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THE CHALLENGES OF TURKEY-EU RELATIONS

The consistency of the relationships between the EU and Turkey is important due to fact that Turkey has a critical geopolitical position for the policies of the EU member-countries, notwithstanding the challenges and tensions mentioned.

For that reason, further in this article the vital points and main challenges of Turkey's negotiation process, reflections and recent developments on the relationship between the EU and Turkey will be inquired.

1 – Accession Negotiations

The accession negotiations face major challenges and it is readily observed that Turkey's negotiation process has been continuing rather slowly since the EU has not a common political will about Turkey's membership, and Turkey has not completely fulfilled its own commitments. As explained above, due to Cyprus issue, the negotiation process decelerated in 2006, yet it was emphasized in the EU progress reports between 2005 and 2012 that Turkey has a key role for the EU's energy and foreign policies by virtue of its geopolitical position.

Moreover, the EU and Turkey had two meetings in 2012 and 2015 in order to compromise on weighty topics such as energy, visa exemption, customs union, counter-terrorism, and refugee crisis. In the wake of the meeting of 2012 the parties even entered into an energy cooperation agreement. However, the point should be emphasized that the EU has been dissatisfied with Turkey's policy against Syrian crisis as expressed in progress reports about Turkey after 2012.

Beside this, some regulations in national legislation, such as Supreme Council of Judges and Prosecutors Code, National Intelligence Organization Code, Internal Security Package were criticized by the

EU on the basis of independence of judiciary and rule of law principles in these reports.¹

Apart from that, the EU pointed out Turkey's unsteady and hesitant policy against global terrorist organization named ISIS.

As a consequence of these criticisms, certain sanction mechanisms regulated in Negotiating Framework can be applied against Turkey. EU Commission has an authority to suspend negotiations with its own initiative or by requests from one third of the member states.²

2 – Refugee Issues

Turkey is experiencing an unprecedented and continuously increasing influx of people seeking refuge from Syria which has exceeded 3 million to date. Overall, Turkey is the country in the world hosting the highest number of refugees, and has already spent significant financial resources on addressing this crisis.³

A Joint EU-Turkey Action Plan was agreed in October and was activated at the EU-Turkey Summit on 29 November 2015.⁴ The Action Plan aims at bringing order in the migratory flows and stemming the influx of irregular migration. The EU and Turkey reconfirmed their shared commitment to end irregular migration from Turkey to the EU, to break the business model of smugglers and offer migrants an alternative to putting their lives at risk in their joint statement of 18 March 2016. Basically, the aim of the Joint Action Plan (JAP) is to step up cooperation for the support of Syrian refugees under temporary protection and their host communities in Turkey, and to strengthen cooperation to prevent irregular migration flows to the EU. In addition,

¹ European Commission, Commission Staff Working Document, Turkey 2015 Report, 10.11.2015, Brussel, pp. 14-16. Please see also: http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_turkey.pdf,

² Erhan, Ç., Akdemir, E. (2016), Türkiye – Avrupa Birliği Müzakere Sürecinde İlk On Yılın Muhasebesi (2005-2015), Bilig, Yaz, Sayı 78, pp. 15-20.

³ Bozkurt, K. (2016), The Readmission Agreement And Visa Liberation Agreement, Türkiye Barolar Birliği Dergisi, Union of Turkish Bar Associations Review, ISSN: 1304-2408 Sayı 125, Ağustos Ankara, p. 388.

⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016DC0144>

the implementation of the JAP should thus bring order into migratory flows and help to stem irregular migration.¹

It should be taken into consideration that the establishment of the Turkey Refugee Authority at the end of 2015 aimed to provide the European Union with a coordination mechanism that should allow for the swift, effective and efficient mobilisation of EU assistance to refugees in Turkey. The total budget of the Authority is €3 billion for the period 2016-2017.² The Authority will coordinate and streamline actions financed by the Union's budget and bilateral contributions from EU Member States in order to enhance the efficiency and complementarity of support provided to refugees and host communities in Turkey.

The situation on this moment is very sensitive and critical concerning the establishment of the Turkey Refugee Authority. The expectations of both parties are under pressure, and both parties use the refugee crisis for their own interest which complicates the situation further instead of reaching a sustainable solution for this crisis.

Furthermore, the EU's migration policy and approaches towards refugee crisis as stated above are mostly criticized nowadays. In fact, migration to Europe was supported by western countries themselves in order to provide economic development after the Second World War. Therefore, a great deal of Muslims migrated to European countries, and these migrations represented additional labor force especially in the EU member states.³

Eventually, Muslim population increased last 20-30 years in the European capitals, which are not familiar with living together with Muslims in different big cities of European Countries.

¹ Report From the Commission to the European Parliament and the Council, -EU-Turkey Joint Action Plan – Third implementation report, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016DC0144>

² Bozkurt, K.(2016), The Readmission Agreement And Visa Liberation Agreement, Türkiye Barolar Birliği Dergisi, Union of Turkish Bar Associations Review, ISSN: 1304-2408 Sayı 125, Ağustos Ankara, p. 397.

³ Hollifield, J., Martin, P., Orrenius, P. (2014) Controlling Immigration: A Global Perspective, Third Edition, Stanford University Press, USA, p. 7.

Besides this process, some European countries cannot establish a sound policy with regard to immigrants, refugees and asylum-seekers on reasons of cultural values that these European countries' regimes are based upon. However the concept of multiculturalism expresses a method for solving the immigration problem, it is nonetheless taken into consideration that multiculturalism laid also the groundwork for separatist movements.

Furthermore, Europeans begin to identify the immigrants as an economic problem in view of increasing unemployment rate especially after economic crisis in 2008. Correspondingly, the most significant obstacle during the negotiation process of membership of Turkey for the EU is probably Muslim immigration to Europe, although this factor has never been mentioned explicitly.⁴

3 – A Visa-Free Regime with Turkey

The other challenge between EU and Turkey is the roadmap towards a visa free regime. The European Union launched the Visa Liberalisation Dialogue with Turkey on 16 December 2013, in parallel with the signing of the EU-Turkey Readmission Agreement. The Commission stated in the “Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap” that the Visa Liberalisation Dialogue is based on the Roadmap towards a visa free regime with Turkey, a document setting out the requirements that Turkey needs to meet in order to enable the Commission to propose to the European Parliament and the Council an amendment to Regulation (EC) No 539/2001⁵ which would allow Turkish citizens to travel without a visa for short stays of 90 days within any 180-day period for business, touristic or family purposes, in the Schengen area.⁶

⁴ Friedman, G. (2015) pp. 268-274.

⁵ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32001R0539>

⁶ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap {SWD(2016) 161 final}, EUROPEAN COMMISSION Brussels, 4.5.2016 COM(2016) 278 final. Please see also http://europa.eu/rapid/press-release_IP-16-1622_en.htm http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20131216-roadmap_towards_the_visa-free_regime_with_turkey_en.pdf

Furthermore the Commission settled the 72 requirements, which are listed in the Roadmap and are organised in five thematic groups: document security; migration management; public order and security; fundamental rights, and readmission of irregular migrants.¹

In 2014, the Commission adopted its First Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap. Basically, the first report assessed the fulfilment of each requirement, and issued recommendations for making further progress in all of them.² After that, it must be emphasized that at the EU-Turkey Summit in 2015,³ activating the EU-Turkey Joint Action Plan, the EU welcomed the commitment by Turkey to accelerate the fulfilment of the Visa Roadmap benchmarks vis-à-vis all participating Member States. Accordingly, Turkey committed to accelerating the fulfilment of the Roadmap, by bringing forward the application of all the provisions of the EU-Turkey Readmission agreement.⁴

It is important to state that in 2016, at the EU-Turkey Summit of 18 March,⁵ Turkey committed to accelerating the fulfilment of the Roadmap even further. Additionally in the Joint Statement after this meeting, the 28 EU Heads of State or Government committed to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016, provided that all 72 benchmarks of the Roadmap are fulfilled.⁶

In this instance, it is to say that visa liberalisation for Turkey is a key component of the EU-Turkey Statement of 18 March 2016. It stated that the fulfilment of the visa liberalisation roadmap will be accelerated with a view to lifting the visa requirements for Turkish citizens at the

¹ Ibid.

² REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap /* COM/2014/0646 final */ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014DC0646>

³ 29 November 2015.

⁴ The EU-Turkey Summit on 29 November 2015. Please see for more information: http://www.consilium.europa.eu/en/press/press-releases/2015/11/29-eu-turkey-meeting-statement/http://europa.eu/rapid/press-release_IP-16-1622_en.htm

⁵ In2016.

⁶ http://europa.eu/rapid/press-release_IP-16-1622_en.htm

latest by the end of June 2016, provided that all benchmarks have been met.

Furthermore, in order to meet a June 2016 deadline for adoption by the co-legislators, a Commission proposal to put Turkey on the visa-free list has to be tabled at the beginning of May to allow an eight-week period to elapse between a draft being made available to national Parliaments and its adoption. As a matter of fact, unfortunately since June 2016 the parties have been waiting for activating the visa liberalisation roadmap. It is necessary to note that relations between parties have been developing negatively and tension is increasing dramatically.

Obviously, the EU has been dissatisfied with Turkey's policy against the fulfilment of the visa liberalisation roadmap. In fact Turkey also has been dissatisfied with EU perspectives and approach. In a short time, unfortunately it does not seem likely to expect any positive progress. Therefore, now the parties are in an intense turbulence which has political, legal, diplomatic and economic aspects.

The relations between EU and Turkey started to change negatively after signing the readmission agreement. It is a fact that in general, international concerns, e.g. especially Syrian civil war, refugee crisis, immigration problem, and local and international terrorism continue to affect Turkey's –foreign- policy, and play an essential role in the relations. Moreover, domestic matters, e.g. internal conflicts in Eastern and Southeastern Anatolia, failed coup attempt against government on 15 July 2016, also have serious impacts on Turkey's approach.

In view of the fact that the primary purpose of signing the readmission agreement is to solve the refugee crisis and make an immigration program for controlling border security. Analysing the readmission agreement and visa liberalisation is indispensable within the framework of these developments. Due to security reasons, member states accepted the EU to enter into readmission agreements with several states on base of the founding treaties of the EU in order to develop a common migration policy. Consequently, provisions and content of these readmission agreements are essentially similar, and

member states of the EU support these agreements by means of visa exemption.¹

Finally, above mentioned issues must be scrutinized to explain the EU's foreign policy and relationships with Turkey in this regard. MEPs adopted a resolution on 24 November that condemned the Turkish government's "disproportionate repressive measures" after a failed military coup in July, and asked for the negotiations to be suspended until the Turkish government ended such practice. The parliament's vote is non-binding, however it has political impact. It is noteworthy that the readmission agreements and visa liberalisation continue to be a challenge for EU and Turkey.

4 – Other Challenges

It should be taken into account that there are also other challenges in the relation of parties. Particularly, there are three negative categories, or rather challenges, for Turkey's membership to the EU as formal, semi-formal and informal obstacles. Basically, domestic political, economic factors and geographical, demographical, security and institutional factors under the titles of formal and semi-formal obstacles were explicitly emphasized in the EU progress reports so far. However, classification of religious and cultural factors as entitled informal obstacles reflects invisible essential criteria of the EU.²

It is sure that in general, the democratic structure of Turkish state is a matter of debate before European Parliament. Primary concerns of European Parliament on Turkish democracy are followings: 'minority rights of non-Muslims, Kurdish question, Cyprus issue, civil-military relations, good neighbourhood relations with Greece and Armenia, woman's rights, corruption, police power, human rights and rule of law principle'.³

¹ Göçmen, İ. (2014), The Legal Analysis of Readmission Agreement Between Turkey and European Union, Ankara Avrupa Çalışmaları Dergisi, Vol:13/2, p. 26.

² Bogdani, M. (2011) Turkey and The Dilemma of EU Accession – When Religion Meets Politics, I.B. Tauris, London, pp. 26-47.

³ Ojanen, H. (2007) Conditionality, Impact and Prejudice in EU-Turkey Relations. A View from Finland, pp.93-104, in Conditionality Impact and Prejudice in EU-Turkey

These titles contain also its own domestic matters which Turkey confronts at international platform.

The EU is a political and economic organization based on common cultural and philosophical values. For that reason the EU requires that Turkey is steady and secure in consequence of its geopolitical position and not be unconcerned to Turkey's domestic matters causing severe disputes.

For the EU, candidate countries and member states must reach a certain level of development with regard to democratic rights and values by virtue of the fact that the EU represents prominent democratic criteria.¹

The EU believes, therefore, to be in a position to express its opinion on these critical points which in the current atmosphere creates more tension. Because of this, it is likely that the concept of human rights and democracy, which are called "the values of the EU" after the Lisbon Treaty, will be sensible in the relations between EU and Turkey.²

In a short time Turkey is preparing for a deeply constitutional amendment, which will amend 18 articles of the constitution. For that purpose, a referendum will take place in April 2017. The result(s) of this referendum will affect Turkey-EU relations(directly). Therefore the results of the referendum are crucial, and new challenge(s) may well be expected to arise after the referendum.

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СПІВРОБІТНИЦТВО ЄВРОПЕЙСЬКОГО СОЮЗУ ТА УКРАЇНИ В СФЕРІ МІНЕРАЛЬНО-СИРОВИННОЇ БЕЗПЕКИ: СТРАТЕГІЇ ТА ІНІЦІАТИВИ

Мінерально-сировинний комплекс будь-якої країни є фундаментом її економіки, запорукою її економічного процвітання та важливим фактором її мінерально-сировинної безпеки. Не виключенням є і Україна. Ефективна політика в сфері національної мінерально-сировинної безпеки вимагає врахування наслідків глобалізації, визначення ролі нашої країни в світовому мінерально-сировинному забезпеченні та відстоюванні власних економічних інтересів [1].

Мінерально-сировинний комплекс України відзначається значною цінністю та багатокomпонентністю запасів та ресурсів корисних копалин у надрах, має значний потенціал, однак його розвиток стримується відсутністю ринкового досвіду та наявністю корупційної складової. Подолання негативних тенденцій, створення умов для сталого розвитку в цій сфері є нагальним завданням, вирішенню якого сприятиме інтегрування до загальноєвропейського мінерально-сировинного комплексу.