

ACCESSION NEGOTIATIONS AND THE NEW EU STRATEGY OF TURKEY: A CRITICAL ASSESSMENT

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ABSTRACT

Turkey is singled out as the country with the longest history of accession among the candidate countries for the EU membership. The background of relations and the advantages and disadvantages of potential Turkish membership to the EU have been discussed from various perspectives. This study aims to contribute to this debate by a critical assessment of the New EU Strategy of Turkey launched by the end of 2014 that draws the roadmap of accession negotiations until 2020. The analysis of recent relations reveals that in the areas, where EU conditionality is high, Turkey has taken more concrete steps towards harmonization and current stalemate of relations depends on approach of the EU to Turkish membership, as well as the political preferences of Turkish ruling elite.

Keywords: Turkey-EU relations, the New EU Strategy of Turkey, EU Accession.

KATILIM MÜZAKERELERİ VE TÜRKİYE’NİN YENİ AVRUPA BİRLİĞİ STRATEJİSİ: ELEŞTİREL BİR DEĞERLENDİRME

ÖZ

Türkiye-AB ilişkileri uzun bir geçmişe dayanmaktadır ve Türkiye, en uzun katılım sürecine sahip ülke olarak öne çıkmaktadır. İlişkilerin siyasal, ekonomik, kültürel boyutu ile Türkiye’nin üyeliğinin avantajları ve dezavantajları birçok açıdan tartışılmıştır. Bu çalışmanın amacı, konu üzerine var olan literatüre 2014 yılı sonunda hayata geçirilen ve Türkiye-AB ilişkilerinin 2020 yılına kadar olan yol haritasını çizen Yeni Avrupa Birliği Stratejisi’nin eleştirel bir değerlendirmesini yaparak katkıda bulunmaktır. Bu değerlendirmenin ortaya koyduğu temel sonuç; Türkiye’nin üyelik müzakerelerinin hızı ve sonucunun AB’nin koşulluluk ilkesinin uygulanış biçimi ve Türk siyasal sisteminin iç dinamiklerine bağlı olduğudur.

Anahtar Kavramlar: Türkiye-AB İlişkileri, Yeni AB Stratejisi, Üyelik Müzakereleri.

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INTRODUCTION

Turkey's long journey for the EU membership dates back to 1959, when after the Greek application for membership to the European Economic Community (EEC), Turkey has also made its official application for joining the Community and the process began with the Ankara Association Agreement that came into force in 1963. Ankara Agreement envisaged three stages of preparation, transition and finalization for Turkey's relations with the Community during which Turkey would reform its economic system and realize an institutional capacity necessary to implement the requirements of the common market. Turkey was expected to do so and join the Community in 22 years according to the agreement (MFA, 1963). However, due to domestic economic and political instability and changing international conditions and changing dynamics of the Community itself, Turkey is still a candidate country trying to make its way to the full membership.

In the 50th year of official relations, Turkey launched the New EU Strategy, aiming to revitalize the virtually frozen relations with the EU and created the most detailed and concrete roadmap for finalizing the accession process to this day. This article aims to assess this strategy by comparing it to the previous National Programs regarding the EU harmonization reforms and to the Progress Reports of the Commission on Turkey. In doing so, the major aim is to establish a scorecard for Turkey's progress in membership and to determine the conditions that lead to the practical slowing down of the process. To this end, the following section briefly gives the chronology of relations. This historical section is followed by the analysis of the accession negotiations process. The third section deals with the New EU Strategy from a critical perspective and the final section offers suggestions for the revival of the process.

I. ROAD TO ACCESSION NEGOTIATIONS: A BRIEF HISTORY OF TURKEY-EU RELATIONS

The application of Turkey for European Economic Community (EEC) membership was rather a rushed decision on behalf of foreign policy makers based on factors such as economic and political integration with the West and Greece's application for membership, which was a historical rival (Oran, 2006: 815-817). Thus, the miscalculations about the costs of accession created great debate in Turkey in 1970s, which resulted in the slow-down of process right from the beginning. The disagreements between the bureaucrats of economy and of foreign affairs regarding the advantages of membership (Oran, 2006: 842) prevented the formation of a concrete strategy for accession, which is basically a process of harmonization of legal and economic structures in line with the principles and functioning of the Community system. A closer look at the relations during post-Ankara Agreement reveals that Turkey's basic strategy in its relations with the EEC was to complete each stage of the agreement without really fulfilling the required technical criteria and with diplomatic bargaining instead. This situation was observed by the EEC as well and coupled with the

1980 military coup in Turkey and disruption of civilian politics, led to the freezing of relations in 1970s and first half of the 1980s.

“Turgut Özal’s accession to power in 1983 changed the picture dramatically, since he was committed in principle to liberalizing Turkey’s international trade (...). In fact, in 1987 Özal told the Turkish parliament that the aim of economic liberalization reforms was to facilitate Turkey’s integration to the European Community as a full member” (Hale, 2002: 178). Determined to revive the relations between Turkey and the European Community (EC), Turkey applied for full membership to EC in 1987. In 1989, the EC Commission gave a negative opinion about Turkey’s application by stating that the Community was not ready for enlargement because of its changing dynamics and institutional structure and that due to its unfavorable economic and political conditions and lack of economic development, Turkey was not ready to apply the *acquis communautaire* of the EC (Commission of the European Communities, 1989). However, despite this negative opinion, door was not completely closed mainly because of the Ankara Agreement that envisaged a customs union between the parties and the Commission urged Turkey to accelerate its economic transformation with the assistance of the EC.

On January 1st, 1996 the Customs Union agreement between the European Union (EU) and Turkey came into effect (Ministry of European Union, 2015) with the expectations on Turkish side that it will accelerate Turkey’s accession to the EU as a full member. However, contrary to the expectations, in the Luxembourg Summit of 1997, the European Council decided to exclude Turkey from the enlargement perspective of the EU (MFA, 2015). This decision led to a crisis period in Turkey-EU relations, during which the bilateral relations were frozen as a reaction to this decision on Turkey’s behalf. Two years later, in 1999, the Council decided in Helsinki summit that Turkey was eligible to a candidate country status but in order for the accession negotiations to begin, it had to fulfill the Copenhagen Criteria, i.e. the economic, political and institutional requirements of the EU membership (Ministry of the European Union, 2015). Turkey’s progress in this respect would be monitored by the EU Commission with the annual progress reports and accession talks would begin as soon as the criteria were fulfilled.

With the Helsinki decision, Turkey-EU relations entered a new phase. With a more concrete perspective for membership, a series of economic, political and legal reforms were initiated and Turkey experienced a significant transformation in Post-Helsinki era. The transformation was appreciated by the EU as well and in December, 2004, the Council decided to officially start the accession negotiations with Turkey on October 3rd, 2005. However, ten years after this decision, the prospects for membership are still problematic and the discussions regarding the future of Turkey-EU relations remain intact. In Turkish case, “accession talks have been affected adversely by a number of domestic and external problems” (Bogdani, 2010: 24) such as political and economic issues, security concerns on the EU’s behalf and cultural and religious identity-related concerns. With its peculiarities, the Turkish accession remains a problem both

on the EU's and Turkey's political agenda and in order to understand the nature of this problem, it is firstly necessary to explain the process of accession in general and the special conditions of Turkey's accession in particular.

II. THE ACCESSION NEGOTIATIONS TO BECOME A FULL MEMBER TO THE EU

A. THE FUNCTIONING OF THE ACCESSION PROCESS

According to the Article 49 of the Treaty of the European Union, any European state respecting and willing to promote the democratic principles of the EU can apply for the EU membership (Treaty of the European Union, 2012). In 1993, the EU has detailed the criteria of membership in order to provide a more concrete roadmap for prospective member states. The Copenhagen Criteria, named after the Copenhagen Summit of 1993, determines three conditions for membership:

- “1) stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- 2) a functioning market economy and the capacity to cope with competition and market forces in the EU;
- 3) the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union” (European Council, 1993).

Additionally, the EU also analyzes its own capacity to accept and absorb the new members within its institutional framework while making the decision of enlargement.

When a country applies for the EU membership, the European Commission makes an assessment of the country's status regarding the fulfillment of membership requirements. If the Commission's opinion is positive, an Accession Partnership Document is prepared to be signed between the EU and the candidate country. This document, prepared by the EU, identifies the key areas in which the country needs to make progress before proceeding with the negotiations and the assistance to be provided by the EU in due process. The candidate country has to prepare a national plan as a response to this document explicitly stating how it will make progress in the areas identified by the EU and listing the short, medium and long-term measures.

The next step is the annual monitoring of the candidate country's progress to realize its national program and when the Progress Reports of the Commission are positive, a unanimous decision of the member states officially starts the negotiations. The 35 chapters of the EU policy making determine the framework of negotiations and the subject of the negotiations is “the conditions and timing of the candidate's adoption, implementation and enforcement of all current EU rules” (European Commission, 2014). In other words, it is not the rules themselves that is negotiated. By applying for membership, candidate countries agree to adopt and implement them and in the negotiation phase

financial arrangements and transitional agreements for adoption and implementation are discussed.

The negotiation of each chapter of *acqui communautaire* is conducted in three stages. The first stage is screening, where the legislation of the candidate country is examined in detail by the Commission in order to determine the ability of the country to adopt the EU legislation. The Commission may recommend to open the negotiations or to determine opening benchmarks that should be met before starting the negotiations (European Commission, 2013). At the second stage, the EU and the candidate country submit negotiating positions to each other revealing the initial opinion of both sides in terms of transitional agreements, derogations and assistance in terms of adoption of the *acquis* (ibid). The last stage is the negotiation itself, whose pace and finalization depend on the country's performance to adopt the EU legislation to the domestic legal system and policy making. Once each of the 35 chapters is negotiated, one final overall negotiation is conducted to close the chapters and accession treaty is drafted. The country joins the EU, after the draft treaty is approved by each EU institution, signed by the candidate country and the member states and ratified in all parties of the treaty.

After Turkey was officially recognized as a candidate country in Helsinki summit in 1999, the Commission prepared the Accession Partnership Document for Turkey to start the negotiations as stated by the EU. However, during the negotiations phase, Turkey was differentiated from the other candidate countries, specifically Croatia and this created problems for Turkey's prospects for membership. In order to analyze these problems, however, firstly, the peculiarities of Turkey's accession negotiations need to be addressed.

B. THE TERMS OF ACCESSION WITH TURKEY: THE TURKISH EXCEPTION

After the Helsinki decision, the accession process began for Turkey with the Accession Partnership Document offering the EU's initial position in 2001 (EU Council, 2001). In the document, the EU laid the short-term and medium-term expectations from Turkey in order to start the accession negotiations, which covered a wide range of economic and political reform and international issues. In the short-run, Turkey was expected to

- increase its efforts for the solution of the Cyprus issue,
- establish legal guarantees for basic rights and freedoms such as freedom of expression, association etc,
- fight with torture and human rights violations,
- abolish the State Security Courts,
- abolish death penalty,
- enable broadcasting in mother tongues and
- minimize regional development differences (European Council, 2001).

In terms of economic harmonization, short-term expectations from Turkey focused on structural reforms to increase transparency, to promote competitiveness in market, to finish privatization of public sector and harmonization of tax policy and product standards with those of the EU (ibid).

The medium-term change Turkey was expected to undergo was much more comprehensive including peaceful solution of international disputes, establishment and protection of an area of freedom for people, civilian control of the military, completion of fiscal and agricultural reform, establishment of an independent central bank and strengthening of local administrative bodies (ibid).

Along with the requirements of the accession process, Turkey prepared and submitted the first National Program to the EU in 2001 (Ministry of the EU, 2001). The program dealt with short- and medium-term priorities of Turkey in order to respond to the EU's conditions stated in the Accession Partnership Document, however, an overview of the program reveals that instead of providing a concrete roadmap and a list of actual legislation to be passed, the program was designed in such a way that avoided politically sensitive issues for domestic setting, such as abolishment of death penalty, providing broadcasting and education in mother tongues and civilian-military relations. The program focused on what has been done rather than prospective reform and steps to be taken in major areas.

The National Plan was a disappointment for the EU and although it had to contain "an assessment of problems, costs and administrative structures needed to produce the necessary revisions, it was an unduly conservative response to the EU Accession Partnership Document" (Rumford, 2002: 59-60). The official EU response to the Program stated that "the National Program represented significant progress, although the scale of transformation envisaged in the report failed to reach the threshold level set by the Community to open the accession negotiations for full membership" (Öniş, 2003: 13). In other words, Turkey's roadmap to accession negotiations fell short of meeting the minimum EU standards of membership and did not help to speed up the process. However, in 2002, after Justice and Development Party (*Adalet ve Kalkınma Partisi-AKP*) came to power, a more aggressive strategy was adopted in Turkey towards the EU which revised the existing situation.

The 2003 National Program (Ministry of the EU, 2003) was more specific and clear in terms of targets and reform initiatives. The program contained revision of 61 existing law and secondary legislation and 93 new laws and directives to be passed in short and medium-term. While the short-term targets were completely in line with the Accession Partnership Document of the EU, the medium-term reforms clearly targeted the fulfillment of political criteria to start the accession negotiations by the end of 2004. The second national program was also more specific in terms of what will be done by Turkey until and during the accession negotiations with a detailed list of legislation for each of 35 chapters of the *acquis communautaire*. As a result, the 2002-2005 period is considered as a "golden age" (Kubicek, 2011; Öniş, 2008) in Turkey-EU relations that resulted in the Council's decision to start the accession negotiations with Turkey in 2005.

However, the Negotiation Framework determined by the EU on October 3rd, 2005 (EC, 2005) created concerns about the future of relations despite the accession talks and put an end to the golden age of relations because of the ‘Turkish exception’ it introduced.

While crafting the negotiations with Turkey, the EU diverted from its accession practice and for the first time, it put forward special conditions of (none) accession making Turkey an exception among all joining states. The conditions of negotiations with Turkey gave the message that there was a possibility for Turkey not to become a full EU member even though the negotiations are finished successfully and in case of a possible membership, it would not be on equal terms with the other member states.

According to the negotiation framework with Turkey,

- “there would be no projected date for membership and the pace of negotiations would depend on Turkey’s progress in meeting the requirements of membership,
- the negotiations would be open-ended, with no guarantee of membership as the outcome,
- even if Turkey would meet the membership requirements, the EU could still reject Turkey’s membership on the basis of its own absorption capacity for new members,
- in breach of fundamental rights and freedoms, democracy and rule of law, negotiations could be suspended by the Commission’s or Council’s decision,
- long transitional periods, derogations, specific arrangements or permanent safeguard clauses could be considered in areas of freedom of movement of persons, structural policies and agriculture,
- none of the chapters would be closed permanently even when negotiations were finished successfully and
- until Turkey recognized Greek Cypriots and the dispute was settled, there would be non-negotiable chapters” (EC, 2005).

The conditions for negotiations and membership led to a stalemate of reform on Turkey’s behalf creating a vicious circle of criticisms from the EU about how reform stopped in Turkey followed by criticisms from Turkey on double standards of the EU leading to virtually freezing of the negotiations. 10 years after the beginning of negotiations, only 12 out of 35 chapters are open for negotiations (the New EU Strategy, 2014), rest of them blocked by Council decisions or member state vetoes and none of them are closed after successful rounds of negotiations.

The slowdown of negotiations is a consequence of the combination of changing political conditions in Turkey and changing dynamics within the EU. However, this situation is perceived as a problem by both sides and in 2013 the New Positive Agenda was launched by the European Commission in order to

speed up Turkey's compliance with the *acquis* (Mac Millan, 2013: 3-4). Turkey responded to this positive agenda by establishing an EU Communications Strategy for the first time together with the New European Union Strategy. The content of these two documents provide clues about the future of Turkey-EU relations, however, in order to understand these clues, it is firstly necessary to clarify how the EU conditionality works in candidate countries and how Turkish exception weakened this conditionality required for harmonization in Turkey.

III. EU CONDITIONALITY AND THE TURKISH CASE

EU conditionality can be defined as the process by which candidate countries adopt the EU legislation and revise their systems as a part of the requirements for membership. In other words, the prospects for membership and negotiation process itself create an impetus for domestic structural change and the expected outcome of this change is the adoption of the *acquis* and harmonization with the EU. The first generation of students of EU policy making argued that EU conditionality worked from top to down, where the EU pressed for policy change as a result of misfit between the EU practices and domestic practices in order to achieve convergence among the member states and candidate countries adopted the necessary measures as result of top-down pressures (Bulmer and Birch, 1998: 6). According to this framework, the Commission, the state elite who are conducting the negotiations and the European Council where member states have bargaining options were the actors of conditionality.

The second generation of the EU research, on the other hand, does not see EU conditionality as a top-down process. Instead, they argue that EU pressures for compliance are processed at the domestic polity as well and the pace and outcome of compliance are determined by a series of domestic variables (Bulmer and Birch, 1998: 6). In this bottom-up framework of compliance, the process is more dynamic and interactive and domestic political actors, public opinion, state traditions and bureaucracy affect the outcome.

“The success of political conditionality depends on: (i) the conditional offer of EU membership to the target government; (ii) the normative consistency of the EU's enlargement decisions; and (iii) low political compliance costs of the target government” (Schimmelfennig, 2008: 921). In other words, the EU conditionality works better if the candidate country perceives a given prospect for membership and that the rewards for changing domestic economic, political and social structures are higher than domestic political costs. Between 2002 and 2005, the EU conditionality was very effective in Turkey because the reward offered by the EU was the accession negotiations and the EU was a credible and consistent partner for Turkey. Additionally, the new AKP government was willing to pursue the reform process because the benefits to do so were higher than the costs. The democratization and liberalization agenda that Turkey was expected to comply by the EU, helped the government to strengthen its popular support and power vis-à-vis the other political actors, especially the military. The result of the harmony between top-down pressure for change and bottom-up

willingness for reform was a series of reforms that led to fiscal and monetary discipline, attractiveness for foreign investment, democratization and a more constructive foreign policy behavior (Öniş, 2008: 38-39).

After the official beginning of negotiations, however, the EU conditionality created a reverse effect in the Turkish case and instead of pressuring for more change, it weakened due to various domestic and EU-level factors. The EU's ambivalence towards Turkey's membership can be observed from the Accession Negotiations Framework. The concerns about Turkey's democracy, human rights and rule of law record and the sustainability of reform process led to the extra measures about the course and finalization of negotiations, which was previously discussed as the Turkish exception. The Turkish exception weakened the first two dimensions of conditionality regarding the offer and consistency of enlargement policies and with no concrete perspective of membership, Turkey was discouraged from the reform process.

The internal dynamics of the EU also weakened the conditionality in post-2005 period. The eastern enlargement and efforts for institutional reform with the Constitutional Treaty created major concerns and debates in the EU. The absorption capacity of the Community to accommodate 27 members was a significant problem to be handled and it contributed to the hesitations on behalf of the EU about how to handle Turkey with its large population and existing economic and social problems. Moreover, the rejection of Constitutional Treaty in France and Netherlands by referenda created a legitimacy crisis in the EU and started a debate on the future of the Community. The Constitutional crisis in the EU coincided with the debates on Turkey's position in the Community and Turkish accession was perceived as a threat to the future of the Community by the European public (Öniş, 2008). Thus, although the EU decided to start the accession negotiations after Turkey's reform performance between 2002 and 2005 because of its legal commitments, it was inclined to prolong the process as much as possible and protect the institutional status quo and this was done by weak conditionality and extra measures for Turkish accession.

Coupled with the EU-level problems, changing domestic political dynamics of Turkey also contributed to the stalemate of relations after 2005. The new domestic dynamics increased the costs of compliance to the EU norms for the political elite and as expected benefits of pursuing the process weakened, the harmonization process virtually stopped. During the first period of AKP rule (2002-2007), the EU membership prospect and efforts to this end had important political rewards, such as broader public support and more area of maneuver vis-à-vis the other political actors as a result of political and economic liberalization. "The insistence on keeping the EU prospect open was not merely due to the fact that membership was seen as something realistic and achievable, but rather to the recognition on the part of the ruling party that the continuation of the negotiations remained of critical importance in the internal struggle for power" (Alessandri, 2010: 13). However, after the second election victory of the party in 2007, the EU boost was no longer deemed necessary and benefits of conditionality began to decrease. Moreover, the fact that the settlement of the

Cyprus dispute and opening of channels of free trade were the preconditions for opening negotiations in most of the chapters required a major change in foreign policy rhetoric and the government did not risk loss of domestic political support and reactions from the nationalist voters for accession negotiations, whose outcome was not certain at all.

Reluctance of both sides to go forward with the process weakened the EU conditionality and from 2005 to 2014, there was little progress in accession negotiations. The tone of annual Progress Reports between 2006 and 2014 on Turkey reveals a complete contradiction to the reports of 2002-2005 period. With the 2006 report, the European Commission started to criticize Turkey as opposed to the motivating language of the previous reports. The criticisms revolve around the fact that there was little or no progress in adopting necessary legislation to harmonize policy areas (European Commission, 2006; 2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014), the lack of civilian control over military actions and spending (European Commission, 2006; 2007; 2008; 2009), and problems about protection of basic rights and freedoms and cultural minorities (European Commission, 2006; 2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014). However, after 2011, the criticisms became harsher and in addition to little progress in reforms, the EU started to raise its concerns about Turkey's commitment to the EU accession in the first place (European Commission, 2011) and noted a downward pattern in terms of civil and political rights (European Commission, 2012; 2013).

The last Progress Report published in December 2014, however, shows that the EU-Turkey relations were in serious danger of drifting because the Commission raised important critiques and concerns about the deteriorating political and economic situation in Turkey. In terms of economic harmonization, the previous reports had a positive view about Turkey's performance and efforts. On the other hand, the last progress report criticizes Turkey in the economic aspect for the first time by stating that "Turkey was drifting from consensus on economic policy essentials" (European Commission, 2014). In other words, the EU believed that Turkey was adopting a new philosophy of economic policy which was contrary to the fundamental principles of common market, meaning taking a backward step in economic criteria of membership, in which case Turkey's membership to the EU becomes virtually impossible.

Additionally, for the first time, in this report, the Commission stated that EU accession reforms stopped in Turkey and more importantly, that the existing reforms were reversed by new sets of legislation and Turkey was drifting from the principles of democracy, human rights and rule of law (ibid), which are the political musts of membership. The 2014 report can be considered as the most negative report on Turkey since 1999 Helsinki decision and showed that "a new effort was needed to re-found the commitment to the EU within the framework of Turkish foreign policy" (Alessandri, 2010: 13). The New EU Strategy of Turkey was a product of this situation and it aimed to revitalize the relations and to put them back in track.

IV. THE NEW EU STRATEGY

The first step to revitalize the relations came from the EU with the launch of the “Positive Agenda on Turkey-EU Relations” (EC, 2013), which intended to bring fresh dynamics into the relations. In this process, the prospects for liberalizing visa arrangements for Turkish citizens created a positive conditionality and Turkey accepted to negotiate the Readmission Agreement for the illegal migrants with the EU. The New EU Strategy was launched with the prospects of a concrete step for visa-free travel for Turkish citizens that would have international and domestic benefits for the political elite and the EU conditionality worked positively.

The difference of the New EU Strategy from the previous national programs is that for the first time the strategy for reform is accompanied with a separate EU Communications Strategy (Ministry of the EU, 2014a). The communications strategy launched in September, 2014 has a significant role in terms of decreasing the costs of Turkey’s membership to the EU both at domestic level and the EU level by changing the public opinion on Turkey’s future in the EU at both levels. To this end, the communications strategy targets two levels. At the domestic level, it aims to

- “inform the public about the accession process,
- increase public support for Turkey’s membership and
- achieve mental transformation of Turkish society in order to adopt to the EU” (Ministry of the EU, 2014a).

The aims of the strategy at the European level are

- “to get more positive coverage of Turkey in the European public debate,
- to increase public support for Turkey’s EU membership,
- to focus on contribution of Turkey to the EU as a member state” (ibid).

Civil society organizations, media, universities, business circles, extra-government political actors and citizens are the targets of the Communications Strategy and the agents of communications are civil society dialogue projects and exchange programs co-funded by Turkey and the EU.

The EU Communications Strategy can be regarded as a positive step to overcome the Turkish exception in negotiations process and may lead to a consistent offer of membership in the end. The ultimate decision to accept Turkey as a member will be made by the member states and during the ratification process, public opinion is expected to play a decisive role in the decision. Thus, conducting an effective communication process will help shaping the public opinion in Turkey’s favor and overcoming one of the barriers in front of full membership.

Accompanied by the Communications Strategy, the New EU Strategy of Turkey is the new roadmap of Turkey for full EU membership with a series of

legislation to be concluded by the end of 2020. The strategy has two stages: November 2014-June 2015 stage with short-term legislation and June 2015-June 2019 stage with medium and long-term legislation (Ministry of EU, 2014b). The new strategy is different from the previous national programs in the sense that it first of all contains a self-criticism on Turkey's side, with an overview of existing situation and weaknesses of Turkish system in terms of adopting the *acquis*. After the assessment of the situation, the strategy provides a detailed list of the laws to be revised, new primary and secondary legislation to be passed, the deadline and status of each legislation and the responsible institution for each. In this sense, the New EU Strategy increases Turkey's credibility in its efforts to join the EU and offers a possibility to put the negotiations process back on track.

In order to analyze whether the new strategy increases Turkey's credibility in negotiations, a comparison of targets in the first stage of the strategy, completed in June 2015 and Turkey's performance in realizing these targets is necessary. A closer look at the strategy and Turkey's track record reveals that Turkey had a better performance in realizing the targets in chapters that are open for negotiations rather than the politically blocked chapters. For instance, there is no strategy for Chapter 2- Freedom of Movement for Workers, which is permanently blocked for negotiations, while in Chapter 7-Intellectual Property Rights, which was opened for negotiations in 2008, Turkey has completed a series of legislation regulating patent rights, brands and designs, copyright arrangements and fight with counterfeiting (*ibid*). In other chapters that are currently being negotiated, namely, Chapter 4-Free Movement of Capital, Chapter 6-Company Law, Chapter 10-Information Society and Media, Chapter 12-Food Safety, Veterinary and Phytosanitary Policy, Chapter 16-Taxation, Chapter 18-Statistics, Chapter 20-Enterprise and Industrial Policy, Chapter 22-Regional Policy and Coordination of Structural Instruments, Chapter 25-Science and Research, Chapter 27-Environment and Climate Change, Chapter 28-Consumer and Health Protection and Chapter 32-Financial Control, one can easily observe that Turkey has taken concrete measures and technical efforts to bring its legislation closer to the *acquis* with a positive track record for the first stage of the New Strategy.

The roadmap in the second stage shows that Turkey has made progress in the negotiations process, as screening began for new chapters such as Chapter 5-Public Procurements and Chapter 19-Social Policy and Employment, which is the first step of the negotiations (Ministry of EU, 2014b). One striking feature of the new strategy is the government's effort to minimize domestic costs of legal transformation as much as possible. This can be understood from the deadline put forward for reform in areas that could create major domestic debate or change in balance of power among different political actors. For instance the new Banking Law required for harmonization of financial services is postponed until the end of 2019, regulations on the energy markets are planned to be realized in 2018, while reform of employment policy and required revisions about accountability, transparency, efficiency and corruption of bureaucracy

along with provisions on legal guarantees of basic rights and freedoms are postponed to 2019. This situation is a testament to Turkey's strategy to reposition itself in such a way that would balance the domestic costs of accession and EU's expectations for reform.

CONCLUSION: AN ASSESSMENT

The New EU Strategy reveals that Turkey is capable of harmonizing its legislation and system with the EU through learning. The evolution of how accession process is envisaged by the policy makers can be inferred from the changing tone, content and approach of the strategy from the first National Program in 2001 to the New EU Strategy in 2014. The agenda became clearer, feasible and concrete in terms of steps to be taken, actors and time table.

The new strategy provides an opportunity to start the second 'golden age' of reform for the EU accession after the 2002-2005 reforms. However, in order for this to take place, three conditions need to be met: (i) the EU needs to be more credible and consistent in terms of its position on Turkey's membership prospects, creating stronger conditionality; (ii) the new communications strategy need to be pursued effectively in order to construct the domestic and European public opinion in Turkey's favor, overcoming the exceptional situation of Turkey among other candidate countries; and (iii) the domestic political elite should have the perception that the costs of carrying out major economic, political and social reforms are lower than the stalemate and freezing of negotiations, pursuing a more pro-European agenda.

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