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THE EU-TURKEY REFUGEE DEAL

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THE EU-TURKEY REFUGEE DEAL: MULTIPLE LEVELS OF INTERNATIONAL NEGOTIATION

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ABSTRACT

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In March 2016, the European Union (EU) and Turkey agreed on a deal which envisaged to put an end to the irregular crossings of Syrian refugees from Turkey to Europe. This thesis aims to explain two important puzzles regarding the deal. While almost all countries governed by right-wing populist political parties around the world adopt anti-immigrant policies, Turkey emerged as an anomaly in terms of being a top refugee hosting country and striking a deal which keeps the refugees within the country. At the same time, despite its obvious benefits for the EU, the EU did not hold up its own side of the deal and cooperation between two sides deteriorated in ensuing years. This study argues that Turkey aimed to use Syrian refugees as a leverage vis-a-vis the EU to obtain political, financial and normative concessions. Although the AKP government got the EU to accept its demands on paper, the EU could not keep its side of bargain as a result of simultaneous interaction within and between its multiple levels. In order to explain inability of the EU in delivering its promises, this study extends Putnam's two-level game analysis to three-levels, and analyzes how the interplay of these levels affected the outcome of the deal.

Keywords: European Union, EU-Turkey Refugee Deal, Foreign Policy Analysis, Turkey, Two-level Game



ÖZET

AB-TÜRKİYE MÜLTECİ MUTABAKATI: ÇOK SEVİYELİ ULUSLARARASI MÜZAKERE

Gülen, İrem Aybala

Yüksek Lisans, Uluslararası İlişkiler Bölümü

Tez Danışmanı: Dr. Öğr. Üyesi Berk Esen

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Avrupa Birliği (AB) ve Türkiye, Mart 2016’da Suriyeli mültecilerin Türkiye’den Avrupa’ya düzensiz geçişlerini engellemeyi hedefleyen bir mutabakata vardı. Bu tez, bu mutabakatla ilgili iki önemli sorunsalı açıklamayı hedeflemektedir. Dünyada neredeyse her sağ popülist parti tarafından yönetilen ülke göçmen karşıtı politikalar benimserken, Türkiye mültecileri ülkede tutmayı amaçlayan bir mutabakata vararak ve dünyada en fazla mülteciye ev sahipliği yapan ülke olarak bir anomali oluşturmaktadır. Aynı zamanda, mutabakatın AB için bariz getirilerine rağmen, AB mutabakatta üstüne düşeni yapmadı ve iki taraf arasındaki iş birliği mutabakatı takip eden yıllarda kötüleşti. Bu çalışma Türkiye’nin Suriyeli mültecileri AB’ye karşı bir koz olarak kullanarak siyasi, finansal ve normatif tavizler elde etmeyi amaçladığını öne sürmektedir. AKP hükümetinin AB’ye kağıt üstünde isteklerini kabul ettirmesine rağmen, AB’nin farklı seviyelerinin kendi içlerinde ve birbirleri arasındaki eşzamanlı etkileşimleri dolayısıyla AB mutabakatın sorumluluklarını yerine getiremedi. AB’nin sözlerini tutamamasının sebeplerini açıklamak amacıyla, bu çalışma Putnam’ın iki seviyeli oyun analizini üç seviyeye çıkarmakta ve bu seviyelerin birbirleriyle olan ilişkisinin mutabakatın sonucunu nasıl etkilediğini analiz etmektedir.

Anahtar Kelimeler: AB-Türkiye Mülteci Mutabakatı, Avrupa Birlięi, Dış Politika Analizi, İki Seviyeli Oyun, Türkiye



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CHAPTER 1

INTRODUCTION

Following the outset of the Syrian Civil War, millions of people were displaced from Syria and forced to seek refuge in other countries. Although most of them stayed in neighboring countries, many of them crossed the borders of the European Union to live under better conditions. By the end of 2015, more than one million Syrian refugees arrived in the EU while 844.000 of them crossed the border of the Greece through Turkey (BBC, 2015). The ever-increasing number of refugees within the borders of Europe resulted in a backlash against Syrian refugees across the countries. Moreover, populist Eurosceptic political figures within the EU hindered a comprehensive and common solution to the refugee crisis. As a result, the EU needed to take a coordinated action with Turkey. To this end, the EU and Turkey came together and agreed on a Joint Action Plan on 15 October 2015, and it was followed by March 2016 EU-Turkey Deal.

According to the EU-Turkey Deal, Turkey would put an end to irregular crossing to the EU in exchange for the acceleration of the EU accession negotiations, visa-free regime for Turkish citizens, 6-billion-euro financial assistance, and upgrading of the Customs Union. Furthermore, according to deal, for each Syrian that would be sent back to

Turkey, the EU would resettle a Syrian refugee within the EU borders. The deal brought about an immediate progress and momentous impact in terms of lowering the number of the irregular flows and deaths across the Aegean Sea (Aydın-Düzgıt et al., 2019). As a result, with the help of the deal, the EU succeeded in reducing the number of refugees through keeping them within the borders of Turkey.

This thesis explores the question of why Turkey agreed on concluding a deal with the EU on 18 March 2016. The puzzling issue in this research question is that while almost all right-wing populist political parties across the world follow anti-immigrant policies, Turkey emerged as an anomaly in terms of being a top refugee receiving country while striking a deal which keep the refugees within the country. As of 2018, for the five consecutive years, Turkey hosted the highest number of refugees compared to other countries in the world (IOM, 2020). It is a puzzle that Turkey signed a deal with the EU which promising to halt irregular refugee flows rather than allowing them to cross the border of the EU. Indeed, as a part of the deal, Turkey is not only responsible to host Syrian refugees within the country but also responsible to prevent them from fleeing to Europe. As a result, it is a deal that caused either an increasing or stable number of refugees within the country. Despite the fact that allowing refugees to flee to the EU is an expected policy from a right-wing populist political party, the AKP government acted contrary to other right-wing populist political parties, and kept them in the country. Therefore, AKP government acted as an anomaly by hosting 3.5 million refugees and having a deal with the EU that continued to keep them. Thus, while this thesis dwells on the question of why Turkey concluded a deal with the EU which the latter benefitted the most, this thesis also analyzes why Turkey hosted 3.7 million refugees in the first place.

Yet, the primary focus of this research is the motivations that made Turkey an anomaly in concluding a deal with the EU.

Another puzzle in this thesis under the same research question is that despite its drastic impact in terms of decreasing the number of refugees and apparent benefits for the EU, the deal and the cooperation between the EU and Turkey were shaped by the constant political tensions. In fact, although it is obvious that the EU would benefit from the deal more than Turkey would, the cooperation between the two sides deteriorated in the ensuing years. Before the refugee crisis erupted in the EU in 2015, there is already a populist surge across the European countries. The refugee crisis helped populist parties to locate themselves from the margin of the politics to the center. Anti-immigrant policies and discourses became one of the main elements of their political campaigns in obtaining the approval of the voters. Moreover, these populist parties incorporated Euroscepticism into their political agenda which resulted in an explicit disapproval to the decisions of a supranational body, namely the EU. The rise of Eurosceptic populist parties resulted in lack of consensus about finding a solution within the EU and put the Schengen Zone at the risk of suspension. While the cooperation with Turkey contributed to the EU in finding a solution to the future of the EU, the EU couldn't deliver the obligations of the deal, even the financial assistance was not materialized. As a result, while it is a puzzle that Turkey agreed to sign this deal, the lack of materialization of the promises of the deal by the EU is another puzzle that this research addresses.

This thesis examines these puzzles with the Putnam's two-level game analysis. The argument of this research is that the AKP government aimed to use refugees as a leverage to obtain political, economic and normative concessions with both domestic

and international goals in their mind. Politically, the AKP government achieved to get promises of opening of new chapters in the EU accession negotiations, upgrading the Customs Union and visa free regime for Turkish citizens. Turkey also aimed at alleviate the growing domestic concerns with regards to burden of refugees since the deal envisaged to deliver €6 billion financial assistance to help Turkey's cost in hosting the refugees in the camps. Moreover, the AKP government sought to obtain domestic and international legitimacy through deflecting the criticisms raised against the AKP government by using the leverage of hosting 3.5 million Syrian refugees, which provide the AKP government a normative concession from the EU since the EU desperately needed an agreement with Turkey. In terms of the two level-game framework, the AKP government was able to ensure an autonomy from the domestic level as a result of the authoritarian turn of the Erdogan regime. As a result, despite the fact that there was a growing domestic concern about the financial burden of the refugees, the AKP government was able to keep its autonomy from the domestic level.

In contrast, the EU played in three levels: international level (Level 1), the EU level (level 2) and domestic level (Level 3). The international level constitutes the positions of the member states at the negotiation table. The level 2 represents the institutional level of the EU since approval of the EU as an institution is necessary for concluding an agreement. The level 3 is devoted to domestic level of the states which mostly constitutes the approval from the domestic audiences since the preferences of the EU as an institution and the interests of the domestic audiences affected the positions at the level 1. The simultaneous interaction within and between the levels of the EU have

shaped the deal and resulted in an inability in delivery of the promised of the deal despite its obvious benefits for the EU.

In the case of the EU-Turkey Deal, there are multiple cleavages that hampered the implementation and delivery of the obligations of the deal. This thesis analyses the sources of what Putnam calls (1988) involuntary defection of the EU, inability in delivery as a result of lack support from the domestic level, which resulted in deterioration of the deal. Accordingly, this research demonstrates that disagreements and divergences within the institutional level of the EU between the European Commission and the European Parliament resulted in obstacles in deliver ability of the EU. In that respect, this research argues that while the Commission approached the deal in a pragmatic and problem-solving manner, the Parliament, as an elected body which includes political parties, politicized the deal through constant criticisms against the AKP government. The Parliament continuously emphasized that the EU-Turkey deal should be uncoupled with the EU accession process of Turkey and visa liberalization by criticizing the democratic backsliding of Erdoğan regime while the Commission abstained from commenting about domestic politics of Turkey. Moreover, this study also reveals that the Parliament not only criticizes the deal and Turkey, but also heavily criticizes the Commission.

This research question scientifically important since the migration increasingly emerges as an issue that lies on the intersect of the domestic politics and foreign policy. Due to the fact that it affects the everyday life of the people in a country, migration is a field where even ordinary citizens are concerned about the foreign policy decisions of the decision makers with regards to migration. As a result, the EU-Turkey Deal is a case

study of interaction of the domestic politics and foreign policy on the issue of migration. Moreover, this study also has a policy relevance as it is an issue that shaped the EU-Turkey relations for the years. In fact, although the relations between the EU and Turkey were formerly operated within the accession framework, migration became the new framework that their relations are shaped. Thus, this study also is relevant on the current state of relations of the EU and Turkey.

In terms of methodology, case study and process tracing are used in this thesis in order to test my arguments by using observations within the case (Van Evera, 1997, Mahoney 2012). In order to make causal inferences, this study uses the method of process tracing by combining these general arguments with specific observations from the case study. In this regard, the case of the thesis is the EU-Turkey Deal. To this end, temporal sequence of events is analyzed by looking at diagnostic evidences from the negotiations of the EU-Turkey.

The observable evidences are obtained from the primary documents of the European Commission and the European Parliament as well as the official statements of the Turkish authorities. Accordingly, in order to investigate official stance of the Commission with regards to the deal. this study analyzes 90 press releases issued by the European Commission between the years 2016 and 2018 which I compiled from the European Commission Press Release Database. Similarly, from the European Parliament Press Release Database, I examined 25 press releases issued by the Parliament to compare their approaches to the deal, and to test my argument that there are important divergences within the institutional level of the EU that affected the deliver ability of the EU. Among the all press releases that were issued between those

years, I specifically analyzed and counted the press releases that were issued on the topic of migration. As a second step, among the press releases issued on the topic of the migration, I chose the releases that were on the topic of both Turkey and migration. In the light of these, I compared the numbers and content of the press releases that were issued by the both bodies. This analysis demonstrated that while almost all of the releases of the Parliament raised criticism against Turkey, deal and the Commission, majority of the Commission releases praised efforts of the Turkish authorities and abstained from criticizing Turkey. In order to further support my argument, I analyzed the minutes of both bodies and compared the proposals of the Commission and amendments of the Parliament on the same issues. Moreover, in order to analyze the official approach of Turkey, I used official statements of the AKP government. In light of these evidences, this study reveals process of the EU-Turkey Deal within the two-level game analysis.

Accordingly, chapter 2 gives the literature on the readmission agreements in order to provide the necessary background that shows the EU's efforts to externalize the issue of migration. In addition, chapter 2 constitutes the theoretical framework of the thesis. To this end, I used the literature on foreign policy analysis, especially the literature that focuses on the nexus between domestic politics and foreign policy. In that respect, in order to analyze the EU within Putnam's framework, I extended two-level game analysis to three levels of the EU.

Chapter 3 is devoted to describe the period between 2011 and 2018 with a focus on the process of EU-Turkey. This chapter describes the period of Turkey between the years 2011 and 2015 in which Turkey adopted an open-door policy and welcomed millions of

refugees to the country. Accordingly, this chapter argues that the open-door policy of Turkey was part of AKP government's assertive foreign policy agenda in the middle east. Turkey hosted Syrian refugees as a leverage against the Syrian regime and build an international reputation as a humanitarian actor. However, when the foreign policy aspirations of Turkey in Syria became no longer feasible and when the refugee flows erupted as a crisis in Europe, Turkey agreed on signing a deal with the EU, and emerged as an opportunist coercer to seek concessions from the EU. Thus, this chapter demonstrates political, financial and normative concessions which Turkey obtained on paper through the negotiations and seeks the answer of why Turkey agreed on a deal that the EU benefitted more. Moreover, this chapter provides the background of how AKP government distanced itself from the domestic constraints in the level 2 through its authoritarian turn.

Although AKP government signed a deal with the goal of seeking political normative and financial concessions in their mind, most of these concessions were not materialized. Similarly, although the EU concluded a statement with Turkey which brought about obvious benefits and drastic impact on numbers of irregular arrivals, the EU couldn't keep its promises. Chapter 3 provides explanation of these with the Putnam's involuntary defection. Accordingly, chapter 3 reveals important divergences within and between the multiple levels of the EU which resulted in lack of necessary support to the deal. In other words, this chapter demonstrates that disagreements between the European Parliament and the European Commission decreased the win-sets of the EU. Thus, chapter 3 brings the explanation that while the responses of the EU have been shaped by the simultaneous interaction of the multiple levels, this

multifaceted interaction resulted in an involuntary defection with regards to promises of the deal. This chapter also contains the responses of Turkish government to pressure the EU by using its leverage.

The last chapter is devoted to conclude the thesis with the process of suspension of the deal. This chapter also explains the implications of the deal to the literature of the EU-Turkey relations, domestic politics and foreign policy nexus and to the literature of Turkish Foreign Policy. Through the concluding remarks, chapter 4 also brings the areas of further research.

CHAPTER 2

THEORETICAL CHAPTER: EU READMISSION AGREEMENTS, TURKISH POLITICS AND FOREIGN POLICY ANALYSIS

During the course of the EU-Turkey relations, there has been a constant attempt of forming a cooperation mechanism between the European Union and Turkey on the issue of the migration. The European Union aims to put an end on irregular migrants crossing the border of the countries within the union. To that end, the EU materializes the readmission agreements with third countries. For the EU, one of the most important key partners of this mechanism would be Turkey considering the geographic location of the country. Throughout the history of the readmission negotiations between the EU and Turkey, domestic politics of both of both sides, the properties of the international politics and the salience of the issue become decisive in the fate of the agreements. In this regard, Syrian refugee crisis emerged as a new chapter in this cooperation attempts of the parties to the accord. As the flows of the Syrian refugees has become as a ‘crisis’, domestic politics of both the EU and Turkey have been affected making the cooperation between two sides an urgent matter. Besides, changes in the Turkish politics resulted in revisions in the readmission negotiations, and finally, in the EU-Turkey Statement. In the light of these, in what follows first the readmission mechanism of the union is

analyzed. It is then followed by the readmission negotiations with the Turkey and developments with the Turkish politics. In the last section, the theoretical framework of foreign policy analysis to analyze the EU-Turkey Statement within the scope of domestic politics and foreign policy linkages is provided. In the theoretical discussion, Putnam's two-level game theory are applied to the EU-Turkey Statement.

2.1 The European Union and Readmission Agreements

Readmission agreements has long been used by the European Union to ensure the removal of “persons who do not or no longer fulfil the conditions of entry to, presence in or residence” in countries within the borders of the union (European Commission, Community Return Policy on Illegal Residents). Under these agreements, persons to be readmitted are a country's own nationals, third country nationals or stateless person that passed or transited through the requested country (Cassarino, 2007, p.179). Though the bilateral agreements on readmission is not new in international relations (Kruse, 2006), throughout its history, with constantly being exposed to the immigration, European member states have become aware that fighting against irregular migration couldn't be succeeded with the attempts of individual states. Instead, they realized that it was a problem that they need to combine their efforts and manage together to irregular migration flows (Billet, 2010).

Tackling with the third country nationals who have been staying illegally in European Union remains at the top of the political agenda. As a result, readmission agreements have been a pressing issue, and have a political priority in the minds of Europeans (Roig & Huddleston, 2007). Before the EU level, member states could conclude readmission agreements with individual states, and the majority of readmission agreements were

bilaterally concluded (Cassarino, 2007). However, as they came to the conclusion that it was not a proper react to irregular migration, they passed many legislations to unite their relations with third states (Trauner & Kruse, 2008). The initial attempt by the EU institutions to reduce disparities between bilateral agreements came in 1994 by adapting two recommendations which proposed to coordinate the actions of member states.

The second step for the adoption of the standard clauses of readmission agreements was agreed in 1995 by the European Council which provided that both members states and the third state agree to readmit any of its nationals illegally present on the territory of requesting state. However, in 1999, with the Amsterdam Treaty, these clauses have been changed in a way that now a partner state agrees to sign a readmission agreement directly with the EC, which gave all the competence to the EC rather than member states' bilateral agreements (Billet, 2010). As a result, with these developments, a new level has been added to the procedure of the readmission agreements of the European states with third states. In this supranational level, multiple players have a say in negotiations of readmission agreements.

The general procedure is that the Council gives a mandate of negotiating a readmission agreement to the Commission based on the idea of engaging with either countries of origin or countries of transit to solve the problem of irregular migrants residing in the territories of the EU and to lessen the burden of the member states. When the Commission has been authorized by the Council to conclude an agreement, the Commission must consult to the Parliament. However, the Parliament had a minimal role in EC's readmission agreements in the first decade of 2000s. It was a body that either was not consulted at all or was merely informed during the negotiations (Roig &

Huddleston, 2007). However, this trend has been changed by giving more power to the European Parliament (e.g, Moury 2007; Hix, Noury & Roland 2005; Bouwen 2007; Kreppel & Oztas 2017), and through the increasing politicization in the European Parliament with the rise of populist parties across the Europe.

Readmission agreements of the European Union have been seen as a main foreign policy instrument in dealing with the irregular migration and it has been seen as a greater part of externalization of migration management (Billet, 2010; Wolff, 2014; Roig & Huddleston; Bürgin, 2012; Trauner & Kruse, 2008). Moreover, the EU has differentiated its approach to the readmission agreements in accordance with geographical and political position of a third country. Accordingly, three groups can be defined. The first group is Schengen Associated Members whose cooperation have already been negotiating with their inclusion in the Schengen area. The second group is neighboring countries which are seen as key partners of the EU since they share borders with the EU. These countries are not only the countries of the origin but also they are located in the transit route to the EU. The third group is the countries that are more distant to the EU. In these countries, the approach of the EU is more flexible based on the countries' migratory pressure on the EU. As a result, the strategy and the efforts of the EU has been varied in these types of countries. (Billet, 2010).

Turkey's position in these groups has always been ambiguous. Although Turkey is a country that has been both a key partner and neighboring country to the borders of the EU, it also has a candidate status which results in a different approach than other neighboring countries. Besides, the flows of irregular migrants from Turkey put considerable pressure on the EU. However, inclusion of non-nationals in readmission

agreements and domestic politics of Turkey as a candidate country complicated the position of Turkey among the other countries that the EU negotiated for an agreement. Inclusion of non-nationals to the readmission negotiations are known as third-generation of the agreements and it is seen by the scholars as an unequal cooperation mechanism (Cassarino, 2007). Accordingly, as inclusion of non-nationals resulted in an obstacle in readmission negotiations' success, since countries do not prefer to be a shelter of all the irregular flows, the EU has adopted a 'package approach' which provides with incentives of visa facilitation regimes and attraction of the EU membership depending on the interests of the third country (Roig & Huddleston, 2007).

With the increasing importance of fight against irregular migration in the EU's foreign policy, the incentive of visa facilitation regimes came to be seen as a necessary motivation to conclude a readmission agreement. The EU has been using this incentive not only to ease a major source of domestic discontent in these countries but also push for domestic reforms of the partner states. In other words, the EU aims to use visa facilitation regimes as an instrument to meet grievances in a third country while accelerating the efforts of reforms in these countries of origin or transit. In doing so, the EU can use visa facilitation as a lever to sign such agreements (Trauner & Krause, 2008).

As the EU itself is a multi-level polity having national, supranational and intra-institutional levels (Kassim & Gales, 2010), readmission agreements take place in a multi-level setting both with third countries and within the EU (Wolf, 2014), by considering the preferences of the third countries (Coleman, 2009). Incentives are provided by the EU since third countries' domestic politics can pose a series of obstacles

to an agreement, and forced EU to revise the readmission agreements in accordance with the domestic politics of the third countries. To put it differently, as these agreements are inherently political instruments, third countries' domestic politics and regional dynamics are taken into consideration by the EU and negotiations are revised accordingly (Wolf, 2014). In this regard, these agreements are technical carrying a purpose of solving the problem while they are also political which bear a specific relation between the state and those it is addressed to (Lascoumes & Le Gales, 2007). As a result, readmission agreements of the EU take place in the intersection of domestic politics of third countries and interests of the EU. The more that EU gives concessions through the incentives that they propose, the more likely that they have successful negotiations.

Two important examples of this 'package approach' of the EU are Morocco and Turkey as they are called hard bargainers of the readmission agreements due to the fact that these two countries have been refusing to sign readmission agreements for more than ten years. As a result, the EU had to link readmission agreements to Mobility Partnership in the case of Morocco since financial incentives were not sufficient for successful negotiations in the absence of credible incentives of a mobility plan (Wolf, 2014)

2.2 Readmission Negotiations with Turkey

A readmission agreement with Turkey is utmost importance for the EU considering the fact that Turkey is one of the most used transit routes to Europe for the irregular migrants that cannot be send back to the countries of origin due to lack of stable situation there. Before the accession negotiations of Turkey, the Commission had been mandated by the Council for a readmission negotiation in 2002. Turkey was invited by the Commission to start negotiations of a draft text of a readmission agreement in 2003.

However, until 2004, Turkey did not acknowledge the invitation of the Commission due to the fact that demands of the EU were not considered as appropriate by Turkey as it agreed to conclude an agreement that included only its own nationals rather than third-country nationals (Coleman, 2009). In this regard, Turkey did not want to be a dumping ground for irregular migrants and third country nationals (Kirisci, 2009).

In response, the Commission established a link between the EU accession talks and readmission negotiations, which made Turkey to agree to begin negotiating a readmission agreement with the EU (Coleman, 2009). Negotiations of the agreement lasted between 2005-2006, and no progress had been made during this period of time. As a result, it was put aside until 2009 (Wolf, 2014). One of the reasons for this lack of progress in negotiations of the readmission agreement was the demands of Turkey regarding the inclusion of non-nationals in the readmission agreement. Turkey wanted to make bilateral agreements first with the countries of origins so that Turkey wouldn't be a country of irregular migrants. Secondly, the persuasive power of the incentive of the EU accession was weakened due to the fact that eight chapters were already freeze because of the Cyprus problem (Bürgin, 2012).

Besides, Turkey asked for an equal treatment with the Western Balkan countries as they already had been granted visa liberalization (Wolf, 2014). As a result, member states of the EU came to the conclusion that they needed a more attractive package to lure Turkey to conclude an agreement (Stiglmayer, 2012). Indeed, a visa facilitation had been offered to Turkey by the Commission (Kirisci, 2008), but it was a different treatment to Turkey than those Western countries which the EU signed an agreement. Visa facilitation is a different procedure than visa liberalization as the former is an incentive

which only provides easier, quicker and cheaper processes of obtaining a visa while the latter is a regime that ensures travelling visa free. Moreover, the EU requested that negotiations on visa facilitation can only be started once the agreement with the Turkey was concluded while the Western Balkan countries did the reverse (Bürgin, 2012). As a result, both the incentive itself and the political atmosphere that the negotiations were taken place were not convincing for Turkish counterparts to sign a readmission agreement.

With the increase in the illegal migration through Turkey to the EU, the Council demanded to re-launch the readmission negotiations and once again mandated the Commission in 2010. However, the Turkish Ministry of Affairs declared that Turkey stipulated the initiation visa liberalization dialogue as a condition of a readmission agreement (Aka & Ozkural, 2015). It was argued that AKP government insisted on the acceleration of visa dialogue in late 2010 and early 2011 since it is thought that it would be a concern for the Turkish voters before the 2011 elections. The rationale was that the giving the good news regarding the visa liberalization with the EU would be a practical before the elections, which resulted in re-launch of the negotiation of a readmission agreement with the EU (İçduygu & Aksel, 2014)

The EU and Turkey agreed on a draft of the EU-Turkey readmission agreement in January 2011 and partners reached on a consensus on the text on 27 January 2011 (Wolf, 2014). After this technical aspect of the negotiations, political negotiation's took place between two sides. While the EU immediately expected from Turkey to implement the agreement as soon as possible, they declared that they would only ease the requirements of visa for Turkish citizens as visa liberalization was considered as a

long-term process by the EU (Paul, 2012). However, Ahmet Davutoğlu, then foreign minister, repeatedly stressed the necessity of initialing of a readmission agreement parallel to the visa dialogue. He declared that ‘until the Council gives the Commission a mandate of visa exemption for Turkey we will neither sign nor implement the readmission agreement’ (İçduygu & Aksel, 2014). Therefore, between February 2011 to June 2012, Turkey did not finalize the agreement mainly because the focus of Turkey was the issue of visa liberalization

In June 2012, the proposal of a readmission agreement was signed which defined obligations of Turkey and the EU. They also included a Joint Declaration on the cooperation of the visa policy. Following this, a roadmap for visa had been prepared determining the reforms and conditions regarding the visa and border security (Wolf, 2014). Following the year that the first road map was introduced, the EU and Turkey concluded the readmission agreement, and visa liberalization dialogue was launched accordingly on 16 December 2013 which to be entered in to force in 2014 (İçduygu & Aksel, 2014)

Scholars argue that the incentives given by the EU change the opportunity structure of domestic actors of a third country. In this regard, the EU serves as an external ally for the domestic agenda of some actors (Bürgin, 2012, p.886). As it is mentioned, until the time that the public support for the EU membership has declined dramatically, the incentive of the EU membership that tied to the readmission agreement was working. As long as the public support diminished and the EU membership became controversial for both sides, the need for more consistent and credible incentive to conclude a readmission agreement has emerged. In other words, the considerable decrease in public

support for the EU membership had increased the political cost of readmission agreement in the eyes of Turkish government.

The persuasive power of an incentive to conclude an international agreement depends on the domestic political context of a country. When domestic politics has been transformed, new opportunity structure emerged for the both of the parties. This is what is observed in the case of the negotiations of the readmission agreement between Turkey and the EU. After the EU membership lost its persuasive power with the decrease in public support for the membership, the EU had to revised its 'package approach', and its concessions for the readmission agreement with Turkey. As a result, the issue of visa liberalization became a key concern in the negotiations. This was also important for Turkey, as stated above, since the possibility of a visa free regime was seen as an opportunity to affect the behavior of voters before the election of 2011. As Icuysgu and Aksel argues (2014), Turkey started the negotiations of agreement right before the 2011 general election, and signed the agreement before the 2014 local elections under the assumption that public opinion would respond positively, and would boost the party's electoral wins in these elections.

In this regard, depends on the changes in domestic politics, the negotiation between two sides have been constantly revised. Accordingly, despite the fact that two sides have been negotiating on the issue of visa liberalization and the readmission of irregular migrants quite long (Wolf, 2014; Bürgin, 2012; Kirisci, 2008), with the increase in the salience of the issue of migration in both Turkey and the EU, because of Syrian refugee crisis, two sides came together once again to cooperate over the issue of the migration management in 2015 which ended up with EU-Turkey Statement on March 2016

(Smeets & Beach, 2020). The main reason for the EU is that previous readmission agreement applies mainly to migrants while the EU needed to have a cooperation over the issue of refugees. In other words, from the side of the EU, there was a need for a cooperation mechanism which could provide an extended version of previous readmission agreement. Yet, throughout the history of negotiations of the readmission agreement, there has been constant changes in Turkish domestic politics as well as its foreign policy.

2.3 Changes in Turkish Politics

The AKP government has been in power for almost eighteen years, and there has been multiple ruptures and continuities during their incumbency. One of the ruptures that has been observed in AKP's policy makings is that there has been an apparent shift from deep Europeanization to a loose Europeanization (Öniş & Yılmaz, 2009). In the period between November 2002 to opening of formal negotiations of the EU accession in October 2005, there was a process of Europeanization which dated back to mid-1990s. In the first period of AKP government, AKP committed itself to reform agenda of the EU membership negotiation with the goal of accession to the European Union (Müftüler-Bac & Keyman, 2012).

Achievements in the areas of the economy and the democratization were influenced by the Europeanization and the reforms of the EU membership. However, between 2007 and 2011, the influence of the prospect of the EU membership on the politics of Turkey diminished due to a stalemate in the negotiations and dramatic decrease in the public support for the EU (Öniş & Yılmaz, 2009; Öniş, 2015). Moreover, many studies show that under the AKP government, there has been Middle Easternization and re-

islamization in Turkish foreign policy (Sözen, 2010; Balci & Mis, 2008) together with the foreign policy activism of Ahmet Davutoglu (Aras, 2009) who aimed to find a solution to “Turkey’s alienation” with the Middle East and put this concern at the center of the foreign policy (Altunışık & Martin, 2011). As a result, Turkey became a country that was no longer committed to the EU membership (Öniş, 2015).

In parallel with the trend of the loose Europeanization, the AKP government increasingly followed an authoritarian turn with a considerable level of democratic backsliding. Scholars already noted this authoritarian tendency of the AKP government. Müftüler-Bac and Keyman (2012) argue that the lack of strong opposition in responding to demands of the voters coupled with effective performance of the AKP resulted in hegemonic hold of the AKP, and its authoritarian leanings. Similarly, Öniş (2015) argues that the AKP monopolized the power while decreasing the oppositions’ opportunity for contesting the hegemony of the AKP in an open political order which is going parallel with the growing democratic deficit in the country. In a similar vein, Ozbudun (2014) discusses the growing democratic backslide and authoritarian tendency of the AKP while Bechev (2014) notes it as illiberal democracy of Turkey, Tansel (2018) names it as an authoritarian neoliberalism. And Kaya (2015) frames it as an electoral authoritarianism.

While there is no consensus on the typology to explain current trend of Turkey, it seems more appropriate to argue that Turkey has evolved to a competitive authoritarian regime (Esen & Gumuscu, 2016). According to Esen and Gumuscu, Turkey has a regime that is competitive in a way that democratic institutions enable opposition to challenge the power of the ruling party. Yet, these democratic institutions are under the control of the

AKP with an authoritarian fashion which undermines the capacities of the opposition parties to compete fairly. To that end, it controls the state resources and the media to eliminate powerful oppositional campaigns. As a result, despite the fact that elections are regularly held in Turkey under the AKP rule, their fairness has been questioned due to the fact that these elections take place in an uneven playing field. Moreover, authoritarian policies of the AKP government violate the civil liberties, hinder the freedom of the media, and obscure the freedom of expression of the ordinary citizens.

The more that AKP has a stronger position in the domestic politics, the less that it relies on the EU and its democratization agenda together with the loss of enthusiasm over the EU membership among the general public (Öniş, 2010). Together with the stalemate in the areas such as Cyprus issue because of the veto of the French and Cypriot governments (Duzgit & Keyman, 2013), it is noted by the scholars that the EU and Turkey have a turbulent relation since 2013 because of democratic backsliding in Turkey and rise of right-wing populist forces within the EU. However, following the intensification of the Syrian civil war in 2015, the European Union experienced a huge flow of migrants into its borders via Turkey (Elitok, 2019). This resulted in a change in the nature of their interactions. The necessity of cooperation between two sides resulted in a functional and strategic relationship (Saatcioglu, 2020). To that end, the EU became hesitant to voice the democratic backsliding of Erdogan's regime while Turkish government strategically uses the Syrian refugees as a leverage to the European countries. To put it another way, Syrian refugee crisis opened a new phase in the EU-Turkey relations and in the cooperation on the irregular flows. In this regard, responses

of the Turkey in this situation are revised not only with the foreign policy goal in mind but also with the changes in the Turkish politics.

2.4 Foreign Policy Analysis: Domestic Politics -Foreign Policy Nexus

Scholars of the foreign policy analysis have long been discussing that there is an essential link that ties foreign policy and domestic politics of a state. While there are different conceptualizations of domestic politics and foreign policy among those scholars, one thing that they have agreed on is that domestic politics affects the foreign policy making of states and vice-a-versa.

Systemic theories and theories of foreign policy have already been compared and argued that there are domestic-political explanations of states' foreign policies (Fearon, 1998). Valerie Hudson (2014) argues that foreign policy is the continuation of domestic politics in a way that the competition and power struggle within the state between regime and oppositional groups have an influence on foreign policy making as foreign policy serves as an 'election fodder' to the government in question. Thus, since she argues that even in most totalitarian states have power struggles inevitable, she links domestic political competition with foreign policy making as it is an area where foreign policy makers often complain about 'CNN effect' which drives the attention of public to the foreign policy fiascos (Hill, 2003). In this regard, scholars of foreign policy analysis note that domestic game board is tied to the foreign policy making through the public's attention although there is no consensus on how it affects foreign policy making.

Knetch and Wheatherford (2006), for example, argue that if a situation which involves foreign policy decision is considered as a crisis by the public, public becomes attentive to that foreign policy decision. Accordingly, if it is regarded as a crisis, public usually

expresses its support for the initial decision of the decision makers. However, over time, the decision maker may garner disapproval for the implementation of the same decision, which implies that public may reward or punish decision makers over the implementation of the foreign policy decision. Similarly, Barbara Farnham (2004) argues that most of the issues that are happening in international politics have an influence on domestic politics. In this regard, foreign policy options that are present to the decision makers are screened for their domestic political acceptability. Based on the calculations of whether the consequences of those foreign policy decisions are intolerable in domestic politics, options are removed from the table of foreign policy makers. Thus, the consideration of domestic political acceptability of foreign policy will affect a regime's play in international politics.

In a similar vein, although Risse-Kappen (1991) states that the public opinion indirectly affects the foreign policy decision making, Douglas Van Belle (1993) argues that foreign policy decision makers are liable for the consequences of their decisions to the domestic audience and domestic challengers to the position of the regime. Accordingly, any rational leader's primary goal would be maximizing his or her domestic support in order to alleviate the challenges to the incumbency. As a result, foreign policy decisions will be filtered through the expected domestic response as the domestic standing of the leaders will be taken into account. Additionally, the more salient the case, the more that decision makers will consider the domestic standing and consequences of their decisions. In other words, a regime makes foreign policy decision based on the idea of either preventing the harm to the political career or enhancing the domestic standing at home (Van Belle, 1993).

Most of the insights of this literature are demonstrated in the case of the EU-Turkey relations regarding the migration management and especially in the EU-Turkey Statement. Flows of the Syrian refugees to other countries has been named as Syrian refugee ‘crisis’ as the number of refugees who aimed to cross the borders increased over time. As Knetch and Wheatherford (2006) argues, when a situation is named as a crisis, it drives a considerable public attention which in return influences the foreign policy decisions of the policy makers. In the case of a crisis, the public becomes more concerned with the international moves of the country. As a result, it becomes an area where the line between domestic politics and foreign policy blurs. In other words, refugee crisis is an issue which affects the everyday life of an ordinary people with the news in media and above mentioned ‘CNN effect’. The fear that this crisis would have an effect on their life make this crisis inevitable public concern. Thus, migration is an issue which lies between the foreign policy and domestic politics of a country. In this regard, it is analytically better to study the EU- Turkey Statement with the insights of the literature of domestic politics and foreign policy nexus as both the public of the EU and Turkey has been affected with this crisis.

In addition to the influence of public attention on foreign policy decisions, domestic structure and the process of decision making also influences the how decision makers decide on a move in international politics. Accordingly, while the mot of the systemic level analysis explains a state action based on the idea that states behave what the system necessitates them to do, it is argued that states’ responses and adaptation to international politics are filtered through the domestic structure of each country (Müller & Risse-Kappen, 1993). In other words, domestic politics modifies the responses that

are given to an interstate phenomenon. To that end, Mastanduno, Lake and Ikenberry (1989) reconciles international and domestic politics. While the main aim of the states in international arena is survival, at the same time, state officials aim to maintain their incumbents through the support of societal groups and overcoming the challenges from oppositions. To do so, state officials put an effort to maintain legitimacy which is the acceptance in the eyes of societal groups. As a result, with the goal of seeking domestic goals and legitimacy in their mind, state officials follow two strategies in their foreign policies. First, state officials use the strategy of “external extraction”. Through this strategy, in order to alleviate the domestic political pressure and to achieve domestic goals, decision makers seek to accumulate outside resources. The second strategy is “external validation”. With the concern of their domestic political standing and acquiring legitimacy, state officials use their position as “authoritative international representatives of nations state” to acquire international community’s recognition which provides legitimacy in the eyes of domestic population (Mastanduno, Lake & Ikenberry, 1989).

Since it is a crisis that makes this issue a concern of both domestic politics and foreign policy, the EU-Turkey Statement fits this formulation of ‘external extraction’ and ‘external validation’ of regimes. Accordingly, with the EU-Turkey Statement, Turkey attempted to acquire both external extraction and external validation. External extraction of resources is aimed with the money that the EU promised to deliver for relieving the financial burden of refugees which would alleviate the public’s concerns that refugees would be a burden to Turkish economy. Secondly, as state officials utilized the Turkey’s status of a refugee receiving country with humanitarian motives in international

community, the regime aimed to attain the legitimacy in the eyes of both international community and domestic audience. Moreover, as this kind of self-representation of Turkey provides somehow a diplomatic recognition, it helped to suppress the criticisms over democratic backsliding in the country, which further helped to maintain the legitimacy of the regime.

This playground of Turkey in the case of Syrian refugees takes place in a two-level game field where the domestic level and international level has an expectational effect on each other. Robert Putnam's formulation of two-level games in describing the international negotiations explains this nexus between domestic politics and foreign policy making of states. According to Putnam (1988), international negotiations take place in two levels in which the one level represents bargaining between the states and the other level is discussions within each states' constituents. Accordingly, while the actors of level 1 are the states and state representatives at the negotiations table, actors of the level 2 include societal groups, social classes, interest groups and public opinion. In this regard, the need for domestic acceptability (level 2) of international negotiations is affecting the bargaining position at level 1. In other words, expectations at level 2 affect the position of states in level 1. Similarly, in order to have a successful agreement between the states, the agreement must fall into the level 2 win-sets of each parties. Smaller the level 2 win-sets, the greater the risk that negotiations would break down. As a result, in negotiations between two parties, the level 2 preferences influence the domestic win-sets and the bargaining position at level 1. To that end, governments aim to expand one another's win-sets so that they can ease the domestic constraints which may pose an obstacle to the cooperation between the parties. Moreover, any decrease in

the size of a win-set of a country in the negotiations result in bargaining advantage and flexibility as it decreases the cost of lack of having a successful agreement.

As the EU-Turkey Statement is a case that attracts the attention of domestic audiences, together with the above-mentioned literature on domestic politics and foreign policy linkages, Putnam's formulation of two-level games is used in this study to explain the puzzling question of why Turkey agreed to conclude the EU-Turkey Statement although there has been eighteen years since the negotiations of a readmission agreement between Turkey and the EU started. Accordingly, in initial stages, the EU-Turkey Statement falls within the domestic win-sets of both Turkey and the EU. Turkey sought the legitimacy through the 'external validation' which ease the criticisms of the EU regarding the democratic backsliding in the country. Additionally, Turkey aimed the extract resources from the EU through the way of 'external extraction', which may again ease the domestic pressure concerning the financial burden of refugees. Moreover, the EU also promised to visa facilitation regime to increase win-sets of the Turkey in order to have a successful negotiation. However, with the decrease in the size of Turkey's win-sets with undelivered money, lack of credible commitment to visa facilitation and increasing domestic burden of Syrian refugees, Turkey constantly pressured the EU to deliver its promises.

In the case of the EU, two level game formulation of Putnam is expanded to three level. In addition to the domestic level and international level, as it is a supranational institution, the level of the EU institutions is added to Putnam's two-level game theory (Patterson, 1997). In the negotiations with the EU, all three levels have a considerable effect on foreign policy moves of the EU. Simultaneous interaction between and within

each level affected the foreign policy decision of the EU. In this regard, while the EU-Turkey Statement serves for the benefit of the EU countries, the inter-institutional power struggle within the EU institutions and politicization of the Statement by the European Parliament affected the foreign policy decision making of the and deliver ability of the EU. As a result, in this study, the EU-Turkey Statement is analyzed within the theoretical framework of domestic politics and foreign policy linkages, two-game theory and its expanded formulation as three-level game for the EU.

In addition to these, this study also benefits from the literature that dwells on the intersection of foreign policy and migration. Accordingly, this literature argues that with the increasing volume and changing nature of the population movements, migration is increasingly perceived as a potential crisis in international arena. This approach in international relations increased the connection between the foreign policy of decision making of states and the issue of migration (Teitelbaum, 1984; Weiner, 1992). Although there are studies which focus on the link between the migration and foreign policy analysis, most of them analyze the issue with case specific examples within the Cold War context and U.S foreign policy goals (Mitchell, 1989; Teitelbaum, 1984; Zolberg, 1983; Oyen, 2015). However, in terms of states' use of migration in their foreign policies, Greenhill (2010) uses the concept of 'coercive engineered migration' (CEM). This concept defines the behavior of states either as an intentional creation or manipulation of migration to acquire economic, military and political concessions from other states. Moreover, Greenhill also argues that political leaders have strong domestic level motivations to accept coercive states' international-level demands. Accordingly, this is common for states when political leaders believe that concessions are worth to

give in order to make migration crisis disappear. To this end, a coercer state may seek to reduce the possible domestic policy responses through coercive moves in order to make concessions more attractive compared to the possibility of intensification of the crisis. Together with the theoretical insights of Putnam's two-level game analysis, foreign policy analysis literature, Greenhill's concept of 'coercive engineered migration', this study argues that Turkey aimed to pressure the EU through constant threats in order to narrow down the domestic policy responses and obtain political, economic and normative concessions. With the fear of intensification of the crisis, the concessions which the EU needed to sacrifice became attractive to save the Schengen Zone. Yet, the complex interaction of the multiple levels of the EU hampered the EU's ability of delivering its obligations. Therefore, this study analyzes the paralysis in the deliverability of the EU within the three-level game analysis and Putnam's concept of involuntary defection.

This research analyzes the EU-Turkey Refugee Deal within the Putnam's two-level game analysis with a focus on motivations of the AKP government in striking a deal with the EU. This thesis also analyzes the sources of the EU's inability of keeping its promises with the Putnam's concept of involuntary defection. Accordingly, over the course of negotiations and the implementation of the deal, the AKP government played two-level game even though Erdogan managed to keep its autonomy from the domestic level. As a result, the AKP government aimed to use refugees as a leverage vis-a-vis the EU in order to get concessions with both domestic and international motivations. In that respect, although the AKP government was less concerned about the domestic level in terms of the ratification of an agreement, they tried to utilize refugees to acquire

financial, political and normative concessions to enhance their legitimacy at home and abroad. As a result, being a host country to 3.5 million refugees increased the bargaining power of the AKP government at the international level for the purposes of domestic level.

Even though Putnam's two-level game analysis provides the theoretical framework for the Turkish side of the negotiation, it is actually a starting point for the analysis of the EU side of the bargaining. In that respect, the EU played in three different levels in the EU-Turkey Refugee Deal. Level 1 constitutes the international in which Germany was a leading negotiator and initiator of the deal. Level 2 represents the level of the EU as a supranational institution. Level 3 is the domestic level of the member states. In the case of the EU, even though Germany initiated the deal at the international level, it needed an approval from the EU. As a result, the EU is another level that affects the international level of the negotiation. In other words, the preferences of the EU as an institution and the domestic level of the member states shaped the international level of the negotiation. In the same line, the multiple levels of the EU shaped the deal and resulted in deterioration of the cooperation as a result of simultaneous interaction within and between the levels.

In light of these, while Turkey managed to use refugees as a leverage at the international level the deal was not fully implemented as a result of the multiple levels of the EU. Through the theoretical framework that is explained in this chapter, the next chapter explores the gains which Turkey obtained at least on paper with its relatively higher bargaining power. It is explained in the next chapter that the AKP government obtained significant concessions through the negotiations despite that they were not delivered to

Turkey. The next chapter also provides the necessary historical background that push both the AKP government and the EU to cooperate each other as a result of domestic politics of the both sides.



CHAPTER 3

POLICY ASPIRATIONS OF TURKEY IN CONCLUDING A DEAL WITH THE EU

The ongoing civil war in Syrian has triggered one of the biggest humanitarian crises of our time with its devastating impact on millions of displaced people internally and externally. As the conflict enters in its tenth year now, the country has become the leading refugee sending country as more than 5.5 million Syrians are forced to flee from the country with the hope of finding a safe haven. There are 6.1 million people internally displaced in Syria, and more than 11 million people need humanitarian assistance. As of 2020, almost 3.6 million of them are registered in Turkey while 910,256 residing in Lebanon, 656,733 in Jordan, 247,471 in Iraq and rest in other countries (UNHCR, 2020). Although Europe sees it as a ‘crisis’ only after the onset of 2015, as Turkey hosts the largest number of refugees from the very beginning of Syrian civil war, this refugee crisis has many ramifications on Turkey’s domestic policy and foreign policy agendas since 2011. In this regard, Syrian refugee crisis can be considered in two periods. The years from 2011 to 2015 is a period in which Turkey faced with a mass influx of refugees as a result of its ambitious foreign policy agendas in Syria and its open-door policy towards Syrian refugees. In this period, Syrian

refugees were part of Turkish government's foreign policy calculations and were welcomed as a tool to weaken Assad regime. However, in the second period, with a halt in its goals in Syria, Turkish government started to negotiate with the European Union when refugees named as a 'crisis' in Europe. Turkey has utilized the Syrian refugees as a foreign policy tool vis-a-vis European Union and stroke a deal that formed a cooperation between Turkey and the EU.

This chapter aims to describe the period between 2011 and 2018 with a focus on the process of EU-Turkey Deal and different levels of two parties that shaped the negotiations between two sides. The first section covers the period between 2011-2015 when Turkey experienced mass refugee inflows as well as domestic political changes towards a more autocratic regime. The second part provides a brief background of how it became a crisis in Europe with the discussion of rise of populist parties across the European countries. In the final part of this chapter, EU-Turkey Deal is analyzed with a focus of Turkish government's use of refugees as a foreign policy tool to obtain concessions and EU's responses as a result of its complex institutional level.

3.1 Turkey and The Refugee Crisis: 2011-2015

Before a civil war erupted in its neighboring country, Turkey had already adopted a foreign policy activism and multidimensional foreign policy in the region through the basis of strategic partnerships and a zero-problems-with-neighbors policy (Keyman & Gümüşçü, 2014), and with an emphasis on being a trading state (Kirişçi, 2009). The foreign policy style of the AKP was characterized by the use of soft power and friendly relations with neighbors and with the idea of putting an end to Turkey's alienation to the region (Öniş & Yılmaz, 2009; Altunışık & Martin, 2011). In this sense, Turkey under

AKP rule had a goal of being an active regional power with an assertive regional policy of establishing good relations through dialogue, trade and its soft power. This proactive foreign policy continued during the Arab Spring as the AKP government attempted to present itself as a supporter of political change and democratization in the region. Whilst the AKP leadership was reluctant to risk economic ties with countries where popular resistance to authoritarian regimes occurred, a passive position would undermine the ambitious goal of playing a leadership in the region as a role model country (Öniş, 2014). As a result, the government supported opposition forces in Egypt and Syria.

The AKP government more actively involved in the Syrian case in promoting political changes than any other Arab country. Although the government initially supported to introduction of an important reform agenda within the existing Assad regime, the Syrian policy of the AKP has shifted to promote a regime change by supporting the opposition forces as the tension between two country escalated with Assad's failure of introducing democratic solutions to political unrest and with the crises such as downing of a Turkish F-4 Phantom fighter jet and Syrian artillery fire in Akçakale. Moreover, the idea of downfall of Assad regime serves the AKP's Sunni-Islamic identity and its regional ambitions with an ideological support (Özpek & Tanriverdi Yaşar, 2017; Özpek & Demirağ, 2014). As a result, Turkey openly held a position against the Syrian regime, and they entered a stage of an enmity (Aras & Akarçeşme, 2012). Overall aim of Turkey was to support opposition forces to weaken the Assad regime. For that purpose, Turkey even contributed to formation of National Coalition of Syrian Revolutionary and Opposition Forces which seeks to overthrow of Assad regime. The meeting of the Syrian National Council was allowed to convene in Antalya and Istanbul in 2011 (Aras

& Mencütek, 2015). In the same vein, the migration policy of the AKP leadership with regards to Syrians was part of their existing foreign policy agenda until it reached to a point that this policy is no longer sustainable for Turkey and became a crisis in Europe in 2015.

States make policies with regards to mass refugee inflows based on the domestic and international considerations. A country that hosts refugees can calculate its policies to gain leverage against its opponent sending country to weaken or threaten them (Teitelbaum, 1984). Turkey's migration policy in the period between 2011-2015 served for the purpose of gaining a leverage against the Assad regime. After the civil war started in Syria, and thousands of Syrians fled from their country, Turkey welcomed all the Syrian refugees with an 'open-door' policy. The overall goal in their mind was to assert a position and have a say in prospective post-Assad regime. In that sense, the migration policy of Turkey in this period was a pragmatic one to support Turkey's involvement in the matters of Syria. Having a mass number of Syrian refugees and hosting the oppositions in the country would provide with necessary legitimacy to Turkey's involvement in Syrian affairs during and after the Assad leadership (Altıok & Tosun, 2019). Indeed, even before the influx of large numbers of refugees, President Erdogan declared that "what happens in Syria is not an issue that is outside of us. Instead, Syria is an internal issue of Turkey and not a foreign policy issue. We have common borders, kinship and culture, and we need to hear the voices from Syria." (Birgun, 2011). Thus, AKP government's foreign policy considerations affected how they responded and how they tried to utilize the mass Syrian refugee inflows to the country. The idea that Syrian refugees might be utilized is also reflected in the words of

Davutoglu in 2013 when he stated that Syrians in Turkey having learned Turkish would have an enormous sympathy towards Turkey once they would go back to their country. Indeed, he also stated that when Turkey needs them, Syrians would be ready to help us (Haberler.com, 2013). Similarly, a Turkish bureaucrat that Altıok and Tosun (2019) interviewed stressed that some of the important political leaders and businesspeople of the Syria were granted citizenship with the idea that it wouldn't be possible to influence Syrian policy if they were granted citizenship by other countries such as France or U.K. By the same token, Turkey represented itself a key country in the region by using its soft power capabilities of generously hosting a large number of refugees. By doing so, Turkey utilized the refugees as a tool in its foreign policy to depict itself as an actor which can establish an order in the region. It also helped AKP government to promote themselves in international community as a country which can offer solutions to a humanitarian crisis while others were not able to (Aras & Mencütek, 2015). In this regard, AKP government depicted Turkey's role as a country which can sustain a peace in the region and undertook a humanitarian role in the international community. It was also declared by Numan Kurtulmuş in 2014 by his words that 'although Syrian refugees are considered as a social and financial burden, they would hopefully be part of Turkey's project of enhancing the brotherhood and integration in the region (Memişoğlu & Ilgıt, 2017). Moreover, as a part of Turkey's efforts to build a reputation internationally by helping the people that are in need of a safe place, in its early stages, Turkey refused to get an international assistance from UNHCR. Along the same line, Emel Özdora Akşak (2020) argues that Syrian refugees has become a leverage for the AKP government to secure a place in international community as a key actor in Syria,

and build an international reputation as a humanitarian actor through the way of self-glorification with the media coverages. Accordingly, the government utilized the open-door policy and Syrian refugees in its public policy when communicating with international community. In her research, she analyzes the media coverages that Anadolu Agency has disseminated between 2011-2018. Accordingly, majority of the media coverages are critical of international community, especially of the EU after 2015 for not fulfilling its promises, while putting an emphasis on external and internal praises to Turkey for being a good host. By positioning itself as a guardian of those in need, Turkey aimed to influence international public opinion to gather a support for Turkey's role in the region and in international community.

Before Turkey sit around a table with the EU to negotiate a deal in 2015, Turkey was under the pressure of a large number of refugees with growing domestic concerns. However, as it is argued above, a country's response to a mass refugee inflow is shaped through the domestic and international calculations. Scholars argue that Turkish foreign policy in Syria was part of the domestication of foreign policy during the AKP government. The AKP government constructed an identity itself as a party which gives a voice to oppressed majority. The party identity that they established with their voter base went parallel with their foreign policy formulation as representing the voice of oppressed majority in different geographies, especially in Middle East. As a result, there is an important parallel in AKP's domestic stance as a vanguard of majority against the oppression of elites and their foreign policy formulation of giving voice to oppressed people in the region (Kirdiş, 2015). In this regard, from the very beginning, the AKP leadership expounded its open-door policy through the use of victimization and

personalization of stories of Syrian refugees. They were mentioned by the AKP government and in the national media as a ‘brotherhood’ and our ‘guests’ rather than right based frame of being a refugee (Dimitrova et al., 2018).

Besides the domestication of AKP’s foreign policy in a populist fashion, the foreign policy choices of the AKP government is distanced from sufferings of domestic constraints as a result of their capability to mobilize the majority with the populist policies. Overcoming the domestic difficulties through shaping the public opinion gives an autonomy to Erdogan in a situation where a two-level game framework would apply. With the help of its popularity, the AKP government is able to undermine the challenges from domestic oppositions, and creates itself an autonomous sphere to make a decision in a two-level game with less concerns of domestic acceptability of a foreign policy decision (Özpek & Tanrıverdi Yaşar, 2018).

By the same token, the autonomy that the AKP government gained in its foreign policy decision making also stems from the authoritarian turn of the regime. In the post -2011 era, the AKP leadership is characterized by an authoritarian tendency in which the power is monopolized at the expense of oppositions (Öniş, 2015). Indeed, Turkey had devolved into a competitive authoritarian regime in which opposition parties can still compete against the ruling party but in an uneven field that the AKP government engendered through the authoritarian policies such as the control of state resources and the steady suppression of the media (Esen & Gumuscu, 2016). As a result, the competitive authoritarianism of the AKP increased its autonomy vis-a-vis the opposition groups. Coupled with its populist policies, the AKP left a little room to domestic forces

to challenge its foreign policy decisions which provided an autonomy in their two-level game.

In that respect, between the years 2011 and 2015, the responses given to the mass Syrian refugee inflows went parallel with the existing proactive and assertive foreign policy agenda of Turkey while it is also shaped by the domestic considerations. Open-door policy of the AKP provided disparaging the Assad regime while enhancing image of Turkey as a great power in the region that had a moral responsibility towards Syrian people (Demirtaş Bagdonas, 2014). During these years, the AKP incorporated the migration in their foreign policy calculations as a tool to sustain its position in Syria, to gain a leverage in a possible negotiation table with regards to future of the Syrian regime, and to build a reputation in international community as a humanitarian actor. This stance of the government was in line with the identity that the AKP had formed with its voter base as a vanguard of the oppressed majority. As a result, Syrian refugees were mentioned as our ‘brothers’ in the media unlike the national media of the most of the other countries. Davutoglu repeatedly stressed that “We need to embrace our Syrian brothers; it is our historical responsibility and humanitarian duty” (Hurriyet, 2014), and “it is not moral for a country like Turkey to close the borders who flees from persecution, oppression and rape. In this regard, migration policy of Turkey is a legendary” (Haberler.com, 2013). Although the correspondence between AKP’s party identity in domestic affairs and its foreign policy making enabled a free space to the AKP in foreign policy making, the AKP had an autonomy through its mobilization of majority under its popularity and through the authoritarian policies and elimination of

opposition groups. It provided the AKP with overcoming the domestic level in a two-level game with regards to foreign policy decisions.

However, the AKP realized that Syrian civil war wouldn't come to an end in a short period of time with the multiplication of actors involved in the war. Besides, in 2015, inflows of Syrian refugees to the European borders were perceived as a 'crisis' that has to be managed immediately. As a result, Turkey entered in a new stage in its migration policy but this time with the inclusion of Syrian refugees in its foreign policy tools vis-a-vis the European Union. Between the years 2015-2019, although the AKP's use of Syrians to demonize the Assad stalled, Turkey now had to deal with a relation in which multiple levels of the European Union are decisive in the fate of their relations. In that respect, the level of the European public, the European Union's institutional level, and the level of member states became the point of the relations with Turkey with regards to migration management. Additionally, although between the years 2011-2015, the AKP managed to retain an autonomy from domestic level, there was an increasing concern among the public with regards to economic burden of Syrian refugees. In an opinion poll conducted in 2014, 20.1 percent of the participants described Syrians as "the people who are a burden on us". The same opinion poll was conducted in 2017 demonstrates that 43.0 percent of the respondents gave the same description of "the people who are a burden on us". Moreover, while 5.9 percent described the refugees as "beggars/ the people who merely depend on others' assistance" in 2014, this percentage increased to 24.4 in 2017 (Erdoğan, 2014; 2017). Therefore, despite the autonomy of the AKP government from the domestic level, the AKP government had to take domestic level

into account in the management of the refugee crisis and had to make deal with the EU in order to extract a financial assistance to ease its domestic concerns.

3.2 Politics of the European Union and the Syrian Refugee Crisis

Not only the domestic politics of Turkey shaped the responses given to the refugee crisis but also politics of the European Union have a considerable ramification on the management of the EU with regards to Syrian refugee flows to their borders. When the European countries called these flows as a ‘crisis’ in the continent, European countries have already a populist surge that hinders a united response of the EU and relations with Turkey as a whole (Kaya, 2020). By the time that the refugee crisis hit the union, it has been more than three decades that radical right populist parties moved into the central stage of the party systems of most of the European countries (Lutz, 2019). As a matter of fact, being opposed to immigration and multiculturalism lie at the center of their electoral success of most of these radical right populist parties. Increasing salience of the immigration in the public enhanced the electoral bases and, in return, these parties increased their activities on immigration policies (Mudde, 2013).

Radical right populist parties have moved to the mainstream in politics in recent years with the developments such as terrorist attacks against Charlie Hebdo in Paris in 2015 and other Jihadist attacks in the following years. Moreover, growing number of refugees in the borders of the union have pushed populist parties to the center of the politics with the increase in the salience of these issues in the European public. Yet, their rise in the European politics date back to three decades ago (Mudde, 2016). In 1980s, a new group of populist politicians whose roots lie at far-right authoritarian traditions showed up despite the robust party systems of post-war period. These new batch of far-right

populist politicians replaced the disparaged images of their predecessor by utilizing the economic hardship and the moral crisis of the time. In that regard, these politicians put the blame on corrupted elites and immigrants for this economic and moral crisis (Chrysogelos, 2013). As a result, these new right parties advocated ethnopluralism against immigration and multiculturalism. A need a response to deterioration in authority and social order coupled with the economic insecurity were their points of the departure (Minkenberg, 2000).

In 1990s, with the end of the Cold War, the growing impact of globalization and international migration enhanced the identity of radical right parties. The sense of cultural alienation in 1980s combined with the sense of erosion of the national sovereignty with the accelerating impact of free movement of people and goods in a globalized world. As a result, throughout the 1990s, anti-elite and anti-immigrant discourses were central element of these parties. When it comes to 2000s, radical right populist parties increasingly represented themselves as a voice of losers of the globalization as opposed to winners of it. Cultural protectionism and blaming immigrants were incorporated with a more protectionist discourse in economy. This trend is followed by the impact of the Great Recession of the 2008 on the European countries. With this crisis, growing Euroscepticism, anti-elitist and protectionist discourses clinched their voter bases with a bigger share of electorate (Chrysogelos, 2013). Indeed, all radical right populist parties utilized the immigration as one of their core issues in politics (Ivarsflaten 2008). As a result, before the refugee crisis erupted in 2015 in Europe, radical right populist parties had already increased their influences in politics through the increasing dissatisfaction among the European public over the

growing salience of the EU issues especially with the economic hardship of 2008 financial crisis (Pirro & Taggart, 2018). In this regard, these radical right populist parties are the main exponents of the Euroscepticism since they are critical of the idea of an integrated Europe which gives few things to national governments vis-a-vis unelected supranational elites of the EU (Taggart, 1998). Therefore, up until 2015, radical right populist parties put an emphasis on socioeconomic and financial consequences of the crisis in their Eurosceptic discourse while adopting an anti-immigrant discourse. Yet, with the refugee crisis in 2015, public concerns with regards to migration prevailed those public dissatisfaction arose from financial crisis (Pirroa & Van Kessel, 2017). Thus, the refugee crisis took place in a political milieu where mass refugee flows enhanced the political position of already rising right populist parties across Europe. While these political developments took place at the member state level, there was a parallel development at the institutional level of the EU that eventually affected the EU's response to the crisis and relations with Turkey. The idea of the 'democratic deficit' had long been discussed by the scholars of the European integration (see Norris, 2011; Majone, 1998; Katz, 2001; Moravcsik, 2008; Featherstone, 1994). Accordingly, the EU experienced an increase in the power of the executive at the expense of national legislature with the acceleration of European integration (Raunio, 1999). Governments are supposed to be accountable to the voters through the parliament at a nation state level. However, national parliaments of the EU countries cannot oversee the actions of the executive actors of the EU. In fact, at the EU level, policy-making is mostly dominated by the executive, i.e., ministers of the countries in the Council and appointed bureaucrats in the Commission, and these are the actors that cannot be held responsible

by the national parliaments. Besides, the European Parliament was too weak to control the actions of unelected members of the Commission and the Council (Follesdal & Hix, 2006).

In order to overcome the democratic deficit, the EU came up with the solution of granting more the power to the European Parliament vis-a-vis executive power at the EU level through the treaty revisions in the last two decades. (Rittberger, 2003). While the empowerment of the European Parliament was seen as a solution to the hitches of the democratic deficit, this increase in the power of was at the expense of the European Commission (Moury, 2007), which resulted in an erosion of the policy initiative power of the European Commission (Majone, 2002). The European Parliament can now involve in the appointment and investiture of the Commission. Indeed, the strengthening of the European Parliament vis-a-vis the European Commission reached in a level that it can delay or hinder the functioning of the EU (Moury, 2007). Besides, giving more power to the European Parliament was also derived from power rivalry between the institutions. These institutions of the EU have always tried to bring their preferred version of a policy, and it caused an ongoing conflict between the institutions, and eventually resulted in strengthening of the European Parliament (Bouwen, 2007). As a result of the competition between the EU bodies and the discussions of democratic deficit, the influence of the Commission on policy making was weakened despite its formal monopoly of legislative initiation (Kreppel & Öztaş, 2017).

The empowerment of the European Parliament has an important implication on the European politics since the Parliament more increasingly plays a role in the EU policy making. As a matter of fact, granting more power to the Parliament have increased the

power of the political parties in the Parliament and resulted in an acceleration of inter-party competition. In that respect, parties in the Parliament are increasingly positioned in an organized and competitive fashion. As a result, political parties in the Parliament have more influence on policy outcomes of the EU (Hix et al, 2005), which led to more coalition formation, conflict and left-right divide within the Parliament (Kreppel, 2000; Hix et al., 2003).

Besides the growing importance of political parties in the policy making of the EU, what happens in the member state level of the is also reflected in the institutional level of the EU. European integration and its concomitant Euroscepticism helped radical right parties to consolidate their influence at the EU level (Almeida, 2010). Indeed, both radical right and radical left parties have succeeded in mobilizing voters in European Parliament with a common discourse of nationalism and being opposed to European integration (Halikiopoulou et al., 2012). In this regard, despite their low level of impact at the supranational level, radical right Eurosceptic parties such as French Front National, Danish People's Party, UKIP, Jobbik, FPÖ, and True Finns remarked a success in European Parliament elections in 2014 (Halikiopoulou & Vasilopoulou, 2014). Similarly, the European Parliament elections in 2019 consolidated the growing influence of Eurosceptic parties that had a considerable share in 2014 (Treib, 2020). While it did not bring the expected populist surge, anti-immigrant radical right parties performed well in several countries such as anti-immigrant Lega party from Italy, nationalist Vox from Spain, and anti-immigrant Vlaams Belang from Belgium. Marine Le Pen's far-right party achieved a victory the Macron's party in the 2019 European

Parliament elections. Moreover, this election engendered a more fragmented European Parliament (Hubolt, 2019).

The Syrian refugee crisis happened in this sort of political milieu where there is already an increase in the appearance of the populist and radical-right parties both at the member state level and the EU level. As a result, 2015 have become a catalyst in the fate of far-right parties in Europe. For the radical right parties, the refugee crisis created a picture of defending European Christian values against the Syrian Muslim flows. Victor Orban and Fidesz Hungarian Alliance have emerged as a chief voice of far-right in Europe (Mudde, 2017a). Moreover, the refugee crisis increased radical right street politics both qualitatively and quantitatively. Accordingly, more anti-immigrant demonstrations occurred with more participation in several European countries. These demonstrations are more diverse with the inclusion of both mainstream and radical groups (Mudde, 2017b, p.8). As a result, the refugee crisis had an impact on the member state level, the EU level and the European public level. What is important is that the interdependence between these levels have affected the response of the EU as a whole and the cooperation with Turkey in their management of the refugee flows.

In this political atmosphere, the Syrian refugee crisis hit the Europe in the summer of 2015. Almost one million Syrian refugees fled to Europe either by land or by the Aegean Sea. However, although this crisis is remarked in the history as the world's one of the most tragic humanitarian crisis, the EU experienced a deadlock when finding a united and common solution due to the clash of interests between its member states. The crisis of solidarity among the EU member states resulted in rejection of some states to the solution of distributing refugees fairly among the EU member states. As a result of

lack of common response to the refugee crisis, the EU is forced to increase its cooperation with the transit countries (Toygür & Benvenuti, 2017). As Germany became the country that number of the refugees reached the highest among other member states, Angela Merkel emerged as a leading figure in finding a solution to the crisis and strengthening the cooperation with the Turkish government (Toygür & Benvenuti, 2016). As an initial response to the crisis, Merkel took the lead and proposed the fair distribution of refugees between the all member states of the EU. The problem was that most of the Eastern European countries of the EU was against the Merkel's proposition especially Poland and Hungary (Mushaben, 2017).

Hungarian Prime Minister Victor Orban chose to shut down the border of Hungary-Serbia which pushed refugees Germany and Austria. As a result of the refusal of the Eastern European countries to the solution of burden sharing among the member states, Germany had to face with influx of illegal entries to the country. Moreover, these developments resulted in the discussions of the suspension of the Schengen with regards to free movement of the people, and it is an issue which Angela Merkel wouldn't approve. Therefore, the only solution remained for her at that time was to open Balkan route for the refugees thereby allowing nearly 800,000 Syrians to enter into Germany. However, growing public concern because of the increasing appearance of Muslim refugees and attacks in some of the German cities increased the anger to Merkel which forced her to find an alternative and sustainable solution to the crisis. Therefore, the solution appeared to be an inevitable deal with Turkey (Demirsu & Cihangir Tetik, 2019, p.627). Moreover, the idea of proportionate distribution of refugees also led to

public resentment in the European countries (Mudde, 2017a), which made outsourcing the problem to the Turkey was necessary to protect the future of the EU.

In response to these developments, the EU agreed on an action plan with Turkey at the European Council in October 2015. According to action plan, the EU envisaged that Turkey would improve the conditions of Syrian living in Turkey and would strengthen its surveillance system. On October 4-5, Erdoğan, the President of the European Commission Donald Tusk, and the President of the European Parliament Martin Schulz came together to discuss on first draft of the EU-Turkey Action Plan (Düzgit et al., 2019). The EU and Turkey agreed on the Joint Action Plan on 29 November 2015 which stipulated that EU would re-energize Turkey's turbulent accession process through increasing the high-level dialogue with a more structured process and through opening the new chapters. Secondly, the Joint Action Plan promised to accelerate the visa liberalization talks for Turkish citizens in Schengen area by October 2016. Lastly, the EU and Turkey agreed on an initial €3 billion to transfer to Turkey for improving the living conditions of Syrian refugees living in camps in Turkey. In return, Turkey pledged to stop refugees who were leaving the shores to reach the European borders (Adam, 2017).

Despite the EU's expectations, it was not a conclusive agreement that envisaged a deal for the Turkish government. According to initial position of the Turkish government Syrian refugees should not be a tool of political bribery in the discussions of accession talks, and official Turkish position was in the line that cooperation on the Syrian refugees and accession process two separate issues. Yet, the Joint Action Plan included the statements of the official involvement in the EU summits and the opening of six new

chapters of the EU acquis in 2015-2016 as well as recognition of Turkey as a safe country. Parallel to these developments, the number of refugees had reached to Greece were increasing through the end of the 2015. Growing number of refugees on the border of the Europe made Turkish government to realize that the EU needed an urgent deal with the Turkey. In initial negotiations in 2015, the top priority was to negotiate with the Germany since Merkel took the lead as a leader of a country which had the highest number of arrivals. In this line, Merkel visited Turkey on 18 October 2015 right after the agreement on the Joint Action Plan on 15 October 2015 which was launched on 29 November 2015. While Germany committed to open up several new chapter to convince Turkey to strike a conclusive deal, the meetings reached a standstill as a result of elections in Turkey in November 2015 (Okyay & Zaragoza-Cristiani, 2016). The elections of 2015 affected both domestic political context of Turkey and the fate of the EU-Turkey bargaining process which will be explained in the next section.

The Syrian refugee crisis was coincided with the ongoing political developments both the EU as an institution with its inter-institutional dynamics and domestic politics of the member states. The rise of populism and far-right parties together with the rise of Euroscepticism and anti-immigrant discourses made the common and united response almost impossible. In this political atmosphere, the refugee crisis became a hot topic which would inevitably affect the political battles of the parties. As it became an issue that affected the level of domestic politics of the nation states, a united response at the supranational level was hampered by the political elites of the member states. Each country demanded its preferred version of response as opposed to Germany's plan of fair distribution of the number of the refugees and their burden. Utilization of the

nationalism and Euroscepticism at the expense of trust to the EU by the populist and far-right politicians in the wake of the refugee crisis resulted in a paralysis at the EU level. In other words, the absence of common response as a result of domestic political developments at the member state level hindered finding a solution as a union. The primacy of will of the political leaders outweighed the EU's common action. As a result, Turkey was the inevitable and indispensable partner to outsource the problem of the EU. In response, Turkish government acted as an opportunist state to induce the political concession from the EU (Greenhill, 2010). In that respect, Turkish government exploited the migration driven vulnerability of the EU in pursuit of both economic and the political concessions. Therefore, Turkey used mass migration and the deal with the EU as an opportunity for its foreign policy and domestic politics (Aras, 2019). In this regard, lack of cohesion and within and the in between the multiple levels of the EU - member state level, the level of the EU as a supranational institutions, and the level of the European public- created a leverage for the Turkey to use migration as an opportunist tool to gain political, economic and normative concessions while the EU-Turkey cooperation has been affected by the above mentioned inter-institutional power struggle of the EU bodies which will be explained in the next section.

3.3 The EU-Turkey Deal of March 2016

The Joint Action Plan of October 2015 aimed at re-vitalization of the Readmission Agreement which had been signed on 16 December 2013. The Readmission Agreement foresaw a visa liberalization for Turkish citizens in exchange sending back to illegal immigrants crossing the borders of the EU to Turkish authorities. However, this agreement was not in force due to the disagreement over the issue of visa liberalization

(Demirsu & Cihangir-Tetik, 2019). The Joint Action Plan connected the commitment of Turkey in decreasing the number of refugees arriving Greece through Aegean Sea with the commitments of the EU with regards to financial and technical assistance together with political concessions of visa dialogue and the accession negotiations which was stalled for so long (Lehner, 2018). This plan was followed by the 2016 EU-Turkey Statement which expanded the concessions of the 2015 Joint Action Plan (Saatçioğlu, 2020). Following two meetings on 7 March and 18 March 2016, the EU and Turkey agreed on following commitments: (1) As from 20 March 2016, all new irregular arrivals crossing from Turkey into Greek islands would be returned to Turkey, and the cost of return arrangements would be covered by the EU; (2) For each Syrian refugees that is returned to Turkey from Greece, another Syrian would be resettled from Turkey. Priority would be given to Syrians who did not try to enter the EU irregularly; (3) Turkey would boost its measures to prevent new sea and land routes for irregular crossing, and Turkey would cooperate with neighboring states to sustain these measures; (4) when irregular arrivals have been sustainably diminished, a Voluntary Humanitarian Admission Scheme would be activated in which EU member states would contribute on a voluntary basis; (5) the visa liberalization roadmap would be accelerated with the participation of member states with the aim of lifting visa requirements for Turkish citizens by the end of the June 2016 while Turkey would take necessary steps to fulfill the requirements; 6) The EU, in cooperation with Turkey, would further accelerate the disbursement of the initially allocated 3 billion euros under the Facility for Refugees in Turkey with the Joint Action Plan of 2015 and ensure funding of further projects up to the end of the 2016. The EU would also mobilize an additional funding for the Facility

for Refugees of 3 billion euro up to the end of the 2018; (7) Turkey and EU would cooperate on the ongoing work on the upgrading the Custom Union; (8) as agreed on the 2015 Joint Action Plan, the EU and Turkey would re-energize the accession process with opening up of new chapters; and lastly (9) the EU and Turkey would cooperate on increasing the humanitarian conditions inside Syria and near the Turkish borders (European Council, 2016).

The EU-Turkey Statement has been agreed on in accordance with the two-level game operations for both sides. In fact, while the two-level game framework applies to Turkish side, there has been three level operating on the negotiations of the deal. On the side of the EU, there are three levels that was affecting the negotiations; European public, the EU and authorities of the member states. While on the Putnam's two-level game theory, the level 1 is the level of the negotiations, in the case of the EU side, the positions of the EU authorities at the negotiation table will be counted as the level 1 of the Putnam. The EU as itself as an institution is level 2 and the European public is level 3. Similarly, positions of the Turkish authorities at the negotiations is the level 1 for Turkey and the domestic constituencies is level 2.

According to Putnam's two-level game framework, dominant domestic preferences of states affect their positions and bargaining power at the negotiations. Moreover, domestic preferences of states influence the win-sets of the parties. Any successful agreement must fall in the win-sets of the parties. In this regard, a small win-set means more bargaining power since there is less to lose in the absence of an agreement. Similarly, a perceived larger win-sets means that the other side may push around for obtain more in the negotiations. (Putnam, 1988). Germany was a leading actor in the

negotiations with Turkey. An increasing number of refugees in Germany decreased the bargaining power of the Merkel in the negotiations of both the Joint Action Plan of 2015 and the March 2016 EU-Turkey Deal. As a matter of fact, in the case of a non-agreement situation, the cost of not making an agreement with Turkey would be much higher for the EU and Germany than for Turkey. Non-agreement means a status-quo in existing circumstances which would worsen the EU and Germany considering the fact that growing number of refugees with Germany's open-door policy affected the European public and European politics with the rise of far-right and Eurosceptic parties across the Europe. As of 2015, Turkey had already a huge number of refugees with less domestic opposition, the cost of a non-agreement was less for Turkey. As a result, the bargaining power of Turkey was higher than the EU and Germany. Moreover, as Putnam argues, the more politicization of the issue means less flexibility in the negotiations. In this regard, the issue of the migration has been politicized in Europe more than Turkey for years due to the setbacks of the European integration. Therefore, more politicization of the Syrian refugees in the European politics also hampered the bargaining power of the EU as the politicization of the issue also activated the public and influenced even those who are less concerned with the situation of a non-agreement. As a result, the bargaining power was in the favor of Turkey (Krumm, 2015).

The case of more bargaining power became an opportunity for Turkey to increase its leverage vis-a-vis the EU, and to obtain political, economic and normative concessions through striking a deal with the EU. As a result of the political vulnerabilities of the EU, and multiple voices from all three levels - rise of far right and Eurosceptic parties, uneasiness in the European public, and inter-institutional power struggle of the EU

institutions- Turkey gained relative but valuable advantage in the negotiations. In this way, Turkish authorities was able to incorporate migration in its both foreign and domestic policies.

3.3.1 Normative Concessions

In spite of knowing the low level of human rights record in Turkey and Erdogan's authoritarian tendencies, the EU authorities agreed on the EU-Turkey Statement on March 2016 to prevent arrivals of the Syrian refugees to the Europe. However, this policy was at the cost of the long-lasting values of the EU. In this regard, in order to sustain the stability, the EU had to abstain from openly and severely criticize the undemocratic policies of the AKP government which provided a legitimacy for the AKP leadership in the eyes of its domestic constituencies with lack of enough criticism from the EU.

The most concrete evidence of this practice of the EU was the delayed report of the European Commission. The European Commission normally released a progress report every year which evaluates the domestic developments of Turkey. In 2015, before EU and Turkey agreed on the Joint Action Plan, the normal release date of the European Commission's Annual Progress Report was 14 October which was before the 1 November elections of Turkey. However, it was delayed to a date after the elections, 10 November. It was unfolded through the leaked minutes of a meeting between Erdoğan, Donald Tusk, former president of the European Council, and former president of the European Commission Jean-Claude Juncker during the G20 meeting in the mid-November. Accordingly, it was delayed on Erdoğan's request (Okay & Zaragoza-Cristiani, 2016). It shows the low leverage and low bargaining power of the EU vis-a-vis

the Turkish government. It also demonstrates that the EU was ready to give normative concessions to Turkey in order to find a solution to Syrian refugee flows to the EU.

Another form of normative concessions that the AKP government obtained from the EU with utilizing the Syrian refugees is one of the clauses of the EU-Turkey Statement. According to the Statement, Turkey was counted as a safe third country to resettle Syrian refugees that crossed the border of the EU illegally. In international law, granting the status of the safe third country means for the EU that Turkey is a country which protects human rights. In this regard, accepting Turkey as a safe third country means that the EU could not repeatedly and overtly criticize the Erdogan regime's behavior if it is expelling the asylum seekers to Turkey (Kfir, 2018). In that respect, with the power of its leverage through the utilization of the Syrian refugees in its foreign policy, the AKP government procured a freedom in its actions in domestic politics.

3.3.2 Political Concessions

Apart from obtaining normative concessions by taking advantage of vulnerabilities of multiple levels of the EU, Turkey also acquired political concessions with the EU-Turkey Statement. According to Putnam's two-level game, states may utilize issue linkages in negotiations if there is a situation where a majority of domestic constituencies of one party might oppose a certain policy, but they are willing to consider switching their position on the same issue in exchange for another policy issue (Putnam, 1988). This is a strategic move at the negotiation table to facilitate the preferred outcome at the level 2 through aiming to influence domestic constituencies of the other country. In practice, it was in line with the EU's carrot and stick strategy in linking the deal with the issues of visa liberalization and the accession negotiations.

In the case of the EU-Turkey Deal and negotiations over the issue of the Syrian refugee crisis, the EU needed to utilize issue-linkages to convince Turkey to accept holding refugees in the country in the face of increasing leverage of Turkey vis-a-vis the EU. The issue-linkage strategy of the EU provided Turkey with short term concessions. Before the refugee crisis, the EU and Turkey relations were in the framework of the accession conditionality of the EU. However, the increasing leverage of Turkey removed the influence of accession conditionality framework and made Turkey an opportunist state to use refugees to gain short-term benefits. Thus, rather than negotiating within the accession framework, their relations were shaped by the migration diplomacy. The main benefit of this move from negotiating within the accession progress to migration diplomacy for Turkey is to provide a flexibility for Turkey in accommodating its policy needs. In that respect, with that flexibility and the issue-linkages of the EU, Turkey managed to link the issue of the Syrian refugees with opening up of new chapters, and more importantly, with the visa liberalization for Turkish citizens in Schengen zone. However, while the EU had more bargaining power in the accession conditionality framework, Turkey has more bargaining power in the issue of the refugee crisis since the cost of non-agreement is less for domestic politics of Turkey than the EU. As a result, while Turkey was gaining political concessions from the EU in the form of promises of the visa liberalization and acceleration of the accession talks, it was also able to impose its own preferred version. To illustrate, in the negotiations of the visa liberalization, one of the most controversial issue was the geographical limitation of Turkey. According to 1951 Geneva Convention Relating to the Status of Refugees, Turkey does not grant refugee status to the people outside the

European countries. The EU demanded removal of the geographical limitation from Turkey as a part of the visa liberalization benchmark so that Turkey could give refugee status to Syrians rather than taking them under the temporary protection. However, with the insistence of Turkey on not to remove geographical limitation, the Commission agreed on demands of the Turkish government. (Demiryontar, 2020).

Moreover, despite it was unmet due to the divergences in the institutional level of the EU in the form of the inter-institutional conflict of the EU bodies, Turkey procured the promises of the financial assistance from the EU which would appease the domestic concerns of Turkish public with regards to financial burden of the Syrian refugees. As mentioned above, Turkish public increasingly described refugees as a financial burden on Turkish society. Thus, Turkey was also able to obtain financial concessions through its relatively higher level of bargaining power vis-a-vis the EU as a result of the uneasiness at the level 2 (the EU as a supranational institution) and at the level 3 (European public).

However, according to Putnam's two-level game theory (1988), states may fall into involuntary defection in the agreements as a result of the inability to procure an acceptance from the domestic constituencies. Accordingly, the effects of domestic division and the oppositions can raise the risk of involuntary defection and can impede the agreement. In other words, involuntary defection means being unable to deliver on promises because of lack of domestic approval. In the case of the EU, domestic approval means not only the European public but also the EU as a supranational institution. As a result, inter-institutional power struggle and divergences led to what Putnam calls

involuntary defection and unmet promises in the case of the EU-Turkey deal which will be discussed in the next chapter.

This chapter explained the motivations of Turkey behind concluding a deal with the EU. In line with the Putnam's two-level game analysis (1988), the cost of no-agreement for Turkey, i.e. status quo in the existing situation, was less than the EU considering the fact that the refugee crisis had a great impact on the European politics. As the cost of no-agreement of Turkey was less than the EU, the bargaining power of the AKP government was much higher than the European authorities. With its bargaining power, the AKP government was able to get those concessions throughout the negotiations. Moreover, despite the AKP government's autonomy from the domestic level in its two-level game, with the growing domestic concern among the Turkish public regarding the burden of the refugees, the AKP government needed to take domestic level into account. As a result, Turkish authorities sought to get concessions that would ease the growing domestic concerns. In the light of these, the next chapter explains the reasons of why the EU couldn't materialize those concessions despite the utmost importance of the deal for the EU and despite the leverage of the AKP government.

CHAPTER 4

POST-DEAL DEVELOPMENTS

Throughout the negotiations, the AKP government succeeded in getting the EU to accept its demands. Since the EU needed an urgent cooperation with the Turkish government as a result of political turmoil after the refugee crisis in 2015, the demands of Turkey seemed more plausible to the EU than having no agreement at the negotiation table. In other words, the cost of no-agreement for the EU was much higher than the cost of no-agreement for Turkey. As a result, the EU agreed to concede demands of Turkey. Moreover, as the bargaining power of the AKP was higher than the EU in the middle of the refugee crisis, Turkey was successful in getting the EU to give the necessary concessions to conclude a deal. However, those concessions that Turkey obtained were not materialized by the EU even though striking a deal with Turkey was equal to saving the future of the Schengen Zone.

According to Putnam (1988) states may fall into voluntary and involuntary defection in international agreements. Voluntary defection is to back out of its promises by a rational egoist while involuntary defection refers to the behavior of states that are unable to deliver on its promises because of lack of approval from domestic level. States may

strategically misrepresent the voluntary defection as an involuntary one. Yet, involuntary defection and fear of being unable to deliver on promises can be as fatal as voluntary defection to the cooperation. Any successful agreement must fall within the level 2 win-sets of the parties. While the win-sets of the parties are determined by preferences of domestic constituencies, in the case of the EU, the win-sets are determined by both the level of the EU and domestic constituencies of the states. The larger the number of domestic groups and the more varied their preferences, the harder it will be to get their approval regarding a specific negotiation outcome. Moreover, the more difficult it is to get the approval of domestic constituencies, the smaller the win-sets is likely to be.

In the case of the EU-Turkey Deal, there were considerable cleavages between the European Parliament and the European Commission while the European Council gave its support to the latter. Divergences at the level of the EU between the European Parliament and the European Commission decreased the size of the win-sets of the EU, and the smaller win-sets brings the greater risk of involuntary defection. As a result, while the responses of the EU have been shaped by the simultaneous interaction of the multiple levels, this multifaceted interaction resulted in an involuntary defection with regards to promises of the deal. Putnam (1988) also argues that states may utilize threats in order to minimize the losses and maximize the gains at level 1 while considering their effects on level 2 on both sides. In addition, states may also use external and international pressure to ensure its demands. As a matter of fact, Turkey responded to the EU's risk of involuntary defections through the constant pressures and threats while influencing its own domestic audiences.

This chapter aims to describe the political developments after signing the deal until the suspension in 2020 within the two-level game framework. More specifically, this chapter demonstrates that while Turkey obtained certain concessions from the EU for both domestic and international purposes with its leverage of hosting the Syrian refugees, the EU fall into involuntary defection as a result of interactions within and between the levels of the EU. In other words, divergences within and between the levels of the EU decreased the win-sets and resulted in involuntary defection in its obligations, i.e. unable to deliver on promises. In response, in order to increase its gains through deflecting the risk of involuntary defection, Turkey adopted the strategy of continuously threatening the EU. In order to demonstrate this, the first section provides the divergences between the European Parliament and the European Commission that resulted in involuntary defection with an analysis of their press releases and minutes. Since the European Council followed the line of the latter, the emphasis is given to divergences between the European Parliament and the Commission. It is followed by the section that shows Turkey's adoption of external pressure to minimize its losses while considering its own domestic audiences. Moreover, in that section the political developments followed by the deal chronologically described to contextualize the involuntary defection of the EU and threats of Turkey.

4.1 Disagreements between the European Parliament and the European Commission

4.1.1 Visa Liberalization and EU Accession Negotiations

This section analyses how expectation of the European Parliament and the European Commission differ with regards to the EU-Turkey Statement. To demonstrate the

disagreements between the two EU bodies, this section analyses the press releases issued by the European Parliament and the European Commission regarding Turkey and the Syrian refugee crisis after the EU-Turkey Statement was agreed. Through an in-depth comparison of press releases taken from the European Commission Press Release Database and European Parliament Press Room Database, it is aimed to systematically analyze their view on the Turkish government and the EU-Turkey Deal. Minutes of the European Parliament and the European Commission are also analyzed to investigate speeches made by MEPs and Commissioners on this topic in order to demonstrate the divergences within this level. As it is mentioned, increasing disparity between the bodies decreased the win-sets and led to inability in delivery of promises.

The main cleavage is that while the position of the Parliament with regards to the deal is more political as it is an elected body responsible to its voters, the Commission approaches with a more pragmatic and problem-solving stance. In fact, the Parliament criticizes this attitude of the Commission and politicized the deal. Besides, increasing the power of the Parliament vis-a-vis the Commission, see chapter 3, increased the power of political parties within and enhanced the competition among them. While the Parliament becomes more politicized, the technocratic fashion of the Commission remained the same. As a result, although the Commission linked the deal with the visa liberalization and the EU accession negotiations, the Parliament felt discomfort with the idea that granting political concessions to a country where there is an increasing level of democratic backsliding and authoritarian turn. Moreover, while the Commission see the financial support to Turkey as a solution to keep the refugees in Turkey, the Parliament also criticizes this move by linking it with the political developments in Turkey. In other

words, the Commission adopted a pragmatic approach to save the future of Schengen zone, and it was ready to give necessary concession in this end. Thus, the Commission utilized the strategy of what Putnam calls issue-linkages, and linked the deal with the visa liberalization and the EU accession negotiations. However, the Parliament demanded to unlink these issues with constantly criticizing Turkey and Erdogan regime as well as criticizing the Commission and its promises to Turkey.

Accordingly, between 2016 and 2018, 90 press releases have been issued by the European Commission on the topic of the migration and asylum seekers. Out of 90 releases, 42 of them are about EU-Turkey Deal, and none of them criticizes the deal or Turkey. Overall pattern of those 42 releases is that: they deal with the following issues: how much progress is made by EU for the deal, how much progress Turkey made, appreciations for the accomplishments of Turkey, outcomes of the deal, and more importantly the link of the deal with visa liberation, which European Parliament criticizes the most (European Commission, Press Release Database, 2016-2018).

On the other hand, between 2016-2018, the European Parliament has issued 25 press releases about the issue of migration and asylum seekers in which 12 of them about EU-Turkey deal. Out of 12 releases, 8 of them openly criticize both the Commission's promises of the EU-Turkey deal and Turkey in general (European Parliament, Press Room, and Press Releases-2018). The overall pattern of the releases of the Parliament is that they criticize the Commission's promises about EU-Turkey Deal and visa liberation, and they criticize undemocratic developments in Turkey, which the Commission even abstains from mentioning.

This clearly demonstrates the cleavages within the institutional level of the EU since more than half of the press releases that were issued about the EU-Turkey deal are devoted to explicit criticisms towards both Turkey and Commission. In contrast, almost none of the press releases of the Commission have a similar attitude. Instead, the Commission continuously appreciated the deal and the efforts of Turkey while abstaining from talking about the domestic politics of Turkey. To put it another way, Turkey is the center of press releases of migration related topics issued from both bodies. On the contrary to the Commission's praises to Turkey, more than half of the Parliament press releases criticized the deal and the Commission's promises.

These open and continuous criticisms of the Commission's promises by the European Parliament hindered the deliver ability of the EU with regards to obligations of the deal and resulted in constant risks of involuntary defection. During these years, the Commission aimed to convince the Parliament about the delivery of the financial support to Turkey, about the accession negotiations and visa liberalization. While doing so, the Commission abstained from politicizing the deal and focused on its outcomes. To this end, the Commission acted as a pragmatic and technocratic body and expressed its support by praising Turkey's achievements. For example, EU Commissioner Christos Stylianides said on 8 September 2016:

"This is a game changer in the delivery of international humanitarian aid. I would like to take this opportunity to commend Turkey on its unparalleled generosity in supporting refugees in the country." (European Commission Press Release Database, 8 September 2016)

The Commission also focused on the implementation of the deal for both the Turkish side and the European side in order to ensure delivery of the promises and sustainability of the deal. Accordingly, the press release issued on 7 February 2017 stated that:

“The Turkish authorities are delivering on their promise to step up efforts to provide larger lists of resettlement candidates. Member States should continue delivering on their resettlement commitments, including as part of the implementation of the EU-Turkey Statement.” (European Commission Press Release Database, 7 February 2017)

In addition, the Commissioner for European Neighborhood Policy and Enlargement Negotiations Johannes Hahn said in 2018 June:

"The EU is continuing to show its commitment in supporting the Syrian refugees and host communities in Turkey, with projects in full implementation mode. Turkey is making a remarkable effort to host more than 3.5 million Syrian refugees; the EU needs to act swiftly to ensure that funds under the second tranche can be mobilized quickly." (European Commission Press Release Database, 19 June 2018)

The Commission clearly avoids from the politicization of the deal while also trying to push the EU for the implementation of the deal. As the quotation demonstrates, while it praises Turkish efforts, the Commission aimed at mobilizing the EU in the line of the deal as a part of its pragmatic nature in solving the problems. As a result, the goal of the Commission was to convince the Parliament, depoliticize the deal and alleviate the risks of involuntary defections.

The more controversial part of the deal is the visa liberalization. While the Parliament strictly opposed the idea of linking the deal with granting the visa free regime to a country where human rights constantly are violated, the Commission issued more promising press releases that express its gratitude to Turkey's progress by linking its efforts in hosting the refugees. Accordingly, the Commissioner Dimitris Avramopoulos said:

"The Turkish authorities have made remarkable progress since the 18 March EU-Turkey Summit and we trust Turkey is committed to delivering on all fronts as soon as possible. On the understanding that all benchmarks will be met as a matter of urgency, the Commission has decided to put forward a proposal to transfer Turkey to the list of visa-free countries. Of course, the Commission will continue to monitor the continuous fulfilling of these criteria." (European Commission Press Release Database, 12 May 2016)

Positive press releases of the Commission also continued in 2017 and 2018 similar to 2016. The Commission continued to encourage Turkey to complete benchmarks of visa as a part of the EU-Turkey Deal (European Commission Press Release Database, 2017-2018). Moreover, while the Commission issued the press releases that include the issues of visa liberalization and the EU-Turkey Deal under the same title, the press releases of the Parliament deliberately separated these topics and issued different releases. The press releases issued by the Parliament that include the both visa liberalization and the deal are issued in order to criticize the Commission and the deal.

Moreover, the Parliament went further and expressed its concerns with regards to possibility that the Commission can replicate the deal with other refugee-hosting

countries. The press release issued by the Parliament with the title of “Migration: MEPs back cooperation with Africa but warn against new ‘Turkey deals’” revealed the uneasiness of the Parliament about the Commission’s cooperation mechanisms with the Turkish government. Thus, the possibility of having new “Turkey deals” became their point of criticizing the Commission (European Parliament, Press Room, Press Releases, 7 June 2016). In addition, the most common statement by the Parliament is ‘No blank cheque for Turkey’ as a result of domestic politics of Turkey. The press release issued based on a debate with the Commission on EU-Turkey deal in April 2016 states that MEPs were insisting that there should not be bargaining on the issue of visa. Similarly, the press release issued in May 2016 stated that:

“Most MEPs criticized the Commission for proposing a visa waiver for Turkish nationals even though the country has not yet fulfilled all the criteria. Turkey should not be discriminated, but neither should it receive preferential treatment, they agreed” (European Parliament, Press Room, Press Releases, May 10, 2016)

It demonstrates that the Parliament opposes the Commission’s issue-linkage strategy while the Commission adopted this strategy to increase the win-sets of Turkey with an aim of changing the domestic balance at level 2 of Turkey by giving concessions at level 1. However, the EU had difficulties in delivering its promises because of its smaller win-set, and a successful agreement must take place within the win-sets of two parties. However, more cleavages brought about smaller win-set for the EU. The Parliament was concerned with the political concessions that the Commission proposed by linking the deal with the visa-free regime. The Parliament continuously emphasized that the EU-Turkey deal should be uncoupled with the EU accession process of Turkey and visa

liberalization. In an interview in the European Parliament Multimedia Centre made with some of the MEPs, they stressed the necessity of the fact that all things should be negotiated separately, and one of the MEP clearly stated that “I am not the great supporter of the deal that has been done by the EU with Turkey over the whole question of migration” (European Parliament, Multi Media Centre, ‘Questions over Turkey visa liberalization’, April 7, 2016). Indeed, while the European Parliament demanded the Commission to uncouple the visa liberalization and the accession negotiations, the Parliament coupled the deal with the growing democratic backsliding in Turkey (e.g., Press releases on March 9, March 15, April 27, May 10, 2016)

4.1.2 Financial Support for Syrian Refugees in Turkey

States may use the strategy of “external extraction” to obtain outside resources in order to ease the domestic political pressure and to achieve domestic goals (Mastanduno et al., 1988). Despite the fact that Turkey obtained external extraction from the EU by using its bargaining power, which is given in detail below, the European Parliament raised difficulties with regards to €6 billion financial support named as Facility for Refugees in Turkey (€3 billion for 2016-2017 and €3 billion for 2018-2019) that was supposed to delivered to Turkey. Although this money is allocated for humanitarian assistance, education, health and socioeconomic support for Syrian refugees, funding was another issue wherein the Commission and the Parliament disagreed strongly. In return, the funding was the issue that Turkish government felt the risk of the possibility defection, and criticized the most.

Similar to discussions of the visa liberalization and the EU accession negotiations, while the Commission stressed the importance of financial aid to Turkey in the management

of the refugee crisis, the Parliament again linked this issue with domestic developments in Turkey. This discussion is evident in the debates for the extension of the Facility for refugees in Turkey for the second tranche of the €6 billion. In the budget discussions of the European Union, on 23 May 2018, the Commission proposed the mobilization of the aid for the budget of 2019.

“An additional €1.5 billion for the Facility for Refugees in Turkey to continue to provide food, education and housing to those fleeing the wars in Syria and elsewhere (a further €500 million will be provided already under the current 2018 budget, and for this reason the Commission is also proposing to amend the latter)” (European Commission Press Releases Database, May 23, 2018).

In addition, it has been emphasized that the Commission pays particular attention to Facility for Refugees in Turkey to continue financing food, education and accommodation for people fleeing the conflict in Syria (European Commission Minutes, 23 May, 19 June 2018). By sharp contrast, the Parliament approached to the issue from a political perspective by criticizing both the Facility for Refugees in Turkey and the domestic development of the country. In the amendments of the Draft amending Budget No 3 to the General Budget 2018 Extension of the Facility for refugees in Turkey, the Parliament stressed that “although the Commission systematically declares all expenditure related to the Turkey Facility, including the financing of Turkish patrol boats, official development aid turns Turkey, a non- developing country, into the EU’s biggest beneficiary of aid”. As in the previous discussions, the Parliament also attached the financial aid with political conditionality. For instance, the Parliament “regrets that EU funds are used to support Turkey, a country that does not respect several of the basic

principles of freedom and democracy”, which clearly diverged from the approach of the Commission. The Parliament also stated that this is “a serious weakening of the concept of aid” (European Parliament Amendments, 20 June 2018).

More interestingly, the Parliament voted an amount that below the Commission’s proposal after the amendments in October 2018.

“MEPs insist that the EU budget share of the second tranche of the €3bn Facility for Refugees in Turkey (FRT) must not exceed €1 billion, in order to keep the same ratio of the EU budget and member states contributions as for the first tranche. As €550 million were already used from the 2018 EU budget, Committee members decreased the Commission’s 2019 proposal by €1 billion, resulting in a contribution of €450 million.” (European Parliament Press Room Press Releases, October 24, 2018).

Moreover, in the Parliament’s report on 29 June 2018, the Parliament also criticized the Commission in the process of the preparation of the budget of financial aid by stating that the European Parliament strongly deplored “the discrepancy between the absence of Parliament’s involvement in the adoption of the decisions on the setting-up and on the prolongation of the FRT on the one hand, and its role as budgetary authority in the financing of the FRT from the Union budget on the other hand” (European Parliament, 29 June 2018).

As a result of these discussions, the news emerged in the mainstream media which emphasized that there were serious disagreements over the issue that “who will pay €3 billion to Turkey” (BBC, 2018). Therefore, disagreements within the EU hindered their

deliver ability and resulted in involuntary defection. While Turkey obtained certain concessions on paper at the level 1 negotiations, their delivery stalled with as a result of level 2 of the EU. According to Putnam (1988), the risk of involuntary defection makes their partner cautious about the agreement. The win-sets of the EU became smaller with the divergences at the institutional level of the EU between the European Parliament and the European Commission which brought the risk of defection. Thus, the interaction of multiple levels and cleavages within these levels lead to inability in delivering the promises. However, as Putnam argues states can use the outside pressure to minimize its losses. As a result, in response to these, Turkey tried to keep its concessions gained from the EU with the negotiations through constantly pressuring the EU. The next section analyzes responses of the AKP government with a chronological order, and use of its leverage to overcome defections of the EU while influencing its own audiences.

4.2 Responses of Turkey and Political Developments After the Deal

From the beginning of the negotiations of the EU-Turkey Deal, threats of the AKP government, especially the hardliner discourses of Erdogan, were part of the negotiation process and took place in the most of the media coverages. The aim of the threats of the AKP government was not only to induce the EU authorities and political leaders of the member states to accelerate the delivery of the promises but also ease the growing domestic concerns to demonstrate that Turkey is not a country that would carry the burden of the refugees on its own considering the fact that there is a growing domestic concern with regards to the burden of refugees. As a result, Turkish authorities' discourses have a role of aiming to affect both domestic and international actors.

Threats of the Turkish officials mainly correspond to the time before signing the deal in 2016 and after perceived involuntary defections with regards to promises of the EU. Infact, the relations right before and after striking the deal were shaped with a hard-bargaining process for both sides. As Putnam argues (1988), a negotiator would aim to maximize the cost effectiveness of his concessions, demands and threats with an eye of its effects on level 2. In that respect, during the negotiations, Turkey pushed for striking a deal that could help for easing burden of refugees while obtaining political concessions. On 8 March 2016, Ahmet Davutoğlu described the negotiation process by stating that “we made a Kayserili bargaining with the EU” implying that making a tough bargaining and trying to get the most that they could from the EU. Accordingly, the EU proposed only €3 billion that would be delivered in two years although Turkey demanded €3 billion just for one year. Instead, Ahmet Davutoğlu insisted on an additional €3 billion and coverage of all the expenses of the readmission process including the travel expenses of each Syrians that would be sent back to Turkey. He stated that “it was a hard bargaining but we obtained additional €3 billion and expenses stemming from readmission including the airlines expenses of Syrian refugees.” (Hürriyet, 2016). As a result, in order to alleviate the financial burden of Syrian refugees, Turkey used its leverage through threatening the EU. According to another leaked report of the negotiations between the EU authorities and Erdogan, the president of the European Council noted that “the EU is in a difficult situation right now. Some member states were ready to close down Schengen especially after Paris. If we cannot show that we have a deal soon, things can turn dramatic. And we really want a deal with you”, which demonstrates the bargaining power of Turkey with regards to the

negotiations as a result of the EU's political. However, in response to the insistence of EU authorities on €3 billion rather than €6 billion, Erdogan noted that "we can open the doors to Greece and Bulgaria anytime and we can put the refugees on buses. If you say €3 billion for two years no need to discuss further" (Euro2day, 2016).

In other words, by taking into consideration of both growing domestic concern of Turkish public regarding the financial burden of refugees and salience of the issue in the member states of the EU, Turkey acted as an opportunist coercer in the negotiations through using its leverage. Moreover, when the leaked reports went public in the European media, on 11 February 2016, Erdogan noted that those reports were not something to be ashamed, but to be proud of, and reiterated his threat by stating that "we do not have the word 'idiot' written on our foreheads. We will be patient, but we will do what we have to. Don't think that the planes and the buses are there for nothing," (Euobserver, 2016). As a result, despite the fact that the EU authorities mentioned about growing domestic cost of refugees for the member states and difficulty of convincing the them about the amount of the money, €6 billion was agreed on the deal (European Commission, 2016).

In addition, Erdogan's responses to the moves of the European Parliament were also in the same line. Although the European Parliament as a political body bearing the political parties within criticized Turkey continuously despite the pragmatic stance of the European Council and the European Commission, Erdogan adopted same approach to all perceived involuntary/voluntary defections in the negotiations by using its bargaining power vis-a-vis the EU. In November 2016, the European Parliament voted a non-binding resolution to ask that the European Commission suspend accession negotiations

temporarily as a result of the repressive measures of the AKP government after the coup. In response, Erdogan utilized its leverage of hosting the refugees in the country and stated that:

“If 50 thousand refugees arrive at Kapikule, you will cry. Look at me, you should know that if you go any further these border gates will open. Neither I nor this nation gives into empty threats. Are those who did not allow us into the European Union for 53 years imposing sanctions on us? What happened if they're imposing sanctions? Did we sink, did we cease to be, did we collapse? The progress we have made in these 14 years is evident. We stood tall. We will surely stand tall, continue on our path.” (BBC, 2016).

However, the EU desperately needed an agreement with Turkey despite the criticisms of the European Parliament and threats of Erdogan. Infact, this need of the EU was evident with the frequent visits of Merkel as a leading actor in the negotiations with Turkey. Her first visit to Turkey was in 2006, one year after she took oath of office for the first time. Between the years 2005 and 2016, she visited Turkey 8 times. However, 5 of them were between the years 2015 and 2016, which were the years of negotiations over the issue of Syrian refugees (Deutsche Welle, 2017). The high frequency of the visits of Merkel just in one and a half year despite the threats of Erdogan demonstrates the importance of the leverage and bargaining power of Turkey vis-a-vis the EU. The growing pressure from the domestic level of the Germany increased the bargaining power of the Turkish authorities. As a result, the European Parliament was not able to prevent the EU from striking a deal with Turkey initially but hindered the ability of the EU in delivering its promises by politicizing the deal which resulted in an involuntary defection of the EU.

According to Putnam (1988), concerns about “deliver-ability” and involuntary defection may be a prominent element in the negotiation. A hardline opposition from a domestic group and the influence of domestic division can increase the possibility of involuntary defection, and hinder the agreement at level 1. In addition, it may be difficult for the states to differentiate voluntary and involuntary defections since voluntary defection may be misrepresented as voluntary defection for a strategic reason. The risk of involuntary defection makes potential partner cautious about the agreement. In this regard, parties can only strike a deal if they are convinced that the deal will be ratified and lies within the win-sets of the parties. As a result, states may use a pressure to influence domestic balance and to affect the negotiations at the level 1. What Turkey was practicing in its negotiations is that Turkey tried to overcome the potential involuntary defections through the pressures of continuous threats. Thus, by his threats, Erdogan aimed to alleviate risk of involuntary defection from the EU while also affecting his own domestic audiences, which continued in the following years.

The European Parliament increased its criticisms in the years 2016 and 2017 with regards to political developments in Turkey. The coup attempt in 2016 consolidated the rise of a competitive authoritarian regime of the AKP government. The party increased its control over the public and private resources, state resources and media for partisan reasons. AKP also utilized the judiciary to suppress the all kinds of oppositions (Esen & Gümüşçü, 2017) As a result of these political developments in Turkey, the European Parliament intensified its criticisms towards Turkey especially in 2017, which ended up with votes of the European Parliament to suspend Turkey-EU accession talks in 2017.

The Parliament agreed that Turkey violated the fundamental principles of democracy, which was voted with the support of biggest party groups (Deutsche Welle, 2017). Moreover, the referendum in April which foresaw a constitutional change that increases the power of Erdogan raised the concerns within the European Parliament. The resolution that “calls on the EU Commission and the EU national governments to formally suspend the accession negotiations with Turkey without delay if the constitutional reform package is implemented unchanged”, was agreed with by 477 votes to 64, with 97 abstentions (European Parliament, 2017). These moves and criticisms of the European Parliament were conceived from the AKP authorities as a voluntary/involuntary defection that should be counteracted through the coercive migration diplomacy. As a result, Erdogan aimed to pressure the EU through deflecting all kinds of criticism with the help of threatening the EU.

As Putnam argues (1988) states may use to induce international pressure to change the domestic balance (level 2), and to affect states’ positions at the negotiation level (level 1) for preferred outcomes. As a result, in October 2017, as a response to the votes in the European Parliament, Erdogan noted that “to tell the truth, we don’t need EU membership anymore,” (Reuters, 2017). What is more important is that throughout the 2017, Erdogan intensified its threats parallel with the increased criticisms of the European Parliament. In other words, the more the European Parliament condemned Turkey, the more Erdogan threatened the EU in order to deflect voluntary/involuntary defections. In this regard, Erdogan responded to the voting of the Parliament by saying that “we don’t need EU membership anymore”. Infact, in March 2017, Erdogan and Mevlüt Çavuşoğlu noted that Turkey can stop the deal since it is in the hands of Turkey

(Euroactiv, 2017). On march, Süleyman Soylu, minister of interior, asserted that Turkey can send 15.000 refugee to Europe within a very short time, and the EU minister Ömer Çelik followed with a similar statement (Tasch, 2017) while Erdogan warned the EU explicitly saying that Europeans could not walk the streets safely if the attitudes of the EU wouldn't change (Osborne, 2017).

Refugee receiving states may act as opportunist coercers by using or manipulating the international migration to obtain political and economic benefits from another states. These states aim at changing the behavior of a target country by depicting refugees as a fundamental threat to them while obtaining the concessions (Greenhill, 2010). Although similar statements of the AKP government continued after April 2017, most of these statements were before the referendum of constitutional changes. As a result, coercive migration diplomacy of Turkey also served for the election campaign of the AKP. On the one hand, the AKP aimed to push the EU to implement the obligations of the deal, i.e. visa liberalization and opening of new chapters. On the other hand, Turkey acted as an opportunist coercer to alleviate the risk of involuntary/voluntary defections. Thus, AKP government targeted both its domestic level and EU's institutional level. Not surprisingly, through the end of 2017, in November 2017, the president of the European Commission once again declared that EU will keep its promises and deliver the additional €3 billion (Haberler.com, 2017) This pattern shaped the relations of the EU and Turkey between the years 2016 and 2020, until a point that the involuntary/voluntary defections became fatal to the deal.

In the years 2018 and 2019, other political tensions between the EU and Turkey were reflected on the cooperation on migration since their relations were mostly structured

through the issue of migration for years. On June 2018, Turkey suspended the readmission agreement with the Greece after Greek courts discharged four soldier that fled to Greece after the coup attempt but the EU-Turkey Deal was kept in force.

Although just after two weeks Merkel stressed the importance of the deal and delivery of the additional 3 billion by emphasizing that Turkey achieved a great success in this cooperation despite the heavy criticisms (Deutsche Welle, 2018), the relations between the EU and Turkey were already deteriorated.

While the growing democratic backsliding contributed to politicization of the deal by the European Parliament, decreasing number of refugees crossing the borders of Europe resulted in less visibility of the issue of refugee crisis in Europe and less support for the decisions of the European Commission and the European Council. According to Knetch and Wheatherford (2006), if a certain issue is considered as a crisis by the domestic audience, the domestic level becomes attentive to foreign policy decisions of the political leaders. Accordingly, if the issue is regarded as a crisis by the domestic level, public usually supports the initial decisions of the political leaders. However, decision makers may face with the disapproval from the domestic level over time for the implementation of the same decision.

According to data of Frontex, the number of irregular crossing to the EU in 2018 is 23,000. This number is one fourth of the number in 2017 and is 92 percent less than the year that the irregular crossing of Syrian refugees named as a crisis in the EU.

Moreover, in 2019, the number of the refugees dropped in a level that was the lowest in past five years (Pinar, 2019). As a result, over the years with the decreasing effects of refugees as a crisis across the European countries, the concerns of domestic political

developments of Turkey prevailed the cooperation on migration for the European Parliament since it is a body that has a responsibility to its voters.

In 2019, several other developments shaped the fate of the deal. On 22 July 2019, the Turkish government announced that Turkey suspended the readmission agreement with the EU not only as a result of EU's sanctions of gas drilling operations of Turkey in Cypriot waters but also as a result that the EU still not granted visa liberalization for Turkish citizens (Euractiv, 2019). The political tension between the EU and Turkey continued when Turkey forced both EU and US to support formation of a safe zone where Syrian refugees could resettle. In response to the foot dragging from the EU, on 5 September 2019, Erdogan once again threatened the EU with a more assertive tone.

“Give us logistical support and we can go build housing at 30km (20 miles) depth in northern Syria. This way, we can provide them with humane living conditions. This either happens or otherwise we will have to open the gates. Either you will provide support, or excuse us, but we are not going to carry this weight alone. We have not been able to get help from the international community, namely the European Union.” (The Guardian, 2019).

In addition, Erdogan reiterated his threats of opening the gates and releasing the refugees after launching the Operation Peace Spring in northern Syria on October 2019. Accordingly, Erdogan expressed his intention of sending the Syrian refugees if the European leaders call the operation of Turkey in Syria an occupation. Moreover, as of 10 December 2019, the EU only delivered €2.7 billion out of total budget of €6 billion (European Commission, 2019). However, the most decisive issue was the opening of the borders and allowing to the refugees to cross the border of Greece after 33 Turkish

soldiers were killed by the Syrian government attack. The spokesman of the AKP government Ömer Çelik noted that “we are no longer in a situation of keeping the refugees.” (BBC, 2020). The gates were opened in 28 February 2020 and closed as a result of coronavirus in 18 March 2020.

Involuntary defection as a result of both within and between three levels of the EU became detrimental to the EU-Turkey Deal. Initially, Germany led the way and initiated the negotiations with Turkey with the support of the European Commission and the European Council. However, European Parliament ever-increasingly politicized the deal. The disagreement within and between the levels of the EU hindered their deliverability, and resulted in an involuntary defection. Moreover, more divergences in the EU meant smaller win-sets for the EU and more risk of involuntary defection with regards to deliverability which became fatal to the deal. Besides, other developments of EU-Turkey relations were incorporated with the EU-Turkey Deal and their relations were mostly shaped within the framework of migration for five years.

As a result, other political tensions between the EU and Turkey spilled over into EU-Turkey Deal. In response to the risks of involuntary defections, Turkey utilized its leverage as an external pressure to maximize its gains and minimize its cost. While Turkey obtained political, normative and financial concessions, inability of delivery of the EU lowered the gains of Turkey and led to the suspension of the deal. In addition, growing concern in the level 2 of Turkey with regards to burden of refugees affected level 1 position of the country with a more assertive discourse since the cost of opening the borders became no longer higher than having no agreements with the EU for Turkey.

CHAPTER 5

CONCLUSION

The controversial EU-Turkey deal is no longer in no longer in effect. After 33 Turkish soldiers were killed on February 28, 2020 due to an attack by the Syrian government, the Turkish government declared that Turkey will no longer prevent the irregular crossing of the Syrian refugees. The government also announced that it will not put a stop to a potential new refugee flow from Idlib (Birgün, 2020). Blaming European authorities for not keeping their promises in terms of helping Turkey to share the burden of millions of Syrian refugees, Erdogan noted that Turkey could no longer deal with the refugees on its own. (The New York Times, 2020a). Instead, Syrians were sent back to Greece with free buses from different cities of Turkey. For example, mayor of Bolu noted that the municipality will cover costs of the refugees that demanded to arrive to the border of the Greece regardless of the number of refugees (Haberler.com, 2020). As a growing number of refugees crowded together on the borders of the Greece, Greek authorities deployed soldiers to the Greek border with Turkey in order to warn the refugees not to cross the border. Moreover, Greece also suspended all of the asylum applications for a month and deported all illegal entries (The New York Times, 2020b). Moreover, in

response the Greek military's harsh treatment of Syrian refugees, Turkish authorities sent police forces to assist Syrian refugees. Turkish police assisted Syrian refugees to arrive to the border (Amnesty International, 2020).

Although Turkey could have allowed the Syrian refugees to reach to the European Union from the very beginning, the AKP government chose to keep them in the country and signed a deal with the EU to formalize its policy. This thesis analyzed why the two parties signed this deal and why the deal could not be enforced over the years. Although a right-wing populist party is in power in Turkey is a country, the government did not adopt follow anti-immigrant policies endorsed by such parties around the globe.

Although anti-immigrant discourses and policies are central parts of the right-wing populist politics, Turkey has hosted 3.5 million refugees and agreed on a deal that made Turkey the top refugee hosting country in the world. In accordance with the EU-Turkey deal, Turkey was responsible for not only keeping refugees within the country but also preventing them from reaching to the EU borders that significantly increased the number of refugees hosted in the country. In that sense, the AKP government was an anomaly in terms of this issue. This thesis argues that the AKP government concluded this deal with the EU to use refugees as leverage to obtain political, economic and normative concessions with both international and domestic motivations.

This thesis explores this question using Putnam's two-level game framework. Since the AKP government enjoyed some autonomy from the domestic level due to the regime's authoritarian turn, the ruling elites the AKP government sought concessions for its from the EU by using its leverage at the negotiation level and then used these gains to contain opposition against the Syrian refugees in the public opinion. Politically, Turkey obtained

European Commission's promise of the acceleration of the accession negotiations and visa liberalization for Turkish citizens. Financially, Turkey was promised €6 billion financial assistance to cover the cost incurred by the government for hosting the refugees in the camps. In addition, the AKP government utilized the refugees to secure normative concessions in order to enhance its international and domestic legitimacy. In that respect, through its leverage as hosting 3.5 million refugees, the AKP was able to alleviate the EU member states' criticism against democratic erosion in Turkey and gain much needed international legitimacy.

Although Turkey secured political, financial and normative concessions, most of these promises remained on paper. The acceleration of the accession negotiations did not occur, and visa liberalization was not granted to Turkish citizens. Besides, a major part of the financial assistance was not delivered to Turkey. As a result, the EU didn't keep its side of the bargain. As a matter of fact, it is striking that despite the obvious benefits for the EU in terms of saving the future of the Schengen zone and the European politics, the EU couldn't hold its promises.

This thesis argues that while Turkey obtained significant concessions on paper, the EU could not deliver on its promises as a result of simultaneous interaction within and between the different levels of the EU. In order to substantiate this argument, in this study, Putnam's two-level game framework is extended to a three-level game analysis. Accordingly, the EU played in three different levels: international level (Level 1), the EU level (level 2) and domestic level (Level 3). The international level constitutes the positions of the member states at the negotiation table. In this level, Germany was the leading actor as an initiator of the deal. Moreover, since the approval from the EU is a

necessary condition for concluding a deal, the level 2 represents the EU as an institution. The level 3 is composed of the domestic level of the states. As a result, the preferences of the level 2 and the level 3 affected the negotiations at the international level. This research demonstrates that the interaction within and between these three levels affected the delivery ability of the EU and resulted in an involuntary defection. As Putnam (1988) argues, lack of domestic approval and sharp divergences within a level may lead to decrease in win-sets and involuntary defection. In that respect, this thesis reveals the sources of involuntary defection which the EU faced with when it comes to discharging their responsibilities.

Besides the significant differences between the member states in terms of burden sharing of Syrian refugees, there was sharp disagreement between the European Parliament and the European Commission with regards to obligations of the deal. Based on an analysis of the primary documents of the European Commission and the European Parliament, this study sheds light on the reasons of why the EU could not keep its promises despite the utmost importance of the deal for the EU and despite that Turkey obtained these concessions through its leverage as a host country. Accordingly, while the Commission evaluated the deal in a pragmatic and problem-solving fashion as a technocratic body, the Parliament politicized the deal as an elected body. Since the Parliament is responsible to its voters and since there is a rise in radical right-wing political parties both in the European Parliament and in the European politics, the Parliament focused on the political aspects of the deal contrary to the Commission. In that respect, the Parliament continuously raised criticisms against the AKP government's democratic backsliding and linked the deal with political developments in Turkey. By sharp

contrast, the Commission refrained from commenting on Turkish domestic politics and deliberately abstained from criticizing the AKP government. Similarly, the Commission was ready to sacrifice the European values by not criticizing the AKP government since the aim was to have a functional relation with Turkey in dealing with the refugee crisis. To this end, the Commission linked the deal with the visa liberalization for Turkish citizens and acceleration of the accession negotiations. In contrast, the Parliament was against the idea of giving the concessions to a country where the human rights are constantly violated. More politicization of the deal by the Parliament brought about less flexibility for the EU. As a result, the Parliament was even opposed to providing financial assistance to the AKP government.

Such disagreements at the institutional level of the EU decreased the win-sets and paved the way for the involuntary defection in the EU-Turkey Deal. As a result, despite the fact that Turkey utilized its leverage and obtained significant concession from the EU by concluding a deal, the EU was paralyzed in its bargaining at multiple levels. Moreover, although the AKP government kept pressuring the EU through their threats to minimize the losses and maximize the benefits, its bargaining power gradually decreased as the number of Syrian refugees trying to cross the EU border decreased. As a result, the AKP government's threats no longer worked as a form of external pressure to eliminate the risks of involuntary defection.

Beyond explaining the EU-Turkey refugee deal, this study has wider implications for several areas. This study reveals that Turkey's relations with western countries are not static and are shaped by the nexus domestic politics and foreign policy. In terms of Turkish foreign policy, this study demonstrates that the Turkey's authoritarian turn

creates setbacks in its relations with the European countries. These setbacks are more significant than anything observed in EU's relations with other Middle Eastern countries. As a matter of fact, the EU has different expectations from Turkey due to the fact that Turkey is a country nearby the EU and a candidate for the EU membership. Moreover, Turkey has been perceived as more democratic than the rest of the region by the western countries. Democratic backsliding thus engendered significant problems in Turkish foreign policy, especially in the relations with the EU. This trend pushed European Commission to engage Turkey in a transactional/utilitarian manner, not unlike its treatment of Lebanon and Morocco. In other words, the EU may keep its relations with Turkey more functional without taking Turkey as a country that can be considered as a EU candidate country.

Apart from the Turkish foreign policy and EU-Turkey relations, this study also has implications for the foreign policy analysis literature. The analysis of the three-level game of the EU demonstrated that the larger the number of levels and the more varied their preferences, the harder it will be to get their approval regarding a specific negotiation outcome. In that respect, when there is an increase in the levels in an international negotiation together with the increase in the rifts within these levels, it becomes harder to sustain the cooperation. The EU-Turkey refugee is a case study of the effects of having multiple levels and more varied preferences in international negotiation. Moreover, it may also show that the EU would have more difficulties in its foreign policy making if the divergences between the European Commission and the Parliament becomes a common trend.

In the light of these, this study can provide the preliminary analysis to further research and comparisons of the EU's relations with other refugee hosting countries to analyze if there is a common practice among the refugee receiving countries. In other words, with the further research of refugee receiving countries' practices, it can be suggested that the increasing visibility of refugee crisis in world politics brings about a new practice of using refugees as a bargaining chip in international relations. Moreover, the analysis of the multiple levels of the EU in its relations with third countries in the case of migration management can also give the necessary framework for the further analysis of the EU's relations with other countries and foreign policy making of the EU.

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