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**EU-Turkey Accession Negotiations: the State of Play and  
the Role of the New Turkish Foreign Policy (WP)**

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Area: Europe  
Working Paper 8/2011  
4/4/2011

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Madrid – Spain

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## **EU-Turkey Accession Negotiations: the State of Play and the Role of the New Turkish Foreign Policy (WP)**

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### **Introduction**

Turkey's EU accession negotiations completed their fifth year on 3 October 2010. However, despite annual declarations on the Turkish side that each new year would be 'the year of the EU', negotiations seem to be progressing very slowly and the prospects for their timely completion look dim. In fact, with 18 chapters out of the picture due to a variety of obstacles and the blocking of the provisional closure of any chapters until Turkey fulfils its obligations deriving from the Additional Agreement, the situation looks grim indeed.

The first aim of this paper is to provide the necessary background for placing the accession negotiations with Turkey within the proper context. To accomplish this, it first provides an overview of EU-Turkish relations, starting with Turkey's initial application to become a member of the EEC. The overview aims to help put things into perspective by providing an account of relations from the start, including the establishment of a Customs Union between Turkey and the EU.

Secondly, the course of the negotiations themselves will be analysed, along with the reasons for the current impasse. In this section, the focus will not be to put the blame on one side or the other but rather to provide a list of the problems contributing to the deadlock. The section will also look into the deeper underlying issues.

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In addition to the slowdown in the negotiations, new Turkish foreign policy initiatives have also caused some concern in both Turkey and the EU as to whether they imply a shift in foreign policy that could endanger its accession goal. Consequently, this paper considers the future of Turkey's accession goal as the anchor of its foreign policy. Furthermore, the effects of Turkey's foreign policy on the EU's are briefly discussed with respect to contemporary developments in the Middle East and North Africa.

### **A Short Overview of EU-Turkey Relations**

Turkey has decidedly looked towards the West since the declaration of the Republic in 1923. Europe was adopted as the model from the last years of the former Ottoman Empire and its foreign policy record is a clear reflection of this alignment. Turkey is a founding member of the United Nations (1945), a member of NATO (1952), the Council of Europe (1949), the OECD (1960) and the OSCE (1973) and was an associate member of the Western European Union (1992).

On 31 July 1959, shortly after the creation of the European Economic Community (EEC) in 1958, Turkey made its first application to join the newly-established organisation. The EEC's Council of Ministers responded to Turkey's application in 1959, suggesting the possibility of an association. The ensuing negotiations resulted in the signing of the Ankara Agreement on 12 September 1963, which entered into force on 1 December 1964 and marked the beginning of Turkey's relations with the EEC.

The aim of the Ankara Agreement, as stated in Article 2, was 'to promote the continuous and balanced strengthening of trade and economic relations between the Parties, while taking full account of the need to ensure an accelerated development of the Turkish economy and to improve the level of employment and living conditions of the Turkish people'. Article 28 provides the final target of the association: 'as soon as the operation of this Agreement has advanced far enough to justify envisaging full acceptance by Turkey of the obligations arising out of the Treaty establishing the Community, the Contracting Parties shall examine the possibility of the accession of Turkey to the Community'.

The Ankara Agreement envisaged a progressive model of integration with Turkey, namely the establishment of a Customs Union (CU) made up of three phases: preparation, transition and the final phase'. The first phase, which aimed to reduce economic differences between the parties, started on 1 December 1964 when the Agreement came into force.

The 'preparation phase' was completed and the conditions for the 'transitional phase' were established by the signing of the Additional Protocol on 1 January 1973, which laid out how the Customs Union would be implemented. It provided that the EEC would abolish tariff and quantitative barriers to its imports from Turkey upon the entry into

force of the Protocol, whereas Turkey would do the same in accordance with a timetable containing two calendars set for 12 and 22 years, respectively, and called for the harmonisation of Turkish legislation with that of the EC in economic matters. Furthermore, the Additional Protocol envisaged the free circulation of persons between the parties in the next 12 to 22 years. Moreover, Turkey was obliged to comply with EU trade policy and align its policies on competition and intellectual property with EC legislation.

Turkey-EU relations entered a period of instability that lasted from the beginning of the 1970s to the second half of 1980s due not only to Turkey's political and economic condition but also to a shift in the Atlantic Alliance and the global economic downturn that hampered European growth. Following the military coup of 12 September 1980, the relations between Turkey and the Community virtually froze. The coup also altered the nature of the relations between them in that before the coup they were largely economic while after it democratic conditionality became more important.<sup>1</sup> In the first Association Council after the political crisis, in 1986, Turkey stated its intention to apply for full membership, which it did on 14 April 1987 on the basis of the EEC Treaty's Article 237, the ECSC Treaty's Article 98 and the EURATOM Treaty's Article 205. The Council forwarded Turkey's application for membership to the European Commission for its Opinion, duly issued on 18 December 1989, where it basically underlined Turkey's eligibility for membership yet deferred an in-depth analysis of the application until the emergence of a more favourable environment. The country's economic and political situation, as well as its poor relations with Greece and the [Cyprus](#) problem, were pointed out as reasons for the right conditions not being present. The Commission also mentioned that Turkey's accession was also hindered by the EC's own situation on the eve of the Single Market's completion, as it prevented any considerations of further enlargement. The Opinion went on to underline the need for a comprehensive cooperation programme in order to facilitate the integration of the two parties and added that the Customs Union should be completed in 1995 as envisaged.

Under these circumstances, Turkey chose to give priority to completing the envisaged Customs Union with the Community and further strengthened its efforts. Talks began in 1994 and were finalised on 6 March 1995 at the Turkey-EU Association Council, with the adoption of decision 1/95 on the completion of the Customs Union between Turkey and the EU in industrial and processed agricultural goods by 31 December 1995. With this decision, the second stage of the association relations was completed and the so-called 'final phase' was initiated. With the Customs Union decision, Turkey-EU relations entered a totally new dimension as it was one of the most important steps for Turkey's EU integration objective.

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<sup>1</sup> For more information, see Carmen Rodríguez López (2007).

Having completed the Customs Union, membership became one of the priority issues on Turkey's agenda and it attached particular importance to the EU's current enlargement process. Despite all these positive developments, the Commission excluded Turkey from the enlargement process in its report titled *Agenda 2000*, issued on 16 July 1997. While the report highlighted the fact that the Customs Union with Turkey was functioning at a satisfactory level and that Turkey had demonstrated its ability to adapt to EU norms in many areas, it noted the same political and economic arguments against Turkey as in its 1989 opinion, while making no reference to the full membership objective, partly because Turkey had trouble fulfilling the Copenhagen political criteria. Following this, at the Luxembourg European Council Summit of 12-13 December 1997, where Economic and Monetary Union (EMU) and enlargement issues were discussed, the approach was in line with the contents of the Commission's *Agenda 2000*. In the document released at the end of the Summit, while Turkey's eligibility was reconfirmed by the Heads of States and Government of the EU's Member States, the EU decided on a strategy to prepare Turkey for the development of closer ties with the EU and to create a special procedure to review any progress made. With these decisions, the development of Turkey-EU relations was made conditional on certain economic, political and foreign policy questions, with the Commission being asked to submit suitable proposals to enhance them. The Turkish Government's reaction to the EU's attitude was highly critical: although it stated that the goal of full membership and association would nevertheless be maintained, it said that the development of bilateral relations would depend on the EU honouring its commitments and that it would not discuss with the EU any issues that were outside the contractual context of the bilateral relations as long as the EU did not change its attitude. This was a reaction to being left out of the enlargement to a further 12 countries and to the inclusion of Cyprus among the six initial countries with which negotiations would commence.

The Helsinki European Council Summit held on 10-11 December 1999 was a breakthrough in Turkey-EU relations. Set against a changing political situation that included factors such as the subsidence of terror in Turkey following the capture of the PKK's leader Abdullah Öcalan, the adoption of a more inclusive enlargement policy by the EU –aimed at stabilisation following the Kosovar crisis– and the assumption of office by the Social Democrats in Germany, the Helsinki Summit proved to be a crucial turning point. At the Summit, Turkey was officially recognised, without any preconditions, as a candidate state at an equal level with the others. The Presidency Conclusions of the Helsinki European Council clearly stated that Turkey would reap the benefits from a pre-accession strategy to stimulate and support its reforms. This would also include an Accession Partnership, which would be drawn up accordingly, combined with a National Programme for the adoption of the *acquis communautaire*. Turkey would participate in Community programmes open to other candidate countries and agencies. It would also be invited to the meetings between candidate states and the Union in the context of the accession process. A single framework for coordinating all sources of EU financial

assistance for pre-accession would be created. Lastly, the Commission would monitor Turkey regularly with its Progress Reports, a procedure it had started to implement in 1998.

The recognition of Turkey as a candidate for accession at the Helsinki European Council marked the beginning of Turkey-EU relations with the prospect of membership. As foreseen in the Helsinki European Council Conclusions, the first Progress Report on Turkey was published by the Commission in 1998. The report was also the basis for the first Accession Partnership Document.

As noted in the Helsinki European Council's conclusions, the Commission started to prepare an Accession Partnership for Turkey which was approved by the Council on 8 March 2001. Meanwhile, the framework regulation designed to furnish the legal basis for the Accession Partnership was adopted by the General Affairs Council on 26 February 2001. The regulation combined all EU financial assistance under a single programme. This was followed by the presentation of Turkey's first National Programme for the implementation of the Accession Partnership to the Commission on 26 March 2001. The adoption of these two documents finalised an important institutional procedure concerning Turkey's accession strategy.

The Accession Partnership for Turkey, an important instrument of the Commission formed in line with its enlargement policy, was prepared within the framework of Turkey's ability to fulfil the Copenhagen political criteria. The document comprises the short- and medium-term targets that Turkey has to fulfil in order to comply with the Copenhagen political criteria. The Accession Partnership Document is updated when deemed necessary by the Commission.

After the approval of the Accession Partnership by the Council and the adoption of the Framework Regulation, the Turkish Government announced its first National Programme for the Adoption of the EU *acquis* on 19 March 2001. The National Programme was submitted to the Commission on 26 March 2001. It was produced with a careful appreciation of the short- and medium-term priorities to be fulfilled.

The Copenhagen European Council Summit of 12-13 December 2002 marked another important turning point in the EU's enlargement process. After the accession of 10 candidate states to the EU had been declared, the Copenhagen European Council resolved that if the December 2004 European Council –on the basis of a recommendation from the European Commission– should decide that Turkey fulfilled the Copenhagen political criteria, the EU would open accession negotiations without delay. Meanwhile, the leaders of the EU Member States agreed to extend and develop cooperation on the Customs Union and provide the Turkish government with increased pre-accession financial assistance at the Summit.

Progress towards accession continued along the path set by the National Programme in the post-Helsinki period. The most crucial target at this stage was the opening of accession negotiations, which depended on 'sufficient' fulfilment of the Copenhagen political criteria. Turkey took a number of important steps to meet that conditionality clause. The most important among them were a major review of the Turkish Constitution, with two Constitutional reform packages and eight harmonisation packages adopted between February 2002 and July 2004. These eight reform packages modified 218 articles of 53 different laws. Compared to this marathon run of legislative change on diverse issues, from the abolition of the death penalty to extending cultural rights for minorities, subsequent reforms were bound to look somewhat limited in scope.

The European Commission's Report and Recommendations were in line with the decisions taken at the 2002 Copenhagen European Council and were published on 6 October 2004. After thoroughly analysing the steps taken by Turkey, the Commission recognised that Turkey had sufficiently complied with the Copenhagen political criteria and advised the Member States to start accession negotiations.

The Presidency Conclusions on Turkey of 17 December 2004 were a historical landmark. Based on this recommendation, the European Council of 16-17 December 2004 reaffirmed the decisions taken at the 1999 Helsinki and 2002 Copenhagen Summits, as the Council took note of the resolute steps taken by Turkey in pursuing a comprehensive reform process and decided to open accession negotiations in the framework of paragraph 23 of the Presidency Conclusions. Accordingly, negotiations started with Turkey on 3 October 2005. However, both the Commission's recommendation to open negotiations and the negotiation framework document include certain peculiarities, such as the stress on 'negotiations being an open-ended process whose outcome cannot be guaranteed beforehand'<sup>2</sup> and the search for methods to 'fully anchor Turkey in European structures'.<sup>3</sup> From the outset these measures gave rise to a certain sense of caution and were perceived as discriminatory by the Turkish public.

### **Negotiations: Impasse?**

Screening was the first step of the negotiations but before long it became clear that the process was foundering under serious pressure. Despite the large-scale political and social support for membership in Turkey in early 2006, some major problems emerged that were to dominate accession talks in the following years. Instead of blaming one side or the other, the following section of this paper concentrates on the main reasons that

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<sup>2</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52004DC0656:EN:HTML>.

<sup>3</sup>

[http://www.abgs.gov.tr/files/AB Iliskileri/Tur En Realitons/NegotiatingFrameowrk/Negotiating\\_Frameowrk\\_Full.pdf](http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/NegotiatingFrameowrk/Negotiating_Frameowrk_Full.pdf).

contributed to slowing down Turkey's accession process by trying to analyse the developments both in Turkey and in the EU.

### **The Cyprus Issue**

An additional obstacle faced by Turkey is the Cyprus issue. Over the last few years, the Cyprus problem has poisoned Turkey-EU relations, partly due to the actions of the Republic of Cyprus as a Member State<sup>4</sup> and largely because other EU Member States support or hide behind this issue to block or slow down Turkey's accession. On the other hand, Turkey's accession negotiations, which are currently proceeding at a slow pace, risk grinding to a halt because of the chapters directly or indirectly blocked by the Cyprus conflict. In December 2006 the EU leaders decided unanimously not to open negotiations in eight chapters and not to provisionally close any chapters until Turkey fulfils its obligations deriving from the Additional Agreement –which basically implies extending the Customs Union to the Republic of Cyprus–. However, the situation is further complicated by the fact that Turkey claims that has fulfilled the obligations imposed by the Additional Agreement in the sense that there are no restrictions on goods produced in the south of the island *per se*. Turkey insists it is only blocking transport originating from the ports of the Republic of Cyprus.<sup>5</sup> The EU, on the other hand, insists that there is no practical difference.

This has brought Turkey to the point of making a choice between taking one-sided steps or not since the EU has failed to fulfil its promises to Turkish Cypriots in return for their cooperation in resolving the conflict under the auspices of the United Nations (the Annan Plan).<sup>6</sup> The EU's unbalanced approach to the Cyprus issue, as stated by Ziya Öniş,<sup>7</sup> has reinforced widely-held perceptions among the Turkish public that Cyprus was being used as an excuse to place yet another obstacle in the path of Turkey's membership. The Turkish-Cypriot leader Mehmet Ali Talat and the Greek-Cypriot President Demetris Christofias have been negotiating the unification of the island under the guidance of the UN Secretary General Ban Ki-Moon. However, despite claims that there is a commitment to find a comprehensive solution, there are certain key issues on which nobody wants to compromise.

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<sup>4</sup> Turkey contends that since a legitimate government representing the whole island does not exist in Cyprus, Turkey does not recognise the Greek Administration of Southern Cyprus (GASC), which is referred to as the 'Republic of Cyprus'.

<sup>5</sup> Turkey claims that if the blocking of transport of goods constitutes a violation of the obligations of the Customs Union, so does the arbitrarily-imposed quotas on Turkish trucks.

<sup>6</sup> In the referendum for settling the Cyprus dispute in 2004, 64.9% of the Turkish-Cypriot community voted 'Yes' to the Annan Plan while 75.83% of the Greek-Cypriot community voted 'No'. Since the implementation of the plan was dependent on its approval by both communities, it was void

([http://en.wikipedia.org/wiki/Cypriot\\_Annan\\_Plan\\_referendum,2004](http://en.wikipedia.org/wiki/Cypriot_Annan_Plan_referendum,2004)).

<sup>7</sup> Ziya Öniş (2008).

## The EU's Internal Problems and Concerns

In a parallel process, The EU's internal problems, such as the current financial and economic crises, have led to an increased ambiguity in the messages relayed to Turkey. Moreover, the messages are often championed by strong personalities or important leaders, such as Nicolas Sarkozy and Angela Merkel, who are in principle opposed to Turkish membership. The important point here is that more often than not the public in Turkey regards the EU as a monolithic entity and negative attitudes of some of its leaders, Member States and/or institutions are perceived as the EU's real and unitary position towards Turkish entry.

Looking beneath the surface, the negative stance of some Member States rests on political concerns that can be explained by the fear of the Union fragmenting as a result of Turkey's accession. This is accompanied by economic and cultural fears, massive migration from Turkey resulting in the loss of jobs and the erosion of European citizenship.<sup>8</sup> The issue of migration is a cause of great concern to many EU citizens, giving rise to much debate whenever Turkish membership of the EU is discussed.

In the 1960s Western Europe, headed by Germany, was in dire need of workers to continue the process of economic recovery after the War and Turkey was the solution. The first immigrants or 'guest workers' from Turkey were followed and joined by their family members. Today third- or fourth-generation Turkish immigrants have finally managed to integrate into the respective societies they live in. Turkey is no longer classified as a source of immigration but rather as a transit country for other migrants trying to reach Europe. Furthermore, as the latest enlargement demonstrated, people tend to stay in their own countries when domestic conditions start improving due to EU integration, despite the much better conditions next door.

There are numerous studies showing the number of prospective migrants for specified periods of time in the future. As an example, a simulation based on a reasonable methodology points to between 1.0 to 2.1 million for the 2004-30 period, but to 2.7 million for the same period if the accession process is endangered.<sup>9</sup> When the aging factor is incorporated into the data, the same study predicts that the total number of immigrants in the period would be reduced by around 300,000.<sup>10</sup> In addition, Turkey's educated young population might come into demand soon enough, as population growth in the EU is stagnant. The EU's population is getting older and there could soon be a need for a greater working-age population to support social security systems in the face of drastic demographic change. The report 'Project Europe 2030 – Challenges and Opportunities', prepared by the Reflection Group, claims that without immigration and with a constant

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<sup>8</sup> Rene Cuperus (2008).

<sup>9</sup> Refik Erzan, Umut Kuzubas & Nilüfer Yıldız (2004), p. 123.

<sup>10</sup> *Ibid.*, p. 124.

rate of labour participation, by 2050 the labour force should decline by around 68 million workers and the EU will need approximately 100 million people to fill the gap since not all immigrants actively participate in the work force.<sup>11</sup>

In fact, Turkey has a young population whose growth rate has been steadily decreasing. The ratio of young adults to the total population is currently at 65% and will approach 70% in 2025 before starting to decline –a phenomenon known as ‘the population window of opportunity’.<sup>12</sup> Even if the fear of migration is one of the most striking arguments of the opponents of Turkey’s entry, immigration might even become a necessity.

The recent political and economic crises (constitutional deadlock, the lengthy approval process of the Lisbon Treaty and the world-wide economic and financial depression) created the current political environment in which opponents of enlargement have become much stronger and more vocal. In this regard, the rise of a right-wing populism that maintains that Turkey ‘does not belong in the EU’ has become a major element in the accession-talks’ slowdown. Bearing in mind that the precursor of modern Turkey, the Ottoman Empire, became a member of the Concert of Europe in 1856 and given the close involvement of Turkey in European affairs for centuries, these arguments are far from self-evident in any case. However, at this point it should be emphasised that questions relating to Turkey’s accession are most likely the reflections of deeper uncertainties and fears in the EU deriving from the pressures of globalisation.<sup>13</sup> Moreover, in the aftermath of the constitutional treaty process some segments of the EU elite have tried to cut corners by aiming to accomplish the impossible: namely, determining clear-cut borders for European integration. Historically, Europe’s borders have always been fuzzy and open to interpretation and such an effort to try and fit Europe into a preconceived geographical space has mainly been interpreted in Turkey as an effort to keep it out, among other things.

In this framework, another obstacle in Turkey’s path to full EU membership is ‘enlargement fatigue’ as a result of the dramatic increase in the number of Member States from 15 to 27 in less than three years. This has been the most complex enlargement phase in the Union’s history. Furthermore, the EU may soon find itself in the midst of a new wave of enlargement involving the accession of the Western Balkan countries. However, the responsibility for overcoming the fatigue and improving its ‘integration capacity’ lies with the Union itself and not with the candidate countries. It is often pointed out that enlargements have tended to strengthen the Union, foster its economic growth and reinforce its role in the world. Nevertheless, when it comes to Turkey’s membership, it is often argued that the country’s size, large population and economic development would disrupt institutional, financial and political balances within the Union. The EU, in order to

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<sup>11</sup> [http://www.reflectiongroup.eu/wp-content/uploads/2010/05/reflection\\_en\\_web.pdf](http://www.reflectiongroup.eu/wp-content/uploads/2010/05/reflection_en_web.pdf).

<sup>12</sup> Refik Erzan & Kemal Kirişçi (2004).

<sup>13</sup> Öniş (2008).

ensure its integration capacity and to be able to honour its commitments, must first decide on the reforms it should undertake. Constitutional settlement following the coming into force of the new treaty, the revision of the financial framework and the redefinition of some of its policies are necessary steps that come to mind. Also, efforts by European leaders to communicate enlargement to the public and counter misconceptions should be strengthened if the accession process is to pick up its pace once more.

Last but not least, one of the EU's primary concerns is the economic situation of Europe today. Europe was heavily affected by the world-wide economic and financial crises as a whole. The packages that were designed to help Member States are widely regarded as stopgap measures and the future of the Monetary Union is under discussion. In short, the EU is focused on its internal problems, with other issues such as enlargement being put aside for the moment.

### **Turkey: A Whole Range of Internal Problems**

Since 2005 Turkey has also seemed to have succumbed to lethargy concerning the accession process. There are various reasons for this slowdown, but to analyse them at length is beyond the scope of this paper. Nevertheless, the problems can be categorised under several mutually interrelated headings.

The first concerns the reform and harmonisation process itself. Turkey has undertaken so many reforms in such a short time that the country is still adjusting to the changes. Therefore, a certain lag between the formal adoption of harmonisation packages and their implementation is evident. The infamous article 301 on freedom of expression is a case in point.<sup>14</sup> In addition, the economic cost of adaptation of newly-opened chapters –the environment, for instance– is considered to be too much to expect unless membership is a certainty.

Thus, it is clear that reform in Turkey is a slow process that often moves forward by trial and error. In addition, such a comprehensive process is bound to create resistance, especially in society that is polarised on a number of issues. However, it should be borne in mind that polarisation is not between pro- or anti-democrats. Rather, back in 2004 there

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<sup>14</sup> The article was originally part of the new penal code prepared with the aim of bringing Turkey's standards in line with the EU's. However, the article led to some very controversial interpretations by parts of the judicial establishment. Facing both domestic and international criticism, the government at first advocated a wait-and-see policy, claiming that once the necessary case-law was established, the accusations under the article would dry up. However, the establishment of a viable body of case-law is a lengthy process. On 5 November 2006 government officials and civil society representatives met to discuss article 301. Consequently, several amendments to the controversial article were presented in early 2007. Finally, on 30 April 2008 the article was changed by an amendment to modify 'Turkishness' to 'the Turkish Nation'. Also, a new amendment makes it obligatory to obtain the approval of the minister of Justice to file a case related with article 301.

was strong cross-party support for EU reforms; yet, once the process intensified, a considerable part of public got the perception that the EU was starting to focus on welfare for only certain segments of society and on parochial interests rather than on the overall economic and social good.

Turkey's latest 'yes' vote in the referendum on constitutional reform on 12 September 2010 has been taken as a positive sign by EU officials. With a participation rate of 73.71%, 57.88% of the voters said 'yes' while 42.12% said 'no'.<sup>15</sup> There was a considerable debate about the content of the package and its implications, which is beyond the scope of this paper. However, it is no mistake to say that Turkey still needs many other changes in its constitution.

Secondly, as explained in the previous sections, the EU's ambiguous messages have affected public opinion. Although public support for EU membership still remains relatively high (but down to around 50% from 70% in 2005), most people do not really believe that Turkey will become a member anytime soon. This decline in public confidence in EU membership has inevitably affected the government's political will. Already facing resistance from parts of the elite, the government downplayed its EU accession rhetoric and allowed the process to split into two tracks, the political and the technical, to prevent the negotiations from coming to a grinding halt. While the political track has not moved since 2006, the technical track has progressed, although slowly. Moreover, the Turkish Secretariat General for EU Affairs has declared that it aims to complete harmonisation in all chapters by 2014. With this goal in mind, the National Programme for the harmonisation of the *acquis* was revised in 2009, a new chief negotiator was appointed and the Secretariat General itself was strengthened considerably through the recruitment of hundreds of new experts.

Third, Turkey's focus has splintered into multiple issues since its internal agenda has become so complex. The country's reforming energies are being taken up by minorities and Kurds, discussions about secularism and religion and the never-ending, seemingly all-encompassing, Ergenekon case.

Lastly, the fading-away of EU accession as a realistic political goal and the subsequent decline in public interest in the issue has led the government to stall on issues such as minority rights and even backtrack in certain areas, including freedom of expression and the existence of an independent press. Ratified this month, the European Parliament report penned by Ria Oomen-Ruijten also includes strongly-worded comments on these issues. Amendments relating to the recent arrests of journalists and the curtailment of freedom of expression have clearly underlined the need for a further effort.<sup>16</sup>

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<sup>15</sup> [www.ysk.gov.tr](http://www.ysk.gov.tr).

<sup>16</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2011-0156&format=XML&language=EN>.

All in all, including the last chapter opened by the Spanish Presidency, there are 13 chapters open with one provisionally closed. The Council decided not to open eight chapters and not to provisionally close any chapter until Turkey complies with its obligations under the additional protocol. Even if not officially declared, five chapters are blocked by France and six by the Republic of Cyprus (some of which are overlapping).<sup>17</sup> For the coming Presidency, only three chapters remain to be opened (Public Procurement, Competition Policy and Social Policy and Employment) if Turkey complies with the opening benchmarks.

It is clear that Turkey's EU accession negotiations are not progressing effortlessly. The previous sections have provided a summary of the reasons for the slowdown in the negotiations. Yet, some commentators, both inside and outside Turkey, consider these reasons insufficient and provide another and more structural factor for the deceleration. It is claimed that Turkey has a new foreign policy and that, consequently, the EU membership goal is no longer the priority. The following section will look at these and assess whether policy priorities have been altered.

### **The New Turkish Foreign Policy and the EU**

Since the first half of 2009 there has been increasing talk of a change in Turkey's foreign policy in which EU membership is no longer the priority. The slowdown in the negotiations has affected both the public's expectations and the government's rhetoric and this has, in turn, led to genuine dissatisfaction with the EU. This is certainly reflected in both public discourse and some policy preferences.

In addition, there is another, more structural reason behind these comments. In May 2009, Ahmet Davutoğlu, a professor of international relations, was appointed Minister of Foreign Affairs. A former foreign affairs advisor to Prime Minister Recep Tayyip Erdoğan, Davutoğlu had long considered that Turkey needs to conduct its relations with other countries through a multi-pronged approach. In a book he wrote in 2001 he commented Turkish-EU relations, starting by providing a framework for the EU's general perception of Turkey –with the caveat that a 'single Europe' does not exist–:<sup>18</sup>

'[Europe] regards Turkey culturally as part of the Islam-centred East, economically and politically as an extension of the South. Because of this, Europeans regard Turkey as a hard-to-absorb element, and avoid saying "yes" to full membership, while keeping relations in limbo by calculating the potential costs of saying "no"'.<sup>19</sup>

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<sup>17</sup> See Appendix for more information.

<sup>18</sup> Ahmet Davutoğlu (2001), p. 536.

<sup>19</sup> *Ibid.*, p. 549.

Although written before the start of the accession talks with Turkey, the subsequent lull in the negotiations has reinforced this perception of Europe in Turkey. According to Davutoğlu, the remedy is to 'strengthen Turkey's geocultural identity depth and thus create fertile ground for new opportunities'.<sup>20</sup>

It is thus possible to analyse Turkey's new foreign policy initiatives from a perspective of diversification. Consequently, 'while Turkey pursues a policy of constructive engagement in its neighbourhood and beyond, full integration with the EU is and will remain the priority'.<sup>21</sup> In other words, it is only by establishing policy alternatives that membership can become possible for Turkey. This is the lens through which Turkey's relations with its neighbours and other countries of the region should be looked at. Turkey's recent track record of foreign policy initiatives also supports this discourse.

However, it should not be forgotten that Turkey's foreign policy since the end of the Cold War has inclined towards diversification. In fact, a former Foreign Minister, İsmail Cem, summed up this discourse by stressing that 'Turkey's history was moulded in Kosovo, Bosnia, Edirne and Manastır, or any other Turkish European centre as well as in Bursa, Kayseri, Sivas, Van or any major Turkish city in Asia'.<sup>22</sup> Previously, much of this diversification went unnoticed because the global system was largely unipolar. The first sign of the change in policy was Turkey's initiatives in the former Soviet Central Asian countries and, to a lesser extent, the Balkans. With recent changes in the global system and the rising importance of the Middle East, Turkey's foreign policy has also begun to adapt to the new global parameters.

Even if the vast majority of Turkish experts working on foreign policy find the axis shift argument an 'exaggeration and crude characterisation',<sup>23</sup> it can be claimed that the recent changes have made Turkey's foreign policy more independent and self-confident. Starting with a 'zero problems with neighbours' approach, it has continued with a more assertive stance, with Turkey effectively playing its foreign policy card. The attitude of Prime Minister Erdoğan at the Davos meeting of the World Economic Forum (January 2009) can be taken as a striking turning point.<sup>24</sup> His open defence of the Palestinian cause, the Gaza flotilla crises with Israel, the 'no' vote to the proposed sanctions to Iran at the United Nations Security Council in June 2010 and joint declaration by Turkey, Jordan, Lebanon and Syria to set up a free-trade area in June 2010 are all considered by many scholars to be examples of the axis-shift towards a more eastern-oriented approach.

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<sup>20</sup> *Ibid.*, p. 546.

<sup>21</sup> Ahmet Davutoğlu (2009), p. 11-17.

<sup>22</sup> İsmail Cem (2000), p.16.

<sup>23</sup> Ziya Öniş (2011), p. 47-65.

<sup>24</sup> *Ibid.*

But this diversification in Turkey's foreign policy should not necessarily be seen as a threat to its European orientation. Moreover, Turkey's new foreign policy initiatives should be considered an asset for the EU if they contribute to the resolution of crises and conflicts in the region. In this context, Turkey's relations with its neighbouring countries can be interpreted as an alternative channel for the EU to exert influence.

This is also reflected in the recent report of the European Parliament, that underlines the need for an active policy and for further coordination regarding the mutual benefits to the Union and Turkey. In addition, it highlights the possible inspiration Turkey might provide to the democratisation and development processes in the Middle East and North Africa.<sup>25</sup>

Today, when analysing the developments in the Middle East and North Africa, it is clear that Turkey's new foreign policy can prove to be an asset to the EU. Recently, Catherine Ashton, the EU's High Representative for Foreign Affairs and Security, was accused of being too 'passive' with regard to the crises in Tunisia and Egypt,<sup>26</sup> while Turkey's reaction to the current events was praised and Turkey is presented as a 'modern democracy' and a role model to all these countries.<sup>27</sup>

In summary, good neighbourly relations are often cited as a requirement for Turkey's accession and hence, from the perspective of the accession negotiations, the diversification of Turkey's foreign policy is a necessity rather than a whim. Finally, it should not be forgotten that while Turkey's recent foreign policy activism is an adjustment to global and regional developments, it has also partly been triggered by the EU pushing Turkey away and delaying its integration, hindering rather than facilitating the accession process.

## **Conclusion**

This paper has attempted to provide an outline of the state of Turkey's EU accession process. After giving an account of Turkey's history with the EU and established that there has been a slowdown in the accession negotiations, it has explained the reasons for such a development. The current impasse has both the EU and Turkey to blame. The EU, suffering from enlargement fatigue and concerned about the challenges of integrating a big country like Turkey has been dragging its feet for some time. In addition, fighting economic crises is currently a full-time job, keeping other issues away from the agenda.

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<sup>25</sup> <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2011-0156&format=XML&language=EN>.

<sup>26</sup> [http://www.elpais.com/articulo/internacional/Eurocamara/arremete/Ashton/dejar/pasar/tren/historia/Egipto/elpepuint/20110203elpepiint\\_6/Tes](http://www.elpais.com/articulo/internacional/Eurocamara/arremete/Ashton/dejar/pasar/tren/historia/Egipto/elpepuint/20110203elpepiint_6/Tes).

<sup>27</sup> [http://www.elpais.com/articulo/opinion/Turquia/democratica/modelo/elpepiopi/20110210elpepiopi\\_11/Tes](http://www.elpais.com/articulo/opinion/Turquia/democratica/modelo/elpepiopi/20110210elpepiopi_11/Tes).

Turkey, on the other hand, struggling with reforms, distracted by internal affairs and affected by the EU's lack of enthusiasm has contributed to the creation of a vicious circle,<sup>28</sup> fed by a mutual lack of political will. In fact, the slowdown in Turkey's reforms and the move towards diversification in its foreign policy have raised concerns in both the EU and Turkey about whether EU membership is losing its appeal for the Turkish government. This diversification, however, is a separate process that has been in progress since the end of the Cold War. Moreover, the diversification of Turkey's foreign policy does not necessarily constitute an obstacle to its EU membership goal. In fact, with the right decisions, it could even contribute to the process and benefit the EU itself.

Turkey's geographical position and historical connections to the Balkans, the Black Sea, Russia and Central Asia should provide the EU with a greater say in the global arena. Also, as for its important role in NATO, Turkey's EU membership should help consolidate both the military and civilian aspects of the EU's common policies, especially the CFSP and the newly rechristened CSDP. An EU including Turkey will be more efficient in tackling global political and economic issues, ranging from the threat of terrorism to illegal immigration and drug trafficking. Turkey's accession should also enhance the EU's position in regions close to its immediate neighbourhood. In this respect, Turkey's role in diversifying energy resources and connecting different routes to the EU will be an important contribution. Last but not least, the dynamism Turkey's membership can provide should help to balance the EU's internal equilibrium, which has at times seemed unsteady after the 2004 enlargement.

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<sup>28</sup> Independent Commission on Turkey (2009).

### Appendix I. Turkey's Accession Negotiations: Current Situation (February 2011)

Chapters opened and provisionally closed	Chapters to be opened (*)	Screening Reports approved at the EU Council with benchmarks (*)	Draft Screening Reports to be approved at the EU Council	Screening Reports not yet drafted
25. Science & Research (Austria: 12/VI/2006)	17. Economic & Monetary Policy	1. <u>Free Movement of Goods</u>	2. Freedom of Movement of Workers	31. Foreign, Security & Defence Policy
<b>Opened Chapters</b>		3. <u>Right of Establishment and Freedom to Provide Services</u>	13. <u>Fisheries</u>	
4. Free Movement of Capital (France: 18/XII/2008)	26. Education & Culture	5. Public Procurement	14. <u>Transport Policy</u>	
6. Company Law (Slovenia: 12/VI/2008)	(*) Even though Turkey has presented her negotiating position, the opening benchmarks have not been decided.	8. Competition Policy	15. Energy	
7. Intellectual Property Law (Slovenia: 12/VI/2008)		9. <u>Financial Services</u>	22. Regional Policy & Coordination of Structural Instruments	
10. Information Society & Media (France: 18/XII/2008)		11. <u>Agriculture &amp; Rural Development</u>	23. Judiciary & Fundamental Rights	
12. Food Safety, Veterinary & Phytosanitary Policy (Spain: 30/VI/2010)		19. Social Policy & Employment	24. Justice, Freedom & Security	
16. Taxation (Czech Republic: 30/VI/2009)		29. <u>Customs Union</u>	30. <u>External Relations</u>	
18. Statistics (Germany: 26/VI/2007)		(*) The underlined chapters are those that the Council has decided not to open until Turkey has complied with its obligations under the additional protocol.	33. Financial & Budgetary Provisions	
20. Enterprise & Industrial Policy (Germany: 28/II/2007)				
21. Trans-European Networks (Portugal: 19/XII/2007)				
27. Environment (Sweden: 21/XII/2009)				
28. Consumer & Health Protection (Portugal: 19/XII/2007)				
32. Financial Control (Germany: 26/VI/2007)				

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