DECISION CASE

Rule-taker by choice: Turkey's 1996 customs union with the European Union

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Abstract

On 1 January 1996 Turkey did what no large economy had: it put its industrial goods inside the European Union's tariff wall without a seat at the table. It adopted the EU's common external tariff, scrapped bilateral rules of origin, and bound Ankara to mirror European regulation - while excluding agriculture, services and any vote. The bet was industrialization through regulatory convergence. The World Bank judges that it largely paid, through the tariff anchor, origin-free trade and the regulatory mirror: goods exports grew from 23 billion dollars in 1996 to a record 262 billion in 2024, a correlation this case reports rather than a causal identification, and European firms supplied three-quarters of foreign direct investment over the years reviewed. The costs were structural: as the EU signed third-country trade deals, Turkey took obligations without voice. This case examines what Turkey bought and conceded, and what Sri Lanka can conditionally draw.

Context: thirty-two years of approach

Turkey's customs union was not a free trade agreement negotiated from a standing start; it was the endpoint of a deliberately slow construction. The 1963 Ankara Agreement made Turkey an associate of the European Economic Community with a customs union as the stated goal; an Additional Protocol in November 1970 set the tariff-dismantling timetable. Then politics and Turkey's own economy intervened: coups, debt crises and import substitution delayed the final phase for two decades. In 1987 Turkey applied for full membership. The European Commission's 1989 opinion confirmed eligibility in principle but deferred accession indefinitely, proposing instead that the parties complete the customs union first (attributed record; World Bank).

So the instrument born in December 1995 carried a double identity from the start. To Brussels it was the fullest form of association short of membership. To Ankara it was a down payment on membership - a temporary asymmetry to be tolerated until accession made Turkey a rule-maker. That assumption shaped everything about what Turkey accepted.

The decisions

The first decision was the Commission's 1989 substitution: not membership, but the deepest available integration without it. That framing made the customs union a political bridge rather than a commercial contract, and it is why Turkey later tolerated terms no pure trade negotiation would have produced (World Bank).

The second decision was Turkey's acceptance of the asymmetry. In March 1995 Prime Minister Tansu Çiller's government reached the political agreement; the European Parliament assented that December; the EC-Turkey Association Council adopted Decision No 1/95 on 22 December 1995; the Decision entered into force on 31 December 1995 under its Article 65, with the customs union implemented from 1 January 1996. Domestic opposition attacked it as a capitulation to Europe; Turkish big business campaigned for it as the anchor for investment and modernization (attributed accounts). The deal Turkey signed had four load-bearing terms.

Term one: Turkey adopted the EU's common external tariff for industrial goods. Its average industrial tariff fell to about 4.8 percent and, crucially, stayed there - the external tariff was now set in Brussels, beyond the reach of domestic lobbies and budget crises (World Bank).

Term two: no rules of origin between the two. Goods in free circulation moved without origin certification. The World Bank later estimated that under an ordinary free trade agreement, with rules of origin costing 2-6 percent ad valorem, Turkey's exports to the EU would have been 3.0 to 7.2 percent lower.

Term three: regulatory mirror. Turkey committed to transpose EU technical legislation, competition and state-aid rules, intellectual property law and the customs code; duly certified Turkish goods would enter the EU without re-testing, and vice versa. The customs union's real content was law, not tariffs.

Term four: the exclusions. Primary agriculture (where Turkey's average tariff ran at 41.7 percent), services and public procurement stayed outside. Meant as interim boundaries, they proved durable.

The third decision was the one never made. Widening the customs union to agriculture and services was studied, recommended by the World Bank's 2014 evaluation, and formally proposed by the Commission in December 2016. The Council has still not adopted negotiating directives as of late 2026 - the modernization is nearly a decade old and unstarted (European Commission).

Decision chain

1963	Ankara Agreement: association with the EEC, customs union as the stated goal
1970	Additional Protocol sets the tariff-dismantling timetable; politics delays it two decades
1987	Turkey applies for full membership
1989	Commission defers accession, proposes completing the customs union instead
Mar 1995	Çiller government reaches political agreement; business backs it, opposition attacks it
22 Dec 1995	Decision No 1/95 adopted after Parliament assent; in force 31 Dec (Article 65)
1 Jan 1996	Implementation begins: CET adopted, bilateral tariffs and rules of origin gone
Dec 1999	Turkey recognized as a candidate country; accession talks open in 2005
2007	FDI inflows peak at 19.1 billion dollars; Europe supplied about three-quarters across the reviewed years
Dec 2016	Commission proposes modernizing the customs union; Council never adopts directives
2025	Bilateral goods trade hits a record 217.6 billion euros; accession stalled

Measured outcomes I: what the bet delivered

The export engine materialized. Turkey's goods exports, 23.0 billion dollars in 1996 (WITS), reached 132 billion by 2008 and set records of 255.8 billion in 2023 and 262 billion in 2024; the exporters' association counts a sevenfold rise in the twenty years to 2023 and 120,000 exporting firms (TIM). Bilateral EU-Turkey trade quadrupled in the customs union's first two decades, reaching 147 billion dollars in 2012 and a record 217.6 billion euros in 2025, when Turkey was the EU's fifth-largest trading partner and sent 42.7 percent of its exports to the bloc (European Commission).

The mechanism was production integration, not just market access. Turkish suppliers were pulled into European automotive and clothing networks - Renault and Fiat among the anchors - and motor vehicles, machinery and electrical equipment now lead trade in both directions (European Commission). European firms provided about three-quarters of FDI inflows over the years the World Bank reviewed; annual inflows peaked at 19.1 billion dollars in 2007. Turkish industrial exports had been mostly duty-free into the EU since the 1970s, so the customs union did not create market access - its marginal content was the tariff anchor, the end of rules of origin and the regulatory mirror (World Bank). The 2014 evaluation credits the customs union with helping, at least in part, to raise the quality and sophistication of Turkish exports; its destination comparison of exporting firms found export growth to the EU contributing most to employment, wages and productivity among destinations; and it credits the regulatory harmonization with letting Turkish firms sell beyond Europe - the Middle East and North Africa absorbed much of the new capacity.

And the tariff anchor held through three Turkish crises (2001, 2008-09, 2018). Industrial protection did not ratchet back up, because the rate was no longer Turkey's to change (World Bank).

Measured outcomes II: the price of rule-taking

The asymmetry was priced as temporary and became permanent. Accession talks, opened in 2005, have not advanced in recent years (European Commission); Turkey remains a customs-union partner bound to mirror rules it does not vote on, with consultation mechanisms the World Bank found underused and a dispute-settlement structure it described as not functioning well.

The FTA trap is the concrete cost. The EU negotiates trade agreements with third countries; Turkey cannot sit in. Third countries with EU trade agreements sometimes decline parallel deals with Ankara, so Turkish firms lack automatic reciprocal access to those markets. Their goods, entering the EU under its agreements, can then move on into Turkey duty-free through free circulation - trade deflection, in the World Bank's term, with the EU-Mexico agreement its worked example - unless Turkey scrambles to sign a mirror deal. The gap risks re-introducing origin controls inside what was built to be an origin-free zone.

The exclusions fossilized. Agriculture and services, outside the 1995 perimeter, account for about 10 and 60 percent of Turkish GDP respectively; the 2014 evaluation found large untapped gains on both sides, and the 2016 modernization proposal that would have tested them died in the Council. Irritants persisted for years unresolved: road-transport quotas and transit permits, business visas, trade-defense measures covering more than a billion dollars of bilateral trade, and a partial suspension of Turkey's obligations toward Cyprus that froze eight accession chapters (World Bank). And while covered tariffs fell and stayed low, protection in the excluded sectors rose - sugar and meat among them (World Bank).

The political balance sheet is contested. Turkish critics periodically call the customs union a constraint on an independent trade policy; defenders note that the export structure it built is precisely what survived every crisis. The record supports a narrower claim: the bet delivered industrialization, but the membership it was priced against did not arrive, and the asymmetry remains (desk interpretation).

Transfer limits

No other country has this arrangement, and the reasons are not replicable on demand. Turkey is a large economy contiguous with the EU, a NATO member, and an associate since 1963 whose accession prospect made the asymmetry tolerable to both sides; the customs union was a thirty-two-year runway, not a transaction. The EU has built nothing like it for a country without a candidacy. Sri Lanka's Europe relationship is preference-based (GSP-Plus), not integration-based: it receives market access conditional on conventions, without Turkey's regulatory mirror or tariff wall. The Turkish case measures what full regulatory convergence can buy; it does not say a small island economy could or should buy it the same way (desk interpretation).

Lessons for Sri Lanka (conditional)

1. Deep integration is made of law, not tariff lines. The customs union's operative content was transposing EU technical regulation, competition rules and customs code. Sri Lanka's GSP-Plus debate has the same structure: preferences ride on domestic legislation, which is exactly the Chamber's point about the proposed anti-terrorism laws in October 2026 (desk interpretation).

2. Rules of origin are the hidden tax of shallow deals. Their absence was worth an estimated 3-7 percent of exports against an FTA counterfactual. When Sri Lanka evaluates trade agreements, cumulation and origin simplicity may matter more than headline tariff coverage (desk interpretation).

3. Rule-taking without rule-making is tolerable only with a credible exit or anchor. Turkey accepted asymmetry because membership was coming; when it did not, the asymmetry became a standing cost. Any deep bilateral deal Sri Lanka signs should have working consultation and review machinery, not just good intent (desk interpretation).

4. An external anchor beats discretionary liberalization. The common external tariff kept Turkey's industrial protection low through domestic crises that would normally have reversed it. If Sri Lanka wants durable openness, binding it is more reliable than declaring it (desk interpretation).

5. Convergence to one market's standards can platform entry to others. Turkey used EU-compliant production to sell into the Middle East and North Africa. Standards adopted for Brussels can be sold in Dubai and Delhi (desk interpretation).

6. What you exclude in round one, you rarely recover. Agriculture and services were the "interim" exclusions of 1995; thirty years later they remain the unfinished frontier. Scope decisions are the most durable part of any trade deal (desk interpretation).

Conclusion

Turkey's customs union is a rare three-decade case of deep integration without membership: a middle-income country traded tariff autonomy and regulatory sovereignty for an industrial export engine, and on the World Bank's reading got it - exports elevenfold up since 1996, a record 262 billion dollars in 2024, embeddedness in European supply chains that outlasted every domestic crisis. What it did not get was the membership the asymmetry was priced against, and the bill for that shows up in every stalled modernization round since 2016. For Sri Lanka, weighing GSP-Plus reapplication and the conditionality that comes with preferences, the lesson is double: regulatory convergence is a real industrial strategy, not a concession to be minimized - and any asymmetry accepted today should be one Sri Lanka can live with if the promised next step never comes (desk interpretation).

Sources

Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union (full legal text, EUR-Lex): https://eur-lex.europa.eu/eli/dec/1995/1(5)/oj/eng - adopted 22 December 1995, entered into force 31 December 1995 (Article 65), implementation from 1 January 1996; scope and institutional provisions

World Bank, Evaluation of the EU-Turkey Customs Union (2014, commissioned by the European Commission): https://openknowledge.worldbank.org/entities/publication/12cbc83e-d185-5b12-891a-8870e88f36cb (PDF mirror: https://www.ab.gov.tr/files/ardb/evt/Worldbank_Evaluation_of_the_EU_Turkey_Customs_Union.pdf) - industrial tariffs anchored near 4.8 percent; rules-of-origin counterfactual (exports to EU 3.0-7.2 percent lower under an FTA); bilateral trade 147 billion dollars in 2012, Turkey the EU's sixth partner then; FDI peak 19.1 billion dollars in 2007; Europe supplied about three-quarters of inflows across the reviewed years; FTA asymmetry including the EU-Mexico example; consultation underused and dispute settlement not functioning well; agriculture and services exclusions (41.7 percent average farm tariff; 10 and 60 percent of GDP); trade irritants (transport quotas, visas, trade defense over 1 billion dollars); non-covered tariffs raised (sugar, meat); customs modernization stimulus; Turkish industrial exports mostly duty-free into the EU since the 1970s (marginal content: tariff anchor, origin removal, regulatory mirror)

European Commission, DG Trade - EU trade relations with Turkiye (current page, retrieved 31 October 2026): https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/turkiye_en - customs union in force since 31 December 1995; record bilateral goods trade of 217.6 billion euros in 2025; Turkiye the EU's fifth-largest partner (4.2 percent); 42.7 percent of Turkish exports to the EU and 35.3 percent of imports from the EU in 2025; motor vehicles, machinery and electrical equipment leading both directions; candidate since 1999, negotiations opened 2005 and not advancing; December 2016 modernization proposal never adopted by Council

Export trajectory: World Bank WITS - Turkey's 1996 exports 23,048 million dollars: https://wits.worldbank.org/CountryProfile/en/Country/TUR/Year/1996/Summarytext ; Turkiye Exporters Assembly (TIM) - record 255.8 billion dollars in 2023, sevenfold growth over twenty years, 120,000 exporting firms, top destinations Germany, USA, Iraq: https://tim.org.tr/en/turkiye-set-a-new-record-in-exports-with-2558-billion-in-2023 ; Investment Office of the Presidency - record 262 billion dollars in 2024: https://www.invest.gov.tr/en/news/news-from-turkey/pages/turkiye-sets-new-export-record-2024-usd-262-billion.aspx

Sri Lanka anchor: Daily Mirror, 30 October 2026 - Ceylon Chamber of Commerce urging legal safeguards for GSP-Plus as new security legislation advances; EU is Sri Lanka's second-largest trading partner (12.5 percent of merchandise trade in 2025, 3.9 billion euros in goods, textiles over half of EU imports from Sri Lanka); GSP-Plus removes duties on 66 percent of tariff lines, conditional on 27 international conventions; regained May 2017; Sri Lanka signalled intent to reapply at the February 2026 EU-Sri Lanka Joint Commission; Human Rights Watch's 5 October 2026 assessment of the proposed anti-terrorism law flagged as the organization's assessment, not an EU determination:
https://www.dailymirror.lk/business/CCC-presses-for-legal-safeguards-as-GSP-Plus-stakes-rise/215-353792

Historical record (attributed, standard accounts cross-checked against the World Bank evaluation and EUR-Lex): 1963 Ankara Agreement and November 1970 Additional Protocol; Turkey's 1987 membership application and the Commission's 1989 deferral; March 1995 political agreement under Prime Minister Çiller, European Parliament assent in December 1995; candidacy recognized December 1999 (Helsinki European Council), accession negotiations opened 3 October 2005; 2006 Council measures over the Additional Protocol's implementation toward Cyprus freezing eight chapters