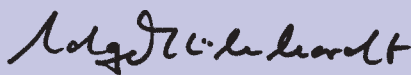


EDITORIAL

Noise in Turkish-EU-relations may be considered by some as an indication that the train has derailed. One could, however, also assume that noise is the necessary expression of an approximation and hence of progress. As long as Turkish-EU-relations were considered relations between an autonomous Turkey and a static European Union, they remained framed by a long set of diplomatic niceties and taboos. Since the opening of real membership negotiations, a new dimension has begun.

The real issue is no longer "Turkey and the EU" but it is increasingly becoming one of "Turkey in the EU". This has consequences for both sides: Turkey can no longer escape the open or covert prejudices and fears that exist among a substantial number of European Union citizens as far as the implications of Turkey's EU membership are concerned. The European Union, on the other hand, will increasingly touch upon the more sensitive aspects of the *acquis communautaire*. After all, membership is a matter of sharing the same community of values and of binding law.

Therefore, the emergence of the role of religion in public life and as a private claim right is a natural and welcome consequence of the Turkish-EU approximation. It is sensitive and may not be liked by all parts of the society, both in Turkey and in several EU member states. Yet the growing reflection about the role of religion - as well as the reflection about the most sensitive historical issues, including the Turkey-Armenia-relationship - is an indication of a maturing relationship. It demonstrates the ability to move forward in the most substantial way even while certain technical chapters of the negotiation framework and parts of meaning for trade and political relations remain closed.



Prof. Dr. Ludger Kühnhardt
Director at the Center for European
Integration Studies (ZEI)



The leaving and the incoming Presidents of the European Council: Matti Vanhanen (r), Finnish Prime Minister, and German Chancellor Angela Merkel (m), greeted by Erkki Tuomioja (l), Finnish Minister for Foreign Affairs, at the European Council in December 2006.
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REFLECTING THE NEGOTIATION DEADLOCK

EU-Turkey Relations Now, Then and Tomorrow

Martina Warning

Accession negotiations with Turkey have recently marked their first anniversary, but the current stage of relations with the EU gave little cause for celebration. The partial suspension of membership talks as manifested in the freezing of eight of the 35 negotiation chapters were the result of the EU foreign ministers' meeting in December. But even though Turkey's rather uneasy negotiations are currently very present in the media, it is useful to take a step back and look behind the daily headlines by assessing Turkey's past and forecasting its future relations with the EU in a broader perspective. Turkey's first application for membership dates back as early as 1959 and was met by an association agreement which envisaged the establishment of a customs union rather than Turkey's imme-

diately accession. This "Ankara Agreement" nevertheless already mentioned a membership perspective.¹ In the Cold War, Turkey proved to be of utmost strategic importance to Western Europe due to its geographical position nearby the Soviet sphere and staunch membership in the NATO. It was the security logic of the East-West conflict that dominated Europe's early relations with Turkey and therefore, genuine democratization was not perceived as one of the musts of Europeanization. Additionally, as its name suggests, the European Economic Community at that time was a less politically-oriented organization and Turkey's second application in 1987 was again not met with a concrete timeframe for membership, but a confirmation of the planned customs union. This procedure laid the grounds for the so-called "Ankara Agreement Syndrome", i.e. the Turkish belief that further integration ►

▶ with Europe will simply be economically driven. But after the Cold War, the Community transformed into the European Union with an increased political identity. While the summit of 1993 defined three "Copenhagen Criteria" for aspiring candidates, Turkey considered the customs union to be only a preliminary step towards membership, as it thereby became the most integrated non-EU member, at least in the economic sphere. Because of this misperception, Turkish disappointment at the Luxemburg Summit in 1997 about not being included in the list of future candidates was large. It was rejected on the grounds of failing the Copenhagen political criterion, which comprises human and minority rights. Additional bad news for Turkey was that the EU would begin negotiations with the Greek Cypriot government that it does not recognize. This indignation resulted in a Turkish counter-strategy of suspending the political dialogue with the EU and considering gradual integration with the Turkish Republic of Northern Cyprus. Two years after Luxemburg, the Helsinki Summit of 1999 then granted Turkey the status of a candidate country. But without actually showing considerable domestic progress in the last two years, Turkey had benefited from external factors such as a change in the German government and improved relations with Greece. Helsinki can therefore be interpreted as an attempt of the EU to somehow "correct" the Luxemburg decision and to counteract worrying developments rather than as a reward for political reform. In fact, the Commission's 2000 Report reiterated that Turkey had still not fulfilled the Copenhagen political criterion. But the candidate status then gave Turkey a sense of certainty in its relations with the EU and resulted in large domestic consensus in support of the accession process. The Copenhagen European Council of 2004 concluded that Turkey had fulfilled all criteria and, in 2005, accession negotiations finally started.

Turkey's Military, Kemalism and Europeanization

In the course of the accession process, Turkey has been asked by the EU to further democratize its political system in conformity with the EU *acquis*. One of the major requests with regard to converging to European democratic norms was the civilian control of the military. Since the founder of the Turkish Republic, General Mustafa Kemal Atatürk, had modernized Turkish society with a European vision, Kemalism had been equated with Europeanization for long and the Turkish military has traditionally and institutionally assumed the role of safeguarding its principles.² Turkey's EU bid hence put the military into an existential dilemma as it did not want to see its influence diminished and expressed concerns regarding the country's security. Claiming that the EU's requirements are not in line

with Turkey's reality, i.e. threats posed by Islamist or separatist movements, the military was rather opposed to them. This rejection was further fostered by the so-called "Sèvres syndrome", termed after the Treaty of Sèvres of 1920, under which most of what is now Turkey was to be partitioned among European powers. Even though the republic was nevertheless founded after a successful war of independence, the trauma of this experience remains in Turkish society even today. This explains why the EU's interference is met with a certain suspicion in Turkey. What made the EU's demands a dilemma for the Kemalists is the fact that they have always striven to be part of all European organizations, in fact the EU is the only major one of which Turkey is not a full member yet. The strong reaction in the aftermath of the Luxemburg Summit indicated that the Turkish elite found it rather unpleasant not to be recognized as suitable for EU accession. It then was the post-November 2002 AKP government that displayed a particular strong political will to restructure the Turkish political system as required by the EU, including reforms of the military's structures. By constitutional amendments and harmonization packages, a number of fundamental changes have been made to the composition, duties and functioning of the National Security Council (MGK) as the main institution through which the military has a direct influence on Turkish politics. Additional reforms reduced the powers of the MGK's secretariat that deprived it of its executive powers and transformed it into a merely consultative body. With regard to the role of the Turkish military, it should be noted that challenges for further Europeanization are not only institutional, but also sociological. Compared with a political class that was often corrupt and unreliable, Turkey's military has been rather egalitarian and professional, which made it the most trusted public institution in Turkey.

Acknowledging that the special position of the Turkish military is also a reflection of societal expectations, it is not just the military's institutions that need to be tackled for full Europeanization, but also Turkish public opinion. Even though it is inspired by Western forms of governance and thus has been revolutionary in the post-Ottoman era, Kemalism has remained a rather static doctrine in Turkey. Obstacles on the way to a liberal democracy are formed by different aspects of the political culture and in this context, a lack of tolerance to dissenting opinions also has to be noted: Article 301 of the Turkish penal code still punishes denigration of Turkishness and the Republic and thus strictly protects these Kemalist principles. Even most recently, it has been used to prosecute human rights defenders or journalists. Enlargement Commissioner Olli Rehn repeatedly called upon Turkish authorities to amend this and other vaguely formulated articles in order to guarantee freedom of expression in Turkey and noted

that this was a key political criterion for EU accession.

Vicious Circles in EU-Turkey Relations

It seems, however, like conditionality can only be credible and hence successful as long as EU accession still seems like an attractive and moreover realistic option for Turkey. As more and more problems and obstacles for its membership arise, Turkey's membership prospects become vague, which in turn weakens the EU's impact on the country. Several highly important issues have either not been tackled yet or generally threaten Turkish accession. Some of them are in Turkey's hands while others are up to the EU to resolve. Most prominently, Turkey is required to extend the customs union and open up its ports and airports to ships and planes from the Republic of Cyprus. But the Turkish government has reversed conditionality by insisting that the EU should first fulfill its own commitments to the Turkish Cypriot community before it will meet its obligation, which initiated a vicious circle of mutual conditions.³ Offering to open up at least one port and one airport for trade from Cyprus just before the December deadline was a diplomatic move by the Turkish government that managed to split European governments in order to prevent more severe sanctions. But further concessions obviously appeared too risky in light of the upcoming elections in Turkey, as the Cyprus issue is a very sensitive one in the Turkish public. Another reason for the current trough in accession negotiations is the recent progress report of the European Commission criticizing Turkey for its decelerating domestic reforms in areas such as freedom of speech, which has been pointed out as one of the remaining challenges for further democratization. This slowed-down Europeanization can be interpreted as the result of another vicious circle; i.e. an enlargement fatigue of both the Turkish and European public.⁴ Turkey's accession does not only require critical changes for Turkey, but also for the EU, as far-reaching reforms on the institutions and budget become decisive with regard to its future capability to admit new members. These issues are summarized in the term "absorption capacity" which has been defined by the European Commission in a Special Report in November. Often called the "fourth" Copenhagen Criterion, the Union's absorption capacity is apparently not a condition that can be fulfilled by the candidate like the other three. Another hurdle waiting at the end of negotiations that Turkey cannot jump by its own efforts are the already announced referenda on its accession in Austria and France. These negative signals from Europe to Turkey initiated what former Enlargement Commissioner Günter Verheugen called a "dangerous spiral."⁵ His successor Olli Rehn likewise argued that talks on "privileged partnership" only ▶ erode the EU's credibility and weaken

▶ the conditionality in Turkey since they reduce the political incentive for reforms and cause political backlash among ordinary Turks.⁶

Perspectives: Integration, Stagnation, Confrontation?

Whatever any new policy will be named in the end, it must be clear to Europeans that the trade-off between a "privileged partnership" and the enlargement policy will definitely be a much weaker influence of the Union and an increased Turkish sovereignty. Historically, Turkey-EU relations can be characterized by cycles, and such a regression in relations could be seen as merely cyclical at first sight. However, these cycles proceeded with an underlying expectation of closer integration and because of Turkey's already exceptionally high degree of integration with Europe, it will be most difficult for the EU to keep up this progressive trend while ultimately ruling out membership. In this case the negotiation framework states that, "while having full regard to all Copenhagen criteria, including the absorption capacity of the Union, if Turkey is not in a position to assume in full all the obligations of membership it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond". While the apparent difficulty for Turkey to fulfill the absorption criterion has been stressed, the critical question will be what kind of stronger bond than the current one the EU could offer. The strategy of simply risking negotiations to fail and downgrading EU-Turkey relations to a "privileged partnership" or something alike has to be viewed with utmost caution. The aftermath of the 1997 Luxembourg Summit during which the Cyprus issue was crucial as well, tells an important lesson of what kind of a "de-Europeanization" can possibly be

expected in Turkey. Commissioner Verheugen rightly claimed that Europe does not fully live up to its responsibility and warned that Turkey could turn away from Europe and towards other countries, such as Iran like a recent survey suggested.⁷ As the Western world is desperately searching for a democratic success story in the Muslim world and in reference to former Commissioner Lord Patten's invented term, the EU must pay attention not to turn its "weapons of mass attraction" against itself by rejecting Turkey. While certainly not wanting to meet trouble halfway by predicting that Turkey's 40 year old "European dream" will end up being Europe's "Turkish nightmare", it stands to reason that an angered ex-candidate might not be such a cooperative neighbor like an aspiring member Turkey has been.

1) Article 28 of the Ankara Agreement reads as follows: "As soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Turkey of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Turkey to the Community".

2) The six principles of Kemalism are Secularism, Nationalism, Republicanism, Populism, Revolutionism, and Etatism. For the Turkish military, especially the first two principles, i.e. the secular nature of the state as well as its territorial and national integrity have been the ones considered to be in most need of protection.

3) What Turkey asks for is the adoption of the aid package coupled with direct trade between the self-proclaimed Turkish Republic of Northern Cyprus and the EU. Turkey's opening up its ports and airports is

in turn seen by the Greek Cypriots as a condition for their approval of the direct trade scheme for the Turkish Cypriots. Cyprus has blocked the aid and trade measures for Northern Cyprus since 2004. The conditionality expressed by the Turks has to be evaluated in the aftermath of the failed reunification of Cyprus as proposed by the UN's Annan Plan. Whereas Turkish Cypriots accepted the Plan, Greek Cypriots overwhelmingly rejected it, but nevertheless became an EU member as Cyprus' reunification was not a condition of accession.

4) The Special Eurobarometer of July 2006 on Attitudes Towards European Union Enlargement shows that according to the present public opinion in the EU, of all (potential) candidate countries, Turkey's accession generates the most disapproval: 48% of EU citizens are opposed while only 39% are in favor even if Turkey complies with all conditions set by the EU. As for the Turkish public, meanwhile only 44% think that EU membership would be a good thing, compared to 66% in spring 2005.

5) Interview with Bild am Sonntag, 11.10.2006.

6) Lecture at Bilkent University, 3.10.2006.

7) A German Marshall Fund Study found out that on a 100-point "thermometer" scale, Turkish "warmth" towards the EU in 2006 is 45 degrees, down from 52 two years ago, while Turkish warmth toward Iran increased to 43 degrees from 34 during the same period.

Martina Warning, PhD Student at the German Institute of Middle East Studies in Hamburg (IMES), www.giga-hamburg.de/imes.

CHRONOLOGY

compiled by Volkan Altintas

2006 11 November: The second national convention of the ruling Justice and Development Party (AKP) re-elects Recep Tayyip Erdogan as AKP leader.

2006 23 November: The European Parliament's Foreign Affairs Committee adopts the report of its chairman, Elmar Brok, on the EU's future enlargement strategy.

2006 28 November - 1 December: Apostolic Journey of Pope Benedict XVI. to Turkey. The Pope visits Ankara, Ephesus and Istanbul.

2006 29 November: The Commission presents its recommendation to continue accession negotiations with Turkey.

However, the Commission also recommends the suspension of eight chapters related to Turkey's restrictions as regards Cyprus: free movement of goods (1), right of establishment and freedom to provide services (3), financial services (9), agriculture and rural development (11), fisheries (13), transport policy (14), customs union (29), and external relations (30).

2006 7 December: In an attempt to avert the suspension of eight chapters as recommended by the Commission, Turkey offers to open one harbour and one airport to Cypriot ships and planes.

2006 11 December: The Council (GAERC) agrees on a partial freeze of accession negotiations with Turkey, because of Turkey's failure to normalize trade with Cyprus. The foreign ministers agree on suspending eight out of 35 chapters as recommended by the Commission.

2006 15 December: The European

Council endorses the agreement as adopted by the Council on 11 December 2006.

2006 18 December: Eurobarometer 66 indicates that a majority of Turks support membership in the EU: 54% consider Turkish membership to be a "good thing". The support of Turkey's aspirations by EU citizens, however, only reaches 28%.

2007 1 January: Bulgaria and Romania join the European Union.

2007 16 January: Hans-Gert Pöttering is elected new president of the European Parliament.

2007 19 January: Hrant Dink, founder and editor-in-chief of Agos, is assassinated in Istanbul.

Sources: www.abgs.gov.tr, www.abhaber.com, <http://ec.europa.eu>.

Volkan Altintas is Junior Fellow at ZEI

TURKEY UNDER GERMAN EU PRESIDENCY

Cem Özdemir

After four decades in the EU's waiting room and one year of membership talks, Turkey is obviously a unique EU candidate, its potential accession causing the most controversial of debates. On the one hand, proponents of Turkey's accession emphasize the country's geostrategic, political and economic importance and see it as a role model for Muslim countries. On the other hand, opponents fear the size, poverty and general otherness of the country. But the opening of negotiations with Turkey should be of interest to both sides, as it will bring more commitment to shared values.

The EU and Turkey are in a transitional phase, causing doubts and problems. Opinion polls indicate decreasing public support in both Turkey and existing EU member-states for Turkey's accession. The current downward spiral is underlining that domestic calculus and myopic interests are coming to the fore while the visionary idea of the EU is fading into the background.

In her recent speech in the European Parliament German Chancellor Angela Merkel set out an ambitious programme for her presidency. Merkel stated that 'the reflection pause is over' and the constitution is 'key for EU success'. Therefore the constitution is one of the highest priorities during the German Presidency. The expectations from the German Presidency are high.

Finding a solution for the constitutional crisis and the institutional limbo is of utmost importance for further enlargement and deepening of the EU. A future constitutional treaty should address the concerns and fears of EU citizens. Therefore, one should remember why the French and Dutch voted 'No'. Besides domestic protest against the French national government, in both countries economic concerns on both political sides, right and left, dominated. On the left, they feared an ultra-free market economy and on the right, they were concerned of losing sovereignty to the EU. In consideration of that, it is even more important to deliver a clear definition of the social identity of the EU and of subsidiarity, as the co-speaker of the Greens Daniel Cohn-Bendit emphasizes correctly.

A constitutional treaty will enable us to find our way back to the European visions and gain public support for the European idea, embodying the values of freedom, variety and tolerance, as Merkel pointed out. The instrument of enlargement and its transformative power is a success story. Merkel mentioned clearly the membership perspective towards the Western Balkans in order to stabilize and democratize the region. Surprisingly, Merkel did not mention Turkey explicitly in her speech. She referred to the Black Sea region and Central Asia with regard to the European Neighbourhood Policy but it remained unclear whether she is including Turkey into that region. As long as Chancellor Merkel doesn't

express anything contrary, the principle 'pacta sunt servanda' applies in this case.

Due to the unresolved Cyprus question and the suspension of eight chapters in the negotiation process, Turkey is undergoing a slow-down in EU politics. This conflict will obviously influence future EU-Turkey relations. Therefore, the United Nations are called upon to start a new initiative for a reunification of the island. It is imperative that the German EU presidency fully supports these efforts. The upcoming two elections in Turkey are turning the focus on domestic politics. Furthermore, the European public watches the growing engagement of Turkey in its neighbouring countries, like in Iraq, the Middle East and Central Asia with increasing interest. Nonetheless, the EU perspective for Turkey is still dominant and those who support a democratic Turkey, where human rights exist and apply to all individuals and groups, should not deviate from the path leading to EU membership. Especially after the death of Hrant Dink it is even more important to sup-

port a democratic Turkey. Article 301 of the Turkish Penal Code needs to be withdrawn. Hrant Dink was convicted for insulting 'Turkishness' and his appeal was rejected. This conviction made him a target for his murderer.

The debate on EU expansion is presently characterized in particular by domestic policy calculations and virtually autistic European policies. And that although the EU had good reason to decide - unanimously - to open accession talks with Turkey. The heads of government were guided in doing so not by Turkish interests, but largely by European interests. This concerns a democratic Turkey with a Muslim majority, which respects human rights, protects minorities, and is prospering economically on the basis of political stability. It is obvious that such a Turkey also serves the interests of the European Union.

Cem Özdemir, MEP, is member of the Group of the Greens/European Free Alliance in the European Parliament.

CURRENT NEGOTIATING STATUS

No. Title of chapter

1	Free movement of goods	(X)
2	Freedom of movement for workers	X
3	Right of establishment and freedom to provide services	(X)
4	Free movement of capital	X
5	Public procurement	X
6	Company law	X
7	Intellectual property law	X
8	Competition policy	X
9	Financial services	(X)
10	Information society and media	X
11	Agriculture and rural development	(X)
12	Food safety, veterinary and phytosanitary policy	X
13	Fisheries	(X)
14	Transport policy	(X)
15	Energy	X
16	Taxation	X
17	Economic and monetary policy	X
18	Statistics	X
19	Social policy and employment	X
20	Enterprise and industrial policy	X
21	Trans-European networks	X
22	Regional policy and coordination of structural instruments	X
23	Judiciary and fundamental rights	X
24	Justice, freedom and security	X
25	Science and research	X
26	Education and culture	X
27	Environment	X
28	Consumer and health protection	X
29	Customs union	(X)
30	External relations	(X)
31	Foreign, security and defence policy	X
32	Financial control	X
33	Financial and budgetary provisions	X
34	Institutions	X
35	Other issues	X

Legend: X not yet opened (X) suspended
 Y opened
 X closed

Data as of 1 March 2007

THE GERMAN EU PRESIDENCY

Implications for Accession Negotiations with Turkey

Jan Senkyr

Expectations are high, opportunities low - the German Council Presidency, started on 1 January 2007, constitutes a great challenge as well as a test for the federal government. Germany has taken over the Presidency in a critical phase for the Union's development. Euro-scepticism has increased in many member states: Some even diagnose a confidence and orientation crisis. The reform process has slowed down - the negative outcome of the referenda in France and in the Netherlands illustrate this clearly. With the accession of Bulgaria and Romania on 1 January 2007, the EU - now encompassing 27 members - has reached limits of its capacity to act.

However, the German Presidency will also see the celebrations of the 50th anniversary of the Roman Treaties, signed on 25 March 1957. On the one hand, this constitutes an opportunity to celebrate the unique success story of the European Union: It guarantees peace and welfare, liberty and democracy in Europe. It has overcome the division of the continent, has created a common market for half a billion people and has established a single currency. On the other hand, the EU has the opportunity to give new impetus to the constitutional debate on the occasion of the extraordinary summit on 25 March 2007. It is planned to agree on a "Berlin Declaration", addressing the central values and the future mission of the EU.

The German Presidency is confronted with a long list of topics: It comprises the constitutional treaty, the enlargement process, neighbourhood policy, energy and environment policy, the fight against organised crime and terrorism as well as the Union's financing and bureaucracy reduction. During the German six-month term, the room for manoeuvre is limited. Therefore, the Council has - for the first time ever - adopted an 18-month work programme for the three subsequent presidencies of Germany, Portugal and Slovenia from January 2007 to June 2008. This constitutes the official work programme of the Council during this period and was prepared in close collaboration with the Commission, aiming at strengthening continuity in the Council's actions.

A central concern of the German chancellor Dr. Angela Merkel is to find a way out of the constitutional deadlock until the EU Summit end of June 2007. This will be a difficult task, especially if one considers how diverse the positions of member states are in this particular question: The "friends of the Constitution", 18 EU members, have already ratified the Constitution. They intend to preserve the current constitutional treaty as far as possible, with some additions if neces-

sary. Others strongly support a substantial cut, leading to a "mini treaty". Poland has announced its own proposal for a new constitutional treaty for March 2007, the Czech Republic strives for a considerable rephrasing and the United Kingdom rejects basic parts of the constitutional treaty - such as the increase of qualified majority voting, the creation of an EU foreign minister or an EU foreign service.

The federal government will have detailed talks with all 26 partners to figure out in how far all these positions can be merged. This is supposed to lead to a clear roadmap, highlighting the necessary measures to solve the problem over the constitutional treaty. There is definitely the need to solve the constitutional deadlock well ahead of the European Parliament elections in spring 2009.

Another important requirement for the continuation of the European integration process - and therefore a task of the German Presidency - will be to tackle the widespread euro-scepticism. With the EU becoming larger and more difficult to understand, people want to know about the meaning and benefits of the European Union in more detail. This also touches on the issue of identity and creating a feeling of belonging together. Therefore, it needs to be increasingly stressed that the Union's actions and cohesion are based on common values. Values Europe stands for and values Europe wants to preserve on the worldwide market of cultures.

In a speech held at the European Parliament in Strasbourg on 17 January 2007 chancellor Merkel summarised the basic character of Europe: "The soul of Europe is tolerance". Tolerance allows for diversity, and diversity guarantees liberty in Europe:

- the liberty to publicly express one's opinion, even if this bothers others;
- the liberty to believe or not to believe;
- the liberty of entrepreneurial action.

Bearing in mind the constitutional crisis and citizens' scepticism with regard to the enlargement process, the Chancellor reminded of the basic motives and the core of the European integration process: liberty and tolerance. She also highlighted that these two need to guide Europeans in the future as well in order to manage the challenges in security, economics and the field of foreign policy.

The enlargement process will continue during the German Presidency - by respecting the integration capacity of the EU and based on the resolutions of the EU summit in December 2006. This also concerns the accession negotiations with Turkey. The decision of the summit to temporarily suspend eight chapters - because of the Turkish

refusal to grant Greek-Cypriot vessels access to Turkish harbours - constitutes a certain setback but not the end to negotiations. During the coming months it will be necessary to prevent the process from stopping. Already under the Finnish Presidency it was decided to at least open one chapter - on enterprise and industrial policy - at the beginning of 2007. In the meantime, the EU has announced to be more engaged in the Cyprus conflict and to keep its promise of reducing the isolation of Northern Cyprus and of disbursing the agreed funds to the Turkish part of the island. There is also agreement on starting a new attempt to solve the issue with mediation by the United Nations.

However, it is also up to Turkey not to let the reform process slow down and to stick to its obligations in the framework of accession negotiations. This will not be an easy task since support for a Turkish membership in the EU has declined in Europe and likewise in Turkey. On the other hand, political life in Turkey in 2007 will be dominated by the presidential elections in May and the elections for the Great Turkish National Assembly in November.

It is widely known that the CDU/CSU is quite sceptical towards the full membership of Turkey in the EU. Nonetheless, the current government sticks to the agreements concluded by the Schröder government and supports the negotiation process. Chancellor Merkel also stressed this during her last visit to Turkey in October 2006: "pacta sunt servanda".

The deputy chairman of the CDU/CSU faction in the German Bundestag, Dr. Andreas Schockenhoff, underlined on 5 February 2007 in Ankara: "We have a substantial interest that Turkey continues its reform process - accession negotiations are a catalyst for doing so! No one intends to end the accession negotiations, their continuation is in the European interest. No one places additional stones on Turkey's way."

Jan Senkyr is Representative of the Konrad Adenauer Foundation in Ankara.

ZEI PUBLICATIONS

Christiana Tings: The new German European Policy. Challenges to Decentralised EU Policy Coordination, ZEI Discussion Paper, C 166/2006.

Ludger Kühnhardt: Europa neu begründen, ZEI Discussion Paper, C 167/2007.

Other papers are available on our website: www.zei.de

THE POPE AND TURKEY

Ludger Kühnhardt

Explaining contradictions and exaggerated interpretations is not the Vatican's business. Nor does the Vatican usually deny what others say about a conversation with the Pope. The Vatican deals with principles and always applies a long-term perspective. The Vatican's position on Turkey - and in particular this Pope's position - has always been clear, or so it seems to me, having had the opportunity to discuss the matter with Cardinal Ratzinger three years ago when he still was president of the Congregation of Faith. For centuries, Turkey has been an element of a non-European, Islamic, Asian culture, then-Cardinal Ratzinger once said. Empirically he was correct. Analytically and in normative terms he always insisted on reciprocity of religious freedom as the core of European/Christian-Turkish/Muslim relations. If Turkey were to comply with the principle of reciprocity of religious freedom - meant as positive freedom to practice one's religion even if it represents a very small minority in a dominantly Islamic country - it would become a different Turkey. It would recognize in practice standards of civilization and standards in the relationship between religion and politics that are nowadays part of European normalcy. Such a Turkey could be, and in fact should be, a welcome part of any European integration scheme and regional grouping.

Pope Benedict XVI would never express the direct, rather simple and pragmatic position Turkish Prime Minister Erdogan has put into his mouth. To advocate Turkish EU membership directly would not be the business of the Pope, who is, after all, a religious and not a political leader. But it was impressive to see that in the course of his recent visit to Turkey, Pope Benedict XVI has set the perspective and framed the issue that is most pressing and of long-term implications for Europe: he opted for a dialogue among religions and civilizations. This approach to the Turkey-EU issue is of much more long-term significance than all the technocratic "chapters" the EU needs to negotiate with Turkey. In fact, these membership negotiations have never been negotiations. They are meant to make the applicant country recognize the *acquis communautaire* of the EU, the European law as it has developed over five decades. The EU will always insist on the fullest recognition of all aspects of its *acquis communautaire* - and rightly so. To recognize another EU member state is obviously of highest relevance and evidence as one of the core aspects of this *acquis*. So far, Turkey has not recognized the EU member state Cyprus. Hence, parts of the negotiation process will be postponed. This is much less dramatic as it sounds because so far, only one of 35 "chapters", the one on

Science and Research, has been opened and immediately closed as it did not contain any *acquis communautaire*.

Turkey-EU membership negotiations, so it seems to me, were meant to hit a wall at some point. Now it has happened, and not to my surprise. Turkey will eventually have to learn and recognize that the desire to join the EU - legitimately and in the mutual interest of Turks and all other Europeans alike - requires full compliance with the *acquis communautaire* of the EU. To limit one's own sovereignty is part of the rationale of European integration. Turkey will accept this at some point, should the Turkish leadership and people continue to want to join the EU (and I hope that they continue to do so). There is no rational alternative for Turkey to access this path. Also for the EU, there is no rational alternative other than continuing the path towards full Turkish membership. In the years ahead, many more bumps will appear in the road. It is significant that the current bumps, related to the Cyprus issue and the technical matter of opening some ports to Cypriot ships, coincided exactly during the days of the spectacularly positive visit of Pope Benedict XVI. His visit has set the tone, the standard, the main criteria and perspective as to why the relationship between Turkey and the European Union needs to be a positive and ultimately successful one. In order to achieve that objective, all taboos have to be overcome and the most sensitive issues have to be dealt with in a constructive, future-oriented spirit, including the Armenian legacy.

During his visit to Turkey, the Pope entered the world of common Christian roots and of the Christian heritage of Turkey: the origin of Christianity in Europe is unthinkable without the many bridges of Anatolia. The term "Christians" was used for the first time in a cave church in Antioch, now Antakya. Paul was born in Tarsus. Many of his epistles were written to the early Christian communities in Anatolia, Asia Minor as it then was called. The merger of Greek philosophy and Christian theology happened on that soil. It is no surprise that the Greek Orthodox Church and its patriarch are in favor of Turkey joining the EU one day. They know that only such a full realization of Turkey's "Europeanness" will ultimately improve their own situation and lead to full recognition of the Orthodox Church by Turkish authorities. Turkey has begun to reconcile Turkish national interests and European obligations. This is a long and complex road. In the end, it would mean nothing less than a revolutionary revision of Turkey's understanding of religious pluralism, of the relationship between religion and politics, of the relationship between national pride and patriotism on the one hand and European obligations and standards on the other.

Being able to accept the *acquis communautaire* would mean nothing less than a civilizational quantum leap and the recognition that the EU and Turkey belong to each other, that Turkey inside the EU is no anachronism but a logical consequence of the values and principles the EU stands for in the twenty-first century. Pope Benedict's visit has shaped the issue more than most political disputes during the past decade because he has broken the ice on the most relevant taboos and matters of spiritual substance necessary to be dealt with in a good and friendly spirit if Europe wants to succeed as a community of (inclusive) values. His voyage in November 2006 shaped the "Turkey question" in a positive sense and with lasting impact. This papal visit prepared the psychological ground for the most honest, sincere, and substantial dialogue among civilizations and religions in Europe's recent history, a dialogue that ultimately, I believe, is poised to generate sustainable success.

Prof. Dr. Ludger Kühnhardt, Director at ZEI

The essay was previously published at <http://www.aicgs.org/analysis/c/kuehnhardt120706.aspx>

THE IMPORTANCE OF DIALOGUE

In a speech held at the Parliamentary Assembly of the Council of Europe on 22 January 2007, Ecumenical Patriarch Bartholomew I. underlined the importance of interreligious dialogue. He stressed that, although "the inhabitants of our planet confess many religions and that on many occasions a variety of tendencies and denominations have developed within each religion, often even with contradictory beliefs", there is no justification to put forth religious reasons "to urge individuals, or even entire peoples, to warfare or to vivify the militancy of those involved." Instead, the truth of religions does not show in a militant way, it is rather "known through the word - *logos* - and the personal experience of it". If this word, as expression and justification of convictions, is exchanged with others, it "becomes a dialogue." This dialogue is of utmost importance because - in contrast to other creatures - dialogue "is inherent in the nature of the human person." Therefore, a person that "denies participating in a dialogue denies indirectly this very human quality."

The entire speech is available at <http://assembly.coe.int>

HOLDING THE WEIGHT ONE LAST TIME?

Turkey's non-Muslim Population in the aftermath of 19 January 2007

Dilek Kurban

In the aftermath of the assassination of Hrant Dink, the editor-in-chief of the Armenian-Turkish weekly *Agos*, on 19 January 2007, Armenians in Turkey remain at a crossroads. "Leaving" has always been a possibility in the minds of Turkey's non-Muslim population, the remoteness or actuality of which would depend on external factors above and beyond their power. At times of peace, when Turkey and its neighbors were in relatively stable - but not necessarily good - relations, this possibility remained distant. At times of conflict, however, when the country's "strategic location" was remembered and reminded by the state, the army and the media, extraordinary measures were justified in the name of the "salvation of the state". Fear of the never identified but ever present "foreign enemies" was resurrected in the collective psyche of society. The thought of leaving not only revived in the minds of non-Muslims, but actually materialized for many. The departure could be "voluntary" or coerced; the departing could be Jewish, Armenian, Greek or a combination of the three. The outcome would depend on various factors such as the identity of the "enemy" the country was fighting against at the particular point in time, the presence of a place to leave for and the degree of persecution, ranging from ethnic cleansing to mob attacks. The departing could be Armenians in 1915 or Jews on the eve of the Second World War - when 1934 mob attacks against Jews living in Thrace resulted in their forced expulsion from that region - or Greeks in the late 1950s and early 1960s - when the escalation of a crisis between Greece and Turkey over Cyprus resulted in the 1955 state-facilitated and

tolerated mob riots against Greeks (and partially Armenians and Jews) living in Istanbul, forcing thousands of Greeks to leave for Greece. Even a combination of the three occurred during the Second World War, when the country's dire financial situation "necessitated" the levying of a disproportionate wealth tax on non-Muslim citizens in 1942, leaving thousands bankrupt and sending more than one thousand who could not pay their taxes to labor camps around the country... The list is long, but the gist is simple: Turkey has never been a true home to its non-Muslim population, who has lived in a constant state of anxiety, uncertainty and fear, and has never enjoyed the feeling of security which is arguably a natural and inalienable component of the state-citizen relationship.

After Hrant Dink, history repeats itself: As Turkey undergoes yet another "very critical" - this time most critical, surely unequivocal - phase in its modern history, Armenians and possibly other non-Muslims once again find themselves juggling a delicate weight. Surely, for many, this is not the first time they are holding a scale. An 80 year old Armenian man, whose parents survived 1915 and has decided to stay in 1934 and 1942, has surely been made to hold that scale himself in 1955, in the late 1960s and early 1970s when Turkey and Greece fought over Cyprus, and in 1974 when one of the highest courts of his own country called him a "local foreigner" and thus justified the state's illegal confiscation of the rightfully acquired properties belonging to his church, and again in the late 1970s when the terrorist acts of ASALA¹ against Turkish diplomats were attributed to innocent Armenian citizens of Turkey. What may be on his mind this time as he holds the weight again? Perhaps,

having lived his entire life in a state of perpetual emergency, he is not surprised. But surely he is disappointed. He, like other non-Muslims as well as "Muslims" advocating political change and democratization, must have believed that the recent reform movement triggered by the EU accession process was real. He must have dared to raise hopes for his children's and grandchildren's future in Turkey, where being a non-Muslim has effectively been the equivalent of statelessness, where non-Muslims have been forced to adopt a refugee-like psyche in their own country. And then, in the afternoon of 19 January, Hrant Dink was gone. So were the Armenian man's hopes.

Some may argue that there is still ground for optimism. That one should not underestimate the progress made by the current government in restituting to non-Muslim foundations some of their property rights systematically violated since the 1960s pursuant to the infamous "1936 Declaration." That they can at least, thanks to the graciousness of their state, now hold legal title to the properties they own even though they cannot yet take back the hundreds that had been taken away from them nor receive just compensation instead. That they can still practice their religion in their own churches - prohibitively difficult it may be to build new ones -, study in their own schools - though Armenian children may be made to write essays about how there was no genocide -, freely practice their economic rights - but dare not dream of ever becoming a public servant -- and give their children Armenian, Jewish and Greek names - but of course understand that they will be misspelled in their identification cards. Whatever ground for hope and optimism non-Muslims have held on 18 January was taken away with Hrant Dink. Surely, they must have felt touched by seeing more than 100,000 mostly "Muslim" individuals carrying signs reading "We are all Armenians" as they said farewell to Hrant Dink. But, how must they have felt when they were kindly reminded by ministers, parliamentarians, journalists, academics, bureaucrats and the men on the street that "they" are not Armenians? Is this yet another turning point when the pros of leaving will weigh heavily for some, but not for other Armenians? Or will the weight be balanced once and for all and the state will finally succeed in what it has failed to in the last 84 years: a homogenous Muslim nation? Perhaps what is different this time is that non-Muslims are now joined by their few "Muslim" friends in making that grand decision...

1) Armenian Secret Army for the Liberation of Armenia.



Pope Benedict XVI. and Ecumenical Patriarch Bartholomew I. on 1 December 2006 at the Cathedral of the Holy Spirit in Istanbul. © Nikolaos Manginas/Ecumenical Patriarchate

Dr. Dilek Kurban, TESEV Democratization Program

THE LEGACY OF HRANT DINK AND TURKEY'S EU PROCESS

M. Murat Erdogan and Dervis Fikret Ünal

On 19 January 2007 Turkey lost one of its most precious public figures, Hrant Dink, a man who tried to contribute to the solution of long-lasting problems, someone trapped in a vicious circle of perception, who struggled for better relations between two communities: Turks and Armenians.

Hrant Dink's assassination made a "deep impact" on Turkish society and caused a public backlash. Accordingly, the funeral ceremony of Dink generated a common reaction against the murder. Millions of Turkish citizens came together and protested against this brutal killing. It had been unthinkable before Dink's murder that thousands of Turks would come together in Istanbul, carrying signs stating "All of us are Hrant - All of us are Armenians!"

Why did Turks react so even though the victim was not ethnically Turk and the relations between Turkey and Armenia are still tense?

First of all, Dink tried to find a solution to problems by pushing for further democratization and by focusing on issues such as the freedom of speech and civil liberties rather than creating new obstacles to the rapprochement of the two communities. He founded the *Agos Weekly* in Istanbul, a newspaper published in Armenian and Turkish. *Agos* reflected Dink's philosophy of giving a *single* message to *both* communities instead of only addressing one. In addition, Dink also wrote for *Zaman* and *Birgun*, two national dailies in Turkey. The former represents rather conservative views while the latter is closer to the national left. In short, he preferred to address the entire society rather than particular groups. Dink therefore focused on social problems as a citizen with responsibility for his country, rather than emphasising his ethnic identity, which could have been regarded as an attempt to distinguish himself from the majority of society.

The democratization process in Turkey is getting stronger and stronger. Most Turks are supportive of democracy, the rule of law, human rights, and minority rights. The

fact that Dink was shot in front of his office building in Istanbul constituted a severe violation of the most basic human right - the right to live. The Turkish society considers this murder as one committed on us all! Furthermore, the slogan "All of us are Hrant Dink" showed that Turks support the freedom of thought and that no one can stop free ideas through the elimination of an activist in Turkey!

There is no doubt that the EU has substantially contributed to the acceleration of the democratization process. Turkey has experienced an important process in its quest to fulfil the Copenhagen Criteria as an accession requirement after the country was accepted as a candidate country at the Helsinki European Council on 17 December 1999. Hence, the obstacles to democratization and human rights were overcome in line with the "Europeanization" aim, fuelled by the strength of the membership perspective. Accordingly, the European Council could conclude in December 2004 that Turkey sufficiently fulfilled the Copenhagen criteria, and subsequently opened accession negotiations.

Despite this success, one cannot overlook the fact that it was not an easy task to pursue many of the necessary reforms at the administrative level because of serious political, social and economic problems, including the threat by PKK. Nonetheless, the EU process has been largely accepted within society although it has also strengthened etatist-nationalist opposition groups at the same time. The lack of a generally accepted political strategy towards Turkey and current developments, such as the French National Assembly voting an "Armenian genocide law", have facilitated the rise of nationalist fever in Turkey, derived from the firm belief that the EU applies double-standards towards Turkey when it comes to membership criteria and negotiations. The acceptance of the Greek-Cypriots as representatives of the whole island by the EU provided yet another source for the steady rise of Turkish nationalism. These effects might at least partially explain why public surveys in Turkey show support for EU membership in constant decline - a result of the vague impression that Turkey will never be accepted as a member

anyway, leading to a rejection of the EU.

This general atmosphere had a significant impact on the psychology of the only 17-year old assassin. Although the Turkish police arrested the murderer and his accomplices within 36 hours, it cannot be denied that there is a general societal aspect to Dink's death because the emergence of an atmosphere as described could not be prevented. However, the impact of EU policy regarding Turkey, indeed the lack of a coherent and reliable policy, also merits attention. Consequently, it is a sad but true reality that supporters of the EU policy for democracy and human rights have become targets for ultra-nationalists who regard their actions as giving concessions to the EU and harming Turkish national interests.

Turkey is responsible for the quality of its democracy and human rights, but the EU should also realise its influence and should not ignore its responsibilities for a stable Turkey, respectful of democracy and human rights. The death of Hrant Dink is closely linked to the relations between Turkey and the EU. Thus, his death highlights the need to mutually revise policies. The EU can indeed turn the issue into an opportunity for Turkish society.

Dink's death may also provide an additional chance to Turks and Armenians to come together and to truly begin a meaningful dialogue. Following the funeral ceremony, Armenia sent a message to Turkey, offering to open ties without precondition, while Ankara still insists that Yerevan first abandons its genocide claims and gives up claims over Turkish territory. Armenia, however, is sceptical about giving a positive response to this. Nevertheless, many people from both societies hope that the process of Turco-Armenian rapprochement will be pursued after much mutual pain has been caused. It is important to realise that this murder brought two communities closer together, because both Turks and Armenians reject the murder of Hrant Dink.

Dr. M. Murat Erdogan is Fellow at Hacettepe University, Ankara / Dervis Fikret Ünal is Master Fellow at ZEI.



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Center for European Integration Studies
Walter-Flex-Str. 3

53113 Bonn, Germany

Tel.: +49 (0)228-73-4952 Fax: -1788

www.zei.de

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