The occidental perspective of the accession negotiations between Turkey and the European Union

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Abstract

The purpose of this article is to study the process of the Europeanization of Turkey, amid the European crisis. The introduction is creating a framework for the research. The paper is studying Turkey’s negotiations with the EU, respectively the main negotiating chapters related to economy and law, following the progress made in the Turkish state regarding the potential accession to the European Union (according to the annual reports of the European Commission). Documents presenting official views are used to study international elements, such as the history of negotiations. The objectives of the article are: to present the history of the negotiations between Turkey and the European Union, to show the current state of these negotiations (for this part, the paper focuses on the European negotiations dealing with the mediation between the EU and non-EU states that want to integrate), to evaluate. The literature review is related to the significance of the paper explained in the previous work (about candidate countries’ negotiations with the EU, in the waves of enlargement starting 1973). Also, the Occidental opinions of leaders about the integration of Turkey may influence decisions according to this subject. Currently, Turkey has made efforts to get closer to Europe but does not meet all the conditions for the membership of the European Union yet, so that all the negotiation chapters to be closed. To resolve this problem, the EU works towards revealing the mandatory requirements related to the accession process, while the candidate country is striving to meet its membership conditions by creating the necessary institutions during the process. About the methodology, I will start with the theoretical part (from special sources). There are official documents for studying international elements. In this article, I am analyzing some of the negotiation chapters from the European Commission reports on Turkey from 2017. I am transforming the content into position documents. They will have the following structure after the analysis: introduction (presentation of the issue, the circumstances), points of agreement; points of disagreement and conclusions. In this way of analysis, personal contribution is highlighted. Regarding the results and discussions, looking at the report published by the European Commission, the study is able to show whether or not the preparations made by this state are generally advanced. By detailing the most relevant chapters of the negotiation, the areas will be highlighted in which there is no need to continue the process and the areas under development. As conclusions, generally, the final works can highlight the level of improvement for the detailed negotiation chapters, which contains concrete requirements related to policy implementations.

Keywords: Occidental perspective, Accession, Negotiation

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THE INTRODUCTION AND THE CONTEXT OF NEGOTIATIONS

Before the recent challenges that the European Union is facing, widening this geopolitical structural to the east and south was a priority, but for the moment, this goal is postponed. The migration crisis also affects Europe’s neighbourhood. Turkey has to face the crisis of migratory populations. At the same time, it has to continue the steps towards integration, which implies a double effort.

The presentation of the theoretical part represents an important pillar by which both the interest of the Union for the south-eastern area and the generalities regarding the accession negotiations for the Turkish state are exposed. The result is focused on creating a framework for understanding the applied part. From the point of view of the negotiation criteria, it is proven whether Turkey has made efforts, creating specialized institutions for the implementation of the requirements or making its existing authorities accountable for facing the challenges of the future integration.

This is a contemporary subject; the accession negotiations unfold for some states from the Balkans, including Turkey. There is not a study in the field literature that analyzes the accession chapters for Turkey by using the same
method (transforming the content into position documents).

Firstly, the paper shows the history of negotiations within the European negotiation process, and other related
implications (from general sources, elements from more domains). This chapter is related to the enlargement policy
of the European Union and in this way, the proximities and distances between the two entities are highlighted.

The statute of Turkey is one of the candidate countries. In 1987 the Turkish state applied for the European
Economic Community. In 1997 talks started. The implication of the Turkish state about the accession started from
1959 with the Association Agreement from Ankara in 1963 to a gradually establishing of a customs union (1995).

Even the talks began, only after the Turkish country will agree to implement the additional protocol from
the Association agreement Ankara – Cyprus; eight chapters from the negotiated chapters would be discussed and
those chapters which were provisionally closed would be unblocked.

From the chronology of important data on the progress of the Turkish country towards Europeanization,
it can be mentioned: on December 13, 1997, at the Luxembourg Council meeting Turkey became eligible for
membership; December 11, 1999, is the date when the European Council in Helsinki declared Turkey a candidate
state; the Accession Partnership was adopted on March 24, 2001, which was revised two years later; on December
16, 2004, it was decided to start the accession negotiations for October 2005. So, in the reports, it is possible to
specify which criteria are met and what it needs to do to fulfill other criteria (Bariscil, 2017; Schiop, 2017).

Other data on the Turkish - European partnership history: on the first of June 2006 the negotiation chapter
with the number 25 (science and research) was opened and then finalized; on December 11 the same year, due to
Turkey’s refusal to put in function the protocol from the Ankara - Cyprus Association agreement, eight subjects
have not been released; 2008 can be characterized by revising the Accession Partnership and 2010 by opening
chapter 12 (consumer protection); 2012-EU agenda has been more dynamic with regard to Turkish - European
relations; on the 5th of November, the next year chapter 22 (regional area) was started; the visa dialogue started on
December 16, 2013, signing the Readmission Agreement; the draft on visa roadmap was implemented in 2014; in
2015, progress was made on the action plan for the first high-level meeting between the two entities (November,
29) and the chapter 12 on monetary economics and policy (December, 14) was opened (European Commission,
2016) has been a productive year in this area, despite the tense events at international level, but also within Turkey.

So, in 2016, the EU - Turkey Declaration (March, 18) was signed, the first report of the declaration (April,
20) was implemented, the third visa policy report was agreed (the 4th of May, June, 15), the accession conference
was held through discussions with the opening of chapter 30 on financial and budgetary provisions (June, 30) and
the third report was accepted (September, 28) (European Commission, 2016).

The Turkish state has the environment of a continuous, unprecedented migratory flow. More and more
people seek refuge from Syria, exceeding 2.7 million. Generally, it is the country which hosts the biggest number
of refugees, already using significant financial resources to address this crisis. A common action plan EU – Turkey
started in October 2015 in the Summit EU – Turkey from November 29, 2015. The purpose of the action plan
is to make an order of the migratory flows for the avoidance of illegal migration. The EU and the Turkish state
reconfirmed the mutual commitment to ending the illegal migration to European Union to break the model of arms
trafficking and to offer migrants an alternative to life risk in the mutual statement of March 18, 2016.

Establishment of the Facility for refugees in the Turkish country at the end of 2015 had the purpose of
coordination between the European Union and Turkey to allow rapid and effective mobilization of European refugee
assistance. The financial assistance was three billion euros in 2016 - 2017, and it took into consideration the
European funded activities and other contributions from the European countries for effectivenes and supporting
the refugees and other similar categories in that country. It is an important secondary help (Schiop, 2017; Yilmaz,
2017).

From an economic point of view, Turkey is important for the U.S. due to the huge size of its market that is
still developing. While Turkey has a project for the population (95,000,000), it consumes less than the Netherlands,
which has a smaller population. Even before the population growth and the potential consumption achieved, Turkey
was proud of the 17th largest economic growth in a short time. Symbolically, Turkey’s alliance is crucial to the
US for two main reasons: geography and culture. Geographically, the Turkish state is literally the bridge between
Europe and Asia. This strategic positioning makes Turkey a key player in geopolitical affairs in Europe, Asia and
the Middle East. From a cultural point of view, the USA has an interest in the success of democracy in the Turkish state, an important Muslim country. This was one of the main themes of president Barrack Obama’s address to the Turkish Parliament on April 6, 2009, in what he called Turkey a “secular democracy” (Bennett, 2016).

The unfolding of a number of specific issues helped shape the future of the alliance. In the Middle East, the trajectory of the Arab Spring, driven by forces unleashed in the form of popular uprisings, is likely to exert pressure on both Washington and Ankara to coordinate their policies, especially as they have similar perspectives on the root causes of the upheaval and the need to assist the regional transformation toward democracy and human rights. How the two countries deal with the Iranian nuclear program, regional tensions created by Iran’s stance in the Syrian crisis and Tehran’s difficult relationship with its Arab neighbors will continue to be major parts in the U.S. - Turkish relationship. The role Russia chooses to play in the various parts of the world in which Washington and Ankara have interests will also be a deciding factor (Aliriza, 2012).

Before the coup attempt, the Turkish state was in the process of Europeanization, amid the European crisis. It will be shown the context of negotiations between the European Union and Turkey. Currently, Turkey has made efforts to get closer to Europe but does not meet all the conditions for the membership of the European Union yet, so that all the negotiation chapters to be closed (Schiop, 2017).

For better understanding, the practical part is based on the analysis of the concrete actions that the Turkish institutions implemented or not different policies.

THE LITERATURE REVIEW

The EU is based on the values which are listed in the article 2 of the Treaty on European Union: respect for human dignity, freedom, democracy, equality, rule of law, respect for human rights, including the rights of persons belonging to minorities; in 1957 the European Union began as the European Economic Community and the European Atomic Energy Community with six members: Belgium, France, Germany, Italy, Luxemburg, and the Netherlands. Six waves of enlargement rounds were from 1973 that have increased the number of member states: Denmark, Ireland, United Kingdom; in 1981, Greece was integrated; in 1986, Spain, Portugal, and in 1995, Austria, Finland and Sweden became full members (The European Commission, 2019).

N. Piers Ludlow explains that enlargement was never part of the initial European project when it began in the 1950s, but became one of the EU’s most important and successful policies; the first enlargement of 1973 welcomed other Western European democracies (the UK, Ireland, and Denmark), with no long-term strategy for enlargement. Only with the Greek accession in 1981, the strategy of democratization enter into the enlargement process and, as Eirini Karamouzi demonstrates, from that point onward, the Community sought to support and entrench democratic transitions among its neighbours, with membership being their ultimate reward. However, democratization was related to security considerations in the geopolitical context of the Cold War. Another idea was described by Cristina Blanco Sío-López: the Community developed and institutionalized its enlargement strategy through the Spanish accession in 1986 to shape the eastern enlargement of 2004 and post-communist states in Central and Eastern Europe, meanwhile, sought to assimilate to the Western European model, as Anne Applebaum explains, by adopting Community membership as an overriding policy goal (Durand, 2013).

Besides the actions that Turkish institutions took into consideration, it is important to look at the Occidental opinions of leaders about the integration of this state. These opinions could have an influence on the decision-making process for accession.

The issue is relevant, even though the accession negotiations with Turkey are no longer as effervescent as in the past. Turkey is increasingly moving away from the European Union, and there is no ambiguity that it will not integrate into the near future of the coup attempt. The situation of this state is a difficult one. However, the fact that there are approximately 30,000,000 Muslim majority of refugees is one of the reasons why the accession negotiations were not suspended. Also, the Turkish state is an important economic partner. Relationships must be maintained. Otherwise, distance from the EU would be a less desirable option.

The enlargement for the Central and Eastern Europe and South-Eastern Europe was different; for example, in the first half of the 1990’s the interactions between these two entities were minimal. After the dissolution of the Yugoslav Federation until the Bosnian crisis from 1995, the EU wanted to keep problems at a distance and acted in the area only in the domains of crisis management and humanitarian aid. The EU was involved in the early stages
of the Yugoslav crisis, especially for Albania, which was in extreme poverty and the most important assistance programs were Phare and Obnova (the Phare program was limited to the conflict management).

Trade policy should be moved beyond existing free-trade commitments for all the Western Balkans and Turkey for entering the Customs union of the EU; eurozone doctrine should be adapted to realities and rather than regarding the use of the euro by Montenegro and Kosovo as an unfortunate turn of events, the costs and benefits of unilateral adoption of the euro by not-yet member states of the region should be more openly appraised, and the option to “euroise” recognized as a possibility. It is good that the Union has moved at the declaratory level towards visa liberalization, which means scrapping visas rather than just an option for facilitation measures (Emerson, 2008).

Europe’s decision on Turkey’s accession talks has sparked a heated debate in Bulgaria between nationalists fighting the European ambitions of Ankara and firm supporters of EU enlargement ten years ago. The two entities are important trade partners, Turkey being one of the countries that most firmly defended Bulgaria’s bid for joining NATO (2002). About 800,000 Turkish population lives in Bulgaria. The Turkish Movement for Rights and Freedoms is a major actor in the country’s political scene. In Turkey, there are 350,000 national Turks expelled from Bulgaria between 1950 and 1989, most of whom regained Bulgarian nationality in the year 2000. Even if they remained in Turkey, they also vote in the Bulgarian elections. Some of them still want to go back to Bulgaria and already bought properties in South-Eastern Europe.

Despite Turkey’s major potential to influence Bulgaria in the political and economic field, neither political class nor society itself paid attention to Ankara’s European efforts until 2007 (Shkodrova, 2005). Despite the holding negotiations, the opinions in the EU are different. May 2007 was the date when Nicolas Sarkozy was against the European partnership with the Turkish state and in Germany Angela Merkel, also had a similar opinion. On the other hand, countries like Great Britain and Sweden pointed to the importance of economics and geopolitics. The debate has different levels: at a historical one, at the level of security, at the level of economic strategy and about ideology.

The opponents and proponents have used geo-historical arguments. Sarkozy argued that Turkey was part of Asia Minor, not so much from Europe. A Turkish writer, Orhan Pamuk, used geography to argue the opposite (Dulffer, 2007), especially by using the example of Istanbul with its geographical appurtenance, but not only geographical but also from the point of view of development and lifestyle.

An argument used by supporters is the strategic one. They sustained that despite the differences, a possible talk could bring advantages to different levels (economic, political, military, and geopolitical). The journalist Michael Moravec told that Turkey could solve Europe’s demographical problems.

Even supporters realized that there are lacks in the area of democracy and human rights, but with Europe’s pieces of advice, the major changes would help the transition. Anthony Giddens affirmed that Turkey made efforts regarding the help of EU partnership. On the other hand, the British historian, Norman Davis, thought that it is still needed a long way (Dulffer, 2007).

There are also countries from the European Union that support the integration of Turkey and others, which are against full membership (Schuster, 2017). At the same time, there are also countries that have neutral or changing opinions.

From the states which are against, Germany, through the chancellor, Angela Merkel, wanted an ending, or a suspending of the accession discussions with Turkey. Diplomatic talks were hard, but the cooperation is important: three million persons in Germany are from the Turkish state or with Turkish roots. Austria, through Christian Kern, affirmed that democratic plans from in Ankara were not enough. The prime minister from Belgium, Charles Michel, changed this declaration in March 2017, when he wanted the end of the negotiations.

From countries that remained on the fence, the attitude of France toward Ankara has shifted in recent years. Relations were stabilized under Francois Hollande, but Emmanuel Macron did not declare his government’s official position. Luxembourg supports to maintain talks with Turkey, but with a neutral position. Denmark maintained the same attitude for Ankara without supporting or being against negotiations. The UK has been open to the idea of Turkey to join the EU, but the Euroskeptic party, UKIP, was afraid of Muslim immigrants (Schuster, 2017).

Despite discouraging opinions, there are enough countries which support the Turkish accession. Ireland is in
favour of it in theory but has important that Turkey must be committed to EU principles. The Mediterranean states
are, also, in favour. Portugal supports to give other countries a chance for European partnership. Spain wants a deep
relationship with Europe for stability. Italy is Turkey’s third major European trade partner. Finland and Sweden are
supportive (Finland more supportive), but not unconditionally. Both of them were afraid of the rule of law from
the Turkish state. Estonia, Latvia and Lithuania see Ankara as a good partner for the European Union, but it must
respect the same rules as other countries.

Poland, the Czech Republic, Slovakia, Hungary, Romania, and Bulgaria endorsed the integration of Turkey.
Security in Eastern Europe and Russia were important in foreign policy and about this topic, the opinions differ.
In Poland and the Czech Republic, there is no interest in major public debate about it. Romania supports Ankara
before it even joined the European structure. Croatia and Slovenia are open to that potential membership. Greece
and Cyprus support accession, but not unconditionally (Schuster, 2017).

An important phase was to give incentives for countries that progressed sufficiently down the path of political
and economic reforms by giving them a chance to negotiate European agreements with the EU.

METHODOLOGY-THE NEGOTIATION CHAPTERS

In this section, I am analyzing the most important negotiation chapters from the European Commission
reports on Turkey. I am transforming the content into position documents. They will have the following structure
after the analysis: introduction (presentation of the issue, circumstances), points of agreement, points of disagree-
ment and conclusions.

The study from the chapters generates the answers to the research question: how is the progress in Turkey
and how the rights are respected from the Western perspective that results from the accession negotiations?

Official sources are used for the study of the negotiations, respectively, the reports of the European Com-
misson. In relation to this mode of analysis, the personal contribution will be highlighted. In this case, the public
information of the related institutions is used. In general, at this part of the negotiations, the critical sources of the
EU are analyzed; the views are subjective.

Through the rational choice theory, there are many steps: identifying the nature of the problems, there is
a hierarchy of their own preferences for their objective selection or a purpose; the choice is taking into account
the effectiveness, the cost, the trust. The study can dedicate actions to each one (costs and benefits, advantages
and disadvantages). For a main analysis of the trading domains, the rational choice theory is used for document
analysis.

In the case of the accession negotiations, the advantages and disadvantages are represented points of agree-
ment or points of disagreement.

Alternatively, the decider can choose the best way in order to maximize interest. The negotiation chapters
can be grouped according to domains. Also, the limitation of the study consists of the fact that the European acquis
may be interpreted by the Turkish state.

A decision is made by security: identification of the nature of the problem; there is a hierarchy of one’s
own preferences for selecting the goal; the choice is made by efficient means to reach the objective, taking into
consideration the efficiency, the cost, the confidence; analyzing and comparing the consequences of each action
(costs and benefits, advantage and disadvantage) (Allison & Zelikow, 2010).

In order to make decisions, the vote is taken unanimously, by a simple majority or by a qualified majority,
depending on the field; the regulation policy is carried out in the Council. The theory of coalition formation is
closely linked to qualified majority voting (Puscas, 2013).

In parallel with the aforementioned notions, the European Commission deals with the monitoring process
regarding the European legislation by which it observes the way in which the countries interested in integrating
have evolved (Safta & Felesu, 2011). This makes a draft EU common position that needs unanimous approval from
the Council. Thus, negotiations related to the specific chapters of the acquis are opened, and then the ones related
to policies, budget, and institutions are closed provisionally (Wallace, Pollack, & Young, 2015).

In the case of accession negotiations, the advantages and disadvantages are represented points of agreement
and points of disagreement.
In the Chapter on the Free Trade for Products
It was specified that goods could be freely commercialized based on common EU values.

Points of Agreement
Generally, in Turkey, the rules from this field are respected. The implementation of TAREKS influenced a big lot of European goods. Thirty institutions are taking care of announcements in Turkey. From them, one is taking care of technical issues. The Turkish accreditation agency is working for harmonization made by the European cooperation for accreditation. The National Metrology Institute works for mutual rules according to the international procedure about scientific measurement. Other competences of the institute are: to produce goods for tests in laboratories. This belongs to the European Association of National Metrology Institutes. The law parts of it belong to the Ministry of Science, Industry and Technology, which is also part of European Cooperation in Legal Metrology and the plan for three years was established in 2015.

Points of Disagreement
In the domains besides the theory, there are some problems. There is an issue that is based on technical ways to control the import from the EU without having a certain procedure. There are problems in the domain of textiles, being needed more application and it was needed a prioritization in licensing for chemicals and textiles. Barriers exist on produces in the area without procedures in the domain of alcoholic goods. Exports of metal and leather products must be harmonized with customs union rules.

Conclusion
Turkey is prepared, especially for global procedures. There are still problems with improving this area (European Commission, 2016).

In the Chapter on the Judiciary and Fundamental Rights
Europe has standards for the highest standards of state compliance law (European Commission, 2016).

Points of Agreement
Adopting a new anti-corruption strategy is an important step. The level of preparedness against organized crime is quite advanced. Administrative capacity has newly adopted plans. The solved cases have increased, following the progress of previous years. Some steps have been taken to introduce a system and to develop efficiency in justice (European Commission, 2016).

But the Remaining Points of Disagreement are
The anti-corruption activity is limited to enforcement. Financial investigations remain underutilized (European Commission, 2016). The level putting in the function of the acquis communitaire is low. The action plan to prevent the violation of the European convention on human rights is not enough (European Commission, 2016). There are gaps in the judiciary domain (European Commission, 2016).

Conclusion
Although it will not be long before this chapter is closed, we can see elements related to the slowing of democracy in Turkey in 2017. The chapter is advanced, following the Commission’s recommendations (European Commission, 2016). Also, the unification of the education system that led in the past to the abolition of old-
fashioned universities and a large program of large-scale scientific transfer in Europe influenced the political system (Erichsen, 1998).

**The Chapter on Justice, Freedom, and Security**

The two entities strengthened the foreign policy dialogue (the fight against terrorism in some Arab states, regarding two meetings from January and September 2016) (European Commission, 2016).

**Points of Agreement**

Progress has been noted, although the environment from 2016 was uncertain. New plans were adopted to ensure that the Turkish state meets all it needed for the visa liberalization plan. This made the Commission to propose placing Turkey for visa-free (Turkey fulfills the seven requirements in the visa liberalization strategy). In March 2016, the two entities reaffirmed their joint to put an end to the illegal migration.

**Points of Disagreement**

The EU-Turkey Declaration of March 18, and the EU-Turkey Readmission Agreement have not been implemented in all its provisions. It has not aligned the legislation on the protection of data with European strategies and therefore, it has not yet negotiated a strategy with Europol. There is a lack of laws against terrorism. The proportionality should be respected not only in theory. Strategies for humanitarian help for continuous circulation of more than three million refugees, including new procedures on protecting and allowing access to work, would be welcome.

**Conclusion**

There are moderate preparations. The efforts should continue (European Commission, 2016).

**RESULTS AND DISCUSSIONS**

The European Union wishes their neighboring countries to be partners and to maintain good relations with them for effective functioning. If the official discussions on potential integration would be suspended, then official relations with the Turkish state could be jeopardized, in particular, because of the unstable situation in the Turkish, but also internationally.

The strategy must be followed by concrete steps for the implementation of commitments and the presentation of clear and tangible results. There is concern about the withdrawal of the rule of law and fundamental rights, including the freedom of expression. The continuous deterioration of the independence and functioning of the judicial system is an element that must be remedied. Journalists, academics, members of political parties, including parliamentarians, human rights defenders, users of social networks, were condemned. Judicial proceedings concerning the legitimate and legal activities of members of civil society organizations raise serious concerns. Turkey needs urgently and efficiently to combat these negative developments and has many other serious shortcomings and problems identified.

Turkey should also step up cooperation with the Council of Europe and with its relevant bodies and institutions to take into consideration key recommendations and implement all human rights decisions in accordance with article 46 of the European Court of Human Rights. The latest changes to the Constitution of Turkey, which introduced the new presidential system, have been criticized and evaluated by the Venice Commission because the separation of powers has been endangered. Emphasis should be placed on transparency. Even if the turnout in 2019 was high, there are serious concerns about respecting the legality and integrity of the electoral process, especially against the backdrop of recent decisions (Council of European Comission, 2019).

**CONCLUSION**

Turkey has had a good start in the accession negotiations with the European Union. It was a rapprochement to Europe or a more interdependent trade between the Turks and the West, etc. Unfortunately, the current crises put Turkey in a difficult situation. Negotiating chapters are considered advanced or medium in terms of status, but could not be closed yet. The fact that the accession negotiations for the Turkish state are not a priority for the European Union is because of other problems that affected Europe in a way or another.
Turkey also took into consideration possible cooperation with Russia and China throw the Eurasian Economic Union. However, it is still not possible to specify exactly which route to choose.

It remains to follow international reactions that can influence the situation in one way or another.

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