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# EU's Global Actorness in Question: A Debate over the EU-Turkey Migration Deal

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## ABSTRACT

Addressing a close relationship between the EU's role as a global actor and migration management, this article covers the 2016 EU-Turkey migration deal and endeavors to go beyond simple criticism of its efficiency. Following a review of the relevant literature and critical analysis of recent migration management process, interviews with field experts and policymakers were utilized to assess the policy dilemmas of the EU's approach to the pressure from migration. The pressure the EU has long been experiencing is not a challenge that can be solved by asymmetric cooperation with third countries, characterized by an ignorance of divergences in perceptions and expectations. This may have subsequent impact on the EU's enlargement policy and thereby on the stability of the region.

**Keywords:** EU-Turkey Migration Deal, EU Global Actorness, External Migration Management, Refugee Crisis

## AB'nin Sorgulanan Küresel Aktörlüğü: AB-Türkiye Göç Mutabakatı Üzerine Bir Tartışma

## ÖZET

AB'nin küresel aktörlük rolü ile göç yönetimi arasındaki ilişkiyi irdeleyen bu makale, 2016 tarihli AB-Türkiye göç mutabakatı ile sınırlandırılmış olup mutabakatın etkinliğine ilişkin eleştirilerin ötesine geçmeye çalışmaktadır. Bu amaçla, AB'nin özellikle katılım sürecindeki üçüncü ülkelere yaklaşımındaki politika açmazları, mutabakat üzerinden okunmaya çalışılmakta; uzmanlar ve politika yapıcılarla yapılan görüşmelerden de faydalanarak güncel göç yönetimi sürecinin eleştirel bir analizi yapılmaktadır. Genel olarak, bu çalışma, AB'nin uzun süredir deneyimlediği göç baskısının, algı ve beklenti farklılıkları görmezden gelinerek şekillenen asimetrik bir ilişki çerçevesinde çözülemeyecek bir zorluk olduğunu ortaya koymaktadır. Bu yaklaşımın AB'nin genişleme politikasına ilişkin gücü ve dolayısıyla bölge istikrarı üzerinde müteakip (ikincil) etkileri olabilir.

**Anahtar Kelimeler:** AB-Türkiye Göç Mutabakatı, Küresel Aktörlük, Dış Göç Politikası, Mülteci Krizi

## Introduction

The past decade has particularly provided a fertile ground for discussions concerning the EU's role as an actor on the global scene. While the legacy of the financial crisis, morphed into an existential crisis, is still present and many challenges persist,<sup>1</sup> the unprecedented migration flow following the 'Arab Spring' brought new debates questioning many aspects of EU integration. Embarking on the painful process of Brexit bears even more potential consequences on the Union's ability to safeguard its ability to be coherent actor. These are all happening while the most complex challenge waits at the door of the EU. Considering the profound changes arising from global power shifts and appeals to liberal values and forms of government, Engelbrekt et al. highlights that "the EU is facing the most complex challenge of its existence: that is, how to stay true to the principles of its own inception in an increasingly less liberal world order".<sup>2</sup>

The EU that still wields "a power of another kind"<sup>3</sup> has long been stalled at an important crossroads. Seeing as the EU's influence and effectiveness in global affairs issues from its normative nature, the overall expectation<sup>4</sup> is the positive projection of European values and ideals in its manner of conducting foreign relations. The response to mass migration and the external migration policy are not immune from this assertion. Considering all challenges to the presence of migration management policies in need of serious reform, the EU is expected to play a more active role by seeking ways to influence international principles, concerning how the international migration regime should be shaped by coherence and solidarity going forward. The EU so far has not met this expectation.

The situation briefly outlined above is the starting point of this article: to meet the expectations of a Union more engaged in the challenges confronting neighboring and partner countries, as well as to fulfill aspirations of playing a greater role as a global actor, effective external migration policies could only offer the necessary momentum to the EU when the migration issue is at the locus of policy debates and a focus of relations with third parties. This means that the way migration issues stemming from the prolonged 'migration crisis' are handled at the EU-level is a critical component affecting the EU's credibility and effectiveness as a global actor. Nevertheless, the normative premise is not the sole determinant of the EU's role on a global scale, although it is nevertheless a crucial one. According to Düvell, migration also impacts and partly determines the power relations between states.<sup>5</sup> This study thereby analyzes a sparsely-addressed aspect of foreign policy; and narrows its scope to the migration-foreign policy nexus, more specifically, to the recent EU-Turkey migration deal, so as to address the effects of its challenges and outcomes on the EU's global actorness.

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- 1 European Parliament, "A decade on from the crisis: Main responses and remaining challenges", *Briefing*, European Parliamentary Research Service, October 2019.
  - 2 Antonina Bakardjieva Engelbrekt et al., "The European Union in a Changing World Order: What Is at Stake?", A. B. Engelbrekt et al. (eds.), *The European Union in a Changing World Order*, Cham, Palgrave MacMillan, 2020, p. 3.
  - 3 K. Nicolaïdis and D. Nicolaïdis, "Europe in the Mirror of the Mediterranean", T. Fabre and P. Sant-Cassia (eds.) *Between Europe and the Mediterranean*, London, Palgrave Macmillan, 2007, p. 162.
  - 4 Kevin John O'Connell, "Fortress Europe: Ceuta and Melilla", *Peace and Conflict Monitor*, 11 March 2005, <https://www.ideasforpeace.org/es/content/fortress-europe-ceuta-and-melilla/> (Accessed 4 February 2020); Sandra Lavenex and Rahel Kunz, "The Migration-Development Nexus in EU External Relations", *Journal of European Integration*, Vol. 30, No 3, 2008, p. 439-457; "Europe's boat people", *The Economist*, 25 April 2015 Edition.
  - 5 Frank Düvell, "The EU's International Relations and Migration Diplomacy at Times of Crisis: Key Challenges and Priorities", *Perceptions*, Vol. 22, No 4, 2017, p. 38.

The EU reached a complex deal with Turkey in March 2016 that was designed to prevent the flow of refugees. However, the numbers of refugees in flow does not always correlate to the value placed on the relationship with a partner country,<sup>6</sup> nor on the EU's transformative power as a distinct actor in global governance in a broader sense. On that note, there is a need for a more comprehensive analysis of the deal's secondary effects within the scope of third-country cooperation as well as the EU's global actorness. Assuming that actorness cannot be understood entirely through studying the behavior of the entity in question,<sup>7</sup> special attention should be paid to the perceptions and expectations of third-country partners, as well as policy and priority convergences and divergences, in order to attain the right balance for an effective and liable policy response and cooperation.

In that context, this article questions how the EU's cooperation in migration with Turkey facilitates enhancement or diminution of the EU's global role and contributes to the creation of a better understanding of the challenges facing the EU as a global actor in its (immediate) neighbourhood. To this end, this article is more concerned with digging into the details of the EU-Turkey deal, by claiming that this has altered the course of the EU external migration policy and has concomitant impacts on the broader relationship.

## **Research Design**

The article first revisits the literature on the conceptual framework of the EU's identity as a global actor and reviews EU's global role via external migration management. Afterwards, narrowing its scope to the EU-Turkey deal, this study is designed to go beyond current criticism of the painfully slow progress of the policy's implementation and efficiency tests. Bearing in mind Turkey's unique position and intermediary role as both an EU candidate and transit country, it therefore addresses how this deal has generated challenging consequences for the EU's role as an actor on several counts. Seeing that the Western Balkans and Turkey have both been covered by pre-accession policies and funds, these countries have also been involved in similar levels of dialogue and instruments with resources covering both institutional and socio-economic development in their engagement with the EU. To address the concomitant consequences of the EU-Turkey deal on the EU's global actorness, the Balkans, a transit route for people seeking to reach Europe after crossing Turkey, provide an important reference for the impact of the perceptions and expectations of EU's partners following the 'refugee crisis' within the EU-Turkey-neighbourhood interaction. Therefore, the main territorial reference of the research was narrowed to the Balkans, particularly the Western Balkans.

The article does not endeavor to provide a confirmation or verification of certain hypotheses. Rather, it promises to help generate new questions for future research on a specific but overlooked topic by presenting a critical perspective. It tries to point out some unaddressed issues regarding the deal to surface as option for further research. This article complemented the literature review with expert interviews. These interviews with high-level Turkish officials, field experts and senior researchers from the Balkan region who specialize in EU migration policies gave the author necessary insights to fathom the pros and cons of the deal more thoroughly and help structure the research.

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6 Angeliki Dimitriadi et al., "EU-Turkey Relations and Irregular Migration: Transactional Cooperation in the Making." *FEUTURE Online Paper*, No.16, 2018, p. 4.

7 Charlotte Bretherton and John Vogler, *The European Union as a Global Actor*, London and New York, Routledge, 1999.

The author was able to reach six interviewees. Interviews were conducted between 10 January and 27 February 2020. In this study, Interviewee 1 stands for a high-level Turkish bureaucrat in EU affairs. Interviewee 2 is the Member of Parliament from the ruling party, the chairman of the Migration and Adaptation Subcommittee of the Turkish Grand National Assembly who allowed his position to be disclosed for research purposes. Interviewees 3 to 6 are field experts and senior research associates conducting research in the Balkans on the related subject. Whereas Interviewee 3 is a senior research associate of a research institute located in Zagreb, Interviewee 4 is an analyst/journalist from Bosnia and Herzegovina. Interviewee 5 is a senior researcher at a policy center in Belgrade and, Interviewee 6 is a regional analyst at a research network in Sarajevo.

## EU Global Actorness: A Conceptual Outlook

The call to use the EU's global role was the EU's response to the plight of the over one million migrants trying to reach Europe in 2015. In "European Agenda on Migration", the EU stated that "to try to halt the human misery created by those who exploit migrants, we need to use the EU's global role and wide range of tools to address the root causes of migration".<sup>8</sup>

Referring its global role, the EU in the broadest sense assumes that the Union's actions on the international scene are guided by the principles based in the triad of human rights, democracy and good governance.<sup>9</sup> In academic circles, the EU has often been portrayed as a "normative power", revisiting the conceptual framework of Manners<sup>10</sup>, interlinked with the Duchene's 'civilian power'<sup>11</sup>. In many respects, the uniqueness of the EU, i.e. *sui generis* institutional structure, has been identified with an understanding of the EU's actorness in external policy alongside the sources of its influence in its neighborhood and in global politics. The distinctive nature of the Union has contributed to its ability to act<sup>12</sup> and differentiated its role as a global actor. Unlike the narrow definition of the realist premise that defines the role of an actor in terms of the ability to employ traditional coercive force in the pursuit of national interests, the constraints and opportunities that arose both in its creation and evolving processes has created the EU's ability to deploy its economic and diplomatic influence in pursuit of international policy goals.<sup>13</sup> In terms of its aspirations, sources, instruments, policies and impacts, any conceptualizations of the EU as a global actor are all confluent in its 'civilian'<sup>14</sup>, 'soft power'<sup>15</sup> and

8 European Commission, *A European Agenda on Migration*, COM(2015) 240 final, Brussels, 13 May 2015.

9 The Lisbon Treaty (art. 21) sets out clearly what should guide the European Union internationally.

10 Ian Manners, "Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies*, Vol. 40, No 2, 2002, p. 235-258.

11 François Duchêne, "The European Community and the Uncertainties of Interdependence", Max Kohnstamm and Wolfgang Hager (eds.), *A Nation Writ Large? Foreign-Policy Problems before the European Community*, London, Macmillan, 1973, p. 1-21.

12 Bretherton and Vogler, *The European Union as a Global Actor*, p. 34.

13 Nick Wright, "The European Union: What Kind of International Actor?", *Political Perspectives*, Vol.5, No 2, 2011, p. 27.

14 Duchêne, "The European Community and the Uncertainties of Interdependence"; Richard Whitman, "The Fall, and Rise of Civilian Power Europe?", *National Europe Centre Paper*, No.16, ANU Centre for European Studies, 2002; Jan Orbie, "Civilian Power Europe: Review of the Original and Current Debates", *Cooperation and Conflict*, Vol.41, No 1, 2006, p. 123-128.

15 Joseph Nye, *Soft Power: The Means to Success in World Politics*, New York, Public Affairs, 2004; Elsa Tulmets, "Can the Discourse on "Soft Power" Help the EU to Bridge its Capability-Expectations Gap?", *European Political Economy Review*, Vol. 7, 2007, p. 195-226.

'normative'<sup>16</sup> characteristics in engagement with the outside world. As summarized by Wright<sup>17</sup>, the consequence has been the development of a set of principles, norms and behaviors that govern not only how an integrated EU functions, but the interaction between states. The values and norms upon which the EU is founded, and written in its treaties, has been incorporated within cooperation and association agreements with third countries. The positive projection of 'European' values has, in this sense, been the occurrent indicator of its transformative capability in its neighborhood.

In many ways, the EU's global actorness in terms of its normative role, and thereby its foreign policy credibility, has been under question. Its normative role has been criticized in many aspects, as well as its inability to go beyond self-perception or rhetoric. This critique raises questions of the effectiveness or impact of EU foreign policy. Many have often found a mismatch between the EU's normative rhetoric and practices, along with the 'capability-expectations gap' earlier theorized by Christopher Hill<sup>18</sup>. The EU's capacity to act coherently and effectively has been scrutinized in terms of the behavioral perspective; its 'presence'<sup>19</sup> in international scene and its 'effectiveness' as a global actor are also, on many occasions, not considered conceptually interchangeable.<sup>20</sup>

Comprehensive discussions of the EU's global actorness have not solely relied on analysis of the nature of its structure and self-identification concerning its role through examining its resources, instruments and its capability to the extent permitted by internal political factors or constraints to act in external arena. The interplay of internal political factors and the *perceptions and expectations of outsiders*, examined by Bretherton and Vogler,<sup>21</sup> provides a suitable avenue for undertaking a comprehensive and full-fledged analysis of the EU as a global actor, especially in a paralyzed global atmosphere in which the EU integration process is damaged on all fronts and the EU's credibility is at the locus of policy debates. A particular emphasis upon the perceptions and expectations of third countries which interact closely with the EU contributes to the understanding of the EU as a global actor. This perspective provides the grounds for many critics to implement one-sided and EU-centered policies in contrast to the rhetoric.

Recent debates across the field have revolved around how to strike the balance for creating policy responses that are both effective and liable<sup>22</sup>, especially in compliance with the alleged norms and expectations in relation to aspects of its foreign policy. In this sense, policies and actions related to the external dimension of migration should not be underestimated with regards to the characteristics of the EU's global actorness and effectiveness.

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16 Manners, "Normative Power Europe: A Contradiction in Terms?."

17 Wright, "The European Union: What Kind of International Actor?", p.28.

18 Christopher Hill, "The Capability-Expectations Gap, or Conceptualizing Europe's International Role", *Journal of Common Market Studies*, Vol.31, No 3, 1993, p. 305-328.

19 David Allen, and Michael Smith, "Western Europe's presence in contemporary arena", *Review of International Studies*, Vol.16, 1990, p. 19-37.

20 Nils Hoffmann, and Arne Niemann, "EU actorness and the European Neighbourhood Policy", Tobias Schumacher et al. (eds.), *The Routledge Handbook on the European Neighbourhood Policy*, London, Routledge, 2017, p. 29.

21 Bretherton and Vogler, *The European Union as a Global Actor*.

22 Fatma Yilmaz-Elmas et al., "Q&A Debate: EU-Turkey Cooperation on Refugee Crisis: Is it on the Right Track", *USAK Policy Brief*, No 22, 2016, p. 1-26.

## Reading EU's Global Role over External Migration Management

Migration, one of the strategic priorities in external relations, has long played a central role in the formulation of a holistic approach to EU's foreign policy. Accordingly, this study sets out a conceptual framework to approach the migration-foreign policy nexus. Uncontrolled migration blurs the distinction between the internal and external migration policies and shifts attention to the sources of the migration phenomenon itself. For this reason, migration policies have gradually been moving beyond the realm of foreign relations, and its external dimension has become an increasingly important feature of the relations with third countries.

The migration-foreign policy nexus in EU integration is a complicated story shaped by both internal and external dynamics, a complex process involving multiple actors with different policy interests, and too long to be discussed thoroughly in a few sentences.<sup>23</sup> To generalize, the dominant migration policy-frame has witnessed a paradigm change *in rhetoric* highlighting a gradual shift from 'remote control' to a comprehensive migrant-centered 'global' approach, which has ultimately not meant a complete paradigm shift at the disposal of conventional control-oriented approach *in practice*.<sup>24</sup> Within the official EU narrative, key priorities of EU external migration policies all aim to strike the right balance between security, human rights, aid and development in its relations with third countries. In the international context, over the past 20 years addressing 'root causes'<sup>25</sup> has gradually been encapsulated within a more positive conception of the migration-development nexus as an essential component of EU external migration policies. Nevertheless, the coexistence of the traditional control paradigm has never been mitigated. The main context of the EU policies has evolved around the logic of shifting responsibilities to third countries. The criticisms concerning the implementation of one-sided and EU-centered policies precluded comprehensive cooperation regarding the recognition of mutual interests with non-EU partners. In the field, however, this did not prevent the fatal border incidents in Ceuta and Melilla in 2005.

The Global Approach to Migration (GAM) in 2005<sup>26</sup> was an effort 'afresh' to pave the way for a comprehensive and balanced policy addressing all aspects of migration through a 'genuine partnership'. Approaching the migration-development nexus with a new orientation, the EU restated its intention to strive to make migration a *positive* factor for development. This approach, also labeled "migration and development plus"<sup>27</sup>, addresses not only migratory challenges but also opportunities

23 A detailed analysis of internal and external dynamics that structure migration-foreign policy nexus in terms of the European integration remains out of the scope of this paper. For more, see Virginie Guiraudon, "European Integration and Migration Policy: Vertical Policy-making as Venue Shopping", *Journal of Common Market Studies*, Vol.38, No 2, 2000, p. 251-271; Christina Boswell, "The 'External Dimension' of EU Immigration and Asylum Policy", *International Affairs*, Vol.79, No 3, 2003, p. 619-638; Sandra Lavenex, "Shifting Up and Out: The Foreign Policy of European Immigration Control", *West European Politics*, Vol.29, No 2, 2006, p. 329-350; Natasja Reslow, and Maarten Vink, "Three-level Games in EU External Migration Policy: Negotiating Partnerships in West Africa", *Journal of Common Market Studies*, Vol.53, No 4, 2015, p.857-874; Fatma Yılmaz-Elmas, *Avrupa 'Kapı Duvar': Göç Yaklaşımında Söylem Eylem Tutarsızlığı*, Ankara, USAK Yayınları, 2016.

24 See Yılmaz-Elmas, *Avrupa 'Kapı Duvar': Göç Yaklaşımında Söylem Eylem Tutarsızlığı*.

25 Vincent Chetail, "Paradigm and Paradox of the Migration-Development Nexus: The New Border for North-South Dialogue", *German Yearbook of International Law*, No.52, 2008, p. 183-215.

26 Council of the European Union, *Global Approach to Migration: Priority Actions Focusing on Africa and the Mediterranean*, 15744/05 ASIM 66 RELEX 761, Brussels, 13 December 2005.

27 Elisabeth Collett, "The Paradox of the EU-Turkey Refugee Deal", *Migration Policy Institute*, <https://www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal> (Accessed 3 January 2020).

for better managing migration. Nevertheless, within a short time, the old approach again appeared, albeit under the cover of change within the externalization agenda, now coupled with a range of activities designed to address the 'push factors' of migration. The ways in which the Global Approach has evolved over the years, as Carrera states, "resulted in a number of weaknesses and gaps concerning its actual scope, fundamentals and the forms it takes".<sup>28</sup> Portraying a range of admission, mobility and dialogue opportunities and instruments, EU external migration policies have remained 'selective', 'temporary' and 'conditional'<sup>29</sup>, especially in terms of providing channels for legal migration. Side-lined by migration-security nexus, this externalization agenda has done little to address the core push factors associated with migration from developing countries.

Throughout this process, the EU's role and credibility in migration relations was under question, based on the EU's self-identification as a normative power and its transformative capacity in third countries to uphold democratization, rule of law, human rights and refugee protection. Accusations of ignoring the repressive practices of autocratic regimes and human rights violations within a sophisticated form of conditionality,<sup>30</sup> resulting in security-driven measures to have migrants stay-at-home, has challenged the effectiveness of the would-be comprehensive approach and thereby also the underlying characteristics of the EU's global role.

Following the advent of the 'Arab Spring' in 2011 and 'refugee crisis' in 2015, the picture has become increasingly complex. In addressing this challenge, the EU decided to broaden its cooperation with origin and transit countries by renewing its global approach. Based on the rhetoric of the revised framework of global approach (GAMM),<sup>31</sup> a patchwork of policies emerged in response to the new situation in Europe's wider neighbourhood. These were to be *migrant-centred*<sup>32</sup> instead of comprised of borders, fences, routes, and stocks. Within this framework, promoting international protection and enhancing the external dimension of asylum became important objectives. The respect of human rights is supposed to be a *crosscutting priority*. Additionally, an intention to promote 'mutually beneficial'<sup>33</sup> partnerships with third countries and to thereby display an example of international cooperation in a balanced and comprehensive manner is at the center of the renewed approach.

The international community, relying on this revised framework, has expected a response and called upon the EU to respond to the crisis and to thereby substantiate its normative rhetoric. Instead, the Union's divided response to the 'crisis' has occupied the international agenda. The geo-

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28 Sergio Carrera, "The EU's Dialogue on Migration, Mobility, and Security with the Southern Mediterranean: Filling the Gaps in the Global Approach to Migration", *CEPS Liberty and Security in Europe*, Centre for European Policy Studies, 2011, p. 3.

29 Fatma Yılmaz-Elmas, "Avrupa'da Göç İkilemi: Değerler ve Çıkarlar", *Analist*, Vol. 56, 2015, p. 30-31.

30 Catherine Woollard, and Bruno Coppieters, "Assessing EU Response to Conflict: Military Action, Diplomatic Capacity and Normative Power", *Civil Society Dialogue Network Discussion Paper*, No 10. European Peacebuilding Liaison Office, 2016, p. 9.

31 With the revised structure, the EU added the term 'mobility' as the fourth pillar, through which international protection and asylum is also a part of the aim launching a comprehensive approach, see European Commission, *The Global Approach to Migration and Mobility*, COM(2011) 743 final, Brussels, 18 November 2011.

32 For a critical analysis about the migrant-centred approach of the EU, see Fatma Yılmaz-Elmas, "AB Dış Göç Politikasındaki Kayıp Parça: Göçmen Odaklı Yaklaşım", *Avrupa Birliği ve Uluslararası Ekonomik İlişkiler Anabilim Dalı 25. Yıl Armağanı*, Ankara, Ankara Üniversitesi Yayınları, 2017, p. 401-429.

33 European Commission, *The Global Approach to Migration and Mobility*.

graphical and political divide has significant ramifications for the possibility of finding a joint path forward regarding migration and asylum policy.<sup>34</sup> In this regard, the institutional structure defining the context of the Union's ability to act and, as mentioned above, attributing a distinct role of normative power to the EU, has become its weakness. The limited ability of the EU to implement a coherent migration policy among its members and tensions between the national and supranational levels are among the main challenges hampering an effective external migration policy, underpinning the aspiration to play a greater role as a global actor. Tearing down the European solidarity, the 'migration crisis', as Larivé<sup>35</sup> points out, underlined all the weaknesses of the EU, discussed over the previous decades, all at once. Its global actorness could not elude this situation. Values and norms were left vague, allowing for different interpretations and implementation; in the end, the EU emerged far from a coherent partner in its external relations. More importantly, in the MENA region where the Union responded to the 'Arab Spring' with its "more for more" policy, based on the rewarding reforms with funds or other benefits, as the EU could not go beyond a technical provision of funds, it has also found itself in a complex relationship with undemocratic regimes, as the EU has interests in the regimes performing restrictive measures to prevent migration flows. Even though democratization appears to be an important pillar of migration policies associated with the development policy,<sup>36</sup> the debate and critiques on EU's instrumentalization of the policy for the sake of remote-control persists. While the development funds are supposed to support reforms and to have a transformative impact in the region in promoting international protection standards and in addressing the political 'root causes', such as democratization and promotion of human rights, these goals have been largely sidelined by securitization.

Overall, although the EU's handling of external migration policies has come at the price of reduced solidarity and importance as a global actor, a control-oriented approach of shifting responsibilities to third countries could not have served as a functional solution on its own. With 2015 being named the year of the European 'refugee crisis', when the influx of migrants to Europe reached staggering new levels<sup>37</sup> of over 1 million, reveals this saliently. The visible markers of EU migration management have long been thousands of dead bodies in the Mediterranean, enormous displacement crisis and a chronic imbalance between human security and state security.

## 2015: New Wake-up Call and the EU-Turkey Deal

The year 2015 witnessed the highest level of refugees/migrants on record, with a fourfold rise over the total previous year. Facing overwhelmingly legal and practical barriers in accessing protection in the EU as a consequence of the externalized framework of migration policy and 'contained mo-

34 Angeliki Dimitriadi, and Harris Malamidis, "Talking of Values: Understanding the Normative Discourse of EU Migration Policy", *NOVAMIGRA on (Value-Based) EU Policies on Migration*, September 2019, p. 7.

35 Maxime H. A. Larivé, "A Crisis for the Ages the European Union and the Migration Crisis", *The Jean Monnet/Robert Schuman Paper Series*, No 15, Miami-Florida European Union Center of Excellence, 2015.

36 Luisa L. Faustini-Torres, "Another nexus? Exploring narratives on the linkage between EU external migration policies and the democratization of the southern Mediterranean neighbourhood", *Comparative Migration Studies*, Vol.8, No 9, 2020, p. 1-22.

37 William Spindler, "2015: The year of Europe's refugee crisis", 8 December 2015, *UNHCR*, <https://www.unhcr.org/news/stories/2015/12/56ec1ebde/2015-year-europes-refugee-crisis.html>, (Accessed 15 October 2020).

bility<sup>38</sup>, over 1 million people put their lives in peril to arrive on European shores. A series of tragic events comprised a 'new' wake-up call<sup>39</sup>, drawing attention to the rifts unfolding due to the EU's long trend of focusing on preventing migratory flows by outsourcing of the responsibility to the front-line states.

With the "European Agenda on Migration"<sup>40</sup> of May 2015, the EU again specified the need to restore confidence in the EU's ability to bring together efforts to address migration, meet its international and ethical obligations, and work together in an effective way. Emphasizing a "more European approach", it called on member states to act in accordance with the principles of solidarity and shared responsibility. A range of proposals were put forward, including burden sharing along with both an emergency relocation proposal for 120,000 people in Greece and Italy, in need of international protection to be relocated to other EU members, and a permanent relocation mechanism for all member states. In contrast, besides the early breakdown of the Dublin Regulation, relocation figures lagged far behind the promised scheme, border controls were temporarily reinstated (inferring the 'Schengen freeze'), fences were built on the national borders, and many tragic incidents such as Austria refrigeration truck deaths and the death of Alan Kurdi stirred millions.

Due to the dramatic failure of internal policies, there has been an increased focus on the external dimension of migration policies; the EU has re-prioritized its cooperation with third countries to stop flows outside the European shores. In this regard, the EU has turned particular focus on Turkey, via which more than 800,000 people seeking international protection travelled to Greece in 2015 alone.

Usually referred to as the EU-Turkey deal, the EU-Turkey Statement of 18 March 2016<sup>41</sup> was designed to be an immediate remedy for the 'refugee crisis'. The deal followed a series of meetings, starting in November 2015, which resulted in a decision to start a dedicated dialogue with Turkey for further cooperation on the migration issue as well as revitalization of Turkey-EU relations. In brief, most aspects of the deal largely represent, as Palm<sup>42</sup> notes, a practical application of the externalization and securitization approaches discussed above. First, Turkey agreed to accept the rapid return of all migrants crossing from Turkey who are not in need of international protection. Accordingly, all irregular migrants crossing from Turkey to the Greek islands as of 20 March 2016 would be returned to Turkey. As another operative framework, the so-called "1:1 scheme" was established. Accordingly, for every Syrian returned to Turkey from the Greek islands, another Syrian would be resettled in the EU. In exchange, the EU committed to increase the resettlement of Syrian refugees residing in Turkey, accelerate visa liberalization, and boost the initially allocated financial support (€3 billion) under the Facility for Refugees in Turkey with a further commitment to mobilize additional funding up to €3 billion by the end of 2018 once the initial fund neared exhaustion. The conditionality approach was apparent in relation to resettlement: only once irregular crossings between Turkey and the EU ended or were substantially reduced, would a Voluntary Humanitarian Admission Scheme be activated.

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38 Sergio Carrera and Roberto Cortinovis, "The EU's Role in Implementing the UN Global Compact on Refugees: Contained Mobility vs. International Protection", *CEPS Liberty and Security in Europe*, No 2018-4, Centre for European Policy Studies, April 2019.

39 Larivé, "A Crisis for the Ages the European Union and the Migration Crisis".

40 European Commission, *A European Agenda on Migration*.

41 European Council, "EU-Turkey Statement", 18 March 2016, Press Release, <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>, (Accessed 5 February 2020).

42 Anja Palm, "Did 2016 Mark a New Start for EU External Migration Policy, or Was It Business as Usual?", *IAI Working Papers*, Vol. 16/33, November 2016, p. 10.

The deal has passed its fourth anniversary, but many find it problematic on several counts. From the outset, questions over its legality and compatibility with international law were raised in heated debate. Violation, inter alia, of the principle of non-refoulement and the prohibition of collective expulsion have been raised to challenge its legality. The deal has also been criticized for not safeguarding the rights of asylum seekers. A notable concern<sup>43</sup> has been raised that those in need of international protection will not have a chance to make asylum applications to EU countries, which means violations of the EU principles guaranteeing the right to seek asylum. The assumption that Turkey is a 'safe third country' for asylum-seekers and refugees further increased criticism that Turkey's legal framework does not offer sufficient protection for the non-Syrians and the temporary protection regime offered to Syrian nationals falls short of the legal guarantees provided by the Geneva Convention.<sup>44</sup>

The more worrying problem, which has been widely debated, is that the political agreement, announced via press release, implies less or no parliamentary scrutiny and no effective judicial control over the adoption and application of this agreement, at either the EU or the national levels. In 2017, the ruling of the Court of Justice of the EU manifestly declared that the Court does not have jurisdiction to assess the deal on formal grounds.<sup>45</sup> This not only blurs the legal responsibility for its implementation and human rights consequences, but also circumvents the democratic, judicial and fundamental safeguarding of rights introduced in the post-Lisbon era in the fields of borders, asylum and readmission. This also allows intergovernmentalism to reemerge in EU policymaking in these fields and makes the member states, instead of the EU, the main actors, meaning that national interests prevail. On one hand, one can say that the deal fundamentally alters the course of EU external migration policy<sup>46</sup>; on the other, the Court's findings concerning its publication in form of a press release precipitates challenging consequences for the EU in a different sense. In the literature, such shift in EU policy, from an approach emphasizing formal cooperation towards one emphasizing informal political channels or non-legally binding technical arrangements of cooperation often linked to emergency-driven EU financial tools,<sup>47</sup> is attributed as a form of "crisis-led governance"<sup>48</sup>. Carrera et al.<sup>49</sup> notes, these kinds of arrangements, e.g. the EU-Turkey deal, leave the EU in a highly vulnerable and dependent position vis-à-vis the third-country partner. This may then weaken the EU's ability to address other aspects of the relations, and thereby affects its transformative ability.

43 Yilmaz-Elmas et al., "Q&A Debate: EU-Turkey Cooperation on Refugee Crisis: Is it on the Right Track".

44 Laura Batalla Adam, "The Refugee Card in EU-Turkey Relations: A Necessary but Uncertain Deal", *Global Turkey in Europe Working Papers*, No 14, 2016; Angeliki Dimitriadi, "The Impact of the EU-Turkey Statement on Protection and Reception: The Case of Greece", *Global Turkey in Europe Working Paper*, No 15, 2016, p. 1-9.

45 See Sergio Carrera et al., "It wasn't me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal", *CEPS Policy Insights*, No 2017-15, April 2017; Sergio Carrera et al., "The EU-Turkey Deal: Reversing 'Lisbonisation' in EU Migration and Asylum Policies", Sergio Carrera et al. (eds.), *Constitutionalising the External Dimensions of EU Migration Policies in Times of Crisis: Legality, Rule of Law and Fundamental Rights Reconsidered*, Cheltenham and Northampton, Edward Elgar Publishing, 2019a, p. 155-174.

46 Carrera et al., "It wasn't me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal".

47 Carrera and Cortinovis, "The EU's Role in Implementing the UN Global Compact on Refugees: Contained Mobility vs. International Protection", p. 4.

48 Carrera et al., "It wasn't me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal", p. 8.

49 Ibid., p. 12.

The implementation of and compliance with informal agreements by the third state party is mainly attained through financial incentives provided by the EU.<sup>50</sup> They also include intentions or expected commitments on paper that, so far, have been little more than pleasant-sounding promises such as, in the EU-Turkey deal, boosting relations and visa-free travel. Obviously, these are all dependent on the *effectiveness* of the deal, implicitly referring to the primary goal of decreasing the number of refugees and/or total prevention of their passage. However, the critical question is whether the decrease in number can be taken as the sole valid indicator for the *effectiveness* of the deal, and thereby whether Turkey is prepared or would be willing to do so in the medium and long term, a question Seufert<sup>51</sup> also raises. In fact, at the time of writing this paper, as of February 28, 2020, thousands of refugees were heading towards the EU after Turkey announced it could no longer stop them from making for the EU in response to the killing of at least 36 Turkish soldiers by Syrian government forces in the province of Idlib. This demonstrates how the deal hangs by a thread, and how expensive it would be to remove the role of the EU's global actorness from its core principles.<sup>52</sup>

## **Questioning EU's Global Actorness via EU-Turkey Deal**

The whole picture above shows that the current course of the EU migration policies, part of a longer trend, neither promotes the EU's credibility in foreign policy-making nor reinforces its image as a value-driven, normative actor in association with the EU's role as a global actor. The EU-Turkey deal, referred as a 'game changer'<sup>53</sup>, seems to have replicated the historical trend prioritizing prevention of migratory flows. Regarding its inadequate aspects, the deal has justified those carrying doubts as to how innovative it actually is.<sup>54</sup> Considering its self-imposed goal<sup>55</sup> - the decrease in mobility - at the first stage, one can say that the deal drastically changed the landscape for the EU, Turkey and the refugees themselves<sup>56</sup>, but at a cost that jeopardizes the Union's normative characteristics differentiating its role as a global actor. In brief, EU policymakers drastically cut legal corners, violating, *inter alia*, both international and EU laws on the right to seek asylum. The aspects of resettlement and a voluntary humanitarian admission scheme, which could have represented real innovation in an agreement with a third state, were in practice clearly thrust into the shadow of the primary goal of stopping the migrants.<sup>57</sup> As Collett emphasized at the outset of the deal, "undermining Europe's human-rights commitments in such a visible way may prove even more costly in the long-term".<sup>58</sup> Her words seem prophetic considering the chaos during March 2020 at the Turkish-Greek border, when refugees seeking to cross into Europe - right after the announcement by Turkish officials it would no longer stand

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50 Kees Groenendijk, "Insights from Agreements on Migration between the EU and Turkey", Sergio Carrera et al. (eds.), *Constitutionalizing the External Dimensions of EU Migration Policies in Times of Crisis: Legality, Rule of Law and Fundamental Rights Reconsidered*, Cheltenham and Northampton, Edward Elgar Publishing, 2019, p.219.

51 Günter Seufert, "Turkey as Partner of the EU in the Refugee Crisis: Ankara's Problems and Interests", *SWP Comment*, No.2016/C 01, Stiftung Wissenschaft und Politik: German Institute for International and Security Affairs, January 2016.

52 Fatma Yilmaz-Elmas, "EU-Turkey Refugee Deal: Just the numbers matter?", *Bridge*, 10 September 2020. <https://bridgenetwork.eu/2020/09/10/eu-turkey-refugee-deal-just-the-numbers-matter/> (Accessed 11 September 2020).

53 See European Commission, *EU-Turkey Statement: Three years on*, Brussels, March 2019.

54 Palm, "Did 2016 Mark a New Start for EU External Migration Policy, or Was It Business as Usual?"

55 Collett, "The Paradox of the EU-Turkey Refugee Deal".

56 Dimitriadi, "The Impact of the EU-Turkey Statement on Protection and Reception: The Case of Greece".

57 Palm, "Did 2016 Mark a New Start for EU External Migration Policy, or Was It Business as Usual?", p. 9.

58 Collett, "The Paradox of the EU-Turkey Refugee Deal".

in the way if refugees seek to cross the border with Europe- were stuck and faced harsh backlash from the Greek police and army forces deployed to disperse crowds.<sup>59</sup>

The deal has never worked the way it was intended as Tocci<sup>60</sup> has indicated. Apart from the small-scale resettlement and granting of nearly half the €6 billion funding,<sup>61</sup> in regard to the other promises concerning lifting visa requirements, upgrading of the Customs Union and the opening of new accession chapters, there has been no progress. For this, both sides share responsibility. However, as Tocci has articulated, “the [real] risk is not a breakdown of the EU-Turkey Statement. Rather, it is a breakdown of the broader rules-based relationship - still anchored in the accession process”.<sup>62</sup> Primarily, leaving a purely transactional migration deal as the only pillar of this strategic relationship does not have an impact on power relations *per se* but on the credibility and international standing of the EU.

Migration impacts the conduct of politics, including foreign policymaking, the ways in which states negotiate and conduct their affairs with each other,<sup>63</sup> and thereby impacts power relations between states. In this sense, the ‘refugee crisis’ adds another element to the determinants of the power-balance between the EU and Turkey.<sup>64</sup> The refugee crisis alters the familiar power balance owing to the accession process, and has reconfigured relations to make the EU more reliant on Turkey as well as weaken the EU’s ability to address the worsening situation in the country regarding rule of law, fundamental rights and individual freedoms.<sup>65</sup> The accession negotiations are, traditionally, among the EU’s most powerful policy tools used to aid transformation of the countries involved, influencing both domestic and reform policies. Even before the refugee crisis, Turkey-EU relations had long been stagnant, due to the actions of both sides and internal and international dynamics. Still, allowing the instrumentalization of the Syrian refugees,<sup>66</sup> and substantially the reliance on figures in the post-deal period placed the EU in a dependent position vis-à-vis Turkey. The occasional threats<sup>67</sup> by Turkish

59 As of March 5, 2020, Turkish Interior Minister said that more than 139,000 refugees have crossed Turkey’s 200-kilometer (125 mile) land border with Greece, see Taylan Bilgic, “Turkey to Deploy 1,000 Special Police Forces at Greek Border”, *Bloomberg*, 5 March 2020, <https://www.bloomberg.com/news/articles/2020-03-05/turkey-to-deploy-1-000-special-police-forces-at-greek-border>, (Accessed 10 March 2020).

60 Judy Dempsey, “Judy Asks: Is the EU-Turkey Refugee Deal on the Ropes?”, *Carnegie Europe*, July 26 2017, <https://carnegieeurope.eu/strategieurope/72634>, (Accessed 18 March 2020).

61 The EU states that €4.7 billion out of a total budget of €6 billion have been contracted. €2.4 billion of this is humanitarian aid which had been fully contracted, see European Commission, “Turkey: Commission continues humanitarian support for refugees”, 5 March 2020, Press release, [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_400](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_400), (Accessed 18 March 2020). However, according to Interviewee 1, “only €2,492 billion under FRIT I and II have reached Syrian refugees”. Considering this, it seems that two sides seem to prefer to interpret the data from differing angles and from their own perspectives.

62 Dempsey, “Judy Asks: Is the EU-Turkey Refugee Deal on the Ropes?”.

63 Fiona B. Adamson, and Gerasimos Tsourapas, “Migration Diplomacy in World Politics”, *International Studies Perspectives*, Vol.20, No 2, 2019, p. 113–128.

64 Düvell, “The EU’s International Relations and Migration Diplomacy at Times of Crisis: Key Challenges and Priorities”, p.39; William Allen et al., “Who Counts in Crises? The New Geopolitics of International Migration and Refugee Governance”, *Geopolitics*, Vol. 23, No 1, 2018, p. 218.

65 Seufert, “Turkey as Partner of the EU in the Refugee Crisis: Ankara’s Problems and Interests”; Adam, “The Refugee Card in EU-Turkey Relations: A Necessary but Uncertain Deal”; Sergio Carrera et al., “The external dimensions of EU migration and asylum policies in times of crisis”, Sergio Carrera et al. (eds.), *Constitutionalizing the External Dimensions of EU Migration Policies in Times of Crisis: Legality, Rule of Law and Fundamental Rights Reconsidered*, Cheltenham and Northampton, Edward Elgar Publishing, 2019b, p.1-19.

66 Ayhan Kaya, “Which Way to Go? Understanding Migration Policies and Their Influence on EU-Turkey Relations”, *FEUTURE Extended Voice*, 2019, p. 1-23.

67 Tom Wheeldon, “Europe ‘lacks leverage’ over Turkey amid Erdogan migrant threat”, *France24*, 10 October 2019, <https://www.france24.com/en/20191010-europe-lacks-leverage-over-turkey-amid-erdogan-migrant-threat>, (Accessed 15 March 2020).

governmental officials that Turkey will open the gates for refugees to flood Europe are perfect examples of the lack of influence the EU now has over Turkey. Some critiques even depict the deal as a dangerous precedent for the EU allowing itself to be held 'hostage'<sup>68</sup> by Turkey.

## **Divergences in Perceptions and Priorities**

Initially, the divergences in perceptions and priorities of the parties concerning the deal have held an important place at the table. For Ankara, the refugee crisis enabled an opportunity for a fresh start. Ankara's desire to continue the accession process represented an opportunity for the EU, but was mostly motivated by the security reasons. In order to get an effective and liable policy response to the refugee crisis and cooperation in the medium and long term, the essential mutual trust for policy and priority convergences seemed to be inadequate. In appearance, the deal initially created an expectation on the Turkish side, at least at the highest bureaucratic level, that there would be a revitalization of relations. Interviewee 1, a high-level Turkish bureaucrat in EU affairs, clearly stated that:

"The deal of 18 March was not just a migration cooperation deal but more than that specifically on the bureaucratic level, especially regarding the summits resulted in decisions strengthening of the high-level dialogues in crucial areas, acceleration of the visa liberalization dialogue and upgrading of the Customs Union. This would mean a lot if Turkey followed the reformist line. But the process following the failed coup of July 15 did not allow this to happen."<sup>69</sup>

On the other hand, at political level, one of the main concerns about the correlation between the deal and acceleration of reforms for the sake of accession negotiations seems to be stuck in an 'anchor-credibility dilemma.' Accordingly, Interviewee 1 also pointed out that:

"On a political level, it is not desired that the membership negotiations be terminated, but Turkish political authorities are not also willing to take risks in stepping into reforms brought by the membership process. There is a concern about whether to take these risks, with the strong perception that the EU will not give what Turkish side wants anyway."<sup>70</sup>

Turkey, in this respect, appears disappointed in its expectations of the benefits of partnering with the EU in terms of the implementation of the deal in broad sense. However, as an automatism within the accession process cannot be viable, concrete progress and improvements in judicial and political realms are the expectations on the EU side. The dilemma here is that the EU's eyes remained closed to backsliding in reforms and democratization in Turkey, primarily because priority is given to the 'effectiveness' of the deal, which implicitly refers to the goal of decreasing refugee numbers. The short-sighted EU policy, solely focusing on the deal and security-oriented approach with a reliance on numbers of refugees reaching Europe, has weakened its ability to address political considerations in Turkey. Together with the criticism towards the EU concerning the breach of European values and

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68 Carrera et al., "It wasn't me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal"; James Kanter, "European Parliament Votes to Suspend Talks With Turkey on E.U. Membership", *The New York Times*, 24 November 2016, <https://www.nytimes.com/2016/11/24/world/europe/european-parliament-turkey-eu-membership.html>, (Accessed 20 February 2020); Steven Blockmans and Sinem Yilmaz, "Why the EU should terminate accession negotiations with Turkey", *CEPS Commentary*, Centre for European Policy Studies, 19 April 2017.

69 Interviewee 1, personal communication, 13 January 2020.

70 Ibid.

human right standards for people on the move, this causes the political focus to shift from the nature of accession negotiations on Turkish side. This was clearly stated by Interviewee 2:

“The EU has no right to say anything to Turkey. While all countries enforce border security measures to prevent immigrants from entering their own countries, Turkey is the only country that enforces its border security to make refugees stay on its own soil. The EU is responsible for what happened in the Middle East; therefore, it has to bear the consequences.”<sup>71</sup>

In that sense, EU-Turkey relations following the deal have continued albeit with an understanding reduced to migration and security issues. It is no longer possible to talk about a dialogue based on mutual trust during the whole process.

Under these circumstances, apart from the practical problems of implementation and questionable legal status, the deal has opened the floor to debate regarding its effects on the transformative power of EU’s enlargement policy. As the EU needs to find a collective solution to the migration issue, this should not be at the expense of the integrity of the enlargement process. O’Brennan underlines this by stating that “the Copenhagen criteria for EU membership matter. If the Union continues negotiating with Turkey and rewarding it for behavior that is clearly transgressive of EU norms, then those norms are emptied of any meaningful content.”<sup>72</sup>

Similar concerns in this awkward relationship have found voice in critics approaching the issue with a broader perspective, looking at the current situation on the Balkan route and the asylum policy practiced by all states along the route in the ‘tidal situation’ stemming from the EU-Turkey deal. In the absence of a long-term [genuine] comprehensive policy, future developments along the Balkan route is seen dependent to a large extent on the fate of the EU-Turkey deal.<sup>73</sup> Crucially, this is not limited to the refugee issue, but its negative impact on democracy and the rule of law, and its subsequent undesirable impact on the stability of the Western Balkan countries whose further socio-political development depends to a large extent on the EU and its enlargement policy, came up repeatedly during the interviews. The most striking aspect is that the EU tends to ignore violations of human rights in the Balkan route and has mostly remained silent<sup>74</sup> as autocratic tendencies have increased in candidate and potential candidate states such as Serbia and North Macedonia. While a direct link is hard to prove, Weber<sup>75</sup> implies that it does not appear to be a mere coincidence that these are occurring along parallel timelines.

The general understanding emphasized in the interviews, for which the author reached out to experts from the Balkan region, is that Balkan countries are administratively and economically too weak and too fragile to keep a large number of migrants on their territory without becoming a security threat to each other and to the EU. Interviewee 3 summarized the general assessment about the EU-Turkey cooperation by stating that:

71 Interviewee 2, personal communication, 14 January 2020.

72 Dempsey, “Judy Asks: Is the EU-Turkey Refugee Deal on the Ropes?”.

73 Bodo Weber, *The EU-Turkey Refugee Deal and the Not Quite Closed Balkan Route*, Friedrich-Ebert-Stiftung Dialogue Southeast Europe, Sarajevo, June 2017, p. 21.

74 For a detailed analysis on the EU’s ignorance to democratic backsliding in democratization in Western Balkans, see Birgül Demirtaş, “AB’nin Dönüştürücü Gücü ve Batı Balkanlar’da Demokratikleşme Süreci: Başarılanlar ve Başarılmayanlar”, Sanem Baykal et al. (eds), *Hukuki, Siyasi ve İktisadi Yönleriyle Avrupa Bütünleşmesinde Son Gelişmeler ve Türkiye-AB İlişkileri*, ATAUM 30. Yıl Armağanı, Ankara, ATAUM, 2018, p. 179-210.

75 Weber, *The EU-Turkey Refugee Deal and the Not Quite Closed Balkan Route*.

“The EU-Turkey deal is viewed as necessary solution. It is understood as a transactional solution where each side - the EU and Turkey - got what they wanted taking into account the conditions in which it was made.”<sup>76</sup>

The same interviewee also noted:

“There are some in the Balkans who admire the ability of the Turkish President to make a deal. They, generally, are critical of the EU and prefer to see international politics as pure realpolitik.”<sup>77</sup>

Nevertheless, given the EU's tendency to externalize its migration policy, Interviewee 5 specified that “the replication and implementation of such a deal in non-EU countries with candidate status would have been a ‘disaster’ for the Balkans since it would send a message that the Balkans will always remain the EU's backyard, a ‘parking lot’ for people the EU does not want on its own soil.”<sup>78</sup>

According to Interviewee 5, in Serbia, since autocratic tendencies are on the rise, progressive parts of the population already see the current situation as epitomizing the EU's ‘hypocrisy’. She adds that “this is where the EU is losing its credibility, first and foremost, and its power to impose itself as the value-based actor.”<sup>79</sup> In labeling the EU as hypocritical, she refers to the fact that, on one side the Union speaks about certain values and standards, and to the other it turns a blind eye to both atrocities committed by the Hungarian and Croatian police towards the migrants and the devastating humanitarian situation on the Greek islands. For another analyst from Bosnia, Interviewee 6:

The EU-Turkey deal can only be a ‘bandage’ that has negative effects on the EU's global actorness. The only proper way to respond the crisis should be the stability. For the Balkans, in the short run, the deal's primary goal could be preferable, simply because termination of the deal would mean high pressure on the economy. If the refugee numbers in the Balkans double or triple due to possible realization of ‘blackmailing’ of Turkish authorities, this would mean also ‘blackmailing the Balkans.’<sup>80</sup>

However, whatever option is pursued, he believes that “in the long-term this could end with lose-lose situation, especially in the already unstable Western Balkan region.”<sup>81</sup> Therefore, the EU, if it aspires to play a greater role as a global actor, is then expected to consider, in a timely manner, the refugee issue beyond making deals to keep refugees and migrants away from its immediate borders. The Balkans in Europe Policy Advisory Group, supporting this argument, emphasized in their report that “the EU's response has only centred on fighting the symptoms; besides the perceived need for strong leaders dealing with the situation has enhanced the tendency of horse-trading of fundamental European values for geopolitical interests and stability. This approach threatens to erode the EU's credibility as a normative power while doing little to resolve the underlying causes of the migrant crisis.”<sup>82</sup> With an expectation from the EU that it should use the migration crisis to step up its engage-

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76 Interviewee 3, personal communication, 11 February 2020.

77 Ibid.

78 Interviewee 5, personal communication, 27 February 2020.

79 Ibid.

80 Interviewee 6, personal communication, 17 February 2020.

81 Ibid.

82 Natasha Wunsch and Nikola Dimitrov, “The migrant crisis: a catalyst for EU enlargement?”, *Balkans in Europe Policy Advisory Group*, June 2016, p.5, <http://biepag.eu/wp-content/uploads/2019/03/The-migrant-crisis-a-catalyst-for-EU-enlargement-web.pdf> (Accessed 7 December 2020).

ment with the Western Balkan region, the Advisory Group asserts “the current respite following the EU-Turkey deal needs to serve as a trigger for more in-depth reflection on how to anchor the Balkans firmly in Europe, both politically and economically”.<sup>83</sup>

Contrary to expectations, the post-deal period has complicated balances and relationships and made the region’s future more uncertain albeit indirectly. As the EU has shifted down in enlargement, policy and priority divergences, relations among its third country partners have become more complicated. With reference to this, Interviewee 4 stated:

The Balkan countries are content with the Deal to curb migration flows. However, the Turkey-Balkans relation in question is said to come down to the personal relations between the relevant leaders. This also creates an anxiety concerning the rapprochement between Turkey and Russia.<sup>84</sup>

Although the emergence of ‘stabilitocracies’ - the term introduced by the Interviewee 5 - influenced by many factors and dynamics in the region bothers the EU, it seems that the EU has not yet been able to find a way to converge policies and priorities in its close neighborhood. Especially with the refugee crisis’ continued importance, it is getting harder to turn the power balance back in the EU’s favor.<sup>85</sup> The EU has begun experiencing the side effects of its long-standing approach of relegating its partners to the role of passive agents of integration within its own migration regime. Put differently, the overall analysis shows that the current migration pressure the EU is experiencing is not a challenge that can be solved by securing its external borders solely through a control-oriented approach coupled with asymmetric cooperation with third countries, as EU-Turkey deal demonstrates. Rather, the most likely scenario would be loss of its most valued assets, soft power and credibility, in its relations and in the international scene on a broader scale.

## Conclusion

The issue of international migration has transformed into a problem challenging the EU on several fronts. The EU’s global actorness, which evokes its normative and transformative roles, is no exception. This paper has undertaken a critical reading of the EU’s external migration policies and, at its most fundamental level, has analyzed the migration-foreign policy nexus which holds the potential to either strengthen or degrade the Union’s role as a credible global actor. As many have opined, a control-oriented approach sought solely by shifting responsibilities to third countries cannot serve as a functional policy on its own. The way the EU has handled external migration policies has come at a price, impacting the conduct of foreign policymaking and weakening its transformative ability to reconfigure relations with its partners. Together these have impacted power relations as well as the normative premise that is an important determinant of the EU’s role in global scale.

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<sup>83</sup> Ibid., p.13.

<sup>84</sup> Interviewee 4, personal communication, 10 January 2020.

<sup>85</sup> Balkans in Europe Policy Advisory Group, in its 2017 report, points out the Western Balkan pattern of democratic decline and how this weakness has been taken advantage of by autocrats. Furthermore, it is stated that “Russia, together with Turkey, also provides a model, a self-confident proto-type of authoritarian rule within seemingly democratic structures, attractive for aspiring autocrats in the Western Balkans”. For details, see “The Crisis of Democracy in the Western Balkans. Authoritarianism and EU Stabilitocracy”, *Balkans in Europe Policy Advisory Group*, March 2017, <http://www.biepag.eu/wp-content/uploads/2017/03/BIEPAG-The-Crisis-of-Democracy-in-the-Western-Balkans.-Authoritarianism-and-EU-Stabilitocracy-web.pdf> (Accessed 7 December 2020).

This article has taken EU-Turkey cooperation on migration following the 2015 refugee crisis as a case study within the context of greater EU-third country engagement. Considering the underlying emphasis of the EU on its deal with Turkey as well as Turkey's unique position, the article has sought to increase our understanding of how the EU's cooperation with third countries on the issue of migration can facilitate or impede enhancement of the EU's global role. The research has showed that a reliance on numbers, coupled with an ignorance of divergences in perceptions and expectations from the very beginning, hindered the EU's goal of maintaining its foreign policy credibility. This ignorance has caused the EU to complicate balances not only in its relations with Turkey, but also in its immediate neighborhood. Since the source of EU-Turkey cooperation is not value-based but lies within their short-term mutual interests, the post-deal period has seen more de-Europeanization than Europeanization.<sup>86</sup> Going further, this has had subsequent impacts on the ability of enlargement policy to transform candidate countries, and thereby affected the stability of the region. The general view expressed in personal interviews conducted for this article, supported this notion. Although the EU-Turkey deal, for the Balkan region on the migration route after Turkey, is viewed as necessary solution, stability in the region is tied to the migration/refugee issue.

Considering that the fragile situation in the Middle East still raises uncomfortable questions regarding a new wave of forced migration and Europe's readiness for a new crisis, the findings of this paper are important to further research addressing possible paths for convergence of perceptions, expectations and capabilities not only on the subject of EU migration policies, but also on the overall EU external policies as a global actor. Considering this, the topic is evidently ready for additional research.

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<sup>86</sup> Kaya, "Which Way to Go? Understanding Migration Policies and Their Influence on EU-Turkey Relations", p. 15. Also, about the challenging Europeanization process of Turkey, see more F.H. Burak Erdenir, "A Long and Narrow Road: Turkey's Europeanization Process", *Uluslararası İlişkiler*, Vol. 12, No 45, 2015, p. 23-38.