

## Analysis

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**Summary:** The prospect of Turkish citizens traveling to the EU without a visa in a few years stands out as one of the only viable short-term goals to mobilize around in Turkey's EU integration track. Turkey will need to carry out significant reforms — some of them costly — in order to meet the conditions for visa-free travel. Essentially it is a win-win journey, but there is also a risk that the prospect will be squandered. In any case, as long as the root causes of irregular migration are not addressed, managing borders will be a growing challenge for both Turkey and the EU. The EU and Turkey have a shared interest in pooling their complementary strengths toward sustainable development in the region.

## Turkey's Visa Free Travel Process with the EU: Trap or Gift?

by *Diba Nigar Göksel*

### Introduction

After presidential elections in August, the Turkish government stepped up its discourse on EU accession aspirations. However doubts abound as to whether its commitment is real or superficial.<sup>1</sup> At the same time, the EU is consumed with internal challenges, and most one-time advocates of Turkey in Europe have lost their appetite for the difficult partner that is Ankara. Given this grim outlook, the prospect of Turkish citizens traveling to the EU without a visa in a few years stands out as one of the only viable short-term objectives to mobilize around.

### An Arduous Journey

It was in 2005 when the European Commission and Turkey first started negotiating a readmission agreement, which would enable the EU to return (back to Turkey) anyone that had transited Turkish territory to illegally enter the EU. Ankara was convinced the EU was simply externalizing the burden of managing migration, and instrumentalizing Turkey as a buffer zone, or a “depot” for irregular immigrants of the entire neighborhood, from Sudan to Afghanistan.

In exchange for readmission agreements and reforms related to preventing illegal migration, organized crime, and terrorism, the EU had offered “mobility” to the five Western Balkan countries. Accordingly, by 2010, citizens of Macedonia, Serbia, Bosnia and Herzegovina, Montenegro, and Albania could travel to the Schengen area without a visa. Georgia, Moldova, and Ukraine were offered similar visa liberalization processes. Yet as late as 2011, the EU was reluctant to even mention that visa liberalization was a prospect for Turkish nationals. Ankara's worst case scenario seemed to be coming true. An arc of countries around it will integrate with the EU while Turkey is left out, because it is Muslim, because it is big, and because it is Turkey.

Finally, in June 2012, Turkey and the EU signed a readmission agreement text that gives Turkey three years before it has to accept the return of third country nationals.<sup>2</sup> And the readmission agreement was linked to a visa liberalization process for Turkish citizens. When the readmission agreement was signed in December 2013,

<sup>2</sup> However, this is somewhat misleading because effective immediately, Turkey is expected to satisfactorily implement its bilateral agreement with Greece dating back to 2001, which requires both countries to accept back people who have illegally entered the other's territory.

<sup>1</sup> <http://www.gmfus.org/archives/turkeys-turn-toward-the-eu/>

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the EU released the “Roadmap Towards a Visa-Free Regime with Turkey,”<sup>3</sup> a set of 70 benchmarks — involving border security, document security, asylum policy, respect for human rights, irregular migration, and organized crime. When Turkey meets these conditions, Turkish nationals will supposedly be able to travel to the Schengen area without a visa. As a safety valve, Ankara added an annotation noting that Turkey would withdraw from the readmission agreement if the EU did not offer Turkey a visa-free travel regime by April 2018 (which requires a qualified majority in the Council and a simple majority in the European Parliament). In October 2014, with Turkish parliament ratification, the readmission agreement entered into force, and the EU released its first progress report of Ankara’s implementation of the Roadmap.

Dealing with a steep learning curve, Turkey has been establishing the legislative framework and capacity to deal with the requirements of the readmission agreement and the visa roadmap. A law on foreigners and international protection has been adopted, the General Directorate for Migration Management has been set up within the Interior Ministry, a structure to enhance coordination between different institutions in charge of border management has been set up, and cooperation with relevant EU authorities was improved. However, much more needs to be done.<sup>4</sup>

In the meantime, more than 1.5 million Syrian refugees have flooded into Turkey. Figures from 2014 show that Syrian nationals lead irregular migrants detected at the EU border. Moreover, the conviction that Turkey turned a blind eye to Islamic State fighters who used Turkish territory has increased the challenges for Turkey stemming from European public opinion. As Turkey takes steps to both curb transit migration into the EU and the flow of EU citizen Islamic State recruits, the tide it is rowing against is also getting stronger.

### A Worthwhile Burden for Turkey?

Turkey will need to make significant investments in order to meet the conditions for visa-free travel — from strengthening its border management capacity to covering the daily costs of irregular immigrants until they can be sent back to

<sup>3</sup> [http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20131216-roadmap\\_towards\\_the\\_visa-free\\_regime\\_with\\_turkey\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20131216-roadmap_towards_the_visa-free_regime_with_turkey_en.pdf)

<sup>4</sup> Outlined in the form of a scorecard at: <http://www.esiweb.org/index.php?lang=en&id=555>

their countries of origin. Turkey will receive financial and technical assistance from the EU to this end.<sup>5</sup> However, the Turkish side finds the amount of financial assistance the EU has earmarked to support Turkey in this endeavor insufficient. The view in Ankara is that a larger share of the financial burden should be covered by the EU, and that this assistance should not be carved out of the pre-accession assistance package, which Turkey would anyway receive, since Turkey’s implementation of the readmission agreement is mainly serving EU interests, and it is not directly related to the accession process.

The deficit of trust toward the EU is central to Ankara’s concerns. The common Ankara-based assumption is that the EU’s evaluation of Turkey’s performance and decision to grant Turkey a visa-free travel regime will be political, rather than merit-based. As long as the Turkish side assumes that the EU will not be impartial and will find excuses, on the basis of prejudice and so-called solidarity with Greece and Cyprus, to claim Turkey does not fulfill the conditions, the prospect of visa-free travel does not seem viable, and it is less enticing.

Is the process worthwhile for Turkey under these circumstances? The measures Turkey needs to take to qualify for a visa-free regime with the EU will also align Turkey with EU standards, rendering Turkey more ready for accession. However, independent of its EU accession process, or even

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<sup>5</sup> [http://ec.europa.eu/enlargement/pdf/key\\_documents/2014/20140919-csp-turkey.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2014/20140919-csp-turkey.pdf) (IPA II 2014-2020 page 23-24 home affairs)



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the visa liberalization process, many of these reforms are worthwhile for Turkey. Having an ambition to be a hub in the neighborhood and facing heightened challenges in securing its southern borders, Turkey needs to have a comprehensive strategy — as well as the capacity to back it up — in relation to refugees, borders, and asylum seekers.

This being said, the EU does need to take the Turkish skepticism seriously and try to address the justified aspects of it. There are a number of ways in which the visa liberalization promise can rejuvenate EU leverage in Turkey, but only if the promise is viable.

### Leverage for Democratization?

In the course of the implementation of the readmission agreement and the visa roadmap, targeted and structured interaction between various EU agencies and Turkish institutions will inevitably intensify. The increased avenues of collaboration on homeland security with European counterparts can support Turkey's convergence with EU models, and improve working relations between related public authorities on both sides. Moreover, the principles, norms, and inter-ministerial coordination tools Turkey will need to apply to meet the benchmarks of the visa liberalization roadmap can have a transformational effect that spills over into other areas of the Turkish governance system.

The visa liberalization process can also provide the EU with leverage in terms of Turkey's political reforms. Turkey will be required to remove any grounds for Turkish nationals to seek asylum in the EU. Accordingly, Turkish authorities will need to ensure the “the right to liberty and security, the right to a fair trial and freedom of expression, of assembly and association in practice,” in line with European Court of Human Rights provisions and case law. Anti-corruption measures are also a part of the process — particularly for

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public authorities that deal with organized crime, border management, and customs.

Finally, if and when visa-free travel is achieved, it will enable more freedom for Turkish nationals to travel to the EU, and thus expedite the dissemination of ideas and the breakdown of mutual stereotypes, potentially serving to disarm circles that fuel negative perceptions of the “other” in both the EU and Turkey.

### Inseparable from Neighborhood Foreign Policy

Turkey's neighborhood strategies affect its integration with the EU in many intricate ways. While Ankara claims to have more compassion toward — and stronger leverage over — the Muslim Middle East, in practice, it falls short of its Western counterparts on a number of fronts.

The gruesome incidents of people drowning in the Mediterranean, Aegean, and Black Sea as they tried to reach the EU have exacerbated the conviction in Turkey of having a moral high ground. Indeed, Turkey is going to great lengths for Syrian refugees. However, Turkey also has numerous inconsistencies and hypocrisies in this area, such as only accepting asylum applications from nationals of Council of Europe member countries. Turkey is also increasingly seen as an unsafe location of refuge for human rights activists from neighboring countries with whose regimes Ankara enjoys good relations, such as Azerbaijan and Russia.

Another case in point relates to leverage. Many regimes of countries in the neighborhood where irregular migrants originate from do not sign readmission agreements — which would require them to accept back their own nationals — with Turkey. Ironically, Ankara seeks Brussels' support to incentivize them to sign agreements to this end.

As long as the root causes of irregular migration — instability and poverty in the neighborhood — are not addressed, managing borders will be a growing challenge for both Turkey and the EU. As such, regardless of strains in Turkey's EU accession, the EU and Turkey have a shared interest in pooling their complementary strengths — economic, political, cultural, and technical — toward sustainable development in the region. When it comes to development aid and institution-building assistance, there are many European practices Turkish donors and NGOs can



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benefit from, while having like-minded Turkish partners can be a value-added for EU counterparts.

### Conclusion

Essentially the visa liberalization process is a win-win journey. Encouraging Turkey to curb irregular migration is most definitely in EU interests. And if Turkish nationals achieve visa-free travel, the Turkish government will get credit for delivering a new opportunity to their constituencies. In the bigger picture, offering Turks the chance to travel without barriers, to see for themselves European standards of living, freedoms, and governance models, is also the best antidote to conspiracy theories that are fuelled by the sense of exclusion. As anti-European narratives gain traction in the neighborhood, salvaging Turkey's European anchor is particularly important for the larger geostrategic scene as well.

Now that it has embarked on this process, the EU needs to caution against failure. If Turkey fulfills the requirements, yet still does not receive the qualified majority vote for visa-free travel from EU member states, this will further diminish EU credibility in Turkey. Such a failure would be a gift to those propagating anti-European narratives in Turkey, and could greatly exacerbate all existing problems in Turkey-EU relations.

That being said, the Turkish political leadership needs to manage this process with utmost diligence and good will to restore its own credibility in Europe. Before reverting to the fallback strategy of blaming the EU or pointing to Turkish popular resistance to European demands, Ankara's leadership needs to engage Turkish public opinion more constructively — explaining shared interests with the EU and pro-actively building consensus in the society. Turkish civil society, so far largely disengaged from the process, also needs to get acquainted with the nuts and bolts of the visa liberalization process, and hold authorities to account for their performance in meeting the requirements of the readmission agreement and visa roadmap.

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