty of Cyprus and withheld recognition from the Turkish Republic of Northern Cyprus.

In **1985**, there was some improvement in relations between Turkey and the European Community. Turkey promised to raise the imposition of martial law and European representatives were allowed in to assess the human rights situation in the country. This continued to give cause for concern and hence to impede the resumption of normal relations.

### *3. The Turkish application of 1987 and partnership with the Mediterranean*

#### **1986**

In 1986, Spain and Portugal acceded to the EC. This gave their populations the opportunity of participating in the free movement of labour within the Community. This was still denied to Turkey's workforce because the clause of the association agreement providing for its introduction by 1 December 1986 still had not been implemented. In 1986, however, the dialogue between the European Community and Turkey was resumed in the association council, meeting at ministerial level for the first time in 6 years.

#### **1987**

Normal relations were restored in other respects too: negotiations were completed on a protocol of adjustment to the association agreement to take account of the accession of Spain and Portugal and an economic protocol was concluded. In addition, development and other projects to a value of 10 million ECU were launched in Turkey and on April 14 1987 Turkey applied for membership of the European Community.

#### **1988**

Protocols were attached to the association agreement in relation to the accession of Greece, Spain and Portugal. The association council was henceforth to include representatives of the new Member States, including Greece.

#### **1989**

On December 17, acting under article 237 of the Treaty, the European Commission issued an 'avis' concerning Turkey's application for membership. It stressed that priority was given to achieving the aims of the Single European Act and that it was undesirable to start accession negotiations with any country before 1993. In addition to this general point, the Commission



saw a number of specific problems associated with the accession of Turkey in particular. Firstly, Turkey's economic position was weak. Secondly, there were the political differences between Turkey and an existing Member State of the European Community (Greece, which was openly opposed to Turkish membership). Finally, the problems concerning human rights, minorities and democracy were still a major obstacle to accession. Nevertheless, the Commission still thought Turkey might qualify for membership at some point in the future and therefore advocated the strengthening of relations under the association agreement.

### **1990**

On February 3 1990, the conclusions reached in the European Commission's *avis* were endorsed by the Council of Ministers, which agreed that ties with Turkey should be strengthened. In that light, the financial protocol - signed back in 1981 - now came into force. The Commission suggested that the customs union should be completed in 1995 and that cooperation between Turkey and the European Community should be expanded in the industrial and technological sectors and encouraged in political and cultural fields.

### **1991**

The association council met in 1991 for the first time since 1986 and discussed the further development of relations under the association agreement.

### **1992**

The Lisbon European Council stressed the importance of Turkey's role in the current political situation in Europe and decided to step up cooperation by means of top-level political dialogue. At the same time, negotiations started on the establishment of a customs union between the European Union and Turkey. The Lisbon European Council also discussed the applications from Turkey, Cyprus and Malta and decided that they should be assessed on their merits.

The Edinburgh European Council applauded the positive results of the association council's meetings with Turkey. It called on the Council of Ministers to continue the development of appropriate and specific relations with Turkey in line with the policies decided in Lisbon.

### **1993**

The Copenhagen European Council established the accession criteria for countries wishing to join the European Union. They were to possess stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. They must have a functioning free market economy and the capacity to cope with economic competition and market forces within the EU. In addition, they had to be able to take on the obligations of membership, including adherence to the aims of political, economic and monetary union. The European Council formulated these criteria principally with an eye to the candidate States in Central and Eastern Europe, but it was clear from them that Turkey could not yet qualify for membership. In this respect, the European Council confined itself to calling on the Council of Ministers to ensure that the policies established by the Lisbon European Council concerning closer cooperation and the development of relations with Turkey would actually be implemented. This was motivated by the memory of the disappointment following the 1964 association agreement and the 1970 protocol (regarding the establishment of a customs union).

## 1994

The human rights situation in Turkey had deteriorated. Despite the concern about this within the European Union, a number of advances were made:

- the Commission approved the directives for the completion of the customs union;
- the Corfu European Council gave the go-ahead for the Euro-Mediterranean Partnership, intended to reinforce the European Union's policies on the Mediterranean region. The new Partnership included Turkey and was designed to help create a free trade zone encompassing the European Union, the countries of Central and Eastern Europe and the associated countries around the Mediterranean.

The Essen European Council emphasised the strategic importance of the Mediterranean region to the European Union. It confirmed that the Union was prepared to support the efforts of the countries around the Mediterranean to turn the region into a zone of peace, stability, welfare and cooperation. In order to do this, it would establish a Euro-Mediterranean Partnership, come to appropriate agreements and gradually strengthen relevant trade relations (on the basis of the outcome of the Uruguay Round and with an eye to the changing priorities of the Community). It hoped that the planned Barcelona Conference the following November would lay the foundations for a Euro-Mediterranean Partnership and it welcomed the *rapprochement* between the European Union and Turkey.

## 1995

The European Parliament agreed to the completion of the customs union but felt that the European Union should keep a close eye on human rights developments in Turkey. The European Commission was to report regularly to the parliament on this issue. In March, the association council reached agreement on the conditions for the establishment of the customs union.

On 28 November the European Union and twelve Mediterranean countries (including Turkey), meeting in Barcelona, signed the declaration on the Euro-Mediterranean Partnership. This created a framework for political, economic, cultural and social cooperation. Its two main objectives were:

- to support political reform and guarantee human rights and freedom of speech;
- to support economic and political reforms aimed at promoting economic growth, raising the standard of living and creating employment.

The Partnership was to consist of:

1. a multilateral dialogue between the European Union and its twelve Mediterranean partners on political, economic and social matters;
2. a series of Euro-Mediterranean association agreements;
3. closer cooperation between the European Union and the Mediterranean partner countries on social issues.

In principle, a Euro-Mediterranean Conference was to be held every year. The Partnership included not only the Member States and institutions of the European Union and Turkey, but also Morocco, Algeria, Tunisia, Egypt, Jordan, Israel, Syria, Lebanon, Malta, Cyprus and the Palestinian Authority.

The Madrid European Council pointed to the importance of the results achieved by the Euro-Mediterranean Conference in Barcelona (the 'Barcelona process') and called on the Council of Ministers and the European Commission to implement the Barcelona Declaration and associated work programme. It hoped that the 'spirit of Barcelona' would inspire the participants in the new Euro-Mediterranean association to maintain the process of accomplishing their collective responsibility of ensuring peace, stability and welfare in the region. The process was to culminate in the establishment of a Pact for the Mediterranean.

In laying down the political agenda for the next five years, the Madrid European Council pressed for continuing effort regarding the implementation of the existing policy of dialogue, cooperation and association with the Union's neighbours generally, and more particularly with Russia, Ukraine, Turkey and the Mediterranean countries. Support was to be given to the efforts of the Turkish government to strengthen democracy and implement economic reform in order to promote Turkey's closer integration into the transatlantic community.

The customs union between Turkey and the European Union came into force on 31 December 1995.

#### *4. The customs union and receding prospects of membership*

##### **1996**

According to the European Commission, the customs union was functioning well. However, little progress was being achieved in the process of democratic and economic reform and violations of human rights were still routine. In February the European Parliament condemned the human rights situation and reign of terror in Turkey. It expressed concern about the tensions between Turkey and Greece regarding various islands in the Aegean (which later in the year produced a near-crisis in relation to the islet of Imia). So long as Turkey maintained its refusal to take the conflict to the International Court of Justice, Greece continued to use its veto to prevent payment of the 375 million ECU to which Turkey was entitled under the customs union. In September, the European Parliament called on the European Commission to withhold the money destined for Turkey under the Barcelona process unless it was to be used to promote democracy, human rights and civil society (and not to swell the coffers of the Turkish government). The European Commission agreed not to disburse the money until it had consulted with the European Parliament.

During the Dublin European Council, the presidency was asked to maintain efforts to achieve an internationally acceptable solution to the situation in the Aegean and at the same time to liaise with the Turkish government with a view to calling a meeting of the association council in the near future. At the same time, the Council confirmed the importance that the European Union attached to the development of closer political and economic relations with Turkey. It regretted that a number of serious issues were still waiting to be resolved. The European Council welcomed the Turkish government's announcement that it intended to take steps to improve the human rights situation and stressed that Turkey must observe the highest standards in this respect if it wished to enjoy a close partnership with the European Union. The European Council urged Turkey to wield its influence to achieve a solution to the Cyprus conflict in line with the resolutions passed in the UN Security Council.

## 1997

At an informal General Affairs Council meeting held under the Dutch presidency (March 1997), it was suggested that a 'committee of wise men' might be appointed to open up discussion of the problems between Greece and Turkey in the Aegean. Although Greece and Turkey accepted the idea, the proposed committee never met. In April, the association council confirmed that Turkey qualified for membership but failed to agree on the disbursement of the 375 million ECU to which Turkey was entitled under the terms of the customs union.

On 15 July, at the Council's request, the European Commission announced a further development in relations between the European Union and Turkey. The Commission confirmed that Turkey qualified for membership and that it would be assessed on the basis of the same objective measures and criteria as other candidate countries. The announcement related to proposals for the consolidation of the customs union and the expansion of relations with Turkey into fields such as agriculture, human rights and humanitarian matters, combined with the resumption of the macro-economic dialogue, participation in Community programmes and cooperation in the field of justice and home affairs.

Agenda 2000, published in the same month, also addressed the question of Turkey. It included not only a description of the country's political and economic situation but also an appeal to Turkey to recognise its responsibilities for problems in the region and for the situation in Cyprus. At the same time, it offered assurances that the European Union would support Turkey in its efforts to establish closer relations.

The Luxembourg European Council decided to launch a European Conference which would bring together the Member States of the European Union and countries seeking to qualify for accession and sharing the values and the domestic and foreign policy aims of the Union. The Conference was to be a multilateral forum for political discussion. It would aim to address issues of general importance to the participants with an eye to the further development and intensification of cooperation in the fields of foreign and security policy, justice and home affairs, and other areas of shared interest, in particular relating to the economy and regional cooperation. The Council stressed that participation in the European Conference would enable Turkey and the Member States of the European Union to enter into closer dialogue and cooperation in areas of common interest.

The members of the Conference were to give a commitment to strive to achieve peace, security and neighbourly relations and to respect national sovereignty (as the principles on which the European Union was founded), and to respect the integrity and inviolability of the external frontiers and the principles of international law. They were also to commit themselves to settling territorial conflicts by peaceful means, in particular via the International Court of Justice in The Hague. Countries wishing to be invited to take part in the Conference would have to endorse these principles, respect the right of accession of every European country meeting the relevant criteria and be prepared to cooperate with the European Union in the project of creating a Europe which had put the divisions of the past behind it. The European Union's offer was directed primarily at Cyprus, the candidate States in Eastern Europe, and Turkey.

The Luxembourg European Council also decided to launch an accession process for Cyprus and the ten candidate States in Central and Eastern Europe. The fact that negotiations were starting simultaneously did not, however, mean that they would all conclude at the same time. The timing of conclusion and subsequent accession would depend both on the extent to which the individual candidate States complied with the Copenhagen criteria and on the Union's capacity to absorb new members. In that light, the European Council decided in 1998 to convene bilateral intergovernmental conferences to begin negotiating with Cyprus, Hungary, Poland, Estonia, the Czech Republic and Slovenia on the conditions for accession to the Union. Preparations would also be stepped up for negotiations with the other countries of Central and Eastern Europe.

The European Council confirmed that Turkey could eventually also qualify for accession to the European Union and that it would be assessed on the basis of the same criteria as the other candidate States. Although Turkey could not yet meet the political and economic conditions for accession talks to be a possibility, the European Council nevertheless felt that it was important to plan a strategy to prepare Turkey for accession by establishing closer ties with the European Union in all areas. This strategy should consist of:

- exploiting the full potential of the association agreement;
- deepening the customs union;
- implementing financial cooperation;
- changes in Turkish legislation and the adoption of the Union *acquis*;
- participation in various programmes and agencies (to be decided on a case-by-case basis).

The European Council cautioned that the strengthening of Turkey's ties with the European Union depended partly on the progress of Turkey's current programme of political and economic reform (in particular convergence of human rights standards and practices), respect for and protection of minorities, the establishment of satisfactory and stable relations between Greece and Turkey, the settlement of disputes (in particular via the courts, especially the International Court of Justice), and support for action taken under the auspices of the UN to achieve a political solution to the issue of Cyprus, based on the relevant resolutions of the United Nations Security Council. It asked the Commission to make appropriate proposals concerning future relations with Turkey.

Following the Luxembourg summit, Turkey felt that it had been passed over. Accession talks were being launched with countries which had applied for membership much later than Turkey, which had now been in the queue for more than fifteen years. Turkey did not even appear to feature in the group of countries qualifying for inclusion in a second round of accessions. Worst of all, in the eyes of the Turkish government, special additional requirements were being imposed for Turkish accession (as detailed above, concerning relations with Greece, the issue of Cyprus, observance of human rights and the protection of minorities). Ankara decided to respond by boycotting the first European Conference, to be held in London in March 1998.

## **1998**

On March 4 1998, the European Commission issued proposals for a 'European strategy for Turkey'. These were based on the Communication of July 1997 and therefore covered practically the same areas. The European Commission indicated that a start could be made by

mid-1998 with the implementation of proposals requiring little or no funding. Other proposals could only be implemented if the financial assistance (375 million ECU) promised in the 1995 protocol were approved by the Council. However, this was still being frustrated by the Greek veto. Because of Greece's attitude, Turkey refused to participate in the association council in May 1998.

The Cardiff summit, likewise, failed to persuade the Greeks to withdraw their veto on financial assistance to Turkey. However, efforts were made to revive the dialogue with Turkey by referring to 'a strategy to prepare Turkey for membership'. The European Council welcomed the European Commission's Communication of March 4 and asked the Commission to develop proposals for the effective implementation of the strategy for Turkey. The strategy could be modified to take account of ideas advanced by Turkey itself. At the same time, it was announced that the Commission would report at the end of 1998 on the progress made by the individual candidate States (including Turkey) on the road to accession. In the case of Turkey, the reports were to be based on article 28 of the association agreement and the conclusions of the Luxembourg European Council.

On 17 June 1998, Turkey presented its own proposals for a strategy for the development of relations between Turkey and the European Union.<sup>1</sup> It made the general point that the customs union could not exist in isolation of the guarantee of full membership of the Union and referred to the Luxembourg European Council's discrimination against Turkey compared with the other candidate States. Although the Cardiff European Council had done some good, Turkey felt that the discrimination had certainly not been eliminated. The Cardiff European Council had not succeeded in formulating the sort of clear strategy for Turkey's accession that had been produced for that of the other candidate States. Turkey therefore called on the association council to design such a strategy. It also argued for the implementation of the financial protocol to the customs union, which had so far been prevented by the "negative attitude of one of the Member States and of the European Parliament".

As regards the Commission's European strategy document, Turkey pointed out that this document was confined in scope to the free movement of agricultural products and services as set out in the association agreement for the final phase of the association. Turkey particularly criticised the Commission's failure to produce proposals for financial cooperation and the lack of any proposal for an advisory mechanism concerning the operation of the customs union. Overall, Turkey's criticism of the 'European strategy' boiled down primarily to the fact that the Commission's proposals were far less generous than those made in relation to other candidate States. For this reason, Turkey viewed them more as a basis for discussion than as a goal in themselves. Accordingly, it made a number of counterproposals with regard to: the operation of the customs union; agriculture; freedom to supply services and the right of establishment; the free movement of capital and coordination of economic policies; free movement of labour; cooperation and participation in European programmes in fields such as industry, justice and home affairs, consumer affairs, the environment, energy and education; and finally financial

1 See 'A Strategy for Developing Relations between Turkey and the European Union - Proposals of Turkey' (July 1998).

cooperation. These proposals constituted a package which Turkey felt should be accepted in its entirety in order to strengthen relations between the European Union and Turkey and achieve the ultimate aim of the association agreement: full Turkish membership of the European Union.

##### 5. Turkey on the threshold?

Right from the start of negotiations with candidate States in Central and Eastern Europe and with Cyprus (in November 1998), there was no doubt that Turkish membership would take a considerable time to achieve. The European Commission produced reports on each candidate State's progress towards accession, including one on Turkey.<sup>2</sup> These reports were based on the Copenhagen criteria (see above). The report on Turkey identified serious shortcomings in relation to the political criteria. Although improvements could be identified in some areas (the right to stand for election and legislation to combat fraud and corruption), the Commission pinpointed democratic and legal abuses relating to the political role of the army and the lack of democratic control over the armed forces and security services, corruption in government bodies and allegations of corruption among members of the political elite, close relationships between organised crime and the machinery of state, political appointments in the judiciary, corruption amongst senior figures in the legal system, political intervention in the judicial process and the use of state security tribunals. Many abuses were also identified with regard to respect for human rights and the protection of minorities. These included torture, disappearances and executions, political constraints on freedom of speech (especially in relation to criticism of the actions of the armed forces and security services), the poor conditions in Turkish jails and limitations on the freedom of assembly and association. Serious shortcomings were also identified with regard to economic and social rights. The European Commission indicated that many of the reported shortcomings were connected with the conflict with the PKK in south-eastern Turkey. It was true that some slight improvements could be discerned (detention in police custody reduced to a maximum of four days, arrangements made for the protection of human rights) and many good intentions had been expressed. Where Turkey was falling short, the Commission reported, was in the implementation of agreed policies. The section of the report dealing with the political criteria concluded with the statement that Turkey needed to make a constructive contribution ("by peaceful means in accordance with international law") to the alleviation of political conflicts with various neighbouring countries.

The economic section of the Commission's report stated that the market in Turkey was unpredictable and unstable, in particular due to monetary instability. Although Turkey had embarked on a programme of economic modernisation (partly as a result of the customs union), government policy needed to focus still more closely on eliminating social and regional imbalances and creating financial and other institutions to improve the operation of the country's internal market. The Commission examined the extent to which the Turkish economy had converged with the European Union *acquis* in various respects (free movement of goods, competition etc.) and identified agriculture, the environment and public procurement as areas in which much still remained to be done. It found that Turkish legislation was increasingly in line with that of the European Union.

2 See 'Regular Report from the Commission on Turkey's progress towards accession'(November 1998).

On 17 November 1998, President Demirel of Turkey presented the president of Austria with a non-paper<sup>3</sup> expressing Turkey's desire for formal recognition as a candidate State and its wish to be treated on an equal footing with other candidate States. Naturally enough, the paper also raised the issue of the European Union's failure to meet its financial obligations under the customs union. Finally, it contained forceful passages on PKK terrorism and human rights.

The non-paper did not have the intended effect. At the European Council meeting in Vienna on 11 and 12 December 1998, Turkey was once again barred from the European Union. The European Council's conclusions (Section V. Enlargement, point 63) read:

"The European Council underlines the great importance it attaches to the further development of relations between the EU and Turkey taking forward the European strategy to prepare Turkey for membership. In this respect, it recognises the central role of the further implementation of the European strategy in line with its conclusions in Luxembourg and Cardiff".

Annex III states:

"The Commission's analysis with regard to Turkey was generally shared by the Council which noted the need for particular efforts by Turkey to ensure the rule of law in a democratic society according to the Copenhagen criteria and the relevant conclusions of European Councils; it also stresses the importance of further developing relations with this country on a sound and evolutionary basis. In this process the Council reaffirms the importance of the European strategy for Turkey".

Turkey reacted in predictable fashion: it felt that it was once again being treated differently from other states which had applied for membership of the European Union (because the conclusions of the Luxembourg meeting were mentioned and because Turkey was discussed separately from other states) and was therefore being rejected. This feeling was exacerbated by the warm welcome given to Malta's renewed application, suggesting that it will in all probability be able to qualify as a candidate State in the not too distant future, probably ahead of Turkey.

At the European Council meeting in Cologne on 3 and 4 June 1999, it proved impossible to reach agreement on a declaration on Turkey and the meeting's conclusions therefore contain no mention of the country.<sup>4</sup> According to newspaper reports, the German presidency made an attempt to have Turkey accepted as a candidate State, but this foundered in the face of non-cooperation from other Member States (especially Greece and Italy).<sup>5</sup> Although Turkey had no great expectations of the European Council meeting in Cologne, it will be difficult for the Turkish government to present this outcome as a step forward, particularly in view of the attitude it adopted in the talks with the German presidency in the lead-up to the meeting.

3 'Enlargement of the European Union - Turkey's Expectations'

4 See the letter from the Dutch Minister of Foreign Affairs to the Lower House of the Dutch parliament on 7 June 1999, point 8.

5 See, for example, 'Turkije voorlopig nog geen EU-lid' (Turkey not yet to join EU), NRC-Handelsblad, 5 June 1999.