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Enlargement has been regarded the most powerful foreign policy tool of the EU. It was through the promise of membership and the application of political conditionality that the EU was able to guarantee democratic consolidation in Southern Europe in early 1980s, and ensure 'the return to Europe' for the Central and Eastern European countries in early 2000s. However, the current context within which the EU is operating is dramatically different from what it was 12 years ago during the historic 2004 'Big Bang' enlargement round.

The new realities and challenges faced by the EU and the countries covered by the EU's current enlargement agenda are multiple and different. First, the EU is faced with a plethora of crises that raise existential questions about the future feasibility of the European project. Challenges posed by the need to restore growth in the aftermath of the Euro crisis, the massive influx of refugees, security threats in EU's immediate neighbourhood and finally the UK's decision to leave the EU, all threaten the basic tenets and most significant achievements of the EU, such as the single currency, open borders and the very concept of EU membership. Question marks over the fundamental achievements of the EU and the cracks in EU's unity that have become increasingly visible in the face of these challenges, also risk reducing EU's appeal and gravitational pull in the eyes of the enlargement countries.

The EU's current enlargement agenda covers the six Western Balkan countries (candidates; Montenegro, Serbia, Macedonia, Albania, and potential candidates; Bosnia and Herzegovina and Kosovo) and Turkey. The challenges faced by the enlargement countries are numerous. Fundamental challenges concerning the rule of law, independence of the judiciary, fundamental rights, freedom of expression functioning of democratic institutions, and with the exception of Turkey, low levels of investment and problems in economic governance continue to plague the enlargement countries.

It is important to note that Turkey occupies a special place in EU's current enlargement agenda. It is clearly different from the Western Balkan countries in terms of its population size, its economic and geopolitical weight. As the world's 18th largest economy and one of the fastest growing countries in the world, Turkey is well ahead of the Western Balkan countries which do not classify as functioning market economies. Moreover, an important NATO ally, Turkey is a key strategic partner for the EU whose importance for EU's foreign and security policy interests is unparalleled. Certain circles within the EU have questioned Turkey's European credentials based on cultural and ideational reasons and have taken advantage of Turkey-sceptic sentiments among their publics to score better in domestic politics. Although the refugee crisis has increased



Turkey's importance for the EU and led to enhanced cooperation with Turkey, it has so far failed to translate into a breakthrough in Turkey's EU accession process. Statements underscoring Turkey's strategic importance and praising its role in hosting around 3 million refugees have usually been accompanied with butts or ifs whenever Turkey's EU membership prospects are mentioned. This in turn has created bitterness among the Turkish public.

The new realities which have overtaken the EU, have made it increasingly inward-looking and further enlargement has dramatically dropped down in the EU's list of priorities. The EU, as it stands today, is not in a position to make bold and visionary decisions when it comes to enlargement. In July 2014, the incoming European Commission President Jean-Claude Juncker announced that no new round of enlargement would take place during his term in office¹. Juncker's announcement was a statement of the obvious, as none of the countries covered by EU's enlargement agenda are likely to qualify for membership until 2019. However, by transforming the Commission's Directorate General for Enlargement to the 'Directorate General for European Neighbourhood Policy and Enlargement Negotiations' Juncker aimed to make clear that enlargement will not constitute a priority during his cabinet's term in office.

Juncker's decision to announce a five-year moratorium on enlargement was reflective of the EU public sentiments on enlargement. The notion of enlargement fatigue has been a major problem on the supply-side of enlargement. Due to challenges faced by the EU, in parallel with the rise of populism and the growing crisis of confidence between EU's citizens and its institutions, EU citizens have grown largely wary of further enlargement. The increasing politicization of enlargement has also played a role in this dangerous trend.

Public support for enlargement has eroded. In November 2004, shortly after the Big Bang enlargement, over half of the EU population (53% for, 35% against) was in favour of future enlargement of the EU². A decade later, nearly half of EU citizens (49% against, 39% for) are opposed to further enlargement, the share of those against further enlargement reached over 50% in 14 member states³. With opposition to enlargement reaching 71% in Austria, 67% in Germany and 64% in France, it would not be realistic to say that the current context is conducive to further enlargement⁴.

¹ Jean-Claude Juncker, "A New Start for Europe", Opening Statement delivered in the European Parliament Plenary Sesssion, Strasbourg, 15 July 2014.

² Standard Eurobarometer 62: Public Opinion in the EU – First Results, Autumn 2004, pp.19.

³ Standard Eurobarometer 83: Public Opinion in the EU - Spring 2015 pp.173-174.

⁴ Ibid.



Moreover, the EU's expansion to integrate 13 new members over a period of less than 10 years, with 10 members joining in 2004 alone, has reopened the debate on the EU's 'absorption capacity' which was originally expressed in the Copenhagen Criteria. Increasing references to the EU's absorption capacity has caused unease in the candidate countries especially in Turkey. Since the absorption capacity is a vague notion, there is a danger that it could easily be used by adversaries of enlargement as an argument to bring enlargement to a halt.

The increasing hostility towards further enlargement also demonstrates that the phenomenon of enlargement fatigue should not be underestimated. The term 'enlargement fatigue' entered the EU jargon in the aftermath of the rejection of the Constitutional Treaty in the Dutch and French referenda⁵. Although the rejection of the draft constitution had little to do with the Big Bang enlargement, blaming the newcomers seemed more convenient than dealing with the widening gap between the EU and its citizens. It is important to note that the Big Bang enlargement and the inclusion of three more members in 2007 and 2013 did not disrupt the efficiency of EU decision-making. Despite the fact that newcomers have had little to do with the challenges that the EU is currently faced with, there is an evident tendency to blame the new member states for these problems. The enlargement fatigue, has translated into 'reform fatigue' in the enlargement countries; namely the political elites' tendency to postpone costly reforms because the benefits associated are vague or long-term.

In addition, the crises have weakened the European Commission's relative power within the EU's institutional hierarchy as the Council representing the interests of member states has taken a centre stage in decision-making. This intergovernmental tendency has been reflected in the domain of enlargement as well, leading to a phenomenon which Christopher Hillion regards as 'the creeping nationalisation of enlargement policy'⁶. With the Commission losing its role as the driving force behind enlargement, the Council, rather than the Commission has been setting the benchmarks for further enlargement.

The Bar for Accession is Set Higher

EU's enlargement policy has dramatically evolved over the last decade. As a result of the lessons learned from previous enlargement rounds and the experience of Croatia, the latest country to join the EU, the rules for accession have become stricter. In that sense, it would not be wrong to argue that the process is more demanding compared to the

⁵ John O'Brennan, 'Enlargement Fatigue and its Impact on the Enlargement Process in the Western Balkans.' *The Crisis of EU Enlargement*, LSE IDEAS, Special Report SR018, London: November 2013. <http://www.lse.ac.uk/IDEAS/publications/reports/pdf/SR018/OBrennan.pdf> Retrieved: 12 October 2016.

⁶ See Christopher Hillion, 'The Creeping Nationalisation of the EU Enlargement Policy', Swedish Institute for European Policy Studies, SIEPS 2010:6.



way it had been for preceding members and the bar for accession has been set even higher for the current enlargement countries. Following Bulgaria and Romania's rather premature accession in 2007, which have proved to be a test case for post-accession monitoring due to their persisting problems in the fight against corruption and organised crime, the EU has increased its emphasis on the rule of law. To this end, the European Commission has devised the 'new approach' prioritising the two chapters dealing with rule of law issues namely; Chapter 23- Judiciary and Fundamental Rights and Chapter 24- Justice, Freedom and Security. According to the new approach, Chapters 23 and 24 are set to be opened at the beginning of the accession process only to be closed at the end of the process.

Moreover, the EU has diversified the tools at its disposal by introducing stringent controls and interim benchmarks to measure progress in the areas covered by Chapters 23 and 24. The EU conditionality for the Western Balkans and Turkey is more rigorous and complex compared to previous enlargement rounds, with increased focus on implementation rather than adoption of reforms. In other words, the enlargement policy is no longer perceived as a 'box-ticking' exercise.

Taking into account the specific needs and challenges of each enlargement country, to aid them on their respective paths towards the EU, the Commission introduced tailor-made mechanisms to address their internal problems and keep the reform momentum alive. In Turkey's case, the Commission initiated a 'Positive Agenda' with Turkey in May 2012 and high-level dialogues in a variety of areas including the economy and energy. Similarly, a 'High-Level Accession Dialogue' with Macedonia, a 'High-Level Dialogue on the Accession Process' with Bosnia and Herzegovina, and a 'Structured Dialogue on the Rule of Law' with Kosovo were initiated. It is important to note that the effectiveness of these mechanisms in addressing the root causes of the stalemate on the respective EU paths of the enlargement countries has been questionable.

Another novelty in the context of the enlargement policy has been the emphasis on ensuring the 'fundamentals first'. First announced by the Commission in its 2013 Enlargement Strategy, the 'fundamentals first principle' indicates the following as priority areas in EU's enlargement agenda: the rule of law, economic governance and competitiveness, strengthening of democratic institutions and fundamental rights. Furthermore, there is increased emphasis on good neighbourly relations and resolution of bilateral conflicts.

Another major lesson from the 2004 enlargement round has been to never allow a country with unresolved bilateral conflicts in the EU. Although the use of veto by member states against their neighbours in the EU's waiting room with which they have unresolved issues is not a new practice as seen in the case of Italy against Slovenia, later



Slovenia against Croatia and still in the case of Greece against Macedonia, the accession of 'Cyprus' as a divided island with the Greek Cypriot Administration as the sole representative, has caused huge problems for the EU.

The decision to let the Greek Cypriot Administration to the EU regardless of a solution to the Cyprus issue is still regretted as a huge mistake by key EU decision-makers. The Greek Cypriot Administration's excessive use of its veto power and its abuse of EU decision-making procedures based on unanimity has caused major headaches for the EU. Not only has the Greek Cypriot Administration used its seat in the Council to derail Turkey's EU accession process, but the situation has also hindered NATO-EU institutional cooperation at highly critical times. Therefore, the EU has become more rigorous on peaceful resolution of disputes prior to accession. This condition is extremely important in the case of Western Balkan countries. Given their history of recent violent conflict and the presence of numerous unresolved issues left over from the disintegration of former Yugoslavia, letting a country in without resolving the bilateral disputes it has with its neighbours, could act as a 'time bomb'.

The Future Trajectory of Enlargement

Once praised as the most successful foreign policy tool of the EU, the enlargement policy, no longer constitutes a priority for the EU. Although over three quarters of the current EU member states are former enlargement countries, the mood for enlargement could not be less optimistic. The rising discontent with the European project at the society level and the politicization of enlargement led to a dramatic decrease in the support for further enlargement. Judging from the experience of Croatia, whose accession talks lasted over eight years, and Juncker's 5 year pause to enlargement, it is clear that no enlargement is foreseen until 2020 (unless a real breakthrough is achieved in Turkey's accession talks). Furthermore, the enlargement policy has become more demanding for the current aspirants, as a result of the lessons learned from the previous enlargement rounds and the specific challenges in the enlargement countries. With an enlargement-sceptic European public, an inward-looking EU and the membership bar set higher, the road ahead for the Western Balkans countries and Turkey will not be easy. Moreover, with the UK's decision to leave the 28-member bloc, Western Balkans and Turkey will be losing a key proponent of enlargement.

Despite this rather unfavourable climate, enlargement has not stopped. In fact, since the Juncker Commission's coming to power in November 2014 despite Juncker's declared moratorium on enlargement, Turkey and the Western Balkan countries continued to advance on their path to the EU albeit with different speeds. The last two years saw the opening of 12 chapters in Montenegro's accession talks and two chapters in Turkey's accession talks, bringing the total number of chapters opened to 24 for the former, 16



for the latter. Serbia opened the first chapters in its accession talks among which are the two super chapters covering the the rule of law issues and normalization of relations with its former breakaway region Kosovo. Albania, a candidate since June 2014, has undertaken the necessary reforms to fulfil the five priorities to start accession talks and received the Commission's conditional green light to start accession talks. Sadly, Macedonia has remained an exception. Despite the Commission's consecutive favourable opinions recommending the launch of accession talks, Macedonia remains stuck in the EU's waiting room. To make things worse, the deadlock in the country's EU path has led to a deep political crisis risking the country's EU prospects. Meanwhile, potential candidate Bosnia and Herzegovina overcame the deadlock on its EU path and submitted a formal application for EU membership in February 2016, the Council mandated the Commission to present its view on Bosnia's membership application. For Kosovo, last year saw the entry into force of the Stabilisation and Association Agreement with the EU which in the case of Western Balkan states is regarded as a precondition to submit a membership application.

EU's enlargement policy has proved to be not only the most effective anchor for reform and transformation in the aspirant states, and a means to stabilize previously conflict-stricken countries, but also the most effective tool for strengthening the EU's security. Therefore, stepping up its engagement with Turkey and Western Balkans and keeping them in its orbit should be a top priority for the EU. Our aim is not to suggest that EU should abandon its policy of 'strict and fair conditionality', but rather to state that this approach should be accompanied with an additional emphasis on a credible and genuine EU perspective. To avoid disillusionment with the process on part of enlargement countries, it is of paramount importance that the EU delivers on its commitments and keeps Turkey's and Western Balkans' European perspective credible.

