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Master's Thesis

**A Study on the Sustainability of the
EU-Turkey Deal**

유럽연합-터키 협약의 지속가능성에 대한 연구

August 2018

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Abstract

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This thesis investigates the sustainability of the EU-Turkey Deal in the context of bilateralism. Based on previous research of Oye, Axelrod, and Keohane (1985) on successful bilateral cooperation, three different factors that help to explain durable cooperation are selected in a context of game theory and expectations are drawn accordingly. They are then applied to the case of the EU-Turkey Deal to establish an understanding of its sustainability. After a discussion on the expectations of the Deal's sustainability in relation to the concepts of issue-linkage, domestic politics, and compatibility of games, argument on the shadow of the future is developed.

Keywords: EU-Turkey Deal, bilateralism, sustainability, game theory, migration policy, European Union

Student ID: 2013-22073

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Abbreviations

AKP	Justice and Development Party
CJEU	Court of Justice of the European Union
CC	Mutual Cooperation
CDU	Christian Democratic Union
DD	Mutual Defection
EC	European Commission
ESS	European Security Strategy
EU	European Union
GC	General Court
MS	Member State
PKK	Kurdistan Workers' Party
SCO	Safe Country of Origin
STC	Safe Third Country
SPD	Social Democratic Party
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
YPG	Kurdish People's Protection Units

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I. Introduction

1. Research Background

Bilateralism, a type of international behavior that characterizes a joint action between two parties, is a practice that constitutes many different political, economic, and cultural relations today. It is differentiated from multilateralism and unilateralism in the number of parties involved in the activity, and is usually considered a tradeoff alternative to multilateralism in the area of international cooperation. Bilateralism has the advantage of saving incentives over multilateralism because it authorizes customization of rights and obligations to individual actors (Thompson and Verdier 2013). Bilateral international cooperation is prevalent these days because international relations become denser as a result of globalization and actors are inclined to build sophisticated and pertinent relationships with one another to handle global problems. The European Union is not an exception. Although the EU has been considered a promoter of effective multilateralism and regional integration in managing conflicts and diffusing EU norms, it has also been practicing bilateralism since the 2003 European Security Strategy (ESS) emphasized the importance of ‘strategic partnerships’ with difference countries (Renard 2015).

This research will deal with bilateral international relations and their “sustainability” in particular. It will also explore in depth one example of a bilateral cooperation between the European Union (EU) and Turkey: the EU-

Turkey Deal. The research questions, then, are set forth: Is the EU-Turkey Deal on migration crisis a sustainable bilateralism? What are the factors that influence the sustainability of the bilateral cooperation?

A study of the EU-Turkey Deal in the context of sustainable bilateralism is interesting because the Deal demonstrates a critical aspect of the recent European immigration policy that highlights bilateral cooperation with non-European countries. The European Union has seen the importance of “partnership with third countries” as early as the 1999 Tampere European Council meeting to discuss the creation of an area of freedom, security and justice in the European Union (European Parliament, 1999). Bilateral relationship outside the EU framework on irregular migration issue can be seen between individual European member states and North African countries in the 2000s. These countries have been engaged in bilateralism for a long time to fight against human trafficking and irregular migration across the Mediterranean. Spain and Morocco conducted joint naval patrols to this end and agreed on a readmission treaty in 2004; Italy and Libya signed similar agreement in the same year to establish joint patrols and reception centers to intercept irregular migrants before the dangerous crossings of the Mediterranean. More recently, the Arab Spring beginning in 2010 brought about huge numbers of refugees and migrants headed for Europe, and A European Agenda on Migration followed in May 2015 as a response to the so-called refugee crisis. The Agenda suggested working in partnership with third countries to tackle migration upstream (European Commission 2015a). The

European Union has signed Readmission Agreements with many different countries to promote a humane and effective return policy (European Commission 2016a).

Table 1. The List of Countries with which the EU Signed Readmission Agreement

Country	Entry into force of the agreement
Hong Kong	1 March 2004
Macao	1 June 2004
Sri Lanka	1 May 2005
Albania	1 May 2006
Russia	1 June 2007
Ukraine	1 January 2008
fyROM	1 January 2008
Bosnia & Herzegovina	1 January 2008
Montenegro	1 January 2008
Serbia	1 January 2008
Moldova	1 January 2008
Pakistan	1 December 2010
Georgia	1 March 2011
Armenia	1 January 2014

Azerbaijan	1 September 2014
Turkey	1 October 2014
Cape Verde	1 December 2014

Source: European Commission (2017)

The EU-Turkey Deal, established in 2016, consists of features on migration issue, visa liberalization, and economic incentive. Investigating the sustainability of this Deal as a bilateral cooperation is worthwhile because Turkey is a crucial partner for Europe in the refugee issue for many reasons, which will be elaborated in the later chapters. The EU-Turkey Deal characterizes the nature of Europe's externalized migration policy to relieve the refugee situation and it is important to contemplate on its sustainability in a broader context of managing irregular migrant problem.

The EU-Turkey Deal can be understood as a type of externalization of the European Union's migration policy, and it falls under the category of bilateralism because the Deal is cooperation between two actors, the European Union and Turkey, to control and facilitate immigration process. Traditionally, bilateral international cooperation has been confined to relations among sovereign nation states but the EU's external policies are considered relevant applicants of bilateralism more recently (Renard 2015) because the EU works as a single actor representing unified interests.

2. Methodology and Research Design

This research will be mainly analytical in nature because it deals with sustainability of bilateral cooperation. It incorporates a case study and has empirical elements also because the research aims to analyze sustainability using a specific case and its progress. The EU-Turkey Deal and its components found in primary source will be analyzed. Secondary sources including progress reports, Council and Commission documents and other supplementary sources of academic writing will be concerned as well to investigate the bilateralism in detail.

To answer the research questions, different approaches will be considered in the following chapter and a game theoretic approach will be selected to analyze the emergence and maintenance of the EU-Turkey bilateral cooperation. Contemplating the sustainability of the bilateral relations will be based on the study of payoff structures and the shadow of the future inspired by Axelrod and Keohane's 1985 research on achieving cooperation under anarchy.

The thesis contains six chapters. After the introductory chapter, bilateralism and sustainability are explored in the second chapter. Review of previous research on sustainability of bilateral international cooperation is summarized and analytical framework based on game theoretical approach is offered. In this section, limitations of different approaches to studying sustainability are written and expectations on sustainability through game theoretical approach are covered.

The unit of analysis, the EU-Turkey Deal, is introduced in the third chapter to narrate the background and characteristics of the bilateral agreement. Application of game theory is further delineated in this chapter and elements of game theory such as actors, cost and benefit, alternative are described in detail for the European Union and Turkey.

The fourth chapter is fully dedicated to the discussion of the EU-Turkey Deal as a multi-level game. Based on Axelrod and Keohane's research, three situations that can affect the payoff structure – issue-linkage, the relationship between domestic politics and international relations, compatibility and incompatibility of games – are covered and applied to the case of the EU-Turkey Deal.

The fifth chapter primarily deals with the concept of the shadow of the future. It is a concept also introduced by Axelrod and Keohane and is directly linked to the discussion of sustainability because it concerns iterated games. The sixth chapter wraps up the discussion by concluding that the EU-Turkey Deal contains many elements that are not compatible with sustainable bilateralism.

II. Analyzing Sustainability in Bilateralism

1. Definition of Terms

In the analysis of game theory, a game is the interaction between players governed by a set of rules that sets the context for possible moves by each party (Hirsch 1998). In this research, the EU-Turkey Deal can be understood as a game because it is a situation in which different actors have different interests and they cooperate with each other through the process of measuring costs and benefits.

Sustainability, in its dictionary definition, is the ability to be maintained at a certain rate or level. This research, as it deals with sustainability in bilateral cooperation, will make use of more or less similar meaning of sustainability. To add a layer of analysis to the term according to Axelrod and Keohane's game theoretic approach to sustainability and shadow of the future, they utilize the concept of "iterated games" to refer to cooperation that sustains and returns repeatedly. According to the authors, in order for the shadow of the future to be an effective promotor of cooperation, four factors help in doing so. These factors are: long time horizons, regularity of stakes, reliability of information about the others' actions, and quick feedback about changes in the others' actions (Axelrod and Keohane 1985, 232). Because these are themselves the factors used to explain the shadow of the future, they would not be considered elements of sustainability. However, it can be understood along the lines that sustainability of cooperation is used

to refer to long-term and stable cooperation in which the others' actions are easily observed and feedback is prompt. In a nutshell, in studying the sustainability of the EU-Turkey Deal, I will contemplate whether the Deal can be maintained for a long time without breaking apart due to differing of stakes of the Deal, ambiguity in the other's compliance or noncompliance, or disability in giving feedback to the actors' defection.

2. Literature Review

Bilateralism and its sustainability is studied in many areas of conduct including trade and investment, security, environment, and culture. Various scholars have studied sustainable cooperation and the factors that assist sustainability. Previous research on sustainability of bilateral cooperation can mainly be categorized into three different approaches.

First is the institution-focused approach. These authors emphasize the role of centralized authority and institutions in establishing and maintaining sustainable cooperation. Bendor and Mookherjee (1990) suggest social norms as complement to the bilateral reciprocity and centralized authority in enforcing cooperative behavior. Out of different dimensions of norms, they focus on third-party sanctions – sanctions by parties not involved in the actual bilateral relation. The study of third-party sanctions in facilitating cooperation is important because it helps understand the evolution of institutions as well as the roles of formal institutions.

Kono (2007) contends that international institutions bolster cooperation by assisting the actors' reciprocal strategies and raising the repetitional costs of noncompliance. The institutions play important role in structuring patterns for repeated cooperation.

Lutmar, Carneiro, and McLaughlin Mitchell (2016) talk about compliance in security, economics, and human rights. They discuss the continuity of compliance, the role of domestic institutions, change in time dimension, and design of international institutions and treaties and their interactions with other international actors. States' compliance with international commitments may be affected by domestic institutions, time, and connections between treaties or institutions with other actors.

Leeds (1999) emphasizes the role of domestic political institutions in the formation of international cooperation. Understanding the interests, actions, and expectations of state leaders is important and it can be achieved by understanding domestic politics of different parties involved. Accountability and flexibility are introduced in determining the domestic political regime type. High levels of accountability for actions and low levels of policy-making flexibility inspire democratic leaders to accomplish international commitments and demand secure agreements. As a result democracies are likely to commit to international agreements and less willing to form agreements that might fail. Levels of cooperation are influenced both by the states' ability to make credible commitments and by their willingness to accept the possibility that the agreement might not be upheld.

The second category of scholars takes the behavior-focused approach and looks at other conditions instead of institutions in studying sustainable cooperation.

Vassort-Rousset (2014) uses the metaphor of “couples” to describe different strategies to build a sustainable bilateral cooperation in security. The author argues that the couple analysis is adequate in characterizing the emotional feature of international politics. Rather than merely being affected by material collaboration of interests and institutions, a study on social interactions that shape the complex identities is crucial. According to the author, the sustainability in the relationship of an international couple requires change in conditions, identity, and perception. This research also talks about the concept of ‘shadow of the future’ and talks about actors that have expectations, incentives and ends.

Krotz and Schild (2013) specifically focus on bilateralism of France and Germany in shaping Europe. Despite political, economic, and cultural differences and changes in internal and external environments, the bilateralism between the two actors has endured throughout European integration process. The authors suggest three concepts – regularized intergovernmentalism, symbolic acts and practices, and the parapublic underpinnings of international relations – are the main building blocks of the Franco-German bilateralism on the basis of the Elysée Treaty. Regularized intergovernmentalism describes the pattern of interaction and communication between France and Germany for over five decades since the treaty. This

regularized process has standardized the conduct between the two states in bilateral routines. Symbolic acts and practices refer to the significance of the two states' bilateralism in generating social meaning and purpose: the long history of war and suffering, perception of France and Germany as essential actors in the European integration process promote sustainable cooperation by emphasizing what it means for them to act together in a bilateralism. Parapublic underpinnings are the cross-border interactions such as youth and educational exchanges, mass media institutions and other interactions that are not forms of public interaction among states and they stabilize the bilateral relationship between the two countries.

Milner (1998) also points out to the interrelation between domestic politics and international relations under Putnam's idea of a two-level game. (Putnam 1988) The author seeks to develop a theoretical approach to the two-level game metaphor in which at the national level, domestic political entities pressure the government to reflect their interests in policies and at the international level, national governments try to meet domestic pressures. Cooperation depends on two elements: "goal-directed behavior that seeks to create mutual gains through policy adjustment" (Milner 1998, 8). The author is skeptical towards the assumption that state is a unitary actor and contends that cooperation among nations is most affected by domestic politics because international cooperative agreements generate winners and losers domestically. Policy preferences of domestic actors, institutions, and distribution of information affect the shaping of domestic politics.

Long (1996) argues that economic incentives play an important role in promoting bilateral cooperation. Trade and technology incentives of long-term give an economic benefit to encourage a state to behave in a cooperative manner and they are effective both at the level of the international system and at the national or agent level. While incentives have been given relatively little attention and are often considered weak form of sanctions, Long argues that the trade and technology incentives may provide gains for both the sender and the recipient in contrast to sanctions which are costly for both.

Petrosjan and Zenkevich (2009) describe three factors of time-consistency of the cooperative agreements, strategic stability, and irrational behavior proofness in determining the stability of long-term cooperative agreements. According to Fearon (1998), problems of international cooperation involve two linked phases regardless of their specific domain: first a bargaining problem and next an enforcement problem. The author further argues that unlike the previous consensus by cooperation theorists that future expectations and payoffs bear sustainable cooperation, a “long shadow of the future” is likely to make the cooperation harder to reach because it gives the states incentive to bargain harder for favorable terms.

Sharyshev (2016) investigates the sustainability of the bilateral partnership between China and Russia. An important factor considered here is the history between the two countries. The author argues that the two countries are not likely to engage in conflicts and maintain close cooperation because the power dynamics and the complex relation with countries around

them promote cooperation and trust. The Russo-Chinese relation does not pose threat to any other nation and their relationship is considered a complement to each country's relationship with the West. Therefore, they are likely to maintain the stable and respectful bilateralism reinforced by legally binding agreements.

Third is the game theoretic approach which will be used as a theoretical approach in this research. In a broader context of cooperation under anarchy, Oye (1985) discusses the circumstances that favor the emergence and long-term strategy of cooperation in three dimensions: payoff structure, shadow of the future, and number of players. They are then tested in four different economic game types: prisoner's dilemma, stag hunt, chicken, and deadlock. The determinants of payoff structure, "military force structure and doctrine, economic ideology, the size of currency reserves, (and) macroeconomic circumstance" (ibid. 1985, 5) can be modified and they can affect the prospects for cooperation. The shadow of the future, or the prospect of continuing interaction, also influences the likelihood of cooperation. The author concludes that smaller number of actors lead to more cooperation. Although this work does not specifically deal with bilateral cooperation, it still provides a useful ground in studying sustainability of cooperation because it employs the concept of the shadow of the future, which is directly linked to sustainability of cooperation.

Axelrod and Keohane (1985) argue along the same line. Mutuality of interest, the shadow of the future, and the number of actors affect the

propensity of actors to cooperate. Mutuality of interest is determined by payoff structures which are influenced by the actors' perceptions of their own interests. Shadow of the future is also an important factor in promoting cooperation because it affects the incentive to comply today with respect to future expectations. International institutions come to importance because they affect the actor's expectations by altering the governments' expectations that their actions will affect the behavior of others on future issues. The number of actors also affects cooperation because in a bilateral Prisoners' Dilemma, the strategy of reciprocity enhances the chances of continued cooperation. Aside from these three dimensions, the authors also talk about the context of interaction which affects cooperation. Issue-linkage describes a situation where one issue is connected to another and different games on different issues influence one another and the actors' actions in them. Domestic politics also affect international relations because domestic politics is inevitably connected to the workings of international politics. Compatibilities and incompatibilities among games are also important and the strategy of reciprocity also works here. The authors conclude by emphasizing international regimes because they have the power to institutionalize and reinforce norms so that cooperation is made easier.

3. Theoretical Framework

At first glance, the reviewed scholars may seem to be interested in divergent theories on varying issues to explain sustainable bilateralism and not forming a consensus to depict the prospects of a bilateral international cooperation. However, with a close reading, the different factors mentioned are easily connected to one another.

The basic analytical framework of this research will be the concepts of Oye, Axelrod, and Keohane (1985) in establishing cooperation under anarchy. They provide a pragmatic explanation to understanding long-term cooperation by employing important dimensions: payoff structure and shadow of the future. These dimensions will be elaborated and exemplified to build a framework of this thesis.

The game theoretic approach is adequate to the analysis of the EU-Turkey Deal because it concerns a non-cooperative game which lacks enforcing institution to change the strategies of the actors. As will be described in later chapters, it is difficult to use the institutional approach to the case since defining institutions that actually are relevant and effective in the workings of the Deal is very difficult and ambiguous. There is no indisputable legal structure to guide the cooperation and punish defection. Also, because the Deal has a short history, it is difficult to identify the norms that accompany the workings of the Deal.

Therefore, this research will use the game theoretical approach to examine the case study and look into the sustainability of the bilateral

cooperation. Within the dimension of payoff structure, the factors that could alter it will be discussed. Since this thesis concerns an already established cooperation, the actors' perception of interests depicted in a payoff structure will be treated as given. In other words, the EU and Turkey both perceived mutual cooperation (CC) as beneficial to mutual defection (DD) and recognized that a mutual benefit exists in forming a bilateral relation. Instead of measuring the payoff structure behind the foundation of the EU-Turkey Deal, the following chapters will review factors that can change the payoff structure and act upon the sustainability of the relation. More specifically, three such factors that Axelrod and Keohane (1985) propose as situations that shape the context of interaction in a multi-level game will be considered. They are issue-linkage, domestic-international connections, and incompatibilities between games among different set of actors. These factors will encompass the matters of economic incentive and domestic political institutions summarized in previous literature as will be developed further into the research.

Regarding shadow of the future, strategies of reciprocity will be the main topic. Shadow of the future is useful in studying the sustainability of the EU-Turkey Deal because it is conducted in a context of a longer-term EU-Turkey relationship with reference to many different issues such as visa liberalization, accession process, and the customs union. Strategies of reciprocity promote cooperation under iterated conditions because prospects of continued interaction affect the likelihood of cooperation. However, it is

important that the actors of cooperation possess recognition and control capabilities. Institutions are important because they can alter the actors' expectations by being equipped with capability to reinforce and institutionalize reciprocity. If the actors believe that there is no adequate institutional mechanism to enforce cooperation, they are reluctant to cooperate even with the presence of mutual benefit. (ibid. 1985) With respect to the concept of shadow of the future, this research will deal with two aspects of the strategies of reciprocity: the recognition of defection and reinforcing mechanism. This dimension broadly covers the area of institutions and norms surrounding the Deal.

The three factors that could affect the payoff structure of EU-Turkey Deal in the context of interaction are “intervening variable between cognitive, domestic, and international structural factors and international cooperation” (Oye 1985, 6). This research will discuss three examples introduced by Axelrod and Keohane (1985) as factors that affect multi-level games in a way that increases or decreases incentive to defect and apply them to the case of the EU-Turkey Deal. Then in the following chapter, the shadow of the future, or the notion of sustainability, will be treated.

As previously postulated, the payoff structure of the EU-Turkey Deal will be treated as given. The two sides signed a deal on the basis of their perception of interest. Both actors agreed that mutual cooperation is beneficial to the realization of their needs – resolution of the refugee problem

for the EU and visa liberalization for Turkey – so a bilateral cooperation was reached.

Studying the sustainability of the EU-Turkey Deal, then, requires considering factors that can influence the payoff structure. Axelrod and Keohane introduce three such factors in a multi-level game: issue linkage, domestic-political relations, and compatibility between the games.

First, the situation of issue-linkage is very relevant to the present analysis because the EU-Turkey Deal combines varying issues. Issue-linkage describes circumstances in which one uses its resources from one issue-area to influence the behavior of the other in another issue (Axelrod and Keohane 1985, 239). The EU and Turkey's bilateralism is strongly affected by issue-linkage because the Deal touches on different issues of refugee control, economic incentive, visa liberalization, and accession process. This reflects a sophisticated cooperation is under work between the two actors and can help one another in bargaining. Since successful bargaining linkage can promote cooperation, expectation based on issue-linkage is laid out as follows:

The linkage of different issues such as refugee crisis, economic incentive, and customs union in the EU-Turkey Deal positively affects sustainability.

International relations and domestic politics are also important aspects of changing payoff structure. The incentives characterized by domestic bargaining games often prevent effective international policy coordination

and may exacerbate international conflict (ibid. 242). Accordingly, the second expectation is deducted:

The relationship between the Turkish domestic politics, German domestic politics, and the bilateral agreement are a discouraging factor to the EU-Turkey Deal's sustainability.

Compatibilities and incompatibilities among games influence cooperation as well. If related games make it easier to attain cooperation, they are compatible. If they create difficulty, they are incompatible. In the case of the EU and Turkey, previous European deals may be considered incompatible with the EU-Turkey Deal and this leads to the last expectation that:

Incompatibility of games impedes sustainability of the EU-Turkey Deal.

The next dimension to consider is the concept of the "shadow of the future". The strategy of reciprocity is the basis of determining the durability of a bilateral cooperation. Two aspects of the shadow of the future are recognition and enforcement mechanism as explained by Oye and Axelrod and Keohane. A promising shadow of the future relies on reciprocity and reciprocity requires "the ability to recognize and retaliate against a defection" (ibid. 1985, 249). It is important to look at whether there exists institutional sustainability to the EU-Turkey Deal to standardize norms, identify defectors, and sanction

against non-compliance. The expectation of this research on sustainability would be:

Lack of recognition and enforcement mechanism in the EU-Turkey Deal does not secure institutionalized reciprocity and therefore discourages its sustainability.

There are limitations to this framework in that these factors do not ensure whether the EU-Turkey Deal will be sustainable or temporary. As many authors have confirmed, the length of shadow of the future of cooperation does not depend on a few circumstances but incorporates different contexts and perceptions. However, these dimensions and complementary elements are relevant to the analysis of the EU-Turkey Deal and its durability because it is a novelty and a worthwhile attempt to understand the Deal within the broader EU migration policy setting.

III. Game Theory in the Case of the European Union-Turkey Deal

1. Background of the EU-Turkey Deal

As aforementioned in the introductory chapter, Europe had realized the importance of “partnership with third countries” in the immigration policy as early as 1999 Tampere European Council meetings:

The European Union needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit... Partnership with third countries concerned will also be a key element for the success of such a policy, with a view to promoting co-development. (European Council 1999)

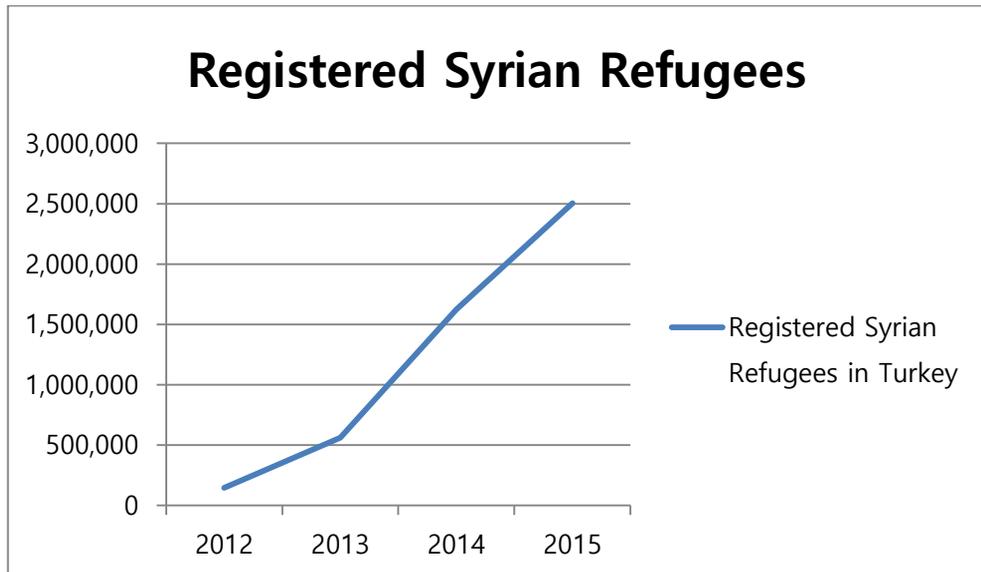
This is rooted in the “communitarization” of the migration policy first brought up in the 1997 Treaty of Amsterdam to collectively handle the problem of irregular immigration. EU’s policy of Readmission Agreement and carrier sanctions constitute what is called externalization of migration policy by shifting responsibility to the third party. The communitarization and externalization of the EU migrant policy depicted the shift upwards towards transgovernmental cooperation on a European level and outwards towards its

external borders in a strategy to maximize gains from Europeanization while minimizing constraints from supranationalism (Lavenex 2006).

The history of the EU externalization migration policy is not brief. In the mid-2000s, the EU used the European Border and Coast Guard Agency (FRONTEX) to cooperate with Senegal, Mauritania, and Cape Verde to control refugee influx to the Canary Islands. More recently, the EU cooperated with Libya, a stopover country to Lampedusa, Italy. It is a strategy long-lived to control influx and readmission more feasible (Park 2017). The EU also signed Readmission Agreement with seventeen different countries to manage the return of irregular migrants.

After the Arab Spring in 2010, Turkey arose as an important partner to Europe in the realm of refugee control. To begin with, Turkey is located at a very strategic location within the continents of Europe, Asia, and Africa. Turkey shares borders with Syria, and the route through Turkey to Greece and the Aegean Sea became the major gateway to Europe. Since the Syrian war, Syrian refugees became the largest group to cross the Mediterranean in 2014 and the Greek islands the main entry points. The EU expected Turkey to become a buffer state in the East Mediterranean to control the inflow of refugees to Europe:

Figure 1. Number of Registered Syrian refugees in Turkey



Source: UNHCR, Turkey – Situation Syria Regional Refugee Response

Turkey had its own incentives behind building cooperation with the EU. Since the EU and Turkey had been negotiating on the readmission agreement since 2002 (European Council 2002), Turkey had been accepting irregular migrants. Due to the instability in the Arab in the 2010s, Turkey had to accept more refugees from Syria, Iran, Iraq, Afghanistan, and Pakistan. By that time, Turkey was reluctant to admit third country nationals because it was being burdened too much. In 2010, Turkey suggested visa liberalization process and the EU asked for Turkey to complete the Union's 72 criteria¹ in return. Finally in December 2013, the Readmission Agreement was signed and visa

¹ The 72 criteria on document security, migration management, public order and security, fundamental rights, and readmission of irregular migrants

liberalization dialogue was launched. (European Commission 2013)

Figure 2. Refugee Routes through Turkey



Source: Business Insider (2016)

Understanding the background of the EU-Turkey Deal also requires a look into Turkey's long-aspired accession to the EU. The EU and Turkey's formal bilateral cooperation can be traced back to the 1963 Ankara Agreement. The two actors discussed a plan to establish a "Customs Union"

and achieve “continuous improvement in living conditions in Turkey and in the European Economic Community through accelerated economic progress and the harmonious expansion of trade, and to reduce the disparity” (Official Journal of the European Communities 1963) the Turkish economy and Europe. In 1987, Turkey applied to accede to the EU but was rejected in 1989. The Customs Union took effect in 1995 but Turkey’s accession was no longer important in the European Agenda since the end of the Cold War as the EU became more interested in enlargement to the mid-Eastern Europe (Park 2017).

Finally in 1999, the European Council gave Turkey the status of candidate country for EU membership at the Helsinki Summit and in 2001, provides a road map for Turkey’s accession process. In 2005 accession negotiations opened and the Readmission Agreement signed on 2013. Turkey was accepted as a candidate country at the Helsinki European Council in 1999, but the Council opened up membership negotiations not until December 2004. Compared to most Central and Eastern European States such as Bulgaria and Romania with which accession began to be discussed as early as 2000, Turkey was put to a late start.

The EU-Turkey Deal, originating from this background, brought Turkey to the center of the stage once again and put it in a strategic position to open a deal with Europe.

2. Application of the Game Theoretic Approach

In November 2015, the EU and Turkey announced a Joint Action Plan (European Council 2015) concerning issues to control irregular crossings and establish sustainable solutions for refugees. On March 18th 2016, after a summit between the members of the European Council and their Turkish counterpart, the “EU-Turkey Statement” was published as a press release:

Table 2. The EU-Turkey Deal at a glance

EU offer	Turkish offer
1 for 1: Resettlement of a Syrian refugee for each Syrian returned to Turkey	Readmission of all migrants having irregularly crossed to the EU after 20 March 2016
1 for 1: Resettlement of a Syrian refugee for each Syrian returned to Turkey	Cooperation in the prevention of irregular migration and the fight against smuggling and organized crime
Assistance for Syrian refugees in Turkey (€3 bn in 2016-17, another €3 bn in 2018)	Access for persons under temporary protection to public services and labour market
Technical and financial support for the prevention of irregular migration, human trafficking and smuggling	Adaptation of refugee law in line with international law
Visa liberalization by June 2016 (conditional)	Guarantee for migrant registration and issuance of documents
Re-energization of EU accession talks	
Upgrade of the Customs Union	
Cooperation to create humanitarian safe zones in Syria	

Source: Koenig and Walter (2017), based on European Council (2016)

Action Points 1, 2, 3, and 4 cover the issue of irregular migrants. Action Point 5 is about the visa liberalization roadmap. Action Point 6 discusses economic funding, 7 the Customs Union, 8 the accession process, and 9 Syrian humanitarian conditions. This is a very delicate and significant bilateralism because the two parties were expected to relieve the refugee problem through a collaborative effort and it did not only deal with migration issues but also with the accession process. Cooperation in the area of immigration can positively influence relation between the two actors in other areas as well.

It is important to look at the payoff structure of the EU-Turkey Deal before going into the analysis of the conditions that affect the payoff structure and sustainability of cooperation.

The two actors of the EU-Turkey Deal are the European Union and Turkey. The EU side represented multiple partisan actors and interests, but they had a common goal in mind: to deal effectively with the refugee situation in Europe and to prevent from getting notorious reputation as an evader from the international community. Germany stood at the front in the signing of the Deal as it was originally called the ‘Merkel Plan’ after the German Chancellor announced open-door migration policy. Using Putnam (1988)’s analysis of two-level game reviewed earlier, the actors’ interests can be influenced by domestic institutions. In this case, the EU actor is still coherent and the refugee crisis can be characterized as a homogeneous conflict (Krumm 2015) because the impact of factional constellation at the level of the EU was relatively marginal and the negotiations on the Deal were

mainly dominated by Turkish and German interests representing the Union. As a result, the Deal can be characterized as a cohesive bilateral cooperation.

One important characteristic of the EU-Turkey Deal in a game theoretical analysis is that it is a non-cooperative game in which there is no binding commitment to externally enforce cooperation. Also, it is a multi-level game involving strategic behaviors among states as well as game played between states and individuals. In such multi-level games, different games affect one another and outcomes of games can be mutually contingent.

What, then, were the preferences of the two parties? As can be seen in the Table 2 above, major incentive for the EU to establish this agreement was readmission of migrants to Turkey. The refugee crisis was a serious challenge to the European Union especially after the Syrian Wars and the EU had to make a choice to set a policy to deal with the refugee influx into Europe. Also, it was a strategy for Europe to maximize gains from Europeanization while minimizing constraints from supranationalism, communitarization, and externalization of the EU migration policy. The alternatives, or the cost of non-agreement, were: find another third state to cooperate or do not cooperate at all and be left with influx of illegal immigrants. Because of Turkey's strategic location and Turkey's own interest in visa liberalization, establishing a bilateral agreement with Turkey was a reasonable choice.

Turkey's main preference in this bilateralism was visa liberalization and its long-aspired accession to the European Union. Because for Turkey

visa liberalization was a significant step prior to actual accession into the Union, Turkey was interested in getting free visa travels for Turkish nationals. The alternatives were to maintain the status quo and there would be no visa liberalization and possible accession opportunities and Turkey would also suffer from negative reputation. For Turkey, cooperating with the EU in turn of visa liberalization and economic funding as well as possible opening of accession negotiations was a reasonable choice as well.

From this analysis, the EU and Turkey seem to have formed an ideal game in which each side has incentives to cooperate rather than defect. In conclusion, the payoff structure reflecting the preferences of the two parties indicates an emergence of cooperation.

IV. The EU-Turkey Deal as a Multilevel Game

The EU-Turkey Deal is not a simple one-time game but a multilevel game involving strategic actions among states as well as game played between states and individuals. Different games were at play in the workings of the EU-Turkey Deal since it involved a variety of action points involving Turkey's visa liberalization, refugee control, the Customs Union, and economic incentives. Axelrod and Keohane recall three situations where a multilevel game such as the EU-Turkey Deal is affected in the level of cooperation.

Issue-linkage occurs when different issues affect one another in a multilevel game. Because this changes the workings of preferences and alternatives in the payoff structure of game theory, issue-linkage alters the workings of cooperation in various manners.

The relation between domestic and international politics also affects cooperation because as Putnam and other authors emphasize, domestic politics influence the workings of international politics by giving pressure to the negotiators.

Compatibility and incompatibility of games are also important in this analysis because the workings of different games on multi-level can affect one another and sustainability of one cooperation in the place of another.

1. Issue-linkage.

Strategies of issue linkage are usually considered encouraging factors to cooperation because it establishes a direct connection between present behavior and future benefits, indicating a possibility to lengthen the shadow of the future (Oye 1985, 17). The major issues linked to one another in the EU-Turkey Deal are the refugee control, visa liberalization, and accession process. If these issues work along one another to promote cooperation collectively, they will contribute to the sustainability of the EU-Turkey Deal.

The major issue-linkage at play is the linkage of migrant issue with visa-free access to the Schengen area for Turkish nationals. Visa-free access to the Schengen area for Turkish nationals is a fundamental aspect of the Deal for both Turkey and the EU. Because visa liberalization is perceived as a preceding step toward EU accession, Turkey had already bargained with readmission agreement previously to attain it. The negotiations for the visa liberalization process began in 2012 and in the 2013 Readmission Agreement, Europe proposed the “Roadmap towards the visa-free regime” to introduce some criteria Turkey would have to meet in order to facilitate the liberalization process. Visa-free travel has also become an important EU foreign policy tool as the EU uses visa liberalization as an incentive for influencing reforms in neighboring countries (Ozler 2012). The signing of readmission agreement between the two actors demonstrates such case in which Turkey agreed to sign only on the condition that visa liberalization dialogue is launched. In Turkey’s Visa Liberalization Roadmap, the EU

agreed to allow for visa-free travel if Turkey meets 72 requirements (European Commission 2016).

Turkey fulfilled 65 out of 72 criteria by May 2016, but one of the critical remaining is the revision of Turkey’s anti-terror law. The Commission has called for revision of Turkey’s legislation and practices on terrorism to meet with European standards and Ahmet Davutoglu, the Turkish Prime Minister, argued that Turkey would not withhold the EU-Turkey Deal if the EU did not weaken the conditions for visa liberalizations. Turkey also frequently argued that there has been Customs Union between the two parties for twenty years and more than half the Turkish economic trade is with the EU, but still there is no visa liberalization.

Table 3. Countries with Which Visa-free Travel was Established

Country	Visa-free travel	GDP per capita 2016 (EU-28 100)	Human Development Index 2016
Albania	2010	29	0.764
Bosnia and Herzegovina	2010	32	0.750
Macedonia	2009	37	0.748
Serbia	2009	37	0.776
Montenegro	2009	45	0.807
Bulgaria	2001	49	0.794
Romania	2002	58	0.802
Turkey	?	64	0.767

Source: Eurostat, Human Development Reports

Also, Turkey has accused Europe with double-standards in granting visa-liberalization to non-European countries. As can be seen in the table

above, Turkey is not especially failing to meet EU standards. However, after many countries have already been granted visa-free travel in Europe, Turkey still falls short of the process.

Visa liberalization is the most positive incentive to reward Turkey for its cooperation with the EU on curbing migration (Adam 2016). The linkage of issue between visa liberalization and refugee control would have provided the EU-Turkey Deal a strong indicator of sustainability had the process been carried out smoothly. However, Turkey still has to meet the criteria set by the EU and it is very unlikely that the current status of the visa liberalization process will serve as a positive factor to guarantee durability of the bilateral relation. In fact, as delineated in Axelrod and Keohane's work, Turkey has engaged in the practice of "blackmailing" several times to take back the Deal altogether.

Not all issue-linkages are helpful in promoting cooperation and sometimes "backscratchers" offer to refrain from acting in their own best interest in return for compensation and "blackmailers" threaten to act against even their own interests unless compensated. Followed by the launch of a Turkish military campaign against the Kurdish People's Protection Units (YPG) in Northern Syria, the EU established negative comments. Ömer Çelik, Turkish Minister of European Union Affairs, said "technically there is no reason for Turkey to maintain this deal" (Directorate for EU Affairs).

In contrast to hypothesized earlier, the issue-linkage in the EU-Turkey Deal does not necessarily seem to enhance the sustainability of the

bilateralism. Instead, by giving Turkey the power to bargain for its position, the linkage of different issues allowed for the practice of blackmailing.

Also, the issue of funding and human rights do not help the cooperation be sustained. Connection of different issues discourages the parties from negotiating between issues but rather encourages externalization of responsibility, creating a situation in which the incentive to cooperate in one issue for the sake of another no longer functions in the direction of sustainable cooperation.

Although issue-linkage usually encourages sustainable cooperation by connecting multiple issues and games together to affect one another, it does not seem to be the case in the EU Turkey Deal. Instead, Turkey has been engaging in practices of blackmailing, arguing that the EU is not keeping the promises it is supposed to. So in this case, issue-linkage does not seem to promote sustainable cooperation as opposed to expected earlier in the thesis.

2. Domestic Politics-International Relations

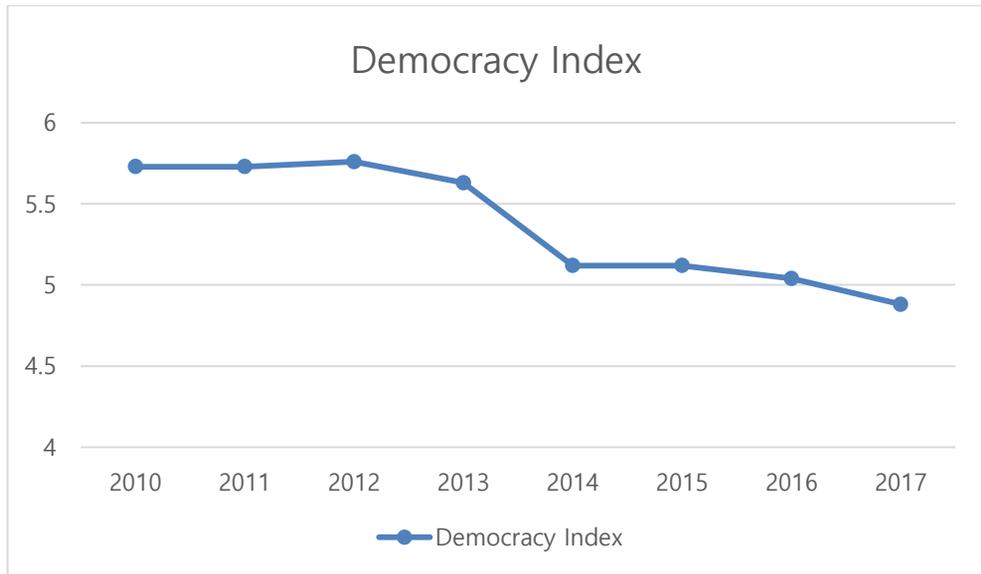
The relationship between domestic and international politics is also an important factor in the maintenance of sustainable cooperation. In this chapter, Turkey and Germany's domestic politics will be analyzed since these two are the critical actors in the workings of the EU-Turkey Deal. Turkey is an actor in the bilateral cooperation and Germany, as a major actor in the European policy-making scene, has played important roles in the Deal.

Turkey's domestic politics affects the EU-Turkey bilateralism. During its early years, the Justice and Development Party (AKP) carried out liberalized reforms to meet the European criteria. AKP strengthened basic freedoms, altered the structure of the National Security Council to minimize military influence in politics, and established penalties for torture and maltreatment during detention (Ozbudun 2007).

However, during its second term in office (2007-2011), the AKP expelled the secularists and Kemalists from the army, judiciary, and bureaucracy and arrested military officers, journalists, and academics contending that they attempted a coup.

During its third term, deterioration of democracy became prevalent even more and following the November 2015 elections, the AKP and Erdogan began to openly criticize the opposition as 'terrorists' and 'traitors', reacting fiercely to any dissident actors against its regime. The democracy index failed with the passage of time and Turkey is demonstrating attitude that does not comply with cooperation with the EU.

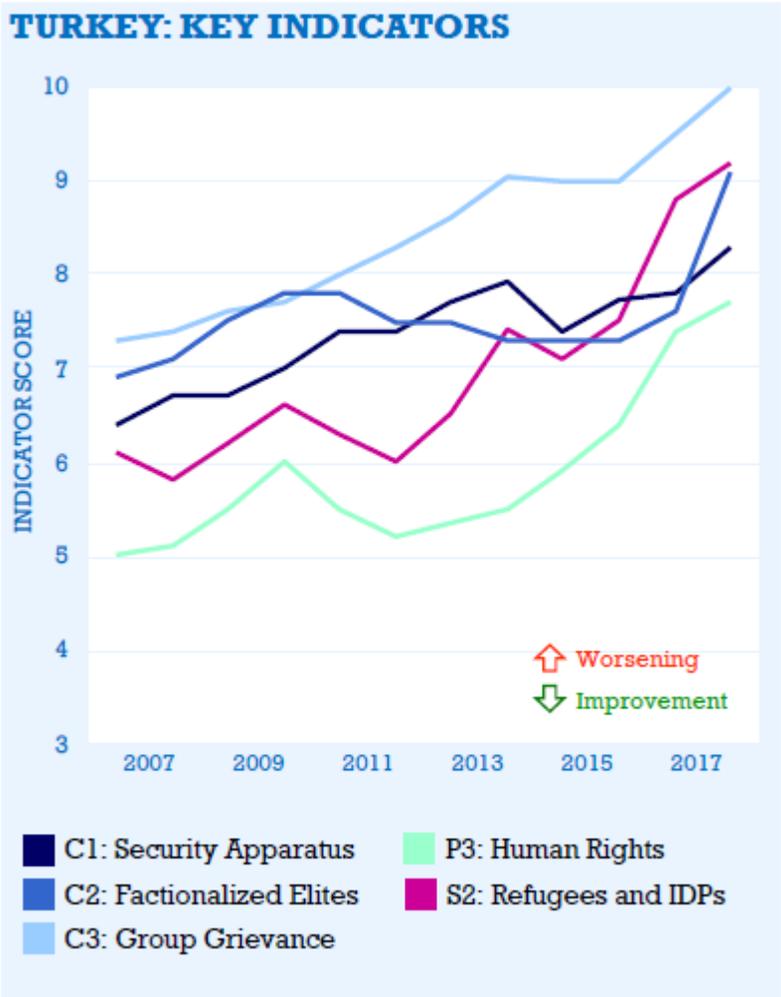
Figure 3. Democracy Index of Turkey



Source: The Economist

Turkey has turned authoritarian under the AKP and Erdogan in the areas of freedom of speech, freedom of the press, and Kurdish minority rights especially after the failed attempt of coup d'état against Erdogan. In November 2016, the European Parliament voted to suspend membership talks with Turkey and the European Council also announced that it would not make further negotiations in Turkey's accession if the circumstances do not change. As Turkey turns towards autocratic rule, the progress on EU accession is highly unlikely.

Figure 4. Turkey: Key Indicators



Source: Fragile States Index (2017)

Also, Germany’s domestic politics has to be taken into consideration. Germany is a very powerful player on the EU-policy making process and any change in its domestic policy can impact not only bilateral but also EU-Turkey relations as a whole (Paul and Schmidt 2017). In June 2016, the German parliament adopted a resolution that defined the killing of Armenians

by Ottoman Turkish forces during the First World War a genocide. Ankara reacted sharply to this and after the failed coup attempt in Turkey, the Turkish politicians criticized Germany and European leaders that they were too slow to call the coup attempt terrorists.

Germany's approach to the terrorist organization PKK; Kurdistan Workers' Party, is also criticized as dubious by the Turkish government. Laws and jurisprudence against PKK are disrespected by the Executive and they are too slow to impose actual punishment to the PKK. In April 2017, Turkey accused Germany of interfering with the Turkish constitutional referendum aimed at transforming the country from a parliamentary democracy into a presidential system by preventing Turkish ministers from campaigning in Germany. President Erdogan accused Germany of "Nazi practices", seriously offending the German politicians.

Also in 2017, Turkey accused Germany of interfering with the Turkish constitutional referendum by preventing Turkish ministers from campaigning in Germany. Rise of racism against Turkish Muslims within Germany is also a huge problem. In the first six months of the year 2017, around 400 Islamophobic offenses were reported.

Also, in response to the September 2017 German federal elections, Turkey's EU affairs minister Omer Celik condemned that the result is "alarming" that "the racist-immigrant and anti-Islam flow threatens the future of all Europe" (Colak 2017), recalling the far-right party becoming the third-largest group in congress. The Christian Democratic Union (CDU) and the

Social Democratic Party (SPD) had great losses in the Federal Elections and six parties are represented in the Bundestag instead of four. CDU values importance of the bilateralism between Turkey and the EU on mutual efforts to overcome refugee crisis, but it does not desire full EU membership of Turkey. SPD supports EU membership talks and visa liberalization, but the Chancellor candidate Martin Schulz demanded to call off EU negotiations with Turkey. The fact that multiple parties are represented in the German domestic politics scene and they are not all strongly inclined to keep European promises to Turkey is not a favorable condition to promote sustainability in the EU-Turkey Deal.

As the main players of the EU-Turkey Deal seem to have lost credibility in each other, the cooperation definitely is not heading toward sustainability.

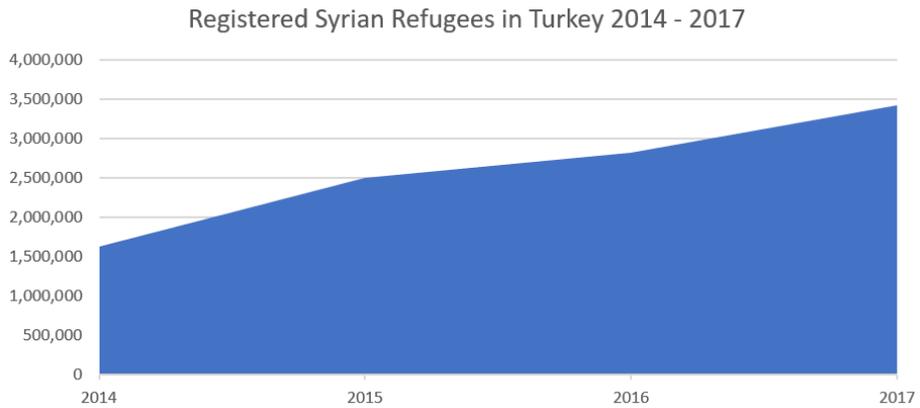
3. Compatibility and Incompatibility of Games

Because the EU-Turkey Deal is a multilevel game, not only one game defines the likelihood of continuing cooperation but different negotiations and practices concerning the two actors affect the sustainability. Three major games to consider at this point are the 1for 1 swapping mechanism of refugees, principle of non-refoulement, and the concept of Normative Europe. These three elements of the EU-Turkey Deal affect one another and shape the compatibility of games which will in turn make up the sustainability of the Deal.

An important deal regarding the irregular migrants in the EU-Turkey Deal is the ‘1 for 1 swapping mechanism’: refugees reaching the Greek islands through irregular crossing would be returned to Turkey. In exchange, the same number of Syrian refugees would be resettled to Europe. This is a mechanism to discourage refugees from travelling irregularly to Europe and facilitate resettlement through an established program.

However, this is not consistent with the principle of non-refoulement which prohibits countries receiving asylum seekers from returning them to countries in which they would likely be in danger of persecution, which is a central building block of the 1951 Geneva Refugee Convention.

Figure 5. Registered Syrian Refugees in Turkey



Source: UNHCR

In fact, Turkey is not considered a safe third country. The concept of “safe country” in European law refers to “countries which are determined either as being non-refugee producing countries or as being countries in which refugees can enjoy asylum without any danger.” (UNHCR 1991: para. 3) This concept recurs in migration and asylum issues and is the legal basis for them. The EU-Turkey Deal implicitly assumes Turkey a safe third country because for the EU to return migrants and asylum seekers to Turkey without violating the non-refoulement principle, Turkey has to be safe. The concepts to be considered here are safe country of origin (SCO) and safe third country (STC).

Table 4. Status of Turkey as a SCO and STC

	ECHR violations (judgements finding at least one violation/ total judgements)	Asylum success rate	Number of MS considering it ‘SCO’
2014	94/101	23.1%	0

Source: ECHR

In the 2015 European Agenda on Migration, the European Commission proposed to establish a common list of safe countries of origin including Turkey. However, looking at the data, it is difficult to say that it is a SCO: Turkey is the country against which the most rulings have been made in the history of the European Court of Human Rights (ECHR) starting from 1959. A total of 3,386 rulings were made, 2,988 of which were found to violate at least one of the ECHR articles. 23.1% of applications were well-founded in 2014, indicating that Turkey is a refugee producing country.

Turkey could not be considered a “safe third country” either because of its human rights issues described earlier. A safe third country is “a state through which a person fleeing from his or her country of origin has passed and where he or she could have found protection, but has not done so” (Roman, Baird & Radcliffe 2016). However, the Joint Action Plan and the EU-Turkey Deal considered it so.

It is also incompatible with the “Normative Power Europe.” According to Manners (2002) who brought the concept into the understanding of the EU’s foreign policy, the EU has the “ability to shape conceptions of ‘normal’ in international relations” (ibid. 2002, 239). Peace, liberty, democracy, rule of law, and human rights are the five ‘core’ norms planted throughout the Union laws, the founding principles of the Union (set out in Art. 6 TEU), and policies and these norms are diffused through contagion, informational initiatives, procedural institutionalization of relations, transference, overt diffusion or physical presence of the EU in third states, or

cultural filter. (ibid. 2002) The EU, in addition to its military and economic power, has been given a normative power to its policies.

Diez (2005) brings up a valuable insight into the discussion of the normative power of Europe. The author argues that what is interesting in the discourse is not the EU's normative power itself but a "degree of reflexivity" that the EU has constructed. While the mainstream social constructivists would focus their analysis on the role of European norms and their diffusion, the author emphasizes how the normative power discourse constructs a particular self of the EU against the image of others. That is, as much as the European norms and the EU's power to diffuse them are important in shaping others' behavior, they also construct the EU's identity through the process of self-reflexivity.

The EU-Turkey Deal is a case that directly undermines, and therefore is incompatible, with such identity. The EU had exercised its normative power when the European Commission demanded Turkey to meet the Copenhagen Criteria before opening up membership negotiations. However even after Turkey had met many of the standards and EU member states themselves were revealed to fall short of the Copenhagen Criteria themselves, the EU was still reluctant to facilitate the accession process. Turkey's Muslim identity and Europe's perception of it as 'the other' encourage the EU to employ its normative power against Turkey. However, if it does not keep its promises and use "double standards" like Turkey argues, it will be incompatible with the constructed European identity. The normative

power Europe discourse “empowers EU actors, but it also empowers other actors to remind EU politicians of their words” (ibid. 2005, 633).

Criticizing Turkey to meet human rights standards and maintain the deal is a paradox for Europe. Although the EU-Turkey Deal has elements of a multilevel game and this can help sustainability, in this case, it also contains incompatible games together and this seriously challenges the sustainability of the EU-Turkey Deal.

V. Shadow of the Future

The shadow of the future promotes cooperation when the actors believe that they will interact repeatedly and therefore it is beneficial to cooperate rather than defect today. Some of the factors that Axelrod and Keohane suggest that help make the shadow of the future effective are: long time horizons, regularity of stakes, reliability of information about the others' actions, and quick feedback about changes in the others' actions.

Understanding the role of these factors is simple. Shadow of the future is an effective tool to promote cooperation only when the actors will interact for a long time based on regular stakes and they others' actions are reliable and feasible to quick feedback in the case of defection. When these conditions are met, the actors tend to stick to cooperation because these are the factors that guarantee cooperation's benefits compared to defection. It is worthwhile to look at the EU-Turkey Deal to see if it contains elements that promote long shadow of the future.

Firstly, the EU-Turkey Deal is ambiguous in its legality because it is quite controversial whether it is a legally binding international agreement. It is important to look at "the content of the instrument and the context in which it was concluded" as well as the appropriate authorities included in Art.7 of Vienna Convention of the Law of Treaties (Arribas 2017) to study the legality of the bilateral agreement. Legality is important in the discussion of shadow of the future because a binding legal agreement implies quick feedback about changing others' actions.

It is important to look at who has competence to conclude the deal in order to measure the legality of the Deal. The EU-Turkey Statement deals with the area of freedom, security and justice since the primary concern is to control irregular migrants. According to Article 4(2) of the Treaty on the Functioning of the European Union (TFEU), it is an area of shared competence between the EU and its member states. Art. 218 TFEU describes that agreements covering fields to which the ordinary legislative procedure applies are to be concluded by the Council after obtaining the consent of the European Parliament (Idriz 2017). It was concluded by the European Council which has not been entrusted with the competence to conclude international agreements in the area of freedom, security, and justice. The organization also must have legislative power and competence to make binding rules of law, which the Council does not.

When a number of asylum seekers who arrived on the Greek islands filed an application at the General Court of the EU, the Court concluded that it did not have jurisdiction arguing that the EU was not party to the Deal because the Council did not have competence to conclude it. Rather, the GC analyzed that it is an agreement involving the Member States of the EU and not any EU institution (Spijkerboer 2018). In 2017, the Court of Justice of the European Union also issued judgments on the Syrian refugee crisis and said that it was not competent to rule on the cases and decide whether the deal is infringing with the TFEU because it lacks jurisdiction. The EU institutions agreed to sign the Deal as an instrument for managing the refugee crisis and

lessening the burden, but the fact that all of them were reluctant to take the authorship and responsibility for the Deal seems to implicate pessimism in the shadow of the future of the bilateral agreement.

This is exclusion through law itself and the EU-Turkey Deal has no mechanism to ensure reciprocity otherwise. This seriously undermines the prospect of sustainability for the cooperation. The shadow of the future and sustainability of cooperation is relevant on the condition that there is a mechanism to recognize and enforce cooperation. Lack of institutionalized reciprocity to ensure sustainable cooperation challenges the likelihood of long-term cooperation because the cost of defection or punishment is not clear.

Moreover, the aspects of the multi-level game mentioned earlier such as the instability of issue-linkage within the EU-Turkey Deal setting, shifting of interests in Turkish and German domestic politics, and incompatibility of different games all work to harm the regularity of stakes and reliability of information about the actors' information. Linkage of migrant issue with visa-free access to Europe has only revealed the reluctance of the EU to grant visa liberalization to Turkey. The changing conditions within Turkish and German political scene do not ensure reliability of the actors' information. And the incompatibility of the EU-Turkey Deal's 1 for 1 swapping mechanism with the principle of non-refoulement and the concept of "Normative Europe" signify that this bilateral cooperation is vulnerable to fall in a trap of paradox, therefore endangering long shadow of the future.

The lack of recognizing and reinforcing mechanism as well as the

factors of the multilevel game challenge sustainability of the EU-Turkey Deal by questioning long time horizons, regularity of stakes, reliability of information about the others' actions, and quick feedback about changes in the others' actions. As expected in the earlier chapters, it is difficult to expect institutionalized reciprocity in the EU-Turkey Deal and this is a discouraging factor to the agreement's sustainability.

VI. Conclusion

Investigating sustainability of a bilateral cooperation in the context of game theory requires careful study of different elements of the game. Especially in the case of a multi-level game such as the EU-Turkey Deal, sometimes it is difficult to determine from which aspect it is best to look at the cooperation. The EU-Turkey Deal can be understood as a key attempt to manage the refugee crisis and control migration as well as an example of cooperation with third countries that the European Union has been practicing for a long time in the field of migration policy. Research on the sustainability of the EU-Turkey Deal is valuable not only because it is a novelty as itself but also because it is an exemplary case study summarizing different past practices that the EU has carried out with non-European countries to deal with the migrant issues.

Oye, Axelrod, and Keohane (1985) provide a useful guideline to analyze the sustainability of cooperation through the concepts of issue-linkage, the relationship between domestic politics and international politics, compatibility and incompatibility of games, and the shadow of the future. Although these concepts are not readily used in analyzing the European migrant policy, it is an interesting endeavor to study sustainability and is also very relevant.

Issue-linkage is usually considered an encouraging factor to sustainability of cooperation because connecting different issues in bilateral

relations makes it liable to concrete business. However, in the case of the EU-Turkey Deal, the linkage of migrant issue with visa-free travel led to blackmail on the Turkish side instead because the EU failed to effectively use the two issues to meet its goals.

The relationship among the Turkish, German, and international politics also discourage sustainability of the Deal. The Turkish regime has turned more authoritarian since the complement of the Deal and the lack of German motivation to hold the Deal together as an important actor in the European political scene indicate a vague possibility in the long-term sustainability of the Deal.

Additionally, the incompatibility of games in the multi-level EU-Turkey Deal challenge sustainability. The most important element of the Deal, 1 for 1 swapping mechanism of Syrian refugees to Turkey, is incompatible not only with the principle of non-refoulement but also with the concept of “Normative Europe” which has been holding the European mind together and guiding its future actions. If Europe continues to keep all the action points of the EU-Turkey Deal, it seems likely that it will only find itself in a paradoxical position.

Together with the above three factors, the shadow of the future is also dim. The EU-Turkey Deal’s legality is considered to be vague from its beginning since it is not clear who can state its authorship. Since all EU institutions want to take the responsibility for the statement, there is no

mechanism to ensure its workings. The CJEU and the General Court have decided that it had no jurisdiction over the issues of violation in the EU-Turkey Deal and basically there is no way to reinforce and recognize the workings of the Deal, seriously challenging the reciprocity of the cooperation.

As a result, through this research I have reached the conclusion that the EU-Turkey Deal can be characterized as a bilateral cooperation without strong indication of sustainability. Although it will be difficult to determine its sustainability since it has only been two years since its implementation, this research, I believe, is persuasive because it has provided useful insights in studying sustainability of the EU-Turkey Deal and compelling arguments to conclude that it is endowed with many reasons that deter sustainability.

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국문초록

유럽연합-터키 협약의 지속가능성에 대한 연구

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본 논문은 유럽연합-터키 협약의 지속가능성을 양자 협력의 관점에서 연구하는 것을 목적으로 한다. 성공적인 양자 협력에 대한 Oye, Axelrod, 그리고 Keohane (1985)의 기존 연구를 바탕으로 지속가능한 협력의 세 가지 요소를 게임이론의 측면에서 제시하고 이를 유럽연합-터키 협약에 적용하여 분석하고자 한다. 이슈의 연계성, 국제관계와 국내정치, 게임간의 조화성과 조화불가능성의 세 가지 관점에서 유럽연합-터키 협약을 평가하고 나아가 미래의 그림자에 대하여 논의한다.

키워드: EU-터키 협약, 양자주의, 지속가능성, 게임이론, 이민정책, 유럽 연합

학번: 2013-22073