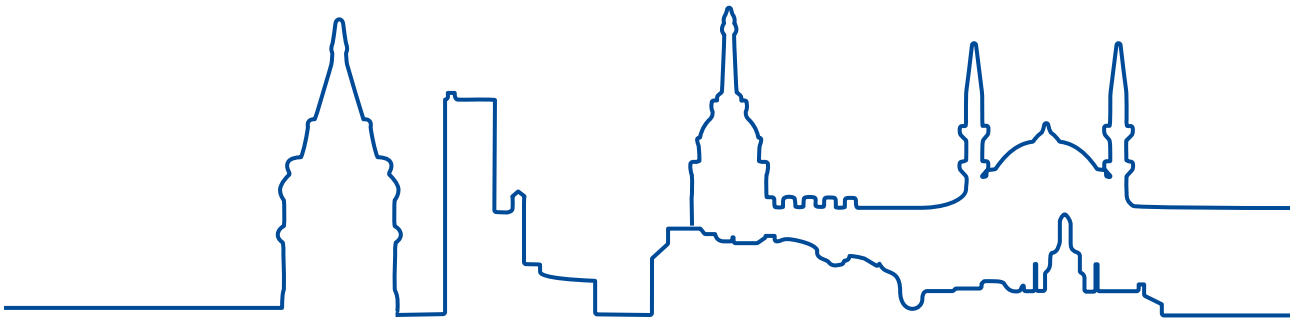


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ASSESSING THE POTENTIAL OF EU AGENCIES FOR THE FUTURE OF EU-TURKEY RELATIONS, PART 2: A SYSTEMATIC MAPPING OF COOPERATION BETWEEN EU AGENCIES AND TURKEY (1999–2021)

Michael Kaeding

Executive Summary

To showcase the dynamics and potential of EU agencies for EU-Turkey relations, this contribution focuses on Turkey's role across EU agencies, mapping its bilateral and ad hoc working arrangements with them (1999–2021). This year, Turkey has engaged with 18 out of 34 decentralized EU agencies. Turkey's involvement in EU agencies is manifold, covers various policy areas, and has proven itself for more than 20 years. For the future of EU-Turkey relations, EU agencies seem to offer a valuable "participatory form of external differentiation" worth pursuing for both the EU and Turkey.

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Introduction

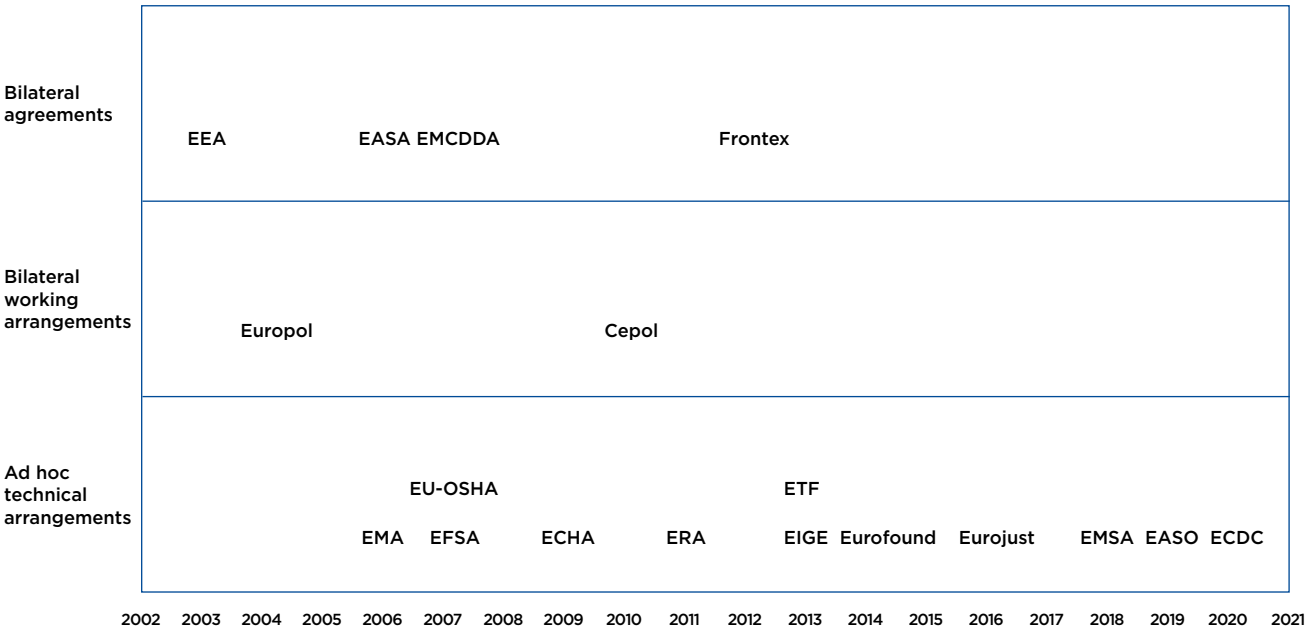
The future of Europe is one of external differentiated integration,[1] in which non-member states of the EU participate in shaping future policies. To showcase the dynamic and potential nature of EU agencies for Turkey, we map Turkey's different types of engagement between 1999 and 2021. This analysis builds upon a systematic study of information drawn from the relevant official documents provided by EU agencies and the European Commission, founding acts, and reports. Reporting all bilateral and ad hoc working arrangements between EU agencies and Turkey over time, we show that Turkey's involvement in EU agencies is manifold, covers various policy areas, and has proven itself for more than 20 years. To conclude, we discuss the implications for the future of EU-Turkey relations.

Systematic Mapping of Cooperation between EU Agencies and Turkey over Time (1999–2021)

The first conditions for Turkey's participation in EU agencies were determined by the European Commission's "Communication on a European Strategy for Turkey" in March 1998. Following Turkey's recognition as a candidate country in 1999, Turkey eventually gained the right to participate in EU agencies more systematically.

Building on Rimkutė and Shyrokhkh's work[2] on EU agencies' role in the acquis transfer in ENP countries, we distinguish between special bilateral agreements and ad hoc arrangements. Special bilateral agreements establish sustained institutionalized links between an EU agency and Turkey, focusing on technical collaboration. Technical ad hoc arrangements are temporal Instrument for Pre-Accession Assistance (IPA) projects based on technical and/or scientific activities aimed at institutional and technical capacity building in Turkey. Accordingly, collaboration between EU agencies and Turkey can take three forms: bilateral working agreements, ad hoc arrangements, or a combination of both.

Figure 1. Types of Cooperation between EU Agencies and Turkey (1999–2021)



Source: Author´s own compilation

Figure 1 illustrates that, as of 2021, a total of 18 out of 34 decentralized EU agencies (see Annex 1) engage with Turkey. EU agencies have opened for Turkey's participation at different points in time, proposing different forms and combinations of cooperation.

Most agencies (12 out of 18) collaborate on a technical ad hoc basis exclusively, while four EU agencies (EEA, EASA, EMCDDA, and Frontex) engage via both bilateral working and ad hoc technical arrangements: European Environment Agency (EEA), European Aviation Safety Agency (EASA), European Monitoring Centre for Drug Abuse and Drug Addiction (EMCDDA) and European Boarder Control Agency (Frontex).[3]

Cooperation between EU agencies and Turkey started before the official opening of accession negotiations in 2005, with the EEA in 2003 and Europol in 2004. Both the EEA and Europol work in interconnected issue areas characterized by higher interdependencies with Turkey. While Europol is a "law enforcement agency supporting in preventing and combating all forms of serious international and organised crime, cybercrime and terrorism,"[4] the EEA provides "sound, independent information on the environment for those involved in developing, adopting, implementing and evaluating environmental policy."[5]

Another series of bilateral working arrangements and ad hoc arrangements started emerging once the practical negotiations on the 35 chapters of the acquis began in June 2006. EU agencies working in both policy areas characterized by higher, but also lower, sector-specific/functional interdependencies showed immediate interest in Turkey. As for sectors with higher sector-specific/functional interdependencies, these included agencies such as the EASA (2006), which is "responsible for setting the rules, guidelines and standards for all safety and environmental aspects of civil aviation,"[6] and EMCDDA (2007), which offers a "factual overview of European drug problems and a solid evidence base to support the drugs debate. Today it offers policymakers the data they need for drawing up informed drug laws and strategies."[7] These EU agencies operate in the field of transportation and drug and human trafficking, i.e., interconnected issue areas with higher interdependencies.

Additionally, there is the European Medicine Agency (EMA, 2006), which is "responsible for the scientific evaluation, supervision and safety monitoring of medicines in the EU";[8] the European Food Safety Agency (EFSA, 2007), which is a "source of scientific advice and communication on risks associated with the food chain";[9] the EU-OSHA (2007), which raises "awareness of occupational safety and health (OSH) topics across Europe and providing, amongst others, online risk assessment tools for small and medium-sized enterprises to assess and manage risks in the workplace";[10] the European Chemical Agency (ECHA, 2009), which implements the EU's chemical regulations "to protect people and the environment from the hazards of chemicals. It develops independent scientific and technical opinions and takes binding decisions to ensure that chemicals companies comply with European law."[11] Most of these EU agencies cover policy areas such as pharmaceuticals, food safety, social regulation issues, and chemicals, which are characterized by lower sector-specific interdependencies.

Between 2009 and 2016 an additional six EU agencies started cooperating with Turkey. By 2016, when the European Parliament voted to suspend accession negotiations with Turkey over human rights and rule of law concerns, 15 EU agencies in total had established forms of cooperation with Turkey.

Even after the official "stop" of accession negotiations in 2018, technical ad hoc arrangements between EU agencies and Turkey continued mainly in sectors with high sector-specific interdependence covering the fields of transportation, European Maritime Safety Agency (EMSA in 2018), migration (EASO in 2019), and the COVID-19 pandemic (ECDC in 2020).[12]

Policy Outlook and Recommendations

Next to the first poliy brief focusing on Turkey's particular role in the EEA and the EMCDDA, this policy brief broadens the perspective and shows that Turkey has been successfully drawn into the EU's broader transgovernmental networks[13]—even before the official accession procedure started and long after the current enlargement talks were frozen. In 2021, a total of 18 out of 34 decentralized EU agencies have been engaged with Turkey.

Lately, we see that EU agencies have continued and extended their engagement with Turkey despite the freezing of accession talks, which might hint at the potential for EU agencies to reach out to Turkey.

In times where Turkey's relationship has become extremely complex and dynamic, "a new institutional framework, termed a "dynamic association", that would be complementary to Turkey's albeit stalled accession process"[14] would therefore need to reflect on the continued potential of EU agencies as a "participatory form of external differentiation"[15] in essential areas of joint interest, such as migration, counter-terrorism, economy, trade, energy, and transport.[16]

For the future of EU-Turkey relations, EU agencies seem to be a valuable asset for Turkey and the EU alike in times of an uncertain road to EU membership. Decentralized EU agencies already present a flexible mechanism for multi-fold cooperation trajectories, i.e., a form of transgovernmental outreach toward Turkey resulting in continued sector-specific policy diffusion, policy transfer, and regulatory approximation.

Endnotes

1 | V. A. Schmidt, "The future of differentiated integration: a 'soft-core,' multi-clustered Europe of overlapping policy communities," *Comparative European Politics* 17, no. 2 (2019): 294–315.

2 | K. Shyrokykh and D. Rimkutė, "EU Rules Beyond its Borders: The Policy-specific Effects of Transgovernmental Networks and EU Agencies in the European Neighbourhood," *Journal of Common Market Studies* 57, no. 4 (2019): 749–767.

3 | For a detailed overview of tasks of all 18 EU agencies see Annex 2.

4 | The European Environmental Agency, "About Us," 2021, accessed February 20, 2021, https://www.eea.europa.eu/about-us.

5 | Europol, "About Europol," 2021, accessed April 20, 2021, https://www.europol.europa.eu/about-europol.

6 | European Union Aviation Safety Agency, "Our Mission: Your Safety," 2021, accessed February 20, 2021, https://www.easa.europa.eu/light/easa.

7 | European Monitoring Centre for Drugs and Drug Addiction, "About the EMCDDA," accessed March 31, 2021, https://www.emcdda.europa.eu/about.

8 | European Medicines Agency, "About Us," 2021, accessed February 20, 2021, https://www.ema.europa.eu/en/about-us/what-we-do.

9 | European Food Safety Authority, "About Us," accessed February 20, 2021, https://www.efsa.europa.eu/en/aboutefsa.

10 | European Agency for Safety and Health at Work, "About EU-OSHA," 2021, accessed February 20, 2021, https://osha.europa.eu/en/about-eu-osha.

11 | European Chemicals Agency, "About Us," accessed February 20, 2021, https://echa.europa.eu/about-us.

12 | For a more detailed academic assessment of Turkey´s engagement with EU agencies please see Kaeding and Milenkovic 2021.

13 | See also T. Baird, "Functional Actorness? Border Security in the EU and Turkey," *International Journal of Public Administration* 38, no. 12 (2015), 849-859.

14 | B. Saatçioğlu, F. Tekin, S. Ekim, and N. Tocci, "The Future of EU-Turkey Relations: A Dynamic Association Framework amidst Conflictual Cooperation," 2019, accessed February 27, 2021, Feuture Synthesis Paper, March 2019, https://feuture.uni-koeln.de/sites/monteus/user_upload/FEUTURE_Synthesis_Paper.pdf.

15 | M. Müftüler-Baç, "External Differentiated Integration: the Modalities of Turkey's Opting into the European Union," Working Paper, EUI RSC 2021/19, Integrating Diversity in the European Union.

16 | European Commission, "2020 Communication on EU enlargement policy," 20.

Annex 1: Overview of all 34 decentralized EU agencies

ABBREVIATION	NAME	LOCATION	FOUNDING YEAR
ACER	European Union Agency for the Cooperation of Energy Regulators	Ljubljana (Slovenia)	2009
CdT	Translation Centre For the Bodies of the EU	Luxembourg (Luxembourg)	1994
Cedefop	European Centre for the Development of Vocational Training	Thessaloniki (Greece)	1975
CEPOL	European Union Agency for Law Enforcement Training	Budapest (Hungary)	2005
CPVO	Community Plant Variety Office	Angers (France)	1995
EASA	European Aviation Safety Agency	Köln (Germany)	2002
EASO	European Asylum Support Office	Valletta (Malta)	2010
EBA	European Banking Authority	Paris (France)	2011
ECDC	European Centre for Disease Prevention and Control	Stockholm (Sweden)	2005
ECHA	European Chemicals Agency	Helsinki (Finland)	2007
EFCA	European Fisheries Control Agency	Vigo (Spain)	2005
EFSA	European Food Safety Agency	Parma (Italy)	2002
EIGE	European Institute for Gender Equality	Vilnius (Lithuania)	2010
EIOPA	European Insurance and Occupational Pensions Authority	Frankfurt am Main (Germany)	2011
ELA	European Labour Authority	Bratislava (Slovak Republic)	2019
EMA	European Medicine Agency	Amsterdam (The Netherlands)	1995
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction	Lisbon (Portugal)	1993
EMSA	European Maritime Safety Agency	Lisbon (Portugal)	2002
ENISA	European Union Agency for Cybersecurity	Heraklion (Greece)	2004
ERA	European Railway Agency	Valenciennes (France)	2004
ESMA	European Securities and Markets Authority	Paris (France)	2011
ETF	European Training Foundation	Turin (Italy)	1994
EEA	European Environment Agency	Copenhagen (Denmark)	1990
EUIPO	European Union Intellectual Property Office	Alicante (Spain)	1994
eu-LISA	European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice	Tallinn (Estonia)	2011
EU-OSHA	European Agency for Safety and Health at Work	Bilbao (Spain)	1994
EUROFOUND	European Foundation for the Improvement of Living and Working Conditions	Dublin (Ireland)	1975

ABBREVIATION	NAME	LOCATION	FOUNDING YEAR
Eurojust	European Union Agency for Criminal Justice Cooperation	The Hague (The Netherlands)	2002
Europol	European Law Enforcement Agency	The Hague (The Netherlands)	1999
FRA	Fundamental Rights Agency	Vienna (Austria)	2007
Frontex	European Border and Coast Guard Agency	Warsaw (Poland)	2004
BEREC	Body of European Regulators for Electronic Communications	Riga (Latvia)	2010
GSA	EU Agency for the Space Programme	Prague (Czechia)	2004
SRB	Single Resolution Board	Brussels (Belgium)	2015

Source: https://europa.eu/european-union/about-eu/agencies_de (1.8.2021)

Annex 2. Overview of tasks of 18 EU agencies engaging with Turkey (2021)

EU AGENCY	MANDATE AND OBJECTIVES	LEGISLATIVE BASIS
CEPOL	• improves EU security through providing **training for the police and other law enforcement officials,** as well as knowledge sharing	• Established in 2005: Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL) and repealing Decision 2000/820/JHA • Current legal basis: Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA
EASA	• ensures **safety and environmental protection in civil aviation** in Europe • promotes European and international **safety standards** • approves companies that design, manufacture, or maintain aeronautical products	• Established in 2002: Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency (*replaced*) • Current legal basis: Regulation (EU) 2018/1139 of the European Parliament and Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91
EASO	• **implementation of the Common European Asylum System** (GEAS) • provides practical and technical assistance as well as operational support to member states	• Established in 2010: Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office (*in force*)

EU AGENCY	MANDATE AND OBJECTIVES	LEGISLATIVE BASIS
ECDC	• strengthening the EU's fight **against infectious diseases** by analyzing and evaluating data, providing scientific advice to EU governments and institutions, as well as in the field of education and early detection	• Established in 2004 (took up work in 2005): Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control (*in force*)
ECHA	• provides **information on chemicals**, works for their safe use, and **implements the EU's chemicals legislation**	• Established in 2006 (took up work in 2007): Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC • Current legal basis: Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC
EEA	• provides **independent information on the environment** to policy-makers and the public	• Established in 1990: Council Regulation (EEC) No 1210/90 of 7 May 1990 on the establishment of the European Environment Agency and the European Environment Information and Observation Network (*repealed*) • Current legal basis: Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network
EFSA	• provides scientific data and expertise on **food safety issues** • **protects consumers from risks in the food chain**	• Established in 2002: Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety • Current legal basis: Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

EU AGENCY	MANDATE AND OBJECTIVES	LEGISLATIVE BASIS
EIGE	• works on **gender equality** through providing studies and statistics, e.g., the Gender Equality Index • supports EU institutions, member states, and stakeholders to **reduce gender inequalities**	• Established in 2006 (took up work in 2010): Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality • Current legal basis: Consolidated text: Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality
EMA	• protects and promotes **human and animal health** by **authorizing and monitoring medicines** in the EU and the EEA • supports the **development of medicines**, evaluates applications for marketing authorization, and provides information to healthcare workers and patients	• Established in 1993 (took up work in 1995): Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products (*replaced*) • Current legal basis: Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Union procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency
EMCDDA	• **monitors drug problems** in Europe, **provides information,** and develops **tools** and **instruments** applied to drug-related problems	• Established in 1993: Council Regulation (EEC) No 302/93 of 8 February 1993 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction (*repealed*) • Current legal basis: Regulation (EC) No 1920/2006 of the European Parliament and of the Council of 12 December 2006 on the European Monitoring Centre for Drugs and Drug Addiction
EMSA	• supports governments and authorities to improve **maritime safety**, **pollution preparedness and response**, and **maritime security** • provides up-to-date information on the situation at sea	• Established in 2002: Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency • Current legal basis: Consolidated text: Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency
ERA	• promotes the **integration of the European railway systems**, improves the safety of trains, and develops safety measures and targets	• Established in 2004: Regulation (EC) No 881/2004 of the European Parliament and Council of 29 April 2004 establishing a European Railway Agency (repealed) • Current legal basis: REGULATION (EC) No 881/2004 of the European Parliament and Council of 29 April 2004 establishing a European Railway Agency
ETF	• promotes **social mobility and inclusion, reforms education,** and supports the **improvement of the labor market**	• Established in 1990 (took up work in 1994): Council Regulation (EEC) No 1360/90 of 7 May 1990 establishing a European Training Foundation (repealed) • Current legal basis: Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008 establishing a European Training Foundation

EU AGENCY	MANDATE AND OBJECTIVES	LEGISLATIVE BASIS
EU-OSHA	• supports making **workplaces safer and healthier** • analyzes and disseminates information, supports risk prevention, and provides tools for good OSH management	• Established in 1994: Council Regulation (EC) No 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work (*repealed*) • Current legal basis: Regulation (EU) 2019/126 of the European Parliament and of the Council of 16 January 2019 establishing the European Agency for Safety and Health at Work (EU-OSHA), and repealing Council Regulation (EC) No 2062/94
Eurofound	• provides **knowledge in the field of social, employment, and work-related policies** to provide a base for policy measures • research projects on working conditions, quality of life and company practices	• Established in 1975: Regulation (EEC) No 1365/75 of the Council of 26 May 1975 on the creation of a European Foundation for the improvement of living and working conditions (*repealed*) • Replaced in 2019: Regulation (EU) 2019/127 of the European Parliament and of the Council of 16 January 2019 establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75
Eurojust	• supports EU countries in the **fight against terrorism and serious organized crime** (affecting more than one EU country) • **coordination of investigations and prosecutions**; establishment and implementation of EU-wide remedies • organizes coordination meetings and finances and provides expertise for joint investigation teams and establishes coordination centers	• Established in 2002: Council Decision of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime (2002/187/JHA) • Replaced in 2018: Regulation (EU) 2018/1727 of the European Parliament and Council of 14 November 2018 on the European Union Agency for Criminal Justice Cooperation (Eurojust), and replacing and repealing Council Decision 2002/187/JHA
Europol	• assists national law enforcement agencies in **combating serious international crime and terrorism** • provides **information exchange** on criminal activities and **enables law enforcement operations** • produces long-term analyses of crime and terrorism	• Europol Convention was signed in 1995 (commenced its full activities in 1999): COUNCIL ACT of 26 July 1995 drawing up the Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention) (95/C 316/01) • Current legal basis: Regulation (EU) 2016/794 of the European Parliament and Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA

EU AGENCY	MANDATE AND OBJECTIVES	LEGISLATIVE BASIS
Frontex	• supports EU countries and associated Schengen states in the **management of their external borders** • facilitates **cooperation between border authorities** in each EU country • provides risk assessments, technical support, and expertise	• Established in 2004: Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (*repealed*) • Current legal basis: Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624

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https://europa.eu/european-union/about-eu/agencies/ecdc;
https://europa.eu/european-union/about-eu/agencies/ECHA;
https://europa.eu/european-union/about-eu/agencies/eea_en;
https://europa.eu/european-union/about-eu/agencies/EFSA;
https://europa.eu/european-union/about-eu/agencies/EIGE;
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https://europa.eu/european-union/about-eu/agencies/EU-OSHA;
https://europa.eu/european-union/about-eu/agencies/eurofound_en;
https://europa.eu/european-union/about-eu/agencies/eurojust_de;
https://europa.eu/european-union/about-eu/agencies/europol_de;
https://europa.eu/european-union/about-eu/agencies/frontex_en (accessed on 1 September 2021)

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The interpretations and conclusions made in this policy brief belong solely to the author and do not reflect IPC's official position.

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