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**Bachelor's thesis**

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Assessing the political factors behind the progress in Turkey's  
accession process into the European Union

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## Introduction

Turkey is a strategic economic and geopolitical partner of the European Union (EU) and a growing economy on the border of Europe. It has an increasingly integrated relationship with the EU. Turkey is one of the five current European Union candidate countries. It has a long history of partnership with what was then the European Economic Community (EEC), before it became the European Union. In 1999, Turkey officially achieved a candidate country status. Having met the Copenhagen criteria in 2004, it was decided that Turkey was ready to advance to the negotiation process the following year. The EU's negotiation process implies advancement, cooperation, and alignment in various policy fields, which make up the 35 chapters in the EU's legislation (*acquis*) that the candidate country has to adopt (European Commission). The negotiation process is an essential part of the accession of candidate states, thus is the main subject of analysis in this thesis. Now, over ten years later, it is important to look back and reflect on the process.

In 2005, the European Commission (EC) expressed the open-ended perspective of the accession process:

The shared objective of the negotiations is accession. These negotiations are an open-ended process, the outcome of which cannot be guaranteed beforehand.

While taking account of all Copenhagen criteria, if Turkey is not in a position to assume in full all the obligations of membership it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond (European Commission 2005a).

As Turkey started seeking association with the then EEC in 1959, it had in mind a prospect of full membership (Verney 2007:213). It has been a long road of adaptation and integration for Turkey, but not without setbacks. On the EU's side, interest in the incorporation of Turkey has been uneven over time (Verney 2007:213-215). Turkey, on the other hand, has been looking towards Europe in all of its modern history (Aka & Gürsoy 2014:271). The Europeanization process of Turkey further accelerated with the candidate status. However, it is argued that since the beginning of negotiations until now, Turkey has actually been moving away from that direction – and even started de-Europeanization (Yilmaz 2016:88-89). Some consider the diminishing enthusiasm a result of little progress made in the accession process (Yilmaz 2016:86).

Indeed, looking back on the 10 years of negotiations, the advancement of the process has perhaps not been as smooth as expected. Namely, out of the 33 chapters that are negotiable, 15 have been opened for negotiations, and only one of them provisionally closed; in addition, there are 14 more chapters that are currently blocked and suspended from being opened (Republic of Turkey, Ministry of EU Affairs). Thus, on the one hand, it is vital to track Turkey's commitment to making progress and adapting the EU acquis. On the other hand, the role of other factors should be explored, as it is possible that Turkey's level of adaptation is not the only aspect causing the stalling of negotiations.

The candidate status and a possible accession of Turkey is a significant matter for the dynamics of Europe. As the European Union incorporates the interests of 28 member states, it is important to view it from an intergovernmental perspective. According to the theory of liberal intergovernmentalism, states are rational actors and the power in the EU is the result of the bargaining that takes place among them (Bulmer & Lequesne 2013:8). Consequently, member states further their interests in the EU negotiations; moreover, essentially the same applies to the accession process of a candidate country. In fact, member governments have the capabilities to influence the enlargement process of the EU in every stage. Enlargement, however, tends to bring about certain challenges of diversity in the EU, which may affect how member states perceive a specific accession (Moravcsik 1998a:36-37). Therefore, the role of member states is an essential part in analyzing Turkey's accession process, as well.

Hence, this thesis focuses on criteria other than Turkey's preparation that could possibly determine the progress of the accession. More precisely, this work analyzes Turkey's progress in alignment with the acquis as part of the negotiation process; followed by the reviewing of the status of negotiations; and lastly, then, it is possible to determine the presence of other factors. Based on the theoretical background on the Europeanization of Turkey and the role of member states in the EU, it is expected that even in the case of Turkey's sufficient progress in the negotiations, political factors stemming from other states pursuing their interests may be decisive in the process moving forward.

**The central research question of the thesis is, to what extent do the political factors affect the negotiation process between Turkey and the EU?**

**In addition, what precisely are the political issues stalling the accession process of Turkey?**

The present thesis is divided into three main sections. The theoretical portion of the work, first, focuses on the Europeanization literature to provide background on Turkey; second, introduces the theory of liberal intergovernmentalism and the two-level game to facilitate insight on member states' role; and third, gives an overview of the EU's enlargement process to make clear the requirements for accession. The second section is dedicated to methodology to lay out the rationale of present analysis, including the operationalization of variables, introduction of the sources, and the case selection. The third main section is devoted to the analysis of the selected cases: the tracking of Turkey's progress in each field and the discovering of political factors that have influenced the negotiation process in each chapter.

In order to achieve the present analysis, a quali-quantitative assessment is conducted on Turkey's progress in the years 2005-2015, and on additional factors influencing the negotiations and the accession process as a whole. Valuable data originates from the European Commission's yearly progress reports on Turkey, which give an objective assessment on Turkey's alignment with the EU. The cases in the form of negotiable chapters are selected following the most similar systems design. The chapters that by 2015 have reached a different status in the negotiations, despite a similar pattern in their progress, are in the central place for further analysis.

## **1. Theoretical framework**

Turkey's relationship with the European Union (EU) over the past few decades has been an increasingly integrated one. The formal inception of Turkey's adaptation process and the goal of EU membership dates back to the 1963 Association Agreement with the Union's predecessor European Economic Community (EEC) (European Commission). In 1996, a Customs Union between Turkey and the EU was realized, which marks an important stage in the economic integration of the two (Aka & Gürsoy 2014:271). Previously, in 1987, Turkey had also applied for candidacy to join the European Economic Community, which was then rejected (European Commission). Over a decade later, Turkey was successful at the Helsinki summit in 1999, where it was granted candidate country status (European Commission). This step led Turkey to an intense adaptation period of carrying out reforms in the following years in order to meet the Copenhagen political criteria (Aka & Gürsoy 2014:272). At the Brussels summit in 2004, it was agreed that Turkey had met the criteria sufficiently to start negotiations the following year (Aka & Gürsoy 2014:272).

The starting of EU accession negotiations in 2005 marks the beginning of talks for Turkey's full membership. It is a significant point in modern Turkey's political and economic history, which is said to be "an attempt to catch up with, or adapt to, the developments in the rest of Europe" (Aka & Gürsoy 2014:271). Thus, in the following empirical analysis, this point of time is considered the beginning of the timeline in tracking Turkey's progress in adaptation. However, Turkey's ambitions in regards to the EU date further back and are more multifaceted than it appears by simply looking at the accession process. So, in order to provide background to Turkey's progress in recent years, wider framing of the Europeanization of Turkey is essential in the theoretical portion of this work. In further theoretical analysis, the role of other states that are a part of the EU is viewed in relation to the accession process moving forward. For this reason, the second section of the theoretical framework concerns member states' role viewed through the two-level game of liberal intergovernmentalism theory.

### **1.1 Framing the Europeanization of Turkey**

Europeanization as a term has been defined in a variety of ways. Burak Erdenir argues that, in the case of Turkey, "the concepts of modernization, Westernization, and Europeanization have been used interchangeably to describe external influence on the

domestic transformation in Turkey” (Erdenir 2014:83). As Atila Eralp and Zerrin Torun describe it, “the project of Westernization or modernization defined and justified reforms in the Turkish political, legal, and sociocultural system in order to reach the standards of higher civilization attained in other parts of the world, particularly since the establishment of the Republic of Turkey” (Eralp & Torun 2013:25).

However, in political analysis, Europeanization is referred to in the context of the EU. It concentrates on the domestic consequences brought about by the European integration process (Radaelli 2004:2). Noutcheva et al. define the concept of Europeanization as an analytical tool to “examine the changes in domestic structures and policies that occur in response to policies and practices institutionalized at the European level” (Noutcheva et al. 2004:20). Firat Cengiz and Lars Hoffmann (2013) explain it as “Europeanization encapsulates the transformation of domestic norms and structures under pressures emanating from the EU” (Cengiz & Hoffmann 2013:417). Whereas in the early 1990s Europeanization was used as a tool to analyze the EU member states’ transformation towards European integration, this concept has started to change (Alpan 2014:68). Europeanization as a concept evolved to also indicate the transformation in candidate states and even third countries (Alpan 2014:69).

Johan Olsen identifies five usages of the term ‘Europeanization’: (1) based on changes in external boundaries, for example, the integration of new member states; (2) view of Europeanization as the development of institutions and central governance at the European level; (3) the classic usage of Europeanization viewed as ‘central penetration of national systems of governance’, that covers adjustment processes at the lower levels of the EU political system; (4) usage which describes exporting forms of political organization, for example the way the EU exports its values to non-member states through its foreign policy; (5) viewing Europeanization as ‘a political unification project’ at the EU level (Bulmer & Lequesne 2013:16-17). Here, it is possible to recognize Turkey in the third and fourth listed meanings of Europeanization. The third usage of Europeanization for example describes Turkey as a candidate and its alignment with the EU legislation; and in the sense of the fourth meaning, since Turkey is still not a member state, the EU also communicates with Turkey through its foreign policy.



Claudio M. Radaelli (2004:3) proposes the following definition on Europeanization:

Europeanisation consists of processes of a) construction, b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies.

The complexity of Europeanization is explained by Noutcheva et al. who bring out the characteristic of “interrelationships between the various layers constituting the European multi-level structure” (Noutcheva et al. 2004:21). There are two contrasting approaches to Europeanization; the top-down and the bottom-up. The former focuses on the pressure from Europe as an independent variable, as well as other intervening variables, which bring about reactions and change on the domestic level (Radaelli 2004:4). The top-down process can be described as states ‘downloading’ norms, rules, and policies from the top: the EU level (Hang 2011:136). The bottom-up approach, on the other hand, starts from the level of domestic interactions: the actors, discourses and problems that are present on the domestic level (Radaelli 2004:4). This approach can be viewed as describing an ‘uploading’ process, “in which member states export or project their preferences to the EU level” (Hang 2011:136). In this case the state shapes policies, politics and institutions in the EU, to make them reflect its interests (Hang 2011:141). Then, it is possible to view how the EU transforms, and how it changes matters on the domestic level, in return.

Some argue that the top-down unidirectional view is not enough, and it should be combined with the bottom-up perspective. However, Turkey is not a member state and its bargaining power not sufficient, as it constantly tries to adapt to the EU ways in order to be eligible to join. In the case of Turkey, the bottom-up process is thus likely very minimal, and it is more important to look at the processes from the top-down perspective. Yet Europeanization is not a linear impact of the EU on the states: the definition by Radaelli implies that there can be ‘creative usages’ of Europe, and domestic actors have the opportunity to use Europe in different ways and create impacts discursively (Radaelli 2004:4).

The importance of focusing on the domestic discourses on ‘Europe’ and perhaps the notion of ‘hegemony’ are brought up in the case of Turkey’s Europeanization, leading

to the concept of ‘Europe-as-hegemony’ (Alpan 2014:70). Başak Alpan focuses on two logics that brought about this understanding of ‘Europe-as-hegemony’ in Turkey: firstly, the inclusive and technocratic logic of apolitical ‘Europe’ that is ‘everybody’s project’; and secondly, the exclusive logic concerning the demonization of ‘the Other’ by polarizing the society. At the beginning of 2000’s, all of the governing parties in Turkey shared a consensual and apolitical connotation of Europe, despite their different political identities. This tone was also used by the Justice and Development Party (AKP) that came to power in 2002. The European Union was found to be a national matter that would bring people together (Alpan 2014:74).

## 1.2 Framing the political role of the member states through liberal intergovernmentalism

In addition to a particular state’s progress in internalizing European values and rules, other member states also play a certain role in how the relationship and integration between the state and the EU evolves. Thus in analyzing the various potential factors influencing Turkey-EU negotiations, the position of member states has to be assessed. Andrew Moravcsik argues that European integration is best explained as “a series of rational choices made by national leaders” (Moravcsik 1998b:18). Moravcsik has come up with an approach called ‘liberal intergovernmentalism’ that is based on three ideas:

- the state is a rational actor in Europe;
- power in the EU is the result of bargaining amongst states;
- and liberal theory is needed to explain the formation of national preferences within the state (Bulmer & Lequesne 2013:8).

The third point in Moravcsik’s liberal intergovernmentalism theory focuses on national preferences which are “demands addressed by domestic societal actors to ‘their’ national government” (Bulmer & Lequesne 2013:8). This framework is inspired by the two-level game approach by Robert Putnam, which aims at understanding the role that member states’ governments play in the EU negotiations (Bulmer & Lequesne 2013:8-9). Putnam’s approach strives to organize the dynamics of national and international politics simultaneously, and thus classifies the international level as level I, and domestic level as level II (Winn 2009:187). Putnam describes the game on the national level as domestic groups pursuing their interests by pressuring their government to adopt favorable policies. Politicians, on the other hand, seek power by forming

coalitions among those different interests (Putnam 1988:434). In return, on the international level, governments seek to satisfy domestic pressures as much as possible, while trying to minimize adverse consequences in international developments (Putnam 1988:434). These two levels are interdependent and national governments are the central decision-makers (Putnam 1988:434). The government's ability to maximize domestic interests and minimize adverse effects from the international level is symbolized by 'win-sets' that the two-level dynamic causes (Putnam 1988:435).

However, this framework of bargaining that is generally applied to the policy negotiation process in the EU can be extended to the issue of enlargement, since the member states have to unanimously agree to accept any candidate state. There are numerous challenges to enlargement that member states can perceive differently. Moravcsik brings out three sets of challenges that Europe is facing in its integration process, namely, those of deepening, diversity, and democracy (Moravcsik 1998a:19). The challenge of diversity in particular is one that encompasses in itself problems relating to enlargement, thus these could be relevant in analyzing Turkey's case. Moravcsik calls this issue 'widening', which means the EU's geographical expansion and, in present case, includes the potential membership of Turkey (Moravcsik 1998a:36).

Widening brings about different effects that may cause issues within the EU. The clearest issues are the pressures of fragmentation emanating from the increased number and diversity of member states that have to coordinate their policies (Moravcsik 1998a:37). This means that as a result of enlargement more interests have to be coordinated and there are more disagreements over policies. This, in turn, affects how efficient decision-making should work in the EU. The challenges that stem from diversity affect various fields. An important aspect is the candidate states' readiness and fit for integration. For instance, diverse levels of political culture – development of regulatory structures, modernization, and monetary rigor –, as well as different trade patterns and economic success among countries result in misfit and difficulties integrating new members (Moravcsik 1998a:37-39). These problems put a significant financial strain on the EU due to the regional, structural, and agricultural subsidies that are required in order to integrate them (Moravcsik 1998a:39).

European governments have different interests in economic and geopolitical terms; there are some who profit from the EU enlargement to certain regions, and others that stay skeptical about their benefits (Moravcsik 1998a:38). The aforementioned issues thus cause conflicts within the Union. Challenges of diversity and the potential win-sets that each existing member state faces on the two-level game constitute the political factors that are subject to analysis in present work. The focus is on member governments, who, according to liberal intergovernmentalism and two-level theory, are central actors between the domestic and international levels and make rational choices in the EU.

To facilitate insight in the present case of Turkey, member states and their impact is better observed in three groups, where states in each group share similar attitudes towards Turkey's accession. This classification helps distinguish the variance of attitudes and political factors within the EU in further analysis. Therefore, the first group is made up by countries that are politically opposed to Turkey; the second group includes countries that over time show general skepticism towards Turkey's accession; and lastly, the third group consists of countries that in principle are not against Turkey's membership.

### 1.3 European Union enlargement process

The process of accession consists of three stages: (1) prospect of membership offered to the country; (2) official candidate status for membership; (3) formal membership negotiations (European Commission 2016). At the end of this process the candidate country can join the EU, granted that all member states agree (European Commission 2016). In fact, existing member states' approval is essential in every stage of the accession process (European Commission 2016). Before the candidate can move on to the negotiation process, it must fulfill the Copenhagen criteria, which consist of political, economic, and legal requirements (European Commission 2015a:5). This means the candidate country must have stable institutions that guarantee democracy, the rule of law and human rights; in economic terms it must be a functioning and competitive market economy; it must adhere to the laws and practices of the EU, including the obligations of political, economic, and monetary union (European Commission 2015a:5). It was decided that Turkey met the Copenhagen criteria in 2004, and the following year the EU proceeded to open negotiations with Turkey.

The negotiation process concerns the ability of a candidate to follow the obligations of the EU membership (European Commission 2015a:7). The *acquis* itself, organized in the form of 35 chapters, is not negotiable (European Commission 2015a:7). The chapters each correspond to a policy area of the EU law (European Commission 2015a:7). In fact, the negotiations between the EU and the candidate take place in order to agree on how and when the candidate will effectively implement the *acquis* (European Commission 2015a:7). The process starts with screening, which involves introducing the *acquis* to the candidate and identifies the candidate's level of alignment in different areas; followed by the Commission's screening report to the Council with suggestions for opening a chapter or setting requirements – opening benchmarks – that must first be met (European Commission 2015a:7). On the basis of the Commission's assessment in the report, the member states decide when the opening benchmarks in a field are met and the candidate can submit its negotiating position (European Commission 2015a:8). The Council acting from a common position of the EU, then, allows the opening of negotiations and states the closing benchmarks to be met for the chapter (European Commission 2015a:8). Once the candidate country has progressed enough and met those benchmarks, the member states can provisionally close the chapter (European Commission 2015a:8). Throughout the whole negotiation process, the Commission monitors and reports the candidate state's commitments and progress (European Commission 2015a:8). Following the completion of all negotiations, the accession treaty can be formed (European Commission 2015a:8). There are a few important things to note that apply to the entire negotiation process. First, the EU's positions are based on member states' unanimous decisions; and secondly, the European Commission's reports are the basis of all decisions regarding the status of negotiations.

The EU's negotiation process implies advancement, cooperation, and alignment in various policy fields which make up the 35 chapters in the EU's *acquis* that the candidate country has to adopt (European Commission). The advancement of negotiations between Turkey and the EU has perhaps not been as smooth as some observers might have expected (European Commission 2005b, 2006-2014, 2015b). Out of the 33 chapters that are negotiable, 15 have been opened for negotiations, and only one of them provisionally closed; in addition, there are 14 more that are currently blocked and suspended from being opened (Republic of Turkey, Ministry of EU Affairs).

## 2. Methodology

The following analysis is a quali-quantitative assessment of the discourse of Turkey's negotiation progress. This thesis seeks to explore the extent to which political factors have influenced the progress of the negotiation process between Turkey and the EU, which is generally defined as a merely technocratic and objective process. European Commission releases annual reports on Turkey, which track the country's progress in the negotiable chapters of the EU acquis. The progress report objectively reflects Turkey's level of alignment with the European Union law. In this work's context, then, the reports composed every year are a tool to follow Turkey's Europeanization. In contrast, European Union is made up of states with their own attitudes concerning different topics, as they seek to forward their own interests. Therefore, it is expected that member states' attitudes play a certain role in the accession process of Turkey, as well. Based on the theoretical framework, it is expected that member states' role in the negotiation process between the EU and Turkey may influence the stalling of progress.

**The central research question of the thesis is, to what extent do the political factors affect the negotiation process between Turkey and the EU?**

**In addition, what precisely are the political issues stalling the accession process of Turkey?**

In the empirical part of the paper, first, Turkey's progress is assessed in selected cases by conducting a comparative analysis using the most similar system design, followed by a discussion on the results. The second section in this analysis discusses the criteria behind opening, closing, and blocking of chapters and summarizes the role of political factors in the negotiation process. In this chapter, the means for conducting current study – the rationale of the analysis, timeline, and cases are introduced.

### 2.1 Research design: operationalization, sources, timeline, and case selection

The EC's annual reports serve as the main source to track Turkey's alignment with the EU in different policy fields over time. Updated information is available on the status of the negotiations in all fields, which shows the chapters that have been opened and those that have been suspended by the EU or vetoed by member states. As a result, it will be possible to see, on the one hand, if in some cases the progress has been good and

Turkey is advanced at a sufficiently high level, yet chapter has remained closed due to blockages and the political reasons involved; on the other hand, how Turkey has progressed in different fields despite blockages. Based on these findings, the political factors will be further elaborated on using the available literature.

The negotiation process for Turkey's accession started in 2005 between Turkey and the EU. The European Commission has since released annual reports on Turkey's progress. The progress assessment is based on the 33 chapters that are composed of different fields where a candidate state is required to align with the EU acquis. Therefore, the timeline for the present analysis runs from 2005 to 2015, the sources being the reports on Turkey for each year. Each report contains an overview of Turkey's general progress and, most importantly, the "ability to take on the obligations of membership" concerning the 33 chapters (European Commission 2015a:7). The progress report is thus an objective assessment of Turkey's advancement and level of alignment with the EU.

Cases for the following work are chosen among the 33 chapters. Research is conducted in a small-N method, following the logic of most similar system design. Chapters are analyzed to see if despite otherwise similar progress and level of alignment with the acquis, there exists variance in chapters' status in 2015. The idea is that in the case of a visible improvement, the chapter should be opened. If chapters with substantial developments have been blocked, the assessment criteria's objectivity can be doubted, and there is likely a presence of other, political factors. Then, it is possible to compare the assessment of Turkey's progress in chapters that have been opened and those that have not been opened. In other words, see if it has objectively made sense to open the chapters that have been opened, while others have remained closed. This work seeks to discover the reasons behind opening and not opening of negotiation chapters, and learn whether and to what extent political reasons stall negotiations. Therefore, the cases are selected among chapters that have followed a similar pattern in progress reports, yet have a different status by 2015. More precisely, three cases are chosen among chapters that are open to negotiations, and another three among chapters that have not been opened. Therefore, data will be collected from a total sample of six chapters.

The coding process of EC's progress reports for collecting data is conducted as follows:

- A chapter's starting point in 2005 will be retrieved, as stated in the report

- For each following year, the progress in every field is given a score:
  - a positive score (+) is given when assessment has been mostly positive;
  - a negative score (-) follows a mostly negative assessment;
  - a neutral score (=) implies that substantial progress is lacking or there is an equal share of positive and negative developments.

The sample chapters are selected and progress analyzed in the following process:

- Retrieving relevant information on the 33 chapters from the EC's annual progress reports
- Evaluation of the assessment of Turkey's progress in each field over time
- Giving a score in each field for progress each year; the score can be positive (+), negative (-), neutral (=)
- Selecting out chapters that by 2015 have reached a 'good level of preparation'<sup>1</sup>, which should imply the opening of the chapter
- Following most similar system design, chapters with similar patterns are selected – chapters that in 2005 had a starting point of an 'advanced' level of alignment with the acquis
- Final criteria for selecting chapters for further analysis: (a) 3 chapters that are open; (b) 3 chapters that are not open
- Comparison of the sample chapters' progress and final status in 2015.

The application of most similar system design (MSSD) in the present analysis encompasses cases – selected chapters – which in 2005-2015 make progress in a similar pattern, yet result in a different status by 2015. The MSSD is used to analyze cases that share common features (progress), yet in the presence of a key explanatory factor (political factors) among some cases, result in a different outcome (opening or non-opening of chapters) (Landman 2008:70).

Following the abovementioned sampling process, the chapters chosen for further analysis are:

7 – Intellectual property law

20 – Enterprise and industrial policy

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<sup>1</sup> EC's wording in their assessment of Turkey's progress, here and hereafter



26 – Education and culture

29 – Customs union

30 – External relations

32 – Financial control

What ensues in the next section of this paper is data analysis and discussion of progress in each field, followed by an assessment of decisive criteria other than progress, which affects the (non-)opening of negotiating chapters.

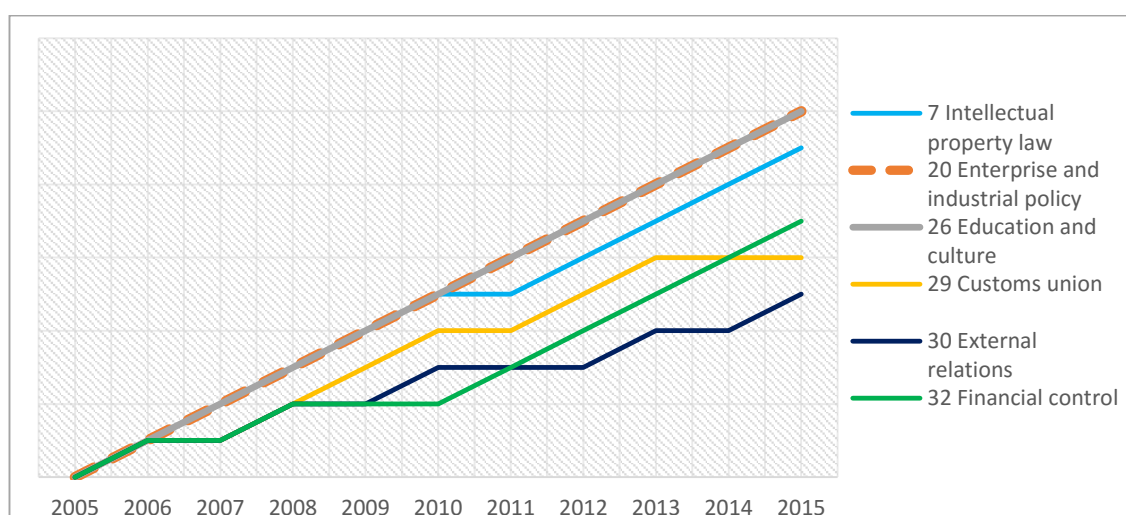
### 3. Analysis

In present analysis, six chapters from EC's annual progress reports on Turkey in the years 2005-2015 are assessed. Selected chapters are above average in their level of alignment with the acquis compared to the rest of the 33 chapters. Turkey's starting point in all six fields was at least 'advanced', or 'well advanced' in the case of chapters 7 and 29. By 2015, all six chapters reached a 'good level of preparation'. Chapters 7, 20, and 32 are open to negotiations, while chapters 26, 29, and 30 remain closed due to blockages. The progress of these six fields is viewed in the first section of the current chapter, with special focus on the chapters that have not been opened. The second section focuses on the factors that prevent them from being opened, and finishes with a discussion on the stalling of the negotiation process.

#### 3.1 Tracking ten years of Turkey's progress between 2005 and 2015

Reflecting Turkey's progress in selected fields, figure 1 (based on table 1) contains abovementioned positive/negative/neutral (+)/(-)/(=) score assessment. Here, the value of the line increases with a positive score, and stays the same with a neutral score. No negative scores were recorded among the six selected chapters in the years 2005-2015. An important aspect to note is that the increase in every field and year is not proportional. The graph illustrates the pattern of change versus no change, but it should not be implied that the degree of change in every case is equal.

**Figure 1. Patterns in selected chapters' progress 2005-2015**



Source: compiled by the author; data from European Commission 2005-2015 Progress Reports on Turkey

Chapters 7 – Intellectual property law, 20 – Enterprise and industrial policy, and 32 – Financial control – are the three chapters open to negotiations (Republic of Turkey, Ministry of EU Affairs). Chapters 26 – Education and culture, 29 – Customs union, and 30 – External relations – have not been opened. Despite their good progress compared to other chapters, they remain closed due to obstacles preventing them from being opened. Namely, chapter 26 has a blockage from Cyprus, and chapters 29 and 30 are suspended by the EU Council (Republic of Turkey, Ministry of EU Affairs).

**Table 1. Turkey’s progress in selected chapters over the course of the negotiation process**

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Status in 2015
7	+	+	+	+	+	+	=	+	+	+	+	Open
20	+	+	+	+	+	+	+	+	+	+	+	Open
26	+	+	+	+	+	+	+	+	+	+	+	Blocked
29	+	+	=	+	+	+	=	+	+	=	=	Suspended
30	+	+	=	+	=	+	=	=	+	=	+	Suspended
32	+	+	=	+	=	=	+	+	+	+	+	Open

Source: compiled by the author; data from European Commission 2005-2015 Progress Reports on Turkey

### ***Chapter 7 – Intellectual property law***

The chapter on intellectual property law was opened 17 June 2008 (Republic of Turkey, Ministry of EU Affairs). According to European Commission, this chapter concerns the “harmonised rules for the legal protection of copyright and related rights. This covers, for instance, computer programs, broadcasting and trademarks, designs, biotechnological inventions and pharmaceuticals” (European Commission 2015b:40).

At the beginning of the negotiation process, Turkey’s alignment with the EU *acquis* was already well advanced in this field. Reports from most years reflect ‘some’ or ‘good’ progress. In 2011, the progress in the field of intellectual property law was ‘limited’. Considering the starting point of a high level of alignment and further progress in the following years, it can be said that the opening of chapter 7 in 2008 was a logical decision. According to the EC’s report, some shortcomings still remain in 2015. For

example, widespread counterfeiting and piracy are still issues that Turkey needs to improve its enforcement measures against. Turkey is also expected to adopt pending legislation on industrial property and copyright (European Commission 2015b:40). There is no visible sign of the parties' readiness to close this chapter yet.

### ***Chapter 20 – Enterprise and industrial policy***

Present chapter was opened to negotiations 29 March 2007 (Republic of Turkey, Ministry of EU Affairs). The European Commission describes this chapter by stating that “EU industrial policy enhances competitiveness, facilitates structural change and encourages an enterprise friendly environment that stimulates small and medium sized enterprises” (European Commission 2015b:53).

The chapter of enterprise and industrial policy started at an advanced level in 2005. The progress reports reflect continuous progress over the negotiation process. However, the EC report from 2015 still suggests improvements in policy compliance, as there are restrictive instruments that are not in line with the EU principles (European Commission 2015b:53). Overall, Turkey has achieved a good level of preparation in this field. The opening of negotiations in 2007 seemed appropriate considering the advanced level of alignment. Despite the continuing progress in this field, Turkey has not been successful in provisionally closing the negotiation chapter after eight years. The Commission has confirmed that Turkey has undertaken the necessary closing benchmark for this chapter (Republic of Turkey, Ministry of EU Affairs). In fact, the present chapter is technically ready to be closed, but this is where the Additional Protocol comes in (Republic of Turkey, Ministry of EU Affairs). The Additional Protocol is to be assessed in the discussion part in section 3.2.

### ***Chapter 26 – Education and culture***

The chapter on education and culture was blocked by Cyprus in December 2009 (Republic of Turkey, Ministry of Foreign Affairs). According to the European Commission, this chapter encompasses “cooperation in education and culture through funding programmes and through the open method of coordination. Member States must also prevent discrimination and facilitate education of children of EU migrant workers” (European Commission 2015b:75).

In this chapter, Turkey started at an advanced level of alignment and has continued to make further progress every year. Turkey is still expected to improve the quality of education and increase participation at all levels of education, as well as ratify the UNESCO Convention (European Commission 2015b:75). The chapter is not open to negotiations, as it is subject to political blockage from Cyprus since 2009. Otherwise, following the progress that Turkey has made and compared to other open chapters, the chapter of education and culture could be open by now. In addition, Turkey has submitted its Negotiation Position Document to the EU, but an opening benchmark is not foreseen (Republic of Turkey, Ministry of EU Affairs). Thus, this is a case of a field that is sufficiently advanced, but there is a political blockage that prevents it from being opened. On the other hand, it is visible that Turkey has continued to make progress in this field despite the blockage. In addition, one could point out that education and culture does not seem to be a field that should be affected by political factors from the international level. Further reasons are discussed in the next part of the paper, in section 3.2.

### ***Chapter 29 – Customs union***

The present chapter was suspended with the EU Council's decision 11 December 2006 (Republic of Turkey, Ministry of EU Affairs). The Commission states that "all Member States are part of the EU customs union and follow the same customs rules and procedures. This requires legislative alignment as well as adequate implementing and enforcement capacity and access to the common computerised customs systems" (European Commission 2015b:79).

At the beginning of the negotiations, Turkey was already at a high level of advancement in the field of customs union. This is due to the framework of the EC-Turkey Customs Union, where Turkey's alignment with the EU is high (European Commission 2005b:125). The reason why Turkey does not make further progress every year in the reported period, is exactly because Turkey is already well prepared. Nonetheless, some shortcomings remain. For instance, there are still import and export restrictions and conflicting measures that violate the Customs Union (European Commission 2015b:79). Questions arise, then, as to why negotiations in this chapter cannot be opened, despite the EU-Turkey Customs Union since 1996. However, chapter 29 is suspended by the

EU Council with reference to the Additional Protocol, which are discussed in section 3.2.

### ***Chapter 30 – External relations***

This chapter was suspended by the EU Council 11 December 2006 (Republic of Turkey, Ministry of EU Affairs). The chapter is described by the European Commission: “EU has a common trade and commercial policy towards third countries, based on multilateral and bilateral agreements and autonomous measures. There are also EU rules in the field of humanitarian aid and development policy” (European Commission 2015b:80).

In the chapter of external relations Turkey’s starting point was relatively advanced mostly thanks to alignment in Customs Union, as with the previous chapter. During the whole reporting period, Turkey’s progress has been mostly good, but some years the change has either been limited, or there have been small setbacks. As Turkey’s alignment in the field of customs union has been good from the beginning, it has also continued to increase development aid for the fields of development policy and humanitarian aid (European Commission 2015b:81). Turkey’s shortcomings in this field arise from its deviation from the Customs Union, as with the previous chapter (European Commission 2015b:80). Viewing Turkey’s level of alignment in the field of external relations, it may seem logical to open it to negotiations. However, it is also suspended by the EU Council due to the Additional Protocol. Keeping that in mind, the discussion on the Additional Protocol follows in section 3.2.

### ***Chapter 32 – Financial control***

Negotiations on the present chapter were opened 26 June 2007 (Republic of Turkey, Ministry of EU Affairs). The Commission describes the essence of this chapter: “based on international standards, EU financial control rules promote sound financial management of national income and expenditure. They also protect the EU’s financial interests against fraud in the management of EU funds and the euro against counterfeiting” (European Commission 2015b:83).

Turkey started at a good level in the field of financial control and has been making some progress most years since then. The Commission report states that further efforts are still needed on Turkey’s part; for instance, in implementing public internal financial

control (European Commission 2015b:83). Overall, Turkey's level of preparation is good. The chapter was opened to negotiations already in 2007. In addition, the Commission has confirmed that Turkey has undertaken the closing benchmark of this chapter (Republic of Turkey, Ministry of EU Affairs). However, it still has not been provisionally closed.

### 3.2 Assessing the criteria behind opening, blocking, and closing of negotiating chapters

As is evident from the last section of this work, the opening and closing of negotiating chapters does not follow the simple logic of progress. In fact, most, or even all chapters assessed in present work are affected by other factors. The extent of and the exact reasoning behind other criteria affecting the negotiation process in each case differs. As a matter of fact, political factors play a decisive role in the advancement of the negotiations. In other words, these factors prevent the opening of certain chapters, as became evident earlier, and also the closing of chapters. This is discussed in the present section.

Chapters 29 and 30 are suspended by the EU Council since 2006. This reasoning dates back to the early days of relations between the European Economic Community and Turkey. Namely, in 1963 Turkey and the EEC signed the Association Agreement, also known as the Ankara Agreement, with a clear objective of completing a customs union between the two, with a possible perspective of Turkey's membership (Serdaroğlu: 2014). The transitional stage of this agreement began with the Additional Protocol in 1970, which laid out reciprocal obligations between the two parties to achieve the customs union (Aral 2005:100). As the customs union was realized in the 1990s and Turkey was taking steps towards candidacy and then membership, Cyprus joined the EU in 2004. However, Turkey had ceased to recognize the Republic of Cyprus in 1963 (Talmon 2006:583). In the absence of diplomatic relationships between the two, Turkey denied signing the Additional Protocol to extend the customs union to the Republic of Cyprus, as this would essentially imply the recognition of Cyprus (Talmon 2006:583).

Despite eventually signing the Additional Protocol, Turkey did not follow the full implementation of it (Talmon 2006:608). As the restrictions on means of transport with regard to Cyprus were not lifted, Turkey thus acted against the free movement of goods and people (Delegation of the European Union to Turkey). Therefore, in December

2006, the EU Council suspended eight chapters that are relevant to Turkey's restrictions (Delegation of the European Union to Turkey). In the context of making this fragile decision, the EU Council opted to blocking these chapters to find a resolution to continue the accession negotiations, as otherwise there was a possibility that Cyprus would place its veto on the negotiations. Among the chapters suspended by the EU Council are also chapter 29 and chapter 30, concerning customs union and external relations, respectively. Hence, Turkey has not been able to open negotiations in these fields, and according to the EU Council's decision, will not be able to until it implements the Additional Protocol to all member states.

The clearest sign of political factors concerns chapter 26 – Education and culture. As chapter 26 is subject to a unilateral political blockage by the Republic of Cyprus, this is a result of the complicated relations between neighboring states. Namely, chapter 26 is one of six that Cyprus vetoed in 2009. Since a unanimous approval of member states is essential in opening or closing any chapters, Cyprus has the veto right and the possibility to block negotiations in different chapters. In fact, Dutch foreign minister Bernard Bot once stressed “the ‘intergovernmental’ nature of Turkey talks”, meaning it is the member states, and not the Commission, who Turkey is negotiating with (Beunderman 2006). As a matter of fact, the prospect of the Cyprus' veto on Turkey's accession negotiations was relevant even before 2009, as the EU was aware of the possibility in its decision in 2006 (Beunderman 2006). As chapter 26 on education and culture in principle does not seem to be a sensitive issue, specific reasons for Cyprus' response to this chapter among others seems unclear. Thus the long-term conflict between the two countries, and the restrictions that Turkey continued to maintain on Cyprus in the field of transportation, resulted in Cyprus' response.

Furthermore, the EU Council's decision in 2006 did not just concern the opening of certain chapters. In fact, it was then decided that under these circumstances, no chapter could be provisionally closed (Delegation of the European Union to Turkey). In other words, Turkey has to fulfil its commitments it took on with the Additional Protocol and lift restrictions that violate it. So, despite having undertaken the closing benchmarks to chapters 20 and 32; the former of them technically ready to be closed, shortcomings stemming from Turkey not fully following the Additional Protocol do not allow the provisional closing of any chapter (Republic of Turkey, Ministry of EU Affairs).



Turkey had only opened and provisionally closed one chapter in 2006 prior to the EU suspension. In general, the EU Council's decision has caused the stalling of negotiations in the sense that, despite Turkey making further progress in different areas, no agreements on closing more chapters can be reached. Whereas enlargement in principle is seen as an objective, technocratic process, based on a technical assessment of a candidate, it is visible that in the case of Turkey's accession process, it is not so. In Turkey's accession process there are strong political factors that influence the progress of negotiations.

## Conclusion

The objective of this thesis was to explore the extent to which political factors have influenced Turkey's accession process into the European Union. The thesis first discussed the Europeanization literature to frame Turkey's integration with the EU. The theoretical basis for the role of the EU member states was then framed through the two-level game and the theory of liberal intergovernmentalism. The theoretical framework implied that the member states are central actors in the EU, as they forward their rational interests between the domestic and international levels. Furthermore, member states' central role in the enlargement process is also apparent, as the condition of unanimity of all of the EU decisions reflects.

The negotiation process between the EU and Turkey as the main part of the accession was the central subject of the present analysis. The first, essential part of the analysis sought to track Turkey's progress based on the European Commission's annual progress reports on Turkey in the years 2005-2015. Turkey's progress in alignment with the EU acquis in the 33 chapters was measured using quali-quantitative methods; and the cases used for further analysis were selected following the logic of most similar system design. The resulting selection of chapters were found to share a similar pattern in their progression as they were all well advanced. However, the chapters differed in the status that they had achieved by 2015.

Continuing with the analysis, it appeared that the negotiations have essentially reached a deadlock. Namely, three of the analyzed chapters were subject to a blockage from a member state or suspended by the EU Council, thus could not be opened to negotiations for political reasons. Somewhat surprisingly, political factors also affected chapters that were open and technically advanced enough to be provisionally closed. The stalling of negotiations based on the chapters assessed in the present work, in one way or another, stems from the 'Cyprus question'. The key finding in this work was that the capabilities of the member states to influence the process may be essential in the EU enlargement, as is the case with Turkey's membership application. Therefore, even with Turkey's continuing progress in the negotiation areas, it is clear that there is a presence of strong political factors which determine the limited rate of the accession process.

## Resümee

### Poliitiliste tegurite hindamine Türgi Euroopa Liitu vastuvõtuprotsessi edenemise juures

Maris Mandre

Käesolev bakalaureusetöö uuris Türgi edenemist Euroopa Liidu (EL) sisseastumisprotsessi kontekstis. Töö fookus oli suunatud Türgi arengule läbirääkimisvaldkondades, et välja selgitada objektiivse arengu vastavus vastuvõtuprotsessi kulgemisega tegelikkuses. Nimelt, töö eesmärk oli välja selgitada poliitiliste tegurite roll Türgi-EL läbirääkimistes. Eesmärgi saavutamiseks sõnastati järgnevad uurimisküsimused: mil määral mõjutavad poliitilised tegurid Türgi ja Euroopa Liidu vahelisi läbirääkimisi? Millised täpselt on need poliitilised küsimused, mis aeglustavad Türgi liitumisprotsessi?

Türgi ja EL partnerlus ulatub tagasi 1950. aastate lõppu, millest järgnevatel aastakümnetel jätkas Türgi taotlustega Euroopa Liidule läheneda, pidades silmas eesmärki lõpptulemusena saavutada liikmelisus. 1999. aastal sai Türgist ametlikult kandidaatriik ning 2005. aastal alustati läbirääkimistega, mis hõlmavad endas Türgi-poolset ELi õigustiku omaksvõtmise arutamist. Enam kui kümme aastat hiljem, ja läbirääkimised ei ole sisuliselt kaugele arenenud. Vaid üks peatükk 33st läbirääkimistel käsitletavast on siiani arutatud ja provisoorselt kinni pandud. Seega selle töö huvides oli välja selgitada põhjused, mis läbirääkimiste kulgu venitavad.

Kuna antud bakalaureusetöö eeldus oli, et läbirääkimised venivad mitte ainult Türgi konkreetsest arengust ELi seadustiku rakendamise osas tulenevatest põhjustest, siis võeti lisaks käsitluse alla liikmesriigid, kellel on oluline roll protsessi juhtimisel. Seega töö teoreetilise raamistikuga loodi alus edasiseks analüüsiks ühest küljest Türgi euroopastumise protsessist; teisalt liikmesriikide rollist vaadatuna läbi liberaalse valitsustevahelisuse ja kahe mängutaseme teooria. Nimelt sellest vaatenurgast on riigid Euroopas ratsionaalsed tegutsejad, kes nii rahvusvahelisel kui rahvuslikul tasandil edendavad optimaalselt enda huve.

Analüüs teostati kasutades esmalt Euroopa Komisjoni poolt iga-aastaselt väljaantavat aruannet Türgi progressi kohta, mille seast koostati valim peatükkidest, mis vastaks kõige sarnasemate juhtumite meetodile. Uurimise all olid peatükid EL seadustikust, milles Türgi oli heal tasemel edenenud. Nende seast oli võimalik eristada peatükke, mis olid läbirääkimisteks avatud ja neid, mida polnud võimalik avada blokeeringu tõttu.

Seega oli ilmne, et Türgi-EL läbirääkimistes käsitletavate peatükkide avamine aruteludeks ei järgi vaid Türgi tehnilist valmisolekut. Samuti jõuti järelduseni, et ka valmisolek teatud valdkondades arutelude provisoorseks lõpetamiseks ei olnud piisav läbirääkimiste edendamiseks. Nimelt, Türgi-EL läbirääkimised on hetkel seisis, kus teatud peatükke on võimalik veel aruteludeks avada, kui Türgi selleks valmis on ja puudub blokeering. Ent ühegi peatüki provisoorne sulgemine pole võimalik; ning 14 peatüki avamine on peatatud.

Niisiis on praegune olukord ummikseis, kus Türgi võib tehniliselt oma valmisolekut edendada, kuid reaalseid muutusi läbirääkimistes ei ole ette näha. Põhjused, mis peituvad peatükkide peatamise taga, on aga poliitiliste tegurite tulemus. Nendest mõningate blokeeringu taga seisab Küpros, kes kasutas sel puhul oma vetoõigust. Euroopa Ülemkogu otsus peatada osade peatükkide avamine ning välistada ühegi peatüki provisoorne sulgemine tulenes tegelikult ka just Türgi 'Küprose probleemist'. Türgi ei tunnista Küprose Vabariiki, mistõttu on kehtestanud piiravad meetmed ühe EL liikmesriigi vastu. Lõpptulemusena on selge, et 10 aastat kestnud sisuline paigalseis Türgi ja Euroopa Liidu läbirääkimistes ei näe lõppu enne, kui suhted vastavas naabruskonnas on muutunud ja poliitilised blokeeringud vabastatud. Euroopa Liidu laienemist üldistades on aga võimalik väita, et selle kulgemine ei ole alati tingimata puhtalt apoliitiline protsess, mille näiteks on ka Türgi juhtum.

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