

The European Union's Sanctions Policy Towards Turkey Goes Bust

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After a long spell, Turkish - European relations began to be discussed increasingly in the Turkish media and public opinion. The main reason was the possibility of EU sanctions against Turkey due to the activities taking place in the Eastern Mediterranean. Actually, sanctions against Turkey have increased as the relationship suffered especially after the coup attempt of July 2016. Therefore, the position of the EU taken at the 10 – 11 December Summit towards Turkey is nothing new.

Before we go into detail, let us look at what sanctions mean. A sanction is a measure taken in order to make the other side obey a law or rule, or a punishment given when they do not obey. In other words, forcing you to take action or do something that you are not keen about. The EU has produced sanctions against thirty-four countries, half of which are in accordance with United Nations resolutions. Among the candidate countries, Turkey is the only one that EU measures are directed.

When Turkey became a candidate at the Helsinki European Council in 1999, it acquiesced to harmonizing its legislation with the EU acquis. After all, the goal was membership. This situation changed gradually when the Greek part of Cyprus joined the EU in 2004.

Most of the measures against Turkey were taken over the Cyprus question. One of the conditions in October 2004, for taking the decision to open accession negotiations with Turkey was the extension of the Ankara Agreement and the Customs Union to the new members that joined the EU that year. An Additional Protocol was negotiated and signed. However, Turkey announced that it would not accept direct trade from Greek Cyprus. The EU demanded that Turkey apply the Additional Protocol without restrictions. When Turkey did not comply, the EU decided on its first sanction in December 2006, announcing that negotiations would not be opened on eight chapters and that no chapter will be provisionally closed until the Commission confirmed that Turkey had fully implemented the Additional Protocol. As Turkey did not change its policies, Greek Cyprus blocked six more chapters in 2009. However, this was a unilateral decision so it would not count as an EU sanction.

Trouble on the negotiations were not limited to Cyprus, as at times France and Germany also blocked the opening of chapters for other reasons. Yet, these were not EU measures in general. Sanctions increased after 2016. The 18 March 2016

Statement on the migration issue had also decided on advancing the accession negotiations, finalising the liberalization of visas, modernizing the Customs Union and having regular meetings at all levels including Summits. However, in December 2016, the EU taking issue with the situation of human rights, the rule of law and democracy regarding Turkey's actions in the fight against the Gülenist movement (FETÖ), decided that no new chapters would be opened.

The sanctions increased after 2018. The General Affairs Council conclusions of June 2018, repeated that under the (then) currently prevailing circumstances, (meaning the human right situation) Turkey's accession negotiations came to a standstill and that no further chapters would be considered for opening or closing. The additional measure being that no further work towards the modernisation of the Customs Union was foreseen.

The Cyprus issue has never lacked in upsetting the relationship. Due to the activities in the East Mediterranean, the EU widened its sanctions in July 2019 by:

- suspending negotiations on the Comprehensive Air Transport Agreement,
- agreeing not to hold the Association Council and further meetings of the EU-Turkey high-level dialogues (political, economic, energy, transport) for the time being,
- reducing the pre-accession assistance to Turkey for 2020 and inviting the European Investment Bank to review its lending activities in Turkey, notably with regard to sovereign-backed lending.

In addition to this, in November 2019, the EU established a new, restrictive framework which targeted two Turkish citizens in February 2020.

At the expense of repeating, the EU, either due to the Cyprus issue or the justice and fundamental rights situation in Turkey, first blocked a few, then all of the negotiating chapters, halted the modernization of the Customs Union, reduced financial cooperation and stopped all kinds of dialogue.

However, these measures did not produce any change in Turkey's stance. On the contrary, it increased mistrust and recrimination. Standing behind Greek Cyprus and the few members that supported it, the EU did not act in a balanced manner and fuelled mistrust.

Overall, all these explained above demonstrates once again that sanctions do not produce the desired result. For this reason, last October the EU offered a carrot of sorts by agreeing "to launch a positive political EU-Turkey agenda with a specific emphasis on the modernization of the Customs Union and trade facilitation, people

to people contacts, High level dialogues, and continued cooperation on migration issues, in line with the 2016 EU-Turkey Statement.” However, the EU still had some conditions for these to happen, such as Turkey making “constructive efforts to stop illegal activities vis-à-vis Greece and Cyprus”.

If we revert back to the European Council of last week, as there are no measures left in the EU’s quiver that would influence Turkey, the EU kicked the can further down the road. It repeated the Conclusions of last October and gave itself some time till March 2021. The novelty of last week’s Summit is the EU’s need “to coordinate on matters relating to Turkey and the situation in the Eastern Mediterranean with the United States.” This confession demonstrates that the EU’s capability to pressure Turkey has failed.

If we go over the Conclusions, it is startling to find what is omitted rather than what is written. It has been quite a while since Turkey’s candidacy has been mentioned. There is no reference to it either in the October or last week’s Conclusions. Turkey is, in fact, under the rubric of “external relations”. If the expectation is improvement in the relationship, this carrot should have been dangled. At least it merited a mention. It seems that there is no intention of any sort. Thus, there is no reason for Turkey to consider itself bound by the EU *acquis* anymore.

Whether membership in the EU happens or not, the relationship between Turkey and the EU should attain a certain level of mutual respect. There is a need of reciprocal steps to improve the relations. If Greece and Greek Cyprus do not provoke, Turkey will respond accordingly. On the other hand, Turkey should implement the judicial reforms it announced, starting with the decisions of the ECHR. If small but sustainable and sensible steps are taken, the tense atmosphere could dissipate. If not, then the debate will focus on “who lost whom” and we will strive to find a miracle to get back on track.