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## **Holding the Door Half (?) Open: the EU and Turkey ten years on**

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A decade of accession negotiations with the EU has not brought Turkey significantly closer to EU membership. In part the reasons lie with Turkey. This article, however, explores the position of the EU and the 'supply-side' of enlargement. It reflects on developments in how the EU has engaged with Turkey on the question of membership, situating Turkey's candidacy and the EU's position within the broader comparative context of how the process and politics of EU enlargement have evolved over the last ten years. It focuses on a set of supply-side variables that are key to determining the progress that applicants can make towards membership: member state preferences, the activism of supranational institutional actors, the EU's integration capacity, public opinion in the EU towards enlargement, and the narratives deployed in justification of enlargement. The article also considers the state of Turkey's accession negotiations and how they have been and potentially will be affected, assuming they are meaningfully revived, by the evolving nature and substance of EU accession negotiations more generally and EU's approach to conditionality.

As with almost any ten year period in the history of EU-Turkey relations, the decade since accession negotiations were launched in October 2005 has witnessed moments of relative warmth in relations as well as, more often, periods of evident coolness. The effect is clear from the state of the negotiations, which have lasted far longer than any other set. As of early 2016, only 15 of the 35 negotiating chapters have been opened and only one has been provisionally closed. Any optimism and dynamic in the negotiations has all but gone. The language surrounding negotiations has generally been one of 'stalemate' and 'impasse'. Moreover, Croatia, which saw its accession negotiations open alongside those with Turkey, has already joined the EU in 2013 and Montenegro, with which the EU opened accession negotiations in June 2012, has opened 22 negotiating chapters and closed two. And then there is Iceland which, during the ten years that Turkey has been negotiating accession, has applied for membership, opened 27 out of 35 negotiating chapters, and provisionally closed 11 of them, only subsequently in effect to abandon its membership bid. By contrast, and despite various attempts to keep the accession process dynamic, progress in Turkey's accession negotiations with the EU has become glacial, in fact almost non-existent. A glimmer of hope for progress did emerge in the winter of 2015-16 as the EU committed to making progress in the accession negotiations in exchange for Turkish support in managing flows of refugees and migrants to Europe especially those fleeing the war in Syria. The fact remains, however, that Turkey

is little closer to acceding to the EU than it was in 2005. Who is to blame for this state of affairs is an open question, as is whether there is any real prospect of substantial progress in the negotiations and Turkey ultimately joining the EU. Such questions are the regular focus of discussion and debate in Turkey and the EU, with various calls being issued to abandon the negotiations, or at least their formal focus on accession. However, the fact is that negotiations are ongoing; accession is still being negotiated. And even if the negotiations are proceeding at a snail's pace, the EU, particularly since the first ever 'EU-Turkey summit' in November 2015, is committed to the opening of further negotiating chapters. The door to accession has not been closed; it remains open ... at least formally.

All the same, the hesitant optimism that surrounded the opening of accession negotiations in 2005 has all but evaporated. Moreover, the decade since has witnessed considerable political, economic and social change within the EU and Turkey. This is borne out in other contributions to this special issue. Whereas they generally focus on developments in Turkey and how these have affected and continue to impact on the country's membership prospects, this article has a firmer focus on the EU and the 'supply-side' of enlargement. It therefore not only reflects on developments in how the EU has engaged with Turkey on the question of membership, it also situates Turkey's candidacy and the EU's position within the broader context of how the process and politics of EU enlargement have evolved over the last ten years and how changes have impacted on Turkey's membership prospects. To do so, the article considers a set of supply-side variables that are key to determining the progress that applicants can make towards membership (İçener, Phinnemore, and Papadimitriou 2010): the EU's integration capacity, member state preferences, public opinion in the EU towards enlargement, the activism of supranational institutional actors, and the narratives deployed in justification of enlargement. The analysis therefore reflects on not only the bilateral EU-Turkey dimension to enlargement, but also the wider context and so places the Turkish experiences of seeking and negotiating accession in comparative perspective.<sup>1</sup> Before exploring the five variables, the article considers the state of Turkey's accession negotiations and how they have been and potentially will be affected, assuming they are meaningfully revived, by the evolving nature and substance of EU accession negotiations more generally and EU's approach to conditionality.

### Turkey's EU accession negotiations

When the EU and Turkey opened accession negotiations in October 2005, pragmatic voices suggested they would last ten or possibly even 15 years (*BBC News* 2005; *The Guardian* 2005).

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<sup>1</sup> For earlier comparative work, see Verney (2007).

Supporters of Turkish accession argued in favour of earlier admission, possibly in 2012 (Redmond 2007). All optimism for timely progress soon evaporated. Although in June 2006, a first chapter – Chapter 25 on science and research – was opened and immediately ‘provisionally closed’ (see Figure 1), six months later EU member states agreed that eight chapters could not be opened until the Commission can verify that Turkey has fulfilled its obligation of ‘full non-discriminatory implementation of the Additional Protocol to the Association Agreement’ (Council of the European Union 2006, 8-9), i.e. opened its ports and airports to traffic and trade from Cyprus (see Figure 2). The reference to ‘full non-discriminatory’ implementation was a tightening of requirements and a very public rebuke for Turkey. Although, the decision did not prevent five chapters being opened in 2007, it did act as a timely reminder of the conditionality on which progress would be based, the expectation that conditions would be met, and the heavily politicised nature of the negotiations. Moreover, certain member states were keen to use all available opportunities to hinder if not block progress. This became abundantly clear in 2007 when France, now with the Turkosceptic Nicolas Sarkozy as President, declared that it was not prepared to see the five chapters most directly related to membership – only one of which was covered by the Council’s 2006 decision – being opened (see Figure 3). France was effectively casting a veto over the opening of negotiations in core policy areas, financial matters and the institutions.

[FIGURE 1 HERE OR HEREABOUTS]

[FIGURE 2 HERE OR HEREABOUTS]

[FIGURE 3 HERE OR HEREABOUTS]

Over the next two years seven further chapters were nevertheless opened. However, the prospects for the negotiations suffered a further setback in June 2009 when Cyprus announced that it was unilaterally blocking the opening of a further six chapters (see Figure 3). A year later another chapter – Chapter 12 on food safety, veterinary and phytosanitary policy – was opened, yet the blocking tactics of Cyprus and France have since meant that it has been possible for only two further chapters to be opened. In November 2013 France partially lifted its 2007 veto and Chapter 22 – regional policy and coordination of structural instruments was opened. A further partial lifting of the French veto followed in December 2015 with the opening of Chapter 17 on economic and monetary policy. Throughout this period, however, there has been barely any progress in closing chapters. Only one has been provisionally closed.

Neither Turkey nor the EU has, however, abandoned the negotiations. The most recent Turkish policy statement on EU accession – *Turkey’s European Union Strategy* – has a clear focus on promoting ‘EU harmonisation efforts’ and ‘accelerat[ing] the work in all chapters, whether politically blocked or not’ (Republic of Turkey – Ministry for EU Affairs 2014, 4). On the EU side, the Commission and leading voices in the European Parliament (EP), including successive rapporteurs on Turkey, have continued to push for more chapters to be opened and for the negotiations to be progressed. More specifically the Commission in May 2012 launched a ‘Positive Agenda’ aimed at reviving the accession process. This involves working groups assisting Turkey in aligning domestic policies and legislation with key areas of the *acquis communautaire*.<sup>2</sup> Reaction to the Positive Agenda has though been mixed, with critics regarding it as a thinly disguised alternative to negotiations and a precursor to the latter’s abandonment. The Commission view is that this latest form of ‘enhanced cooperation’ ‘support[s] and complement[s]’ the accession negotiations (European Commission 2013, 40). It at least allows formal discussions to be held on as yet unopened chapters.

Indeed, the Commission has long been signalling that a range of opening and closing benchmarks for some chapters have been met and, assuming the political will can be found, relevant chapters could be opened or closed (Interview, Brussels, 3 July 2014). A sense of political will did emerge in the autumn of 2015 when, in response to the need to secure Turkish support for stemming migration flows to the EU, in particular refugees from Syria, and for supporting the fight against international terrorism, the European Council recognized the necessity to ‘re-energize’ Turkey’s accession process (Council of the European Union 2015a, point 2a). The opening of Chapter 17 on economic and monetary policy followed a month later. In addition, the Commission expedited preparations for the opening of negotiations on a further five chapters: 15 on energy, 23 on judiciary and fundamental rights, 24 on justice, freedom and security, 26 on education and culture, and 31 on foreign, security and defence policy. Statements issued at a first ever EU-Turkey summit in November 2015 noted this preparatory work and signalled a readiness to open a number of chapters in the first quarter of 2016 (Council of the European Union 2015b, point 4). Initial indications were that it would be these five chapters. In March 2016, the European Council signalled that Chapter 33 on Financial and budgetary provisions would be opened before the end of June (European Council, 2016).

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<sup>2</sup> The areas covered include: visas, mobility and migration, energy, trade and the customs union, political reforms, fight against terrorism, foreign policy dialogue and participation in EU programmes.

Despite the tentative rejuvenation of the negotiating process in 2015-16, any analysis of EU-Turkey relations cannot escape the fact that the negotiations have in the last decade been as much characterised by stalemate as progress. Moreover, the rate of progress has, as noted, been considerably behind that of other applicant states. It follows that the reasons explaining the slowdown have as much to do with the specifics of Turkey's candidacy as with the EU's approach generally to enlargement since the 2004 and 2007 enlargements. However, the latter cannot be ignored. Indeed, shifts in the dynamics underpinning Turkey's accession process cannot be divorced from the EU's handling of enlargement more widely. One obvious impact is the EU's emphasis since 2006 on Chapters 23 and 24, so evident in the frameworks for negotiations with Montenegro and Serbia. The focus is on opening these chapters early and making progress generally in negotiations conditional on progress in them. In Turkey's case, the Commission in 2013 was forthright: progress in accession negotiations and progress in Chapter 23 and 24 reforms as 'two sides of the same coin' (European Commission 2013, point 17). The early focus of the Positive Agenda has also been very much on these chapters with the Commission also pushing the Turkish government to focus on rule of law issues and anti-corruption.<sup>3</sup> The EU's approach generally to accession negotiations casts it shadow over Turkey's negotiations.

### Enlargement conditionality

The focus that the EU currently places on prioritizing Chapters 23 and 24 is a clear reminder of the central formal role that conditionality plays in determining the progress of candidates towards membership. As we have argued elsewhere in the context of the Western Balkans (İçener and Phinnemore 2014), conditionality is being applied more strictly than in previous enlargement rounds. This is in part due to the 'renewed consensus' on enlargement that the European Council

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<sup>3</sup> Concerns about corruption have since increased, particularly in the light of the December 2013 allegations against Recep Tayyip Erdoğan, then Prime Minister of Turkey, now President, various ministers, their relatives as well as various public officials and businesspeople, and the manner in which the allegations were investigated and the significant number of reassignments and dismissals in the police, judiciary and civil service. The Commission in 2014 was pointed in its comment that: '[t]he handling of these allegations of corruption raised serious concerns that allegations of wrongdoing would not be addressed in a non-discriminatory, transparent and impartial manner' (European Commission 2014, 14). In 2015, it noted no progress in Chapter 23 instead flagging problems regarding the state of Turkey's judicial system, the protection of human rights and fundamental freedoms, the separation of powers, the investigation and prosecution of high-level corruption cases and the political pressure being placed on judges, prosecutors, the media and free speech (European Commission 2015a, 55).

agreed in 2006 which stresses 'strict conditionality' as the basis on which accession negotiations will be pursued (Council of the European Union 2007, point 7). In addition, however, not only are applicant states expected to meet a wider range of conditions, but the compliance thresholds have been raised and the points at which criteria need to be met have in many instances been brought forward. The effect has been to lengthen the accession process. It also creates more gate-keeping opportunities for the EU and its member states to exploit, hence a 'creeping nationalisation' of enlargement policy (Hillion 2010). Moreover, developments elsewhere in the application of enlargement conditionality can be expected to be applied, not least to ensure consistency in how the EU approaches negotiations. In procedural terms this could mean Turkey, like Montenegro and Serbia, having to meet interim benchmarks in Chapters 23 and 24. In practical terms, the demands associated with compliance are likely, following the practice with Montenegro and Serbia, to be higher, certainly more technical and based on increased EU monitoring. As one official has remarked, the dynamic within the enlargement process, especially the emphasis on implementation of the acquis and solid track records of compliance 'will for sure be felt' by Turkey (Interview, Brussels, 2 July 2014).

At first glance, the EU's decision in 2015 to rejuvenate the accession negotiations suggests otherwise given the concerns that have been expressed regarding respect in Turkey for the rule of law, fundamental rights, strengthening democratic institutions, economic governance and public administration reform. However, with conditionality having become largely ineffective in the absence of a credible membership perspective, granting progress in negotiations in exchange for assistance with refugees and migrants was but a temporary Realpolitik-driven side-lining of EU norms and values designed to 're-energize' the accession negotiations and so an opportunity to re-establish EU leverage. Conditionality was not being abandoned. Indeed, the European Council President, Donald Tusk, was quick to stress: 'we are not re-writing the EU enlargement policy. The negotiating framework and the relevant conclusions continue to apply, including its merit-based nature and the respect for European values, also on human rights' (Council of the European Union 2015c). The Commission's delayed 2015 Regular Report on Turkey and the accompanying Enlargement Strategy paper were equally clear in stressing the need for a strict application of conditionality and insisting that Turkey needed to meet conditions and fulfil existing obligations if progress in negotiations were to be achieved.

#### The EU's integration capacity

Throughout the history of Turkey's efforts to secure EU membership, the impact that Turkey would have on the EU has always featured prominently in the arguments of those opposed to its admission. A key argument has been that the EU simply does not have the capacity to integrate a country of Turkey's size. Successive enlargements, and in particular the 'big bang' enlargement of 2004, clearly demonstrate, however, that the EU does have the capacity to enlarge and to integrate new members. The argument that Turkey poses too many insuperable problems for it to be admitted is therefore significantly weakened. The arguments surrounding integration capacity have not, however, gone away. Indeed, the experience of eastern enlargement has undoubtedly strengthened the position of those who argue that the EU simply could not handle the migration flows that the extension of the free movement of people to Turkey could entail. And their position has been strengthened by not only the 2015 migration crisis, but also the increasing Islamophobia within the EU. Turkey's formal, self-declared status as a secular state carries little weight, in part because of the predominantly Muslim identity of a majority of its citizens, in part because of the perceived de-secularization and presumed re-Islamization policies of recent AKP governments and the current Erdoğan presidency. Financially, despite its economic growth over the last decade, Turkey's admission would still place major strains on the EU budget and its redistributive policies. As for the EU's institutional capacity, long-known challenges remain, especially where the distribution of EP seats and the size of Turkey's vote in the Council are concerned. Although these could be overcome, prejudiced arguments about Turkey potentially being the EU's largest and therefore most powerful member state in terms of voting power continue to resonate.

Integration capacity arguments tend to impact on discussions about Turkish accession less than they have in the past because currently the political will to admit Turkey barely exists. Indeed, it is here that the capacity of the EU to integrate is essentially lacking; member state preferences simply diverge too much even for agreement to be reached on progressing accession negotiations, let alone admitting Turkey. The same can be said for public opinion (see below). Moreover, a sense of 'enlargement fatigue' has come to pervade the EU over the last decade. Enlargement simply does not command the enthusiasm it seemingly did during the early 2000s. Important here for Turkey is the persistent prominence given to 'integration capacity' within current EU discourse on enlargement. A long-standing feature of enlargement debates, integration capacity during the process of eastern enlargement attracted comparatively limited attention. The situation has since changed, much to the disadvantage of current applicants. Having been an 'oft-forgotten' criteria (İçener and Phinnemore 2006), it is rarely far from the centre of considerations on whether and with

what speed to proceed with enlargement. And for the EU, Turkey has long posed and continues to pose the most challenges.

### Member state preferences

Turkey's misfortune in the EU enlargement process is that it not only poses challenges for the EU generally, but these and other challenges have long attracted particular attention at the level of the member states. Moreover, the member states show little reluctance to voice and act on their concerns. Indeed, Turkey's experience of accession negotiations so far is the example *par excellence* of how important member state preferences can be for determining the dynamics of enlargement. Certain Member states have not shied away from either criticising Turkey's engagement with the accession process or indeed blocking its progress. The path towards membership has long been strewn with member state vetoes. In the 1980s and 1990s, Greece habitually blocked EU funding for and the development of relations with Turkey. In 1999, it switched to become an advocate of Turkish accession.<sup>4</sup> Austria took over the mantle of chief sceptic, only lifting its veto over the opening negotiations in 2005 in exchange for a deal on negotiations being opened with Croatia. Since then, not only have individual member states, notably Cyprus and France, been casting vetoes but the member states collectively have, as already noted, formally agreed not to open eight chapters (see Figure 2). Such regular and very public displays of formal member state power in accession negotiations are unprecedented.

This has not led to the collapse of Turkey's accession process. Indeed, a number of member states regularly reaffirm their commitment to seeing applicants and candidates, Turkey included, joining, albeit often in rather vague terms. None has over the last decade recalled, however, the language of the 1999 Helsinki European Council that Turkey 'is a candidate State destined to join the Union' (Council of the European Union 1999, point 12). For some, the principle of *pacta sunt servanda* needs though to be upheld; the EU is obliged to deliver on its commitment to support Turkey's goal of gaining membership. And Turkey does have supporters. The most generous support often comes from the United Kingdom. In 2010, the UK Prime Minister, David Cameron, vowed 'to make the case for Turkey's membership ... and to fight for it' (UK Government 2010). Four years later on a second

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<sup>4</sup> See Agnantopoulos (2013).

visit to Ankara, Cameron restated his basic position, albeit with less enthusiastic language.<sup>5</sup> Such support is valuable, and UK government arguments highlighting Turkey's economic significance and its contribution to European security and defence interests as well as transnational energy networks do resonate with other member states. However, the increasing self-marginalization of the United Kingdom within the EU means that the UK government exerts little influence on major questions facing the EU such as Turkish membership. There are other voices though supporting, if not necessarily advancing, the Turkish case. The Swedish, Finnish and Italian governments generally share the UK government's view (Hague and Stubb 2010; Bildt *et al.*, 2010) and emphasise the strategic value of enlargement in transforming would-be members, including Turkey, so as to promote stability, prosperity and democracy to the wider Europe. The Swedish Foreign Minister, Carl Bildt, was instrumental in securing the support of eleven EU member states foreign ministers for a statement in December 2011 during the depths of the Eurozone crisis underlining the strategic and economic importance of Turkey's accession process for Turkey and the EU, even if it eschewed the language of membership, instead welcoming 'Turkey's commitment to continuing reforms to meet its European goal and offer her our full support' (*EU Observer* 2011).<sup>6</sup>

The careful choice of language was deliberate and reflects the already noted cooling of enthusiasm for enlargement within the EU since 2005. In the case of Turkey, this cooling is particularly intense in some member states. Three member states stand out. First, there is Cyprus whose accession to the EU in 2004 without a political solution to the island's division has proven to be catastrophic for Turkey's membership bid. With Cyprus still divided and with Turkish troops on the island, enlargement has seen the EU not only import the conflict unresolved when the general expectation was that a resolution of sorts should have been achieved through Cyprus' accession, but also admit a state willing to wield its veto over the development of EU-Turkey relations. Formally, the issue at stake is Turkey's failure to fulfil its obligation to implement the Additional Protocol to the Ankara Agreement (2005) in respect of and to open its ports and airports to Cyprus. And on this matter Cyprus has successfully secured EU support; hence the 2006 Council decision that no negotiations on eight chapters would take place and no further chapters would be closed until Turkey fulfils its commitments under the Additional Protocol (Council of the European Union 2006, 8-9) (see Figure

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<sup>5</sup> Cameron's statement: 'In terms of Turkey's membership of the EU, I very much support that. That's a long-standing position of British foreign policy which I support, and we discussed that again in our talks today' (UK Government 2014).

<sup>6</sup> Emphasis added. The eleven foreign ministers came from: Lithuania, Sweden, Latvia, Finland, Germany, Italy, Hungary, the Czech Republic, Slovenia, Estonia and the United Kingdom.

1). The effect of the decision was to make the closure of accession negotiations conditional on a resolution of the Cyprus issue. Not satisfied with the leverage this gave it, the Cypriot government announced in December 2009 that it was blocking the opening of six other chapters (see Figure 3). The move was not welcomed by other member states, many of which have increasingly come to view the Cypriot government as intransigent on matters relating to Turkish accession and as unnecessarily obstructive in response to efforts to progress negotiations. It was, unsurprisingly, Cyprus that objected to the naming of the chapters to be opened following the EU-Turkey Summit in November 2015 and subsequently limited progress on actually opening chapters. The fears of those who warned against admitting Cyprus as a divided island have been realised.

For many observers of EU-Turkey relations, Cyprus is the EU's *bête noire*. At times over the last decade though there has been some intense competition for this dubious honour. A key challenger has been Nicolas Sarkozy, the former French President, whose opposition to Turkish accession was – and continues to be – voiced loudly and without the customary diplomacy that is normally associated with public utterances of EU leaders. Sarkozy's position is straightforward: 'Turkey's not in Europe. Turkey is Asia Minor... Turkey is a very great civilization and culture, but it's not a European one... Why should we build Europe with countries that are not European? I'm in favor of an agreement with Turkey, of a common market with Turkey, but integrating Turkey into Europe, well, no' (*International Herald Tribune* 2007). Sarkozy's opposition to Turkish accession has been most obviously felt in the French government's decision in 2007 to block the opening of five negotiation chapters considered most directly related with membership (see Figure 3).<sup>7</sup> For Sarkozy, these five chapters were 'taboo' (Mahony 2007). Significantly, even with Sarkozy leaving office in 2012, the French block has generally been maintained. There has, however, been a slight softening of the French position. Negotiations on Chapter 22 were opened as soon as François Hollande replaced Sarkozy as French President and assessments of French policy suggest a shift from opposition to 'cautious' support for Turkish accession (Pineau 2014). And in 2014 Hollande, during a visit to Turkey, was quick to stress the importance of Chapters 23 and 24 for Turkey and the future of negotiations. The implication of his statement was that Cyprus, not France, is the real block to progress.

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<sup>7</sup> Another more subtle but nevertheless symbolically important example of Sarkozy-inspired French opposition to Turkish accession was the insistence in December 2007 that the wording of the draft General Affairs Council conclusions on Turkey's accession negotiations be stripped of any references to 'accession' or 'membership' and instead the accession negotiations be referred to simply as 'intergovernmental conferences' (*The Economist*, 2007a).

In procedural terms, this may be the case. Yet, the wider mood among member states is equally important. And here, the history of the first decade of Turkey's EU accession negotiations would not be complete without reference to the changed position of the German government. Whereas between 1998 and 2005, coalition governments comprising Social Democrats and Greens championed Turkish accession, their Christian Democrat-led successors under the chancellorship of Angela Merkel have been far more sceptical. Both Merkel and her Christian Democratic Union (CDU) are known to oppose Turkey's EU membership, Merkel being a strong supporter of a privileged partnership. As a consequence, since her initial electoral success in 2005, Germany has switched from being an advocate of Turkish accession to a prominent sceptic.<sup>8</sup> Moreover, successive Merkel-led governments have become far more lukewarm about enlargement generally, seeing the priority in deepening integration and managing the eurozone crisis. Coalition government has, however, tempered the outright opposition found in CDU election manifestos and those of its more Turkosceptic sister party in Bavaria, the Christian Social Union (CSU). Until such time as Germany has a government that does not include the CDU/CSU, Turkey is unlikely to be making significant progress towards membership. Indeed, the fact that in late 2015 in the midst of the Syrian refugee crisis Germany led support for engaging with Turkey and for 're-energizing' the accession process should not be heralded as significant change of Merkel's position on Turkey eventually joining the EU. Attempting to manage the refugee crisis necessitated engagement with Turkey; and Realpolitik required Turkey to be granted some progress in the accession negotiations – as well as funding – to secure its assistance.

And even if the current Germany position on Turkey did radically change, other states continue to keep a foot on the brake. Austria, which successfully delayed the opening of negotiations in 2005 until it, beyond a deal on Croatian accession negotiations, had also secured an explicit reference to the 'open-ended' nature of negotiations and the EU's capacity to absorb new members in the text of the framework for negotiations, is an obvious example.<sup>9</sup> It remains opposed to Turkish accession, instead preferring some form a special partnership (*Euractiv* 2011). Successive governments have

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<sup>8</sup> In December 2006, German opposition to Turkey was particularly pronounced. In Council discussions on suspending negotiations on eight chapters it was reported that the German position was to freeze 21 of the 35 chapters (*The Economist*, 2006). If the alleged German position had prevailed, the accession negotiations would most likely have broken down just one year after they had begun.

<sup>9</sup> Austria did not, however, manage to secure in the framework for negotiations the desired reference to a 'privileged partnership' as an alternative to accession.

also committed to holding a referendum on Turkish accession to the EU. So too has the Netherlands, where scepticism about Turkey joining the EU is widespread. And then we can turn back to France, where since 2005 it has been a constitutional requirement, since modified, that future accession treaties be put to a referendum. Consequently, unlike in previous enlargement rounds, public opinion, at least in certain member states, has become an important and potentially decisive factor in determining the Turkey's progress towards EU membership.

### Public opinion in the EU and the rise of 'Turkoscepticism'

The outright opposition to Turkish accession expressed by Sarkozy and others often reflects personally held views. Yet there has always been clear evidence of popular scepticism towards admitting Turkey, at least in a number of member states. The last decade has seen this opposition not only increase, but also manifest itself more prominently in party political rhetoric. What might be described as 'Turkoscepticism' has been on the rise, often coinciding with increases in anti-Muslim sentiments across Europe.<sup>10</sup> In member states with larger Muslim populations, the response has been for governments to adopt more sceptical if not hostile positions towards Turkish accession. The clearest examples are Austria, Germany and France where Eurobarometer polling in 2005 indicated that support for Turkey's accession was as low as 10% in Austria and 21% in the other two countries (European Commission 2005a, 8). A clear majority was also against Turkey's EU membership in Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Greece, Italy, Luxembourg, the Netherlands and Slovakia. Two years later, Eurobarometer was reporting that 61% of EU25 respondents regarded cultural differences between Turkey and the EU as an important obstacle to accession (European Commission 2006, 226). The figures were particularly high in Austria (84%), Greece (79%) and Germany (74%). In France the figure was 65%. Only a third of respondents (33%) shared the view that Turkish accession would increase regional security, a key driver of EU engagement with the country. No matter how powerful the political and economic arguments supporting Turkey's accession have been or are, winning the hearts and minds of European citizens has always been a major challenge.

Moreover, over the last decade, there has been scant evidence of any reversal in public opinion. On the contrary, opposition has tended to harden with EU voters unwilling to see economic benefits in Turkish accession and continuing to express concerns over cultural differences in particular

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<sup>10</sup> For more detailed analyses on public opinion and discourses on Turkey, see Canan-Sokullu (2011); Ruiz Jiménez and Torreblanca (2007).

(Gerhards and Hans 2011). Tracking public opinion has not been helped, however, by Eurobarometer, with one exception in 2010, no longer asking, since 2006-2008, questions on attitudes to Turkey joining the EU. Instead the emphasis has been on attitudes to enlargement generally where survey results indicate a clear increase in the proportion of voters opposed to further enlargement from 39% (EU25) in 2005 to 49% (EU28) in 2015; support declined by a similar margin (European Commission 2005b, QA32.4; European Commission 2015b, QA18.3). The probability that within these figures there is greater opposition to Turkish accession as opposed to the accession of countries from the Western Balkans is high and can at least be inferred from a 2010 Eurobarometer poll and various national surveys. In 2010 opposition in Austria to Turkish accession stood at 91% (European Commission 2010, QA20.8). In 2013, it was lower (72%) but still very high (*Kurier* 2013). In Germany in 2014 the figure stood at 69% compared to 52% in 2005 (*Die Zeit* 2014) and 78% in 2010 (European Commission 2010, QA20.8). Even in the United Kingdom, support levels are low. A poll in 2013 indicated that only 21% of UK voters believed that that Turkey should be admitted to the EU; 52% were opposed (*YouGov* 2013, 1), figures comparable to the 2010 Eurobarometer findings: 25% in favour of and 55% opposed to Turkish accession.

Such evident Turkoscepticism coupled with limited popular support for further enlargement has provided the domestic context for member state government positions on Turkish accession. It has also featured in EP elections. In contrast to most other cases of potential enlargement, this has translated in the case of Turkey's candidacy into hardened positions. Contributing as well is the fact that several governments have consciously politicised Turkey's accession bid by having either floated the idea of or committed to the holding of an eventual referendum on the country's accession. Public opinion has therefore become a key variable for many member state governments in defining their position on Turkey. With few engaging in any meaningful public diplomacy on the anticipated benefits of Turkish accession, public opinion remains increasingly Turkosceptic. It seems set to be a key factor in some member states in determining whether there will ever be support for Turkish accession. It should not be forgotten either, that the EP has to approve accession treaties. Its position could be decisive.

#### Institutional (in)activism

Our fourth variable is supranational activism and the roles played by the Commission and, to a lesser degree, the EP as advocates for enlargement. The potential for the Commission in the process is considerable and has been ably demonstrated (O'Brennan 2006). It manages and assists in the

negotiation process; it guides and monitors the would-be members' progress in meeting the accession criteria and benchmark requirements; and with its regular reports, strategy papers and recommendations, it informs the member states and the EP. It therefore helps shape the preferences of the member states and the positions of MEPs. And often key to its impact are the political vision and priorities of its President and the Commissioner responsible for Enlargement. This was evident during eastern enlargement when the 1999-2004 Prodi Commission, with Günter Verheugen as the first Commissioner for Enlargement, was a vocal champion of the process and oversaw the 'big bang' enlargement of 2004.

The performances of the Barroso I (2004-10) and Barroso II (2010-14) Commissions have not come close, however, to matching what was achieved by the Prodi Commission. The same is true of the performances of subsequent Commissioners for Enlargement, Olli Rehn (2004-10) and Štefan Füle (2010-14). The current Commission President, Jean-Claude Juncker, has already declared a 'pause' in enlargement for five years. And symbolic of this slow-down, was the change of the Commission portfolio: from 'Enlargement and European Neighbourhood Policy' to 'European Neighbourhood Policy and Enlargement Negotiations'. Enlargement has been put on auto-pilot.

This shift reflects the fact that the EU has been faced with more pressing issues concerning economic reform, the Eurozone crisis, unemployment and its own public standing as euroscepticism continues to rise. In the post-eastern enlargement context, the Commission and Rehn especially focused on the 'renewed consensus' on enlargement with a consolidation of existing commitments, stricter conditionality, a more effective communications strategy and the promotion of the EU's integration capacity. Rehn emphasised the cautious management of enlargement process and the administrative and technical preparedness of the applicants. This was designed to convince European publics and governments: 'I cannot be a salesman of Turkey – but I can plead for fair, serious and determined negotiations, aimed at leading Turkey to EU membership' (Rehn 2005). For Rehn, the Commission's role was that of referee and manager supporting Turkey in meeting the accession criteria.

His successor, Füle, stuck to the 'renewed consensus' approach with particular attention being given to maintaining the credibility of the enlargement process. Füle also sought to shift the focus from the EU's enlargement fatigue to reform fatigue in the would-be members (Füle 2013). Hence, the revised approach to negotiations involved tackling 'fundamentals first' and focusing on Chapters 23 and 24. Mindful of the blockages in negotiations caused by the Cyprus issue and the French and

Cypriot vetoes, however, Füle aimed to inject ‘a spirit of optimism and pragmatism’ into Turkey’s negotiations and ‘re-vitalise and re-energise’ relations (European Commission 2012). Hence in 2012, the ‘Positive Agenda’ already noted was launched. The Commission’s activism in the last decade has not therefore been one involving the championing of Turkey’s EU membership but rather one simply trying to keep accession negotiations going. Juncker’s efforts in 2015-16 to progress negotiations in exchange for Turkish assistance on managing migration and refugees from the war in Syria are a further demonstration of this.

Similarly, the EP has not been a vocal champion of Turkey. The majority of MEPs may comprise supporters of eventual accession with a smattering of Turkophiles, but there is a consistent view that membership can only take place if Turkey persists with reforms and meets the conditions of entry. A significant minority of MEPs are more Turkosceptic and opposed to accession. The European People’s Party, the EP’s largest group, for example, favours a ‘privileged partnership’ instead of membership; the populist, far-right and far-left groupings have generally been more forthright in their opposition to Turkey’s EU membership. This meant that debates on the Commission’s regular reports on Turkish accession have often been heated and MEPs have been quick to criticise Turkey’s record on the rule of law, freedom of press, democratic backsliding, the authoritarian tendencies of successive Erdoğan governments, social media bans, the freedoms and rights accorded religious and ethnic minorities, and the Turkish government’s positions on the Cyprus issue and the Armenian ‘genocide’. The Turkish government’s handling of the Gezi Park protests in 2013 attracted particularly fierce criticism. Several MEPs called for the suspension of accession negotiations arguing that Turkey no longer met the democratic standards of the EU (European Parliament 2014). The EP therefore cannot be regarded as an active champion of Turkey; there is support, but it is highly conditional, and it cannot mask the opposition.

#### The absence of an enlargement narrative

The absence of consensus in the EP on whether Turkey should ultimately be admitted to the EU has also been reflected in the wider lack of consensus over the last decade on whether and why further enlargement should take place. Essentially the EU has lacked a coherent narrative around the desirability or otherwise of enlargement, and especially to Turkey. Whereas in the late 1990s and early 2000s enlargement appeared an essential component of the EU’s *raison d’être*, the last decade has seen the EU undergo a period of almost existential crisis: the futures of the euro and of economic and monetary union have been questioned; a Greek exit from the eurozone has been a

distinct possibility, as has the prospect of the United Kingdom leaving the EU. Doom-laden accounts have predicted disintegration and the end of the EU. Adding to the sense of crisis has been the seemingly inexorable rise of Eurosceptic and anti-EU parties. Amidst all this, searching questions have been posed about the EU's effectiveness as a transformative power beyond its borders, particularly in the wider Europe. With enlargement fatigue having set in, enlargement as part of the EU's *raison d'être* has all but disappeared. Moreover with eastern enlargement complete, the once dominant narratives of 'uniting Europe' and of overcoming historical divisions no longer resonate. One could be forgiven for asking: 'What is the EU's enlargement narrative?'

Such concerns can be easily detected in the EU's handling of Turkey's candidacy. The accession negotiations have clearly lacked the force of a narrative that can change the perceptions and preferences of Turkey's opponents. More generally, the EU's tendency to differentiate between candidates has prevented the construction of a broad narrative for enlargement. Candidates are now individual cases; Turkey remains a special and separate case. Indeed, Turkey is of considerable geostrategic importance to the EU and a much needed partner in the areas of foreign and security policy, counter-terrorism, energy security and migration policy. The statement issued following the EU-Turkey Summit in November 2015 made this clear (Council of the European Union 2015b). However, a consistently and vocally expressed coherent and shared security-focused narrative for enlargement has simply not been developed, let alone forcibly articulated. Instead, in part because of its own democratic backsliding, Turkey has come to be viewed as much as a potential source of or conduit for security threats as it is part of the solution to the security challenges the EU is facing. Similarly, faced with crisis, the EU has continued to struggle with its own identity. The commitment to a cosmopolitan identity based on norms and values in which Turkey with its predominantly Muslim population would readily fit and be the ultimate example of inclusivity is no longer a prominent assumption in the political discourse in the EU. Turkey's accession prospects have also been affected by the EU's weakening ambitions in terms of being a global security actor. Internal crises and divisions have prevented progress on an issue in which Turkey was long regarded as playing an important role. Developments over the last decade beg the question, therefore: 'Is there any narrative, shared or otherwise, for admitting Turkey?'

### Conclusion

More than a decade after accession negotiations were launched, Turkey appears barely any closer to realising its goal of EU membership. Despite some movement in late 2015, negotiations have stalled;

the conditions for accession – already challenging – have become more difficult; the EU doubts its capacity to integrate Turkey; key member states are openly opposed to the country joining and are content to wield vetoes; public opinion is sceptical about enlargement and in many instances clearly opposed to Turkish accession; the Commission is more concerned with technical process than pushing the strategic goal; and the EP is divided. Unsurprisingly the EU lacks a coherent and prominent narrative selling enlargement to include Turkey that can also act as a driver for the process. The outlook for Turkey’s membership bid is far from rosy, and this is before consideration is given to the commitment of the Turkish government to the process and its capacity to implement the necessary reforms.

The last decade has been a tough and disappointing period in EU-Turkey relations. It began with a degree of optimism; accession negotiations had at last been opened. They may have been ‘open-ended’, but this could not detract from the fact that all previous applicants who had commenced negotiations had ultimately agreed with the EU the terms of their accession. That the negotiations have not been concluded does not mean that there is no hope. The negotiations have not been abandoned. Indeed, 2016 could see more negotiating chapters opened as part of the ‘re-energized’ accession process heralded by the EU-Turkey summit in November 2015. The door to membership is therefore open, or at least half open. Some voices in the EU want to keep the door open; others would prefer to see it shut. The resulting tensions keep the door half open. It may, however, equally be stuck. No one would gain from closure, yet not everybody wants Turkey to join. Better therefore to maintain the *status quo*. Preferences and attitudes may change; the EU may again see reputational and strategic value in admitting Turkey. A second decade of negotiations may tell.

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## Figures

|    |  |            |
|----|--|------------|
| 25 | Science and research                                       | 12.06.2006 |
| 20 | Enterprise and industrial policy                           | 29.03.2007 |
| 18 | Statistics   | 25.06.2007 |
| 32 | Financial control  | 26.07.2007 |
| 21 | Trans-European networks                                    | 19.12.2007 |
| 28 | Consumer and health protection                             | 19.12.2007 |
| 6  | Company law  | 17.06.2008 |
| 7  | Intellectual property law                                  | 17.06.2008 |
| 4  | Free movement of capital                                   | 19.12.2008 |
| 10 | Information society and media                              | 19.12.2008 |
| 16 | Taxation   | 30.06.2009 |
| 27 | Environment  | 21.12.2009 |
| 12 | Food safety, veterinary and phytosanitary policy           | 30.06.2010 |
| 22 | Regional policy and coordination of structural instruments | 05.11.2013 |
| 17 | Economic and monetary policy                               | 14.12.2015 |

**Figure 1: EU-Turkey Accession Negotiations:  
Opened Chapters**

|    |   |
|----|---|
| 1  | Free movement of goods                                |
| 3  | Right of establishment and freedom to provide service |
| 9  | Financial services                                    |
| 11 | Agriculture and rural development                     |
| 13 | Fisheries   |
| 14 | Transport policy                                      |
| 29 | Customs union   |
| 30 | External relations                                    |

**Figure 2: Negotiating Chapters whose  
Opening is conditional on Turkey  
implementing Additional Protocol**

|    |   |        |
|----|---|--------|
| 2  | Freedom of movement of workers                              | Cyprus |
| 11 | Agriculture and rural development                           | France |
| 15 | Energy  | Cyprus |
| 17 | Economic and monetary policy*                               | France |
| 22 | Regional policy and coordination of structural instruments* | France |
| 23 | Judiciary and fundamental rights                            | Cyprus |
| 24 | Justice, freedom and security                               | Cyprus |
| 25 | Education and culture                                       | Cyprus |
| 31 | Foreign, security and defence policy                        | Cyprus |
| 33 | Financial and budgetary provisions*                         | France |
| 34 | Institutions  | France |

\* block since lifted

**Figure 3: Negotiating Chapters whose opening  
France (2007) and Cyprus (2009) announced they  
were blocking**