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**STRUCTURE, PROCESS AND
AGENCY:
THE EVOLUTION OF EU-TURKEY
RELATIONS 1999-2004.**

by

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Abstract

When Turkey became a candidate of the EU in 1999 it had been a problematic applicant for forty years due to residual unpopularity with several member states for cultural, economic, security and normative reasons. However, the Helsinki European Council heralded a change of fortunes for Ankara and by 2005 accession negotiations had opened. This happened in spite of Turkey remaining an unpopular candidate with some member states. Moreover, since 2005, Turkey's standing within the EU has returned to a position akin to its pre-1999 stasis. This thesis thus asks: why did Turkey make such progress between 1999 and 2004/5? What was the specific configuration of structures, processes and actions that enabled that to happen then but not before or after?

The thesis approaches this puzzle using a "stretched" eclectic version of Historical Institutionalism which can incorporate the effects of both structure and agency. In this way it can include the influence of wider structural factors, such as CEEC enlargement, Cyprus and ESDP as well as the agency of Turkey's advocates within the EU. It is a detailed qualitative process-tracing study which uses semi-structured interviews and documentary evidence to make a case for a given explanation. It concludes that a path dependent process, influenced by both structure and agency, can be traced from the Helsinki European Council to that in Brussels five years later which "rhetorically entrapped" the member states into agreeing to open accession negotiations in spite of Turkey's underlying unpopularity.

By adopting this framework for analysis, the thesis makes a contribution to the literature on the Turkey-EU accession process by viewing the time period as a whole and taking a temporal rather than a snapshot approach. In so doing it is possible to explain why and how Turkey was able to make such progress between 1999 and 2004. It is also valuable in the study of present Turkey-EU relations as the ultimate conclusion has to be that there was a unique window of opportunity for both Turkey and the EU during this time and the window may now have closed.

Key words: Turkey, EU, EU enlargement, ESDP, Cyprus, NATO, Historical Institutionalism, structure and agency.

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Abbreviations

AKP - Adalet and Kalkınma Partisi (Justice and Development Party)
CEEC – Central and Eastern European Countries
CFSP – Common Foreign and Security Policy
COPS - Political and Security Committee (ESDP)
DSP - Demokratik Sol Partisi (Democratic Left Party)
ECSC - European Coal and Steel Community
EFTA – European Free Trade Association.
EPP – European People’s Party
ERRF – European Rapid Response Force.
ESDP – European Security and Defence Policy
FCO – Foreign and Commonwealth Office (UK)
FYRoM - Former Yugoslav Republic of Macedonia
ICJ – International Court of Justice
IMF – International Monetary Fund
KKTC - Kuzey Kıbrıs Türk Cumhuriyeti (Turkish Republic of Northern Cyprus - TRNC)
MHP - Milliyetçi Hareket Partisi (Nationalist Movement Party)
NAC - North Atlantic Council (NATO)
NATO – North Atlantic Treaty Organisation
OECD – Organisation for Economic Co-operation and Development
OEEC - Organisation for European Economic Cooperation
OSCE -Organisation for Security and Cooperation in Europe
PASOK – Panellinio Sosialistiko Kinima (Panhellenic Socialist Movement)
PfP – Partnership for Peace (NATO)
PKK – Partiya Karkerên Kurdistan (Kurdish Workers’ Party)
SDP - Sozialdemokratische Partei (Social Democratic Party)
SEA - Single European Act
SHAPE - Supreme Headquarters Allied Powers Europe (NATO)
TEU – Treaty on European Union
TRNC - Turkish Republic of Northern Cyprus
TUSIAD - Türk Sanayicileri ve İşadamları Derneği (Turkish Industrialists' and Businessmen's Association)
UMP – Union pour un Mouvement Populaire (Union for a Popular Movement).
UN - United Nations
USCentComm - US Central Command (Tampa, Florida, USA).
WEU - Western European Union.
YTP - New Turkey Party (Yeni Türkiye Partisi)

List of European Councils – December 1997-December 2004.

PRESIDENCY MEMBER STATE	VENUE	DATE
Luxembourg	Luxembourg	December 12-13 th 1997
UK	Cardiff	June 15-16 th 1998
Austria	Vienna	December 11-12 th 1998
Germany	Cologne	June 3-4 th 1999
Finland	Helsinki	December 10-11 th 1999
Portugal	Feira	June 19-20 th 2000
France	Nice	December 7-10 th 2000
Sweden	Gothenburg	June 15-16 th 2001
Belgium	Laeken	December 14-15 th 2001
Spain	Seville	June 21-22 nd 2002
Denmark	Copenhagen	December 12-13 th 2002
Greece	Thessalonika	June 19-20 th 2003
Italy	Brussels	December 12-13 th 2003
Ireland	Brussels	June 17-18 th 2004
Netherlands	Brussels	December 16-17 th 2004

Introduction

1. The puzzle

Turkey was one of the first ever applicants to join the then EEC. Its 1959 application – submitted shortly after that of Greece – pre-dates even that of the United Kingdom. An Association Agreement was signed in 1963 which implicitly acknowledged that Turkey had the right to be considered as a potential member. However, by 1997 Turkey was still not considered to be a feasible candidate¹. The Luxembourg European Council Presidency conclusions, of December 1997, made clear that Turkey's continuing poor record of human rights and democracy was a hindrance to progress into the EU. In the meantime Ankara found itself lagging behind previously comparable states such as the southern Mediterranean countries² and the first wave of the central and eastern European countries³ (CEECs) including the Republic of Cyprus.

This situation changed just two years later, in 1999, when the EU agreed to make Turkey a candidate and accession negotiations were then opened in 2005⁴. The rate of progress between 1999 and 2005 was rapid considering the lack of headway in the preceding forty years and the apparent diplomatic impasse of the Luxembourg European Council in 1997. However, since 2005 the Turkish case has ground to a halt once more. Only one accession chapter has been closed with the remainder stalled over the issue of Cyprus. From 1959 until now (March 2012) the only period of real progress in Turkey's European aspiration has been the time between 1999 and 2004. Even during that time it was not a popular candidate for both cultural and normative reasons. Therefore, it is pertinent to ask what characterises this period such that progress was possible.

¹ Notwithstanding that it had achieved Customs Union in 1995.

² Spain, Portugal and Greece

³ Czech Republic, Hungary, Poland, Estonia and Slovenia.

⁴ The Brussels EU Council in December 2004 agreed that accession negotiations with Turkey would open in October 2005.

There is a gap in the literature looking at this question because it has been approached piecemeal. Several writers (Onis 2000, Robins 2003a, Font 2005, McLaren and Muftuler-Bac 2003) have addressed the issue of why the EU changed policy in 1999 while others have looked at the reasons for the decision at Brussels in 2004 to open accession negotiations with Turkey (Schimmelfennig 2009, Font 2006, Nugent 2007). Associated areas such as ESDP and the Cyprus issue have also been extensively covered (For example on ESDP see Donfried and Gallis 2000, Bilgin 2001, Grant 2001, Missiroli 2002, Jacoby 2006, Webber 2007 and Yost 2007; on Cyprus see Nugent 2000, Palley 2005 and Ker-Lindsay 2005a)

However, the originality of this thesis lies in the empirical insights it can offer by taking the time period as a whole and attempting to deal with the complexity within it. The theoretical centre of gravity is based around Historical Institutionalism and as such it will look to identify path dependent processes such as self-reinforcement and lock-in as well as the critical juncture from which they stem. At the same time it will also take into account the wider context in which the actors were operating and consider the interaction such processes may have had with structure and agency. In turn, it will assess the effect this may have had on the decisions being taken by the EU. Taking such a flexible theoretical approach however does dictate that the methodology employed is able to provide considerable detail in order to maintain a coherent and valid case. This has been done through process tracing to which I will return below.

2. The approach

The study, it is hoped, will add to the wider understanding of the Turkish EU accession process whose continuing failure must surely present a problem for the EU's foreign and neighbourhood policy in 2012. The EU and Turkey have repeatedly failed to understand each other's motivation which has resulted in the wholesale lack of progress when the period to date, since 1959, is considered.

That Turkey was ever included in the western sphere was a result of the aftermath of the Second World War and the Cold War which ensued. Turkey's stance during World War Two made it geostrategically vulnerable to both allied and Soviet post-war geo-political manoeuvring leaving Ankara with the need to re-secure its position (Kuniholm 1980). It looked firstly to the UK, and then the USA, for financial and political backing against Stalin. However, Ankara's motives were mistrusted in both London and Washington. It was not until the 1950s, after it had committed troops to the Korean campaign, that it gained credibility and its wish to join NATO was considered seriously (Deringil 1992). Once Turkey joined NATO however it became embedded in the "west", as delineated by the Cold War, and for this reason its application to join the EEC in 1959 was given more consideration than it would otherwise have been. In other words, Turkey was only ever deemed to be a potential candidate for the EEC because of the security environment of the early 1960s.

However, by the early 1990s, the Turkish government had begun to fear losing its place in western European security architecture. In Turkish public discourse the terms "west" and "Europe" were used interchangeably. Therefore any loss of influence within the western security sphere was seen by the Turkish Kemalist establishment as a loss of status in "Europe" as well. This served to heighten anxiety in a country dominated both by the military, and its security concerns, but also by a continuing reverence for the Kemalist European aspiration.

Firstly, Turkey feared the relegation of NATO in the security hierarchy of the post-Cold War world. Secondly it saw the EU's stance at Luxembourg as a critique of its western credentials and an ungrateful rebuff to Turkey as a loyal Cold War ally. The government in Ankara did not appear to appreciate that the EU did not view itself as a Cold War ally. This insecurity deepened as the 1990s progressed and ESDP began to emerge. The Turkish government was correctly concerned that its preferential status within the Western European Union would not be transferred over to ESDP.

Another factor in Turkish anxiety at this time must also be the involvement of Greece and the Republic of Cyprus. Athens acted as a powerful advocate for Cyprus which became a candidate in its own right in 1997. Thus they were able to operate from within the EU fold (especially after 1997) whilst Turkey remained firmly on the outside. This contributed to much paranoia on the Turkish side – often with cogent reason – which adversely affected the course of Turkey-EU relations throughout the 1990s and into the next decade.

However, as noted already, between 1999 and 2004, Turkey's EU aspiration took a great leap forward with the offer of candidacy in 1999 which occurred apparently against the odds. Then, in spite of on-going difficulties over the Cyprus issue and ESDP, the Turkey-EU relationship made unprecedented progress. In short, 1999-2004 is the only time from the initial application in 1959 until now (2012), that any real progress has been made with the Turkish European aspiration. Furthermore this happened even though many of the issues which had previously dogged the Turkish case e.g.: the Cyprus issue continued to affect it negatively. It is the aim of this thesis then to shed light both on why progress was possible during that time and how that happened.

Structure, process and agency are in evidence throughout the time span 1999-2004 with each influential to varying degrees at different times. Specifically this thesis argues that a combination of structure and process between 1999 and 2002 created an opportunity for meaningful agency on Turkey's behalf between 2002 and 2004 by some member states. In this way it uses the insights provided by a broad definition of Historical Institutionalism (Steinmo 2008) to presume that path dependent processes can be both ideational and material. It also presumes that norms can be used strategically within a normative environment (Schimmelfennig 2003) and that rhetorical entrapment can be both passive (Schimmelfennig 2009) and, according to the evidence presented here, active.

The aim of this thesis then is to try to establish why progress was possible between 1999 and 2004 – when it had not been before and has not been since. It will take a qualitative

approach to evidence gathering and is not proposing to deductively test a hypothesis but instead to work inductively towards providing an explanation of the research puzzle based on the balance of probabilities. It is therefore not the aim to present an account which claims “truth” in any form but instead one which can be deemed likely to be true based on the quality of the evidence provided for it.

3. The method

A theoretical approach such as the Historical Institutionalism to be applied here requires a detailed methodology such as process tracing. This thesis will argue ultimately that the outcome of 2004 can be explained and understood through the examination of causal mechanisms over the whole time period which takes the wider context into account. It is an $n=1$ within-case study designed to explain a given research puzzle. Process tracing (George and Bennett 2005) is premised on identifying such causal mechanisms through detailed qualitative analysis of documents, media sources and interview material. In this case, the high level of detail is necessary in order to “make a case”, on the balance of probabilities, for a causal process linking 1999 to 2004. The theoretical approach can then maintain a claim to be rigorous political “science” rather than being a historical narrative (Wight 2006). This process tracing method is suited to the theoretical approach of Historical Institutionalism (Checkel 2005) and requires detailed examination of primary sources. By piecing together a sequence of events through primary sources, process tracing is thus able to “...empirically establish the posited intervening variables and implications that should be true in a case if a particular explanation of that case is true.” (George and Bennett 2005: 147).

The sources in question here are a combination of official EU documentation, media reports from the relevant time and semi-structured off-the-record interviews with those involved. The EU documents are the EU Commission progress reports and European Council Presidency conclusions. For the media reports, priority has been given to news agency copy because it is the raw material from which authored reports are written and usually contains more direct

quotes than mediated reports. However I have also used reports written by named journalists as well as from The Economist, BBC Monitoring and from international sources such as the Washington Post, New York Times, the International Herald Tribune, Le Monde, and the Turkish Daily News. Considerable effort has been made to triangulate these sources. In other words where quotes have been salient to the causal process I have sought to find them from more than one source.

In terms of semi-structured interviews I conducted 36 different interviews⁵ between February 2009 and October 2010. Two of these 36 interviewees were seen twice, two were conducted by email and four by phone. The remainder were seen face to face primarily either in Brussels or London for an average of 60-90 minutes. Where it was not possible to talk to the primary actor (eg: Robin Cook) I have spoken to associates or advisors who were also involved in the decision making process. In this way it has been possible to witness the same process from different viewpoints and to increase the level of both complexity and accuracy.

Interviewees were extremely helpful with the vast majority of those approached willing to be interviewed. All were conducted on a non-attributable basis, on Chatham House rules, which yielded results as most were extremely candid. I did not sound-record the interviews preferring instead to take less obtrusive shorthand notes which were transcribed immediately afterwards. Interviewees were more likely to speak freely when not being recorded especially as the majority of the interviewees are still working within the Brussels-based institutions and member state governments. Moreover the issue of Turkish accession has the potential to be politically sensitive.

The semi-structured nature of the interview meant I was able to be flexible in my approach to questioning. However, all the interviews followed the same basic format of trying to establish policy towards the Turkish case at given times. Whilst allowing for the possibility of variable

⁵Full list of interviewees in Bibliography (NB: Confidential as anonymity agreed. Also there are more than 36 in the list because some are listed twice under different job titles in order to maintain confidentiality).

accounts, the use of interview evidence has been aimed at trying to uncover insights into the decision-making process and the motives of the players behind it. By interviewing different players about the same topic from different countries, institutions and EU departments I have sought to minimise the potential for error and misperception and the over reliance on any one source.

4. The structure

The structure of the thesis follows the three major European Councils of the time frame - Helsinki in 1999, Copenhagen in 2002 and Brussels in 2004. These were chosen because they were the occasions on which the major decisions *vis a vis* Turkey and the EU were taken between 1999 and 2004. Helsinki offered candidacy to Turkey; Copenhagen finalised arrangements for both ESDP and CEEC enlargement and Brussels in December 2004 agreed that accession talks with Ankara should be opened. The first chapter however is a literature review which establishes what has been written about the issues surrounding the specific research puzzle and its component parts. It looks at the literature surrounding the three major European Councils but also those in between. In addition this chapter looks at the existing literature on enlargement and integration as well as ESDP and the Cyprus issue which were both influential on the decisions taken at Helsinki, Copenhagen and Brussels.

The second chapter places Historical Institutionalism within its New Institutional theoretical origins before offering a contemporary definition (Steinmo 2008) which has incorporated the reflectivist turn seen more widely in international relations literature. This reflectivist element can be taken as an option (not a necessity) to broaden the explanatory potential of HI and makes it appropriate to any complex real world research. It brings in the option of including agency as well as structure in any explanation of temporal process. The decision to take such an approach is driven by the desire to reflect the complexity of the real world situation and to provide the detailed evidence necessary to maintain validity. Steinmo defines Historical Institutionalism as an “approach” rather than a theory and suggests it is the logical

choice of any researcher seeking to reflect complexity. Furthermore perhaps such complexity is not seen if this approach is not taken.

“If you think history and ideas matter, institutions structure actors’ choices but are subject to change by actors themselves and real people make decisions that are not always efficient or precisely self-interested then you are probably a Historical Institutionalists.” (Steinmo 2008: 136)

Chapter Two also justifies this eclectic real world approach and argues that it can be commensurable if a critical realist epistemology is applied.

Chapter Three is the first of the three empirical chapters based on the major European Councils. It explores the processes at work in 1999 and tries to account for the reversal of Turkey’s fortunes during that year. Chapter Four looks at the time between the Helsinki European Council and that at Copenhagen in 2002. It explores why the interacting processes of the Cyprus peace process and ESDP-NATO relations proved so hard to resolve before December 2002 in spite of considerable efforts to do so behind the scenes. It then explores the consequences, at the Copenhagen European Council, of this failure to resolve these issues which meant the EU member states had to find resolutions to each in the pressured environment at the Copenhagen European Council. The fifth chapter is the third and final empirical chapter which then looks at the time between Copenhagen and the Brussels European Council of December 2004. It will examine how factors such as the on-going efforts to find a solution to the Cyprus issue and the new “war on terror”, following the events of September 11th 2001, impacted on the Turkish EU accession process.

The conclusion summarises the findings of the thesis and critically evaluates the effectiveness of the Historical Institutionalists approach. It will offer detailed insights into the exact interplay of structure, process and agency as hypothesised by the theoretical approach and offer an explanation of why the EU agreed to open accession negotiations

with Turkey in 2005 in spite of widespread misgivings in both elite and public opinion. In so doing it will explain what it was during the time 1999-2004 which meant that Turkey's EU accession could progress to such an unprecedented extent.

Chapter One: EU-Turkey relations 1997-2004

When, in December 2004, the EU member states agreed to open accession negotiations with Turkey it was one of the “...most controversial external relations decisions” the European Union had ever taken (Schimmelfennig 2009: 413). The EU had seemed to “advance” Turkey’s case “...even though the application has been viewed widely...as highly problematical.” (Nugent 2007:481). Turkey was not a popular applicant prior to candidacy in 1999 and since 2004 its accession process has ground to a halt. Moreover the reason it was unpopular before and unsuccessful after was largely due to the issue of Greece and Cyprus which has been an on-going irritant to Ankara’s EU aspiration since its initial application was submitted in 1959. So why did the member states agree to open accession negotiations with Turkey when there was a sustained and multifarious opposition to doing so amongst both public and elite opinion in several member states?

The decision to open accession negotiations with Turkey was taken by the Brussels European Council in December 2004. However the process which led to this apparently perplexing decision began several years earlier. In 1997 Turkey was not considered to be a feasible “candidate” and yet, by 2004, accession negotiations had been opened. For this reason, the narrow question posed above about 2004-5 needs to be supplemented with another asking how this came to pass.

Turkey’s original application to what was then the EEC was made in 1959 and an Association Agreement was signed in 1963. Turkey formally applied for full membership in 1987 but was turned down two years later for a variety of reasons. These were economic and demographic as well as political (Kuniholm 2001: 25). Opposition to the Turkish case within the EU continued to be based around both normative concerns of human rights and democracy and “cultural” (i.e.: religious) considerations. Effective anti-Turkish campaigns,

run by Kurdish and Armenian groups, had become embedded in the normative discourse of the Brussels, and wider European, progressive class making the Turkish case rather unfashionable. This was not helped by the fact that the Turkish record on human rights and democracy was lacking in EU terms and it did not meet the Copenhagen criteria set out in 1993 for the accession of new members⁶. An underlying current of opposition on the grounds of “culture” or “identity” was also persistent and was exacerbated by continuing economic and demographic factors⁷. These four factors, normative, economic, cultural and demographic combined to make the Turkish case unpopular with public – and some elite - opinion across the EU.

Additionally the case against Turkish accession could be made on geopolitical grounds. Turkey’s position bordering the Middle East, the Balkans and the Caucasus gave reasons for opponents to argue that including Turkey in the EU fold would bring the world’s trouble spots closer to Brussels. In this way the Turkish case gave many grounds for opposition to it and these were in evidence as late as 1997. Turkey was considered eligible by virtue of the 1963 Association Agreement but it was too poor, too large, too Muslim and not democratic enough to become a candidate. To make matters worse it was not located in “Europe” and was at the junction of a number of volatile political fault lines.

However there were also a significant number of member states who saw the geostrategic and cultural arguments as a positive. There was a widespread appreciation of Turkey’s geostrategic value and also of its symbolic value as a Muslim beacon within the western

⁶Copenhagen EU Council Presidency Conclusions June 1993. 7:iii states that:

“Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate’s ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.”

⁷ As Schimmelfennig highlights (2009: 413), Turkey’s GDP per capita in 2005 was less than a third of the EU average thereby creating the potential for mass migration of its relatively large, poor and Muslim, population.

security community⁸. Accession would encourage normative reform within Turkey and moreover, its geopolitical location and symbolic value presented a chance to pour oil on troubled waters, both of which were in the EU's wider long term interest.

Even for those actors and states which were convinced of the case for Turkey, making the pro-Turkish case was problematic for the reasons outlined and it was dogged by the Cyprus issue making support for the Turkish case a politically risky strategy for member state leaders. In addition the Turkish diplomatic style was often at odds with that of the EU member states. This can be seen in the reaction to the Luxembourg decision in 1997 – when Turkey was not deemed worthy of candidacy - and also in the Turkish reaction to the development of European Security and Defence Policy (ESDP) between 1999 and 2002. Finally, as noted above, Turkey did not meet the Copenhagen criteria tests which had been set out in 1993 in relation primarily to Central and East European countries. By 2004, whilst pressure from some of these factors had eased others remained extremely problematic and the Turkish case was far from universally popular.

This brings us back to the key puzzle: how to explain why the EU's Turkey policy changed between 1997 and 2004. Two contrasting approaches will be identified in the literature. The first emphasises the big picture and the structural changes that enabled the policy to change, whilst the second focuses far more on the details of the process by which the changes took place. This thesis as a whole will look at the interaction between these approaches and how each may have influenced the other in order to arrive at the end point whereby the EU member states agreed to open accession negotiations with Turkey, a country about which many had deep misgivings. This interaction involved a complex web of structure, process and agency. It will be argued that all three were present throughout the time period in question but that the balance of influence between them was fluid and variable. However the interaction created the conditions under which the Turkish case could make progress

⁸ For these states Turkey's religion was a chance to prove the Samuel Huntington (1993) "clash of civilizations" discourse wrong.

between 1999 and 2004 in a way not seen either before or since and in spite of a number of intractable issues. In this chapter, the context of this overall argument will be set out by looking both at the structural and at the process-centred approaches that have been advanced in the existing literature. In Chapter Two, the conceptual and empirical basis for the approach adopted by the thesis will be explored in greater detail and a framework for empirical study will be advanced.

The literature on the period 1999-2004 in EU-Turkey relations is fragmented and there is very little looking at the time frame as a whole (Font 2005 and 2006; Nugent 2007; Schimmelfennig 2009). Instead it is concentrated either thematically, on Cyprus and ESDP, or chronologically on either the events between Luxembourg and Helsinki or the Brussels 2004 summit. Literature about the run up to the 1999 Helsinki European Council summit seeks to outline why the EU changed its mind between Luxembourg and Helsinki. Primarily this has been explained either with recourse to structural changes in the EU and its security environment or by domestic changes within the member states which made them more inclined to view the Turkish case sympathetically. Literature about the 2004 Brussels European Council clusters around ideational theories of “rhetorical entrapment” by which the member states felt obliged to honour previous commitments to Turkey in spite of continuing misgivings. This chapter will examine the existing literature along these thematic and chronological lines. It will look at why enlargement has been problematic for the EU since the end of the Cold War and why Turkey is a problematic case for EU enlargement. It will also explore key and apparently intractable problems in the Turkish case such as the Cyprus dispute and wider defence and security issues. The focus here, as in the thesis as a whole, is on diplomacy, high politics and security issues. Economic issues will not be examined in detail except where they are important to the diplomatic process, for example in such cases

as the Matutes package⁹ and the Customs Union¹⁰. The later parts of the chapter will return explicitly to the contrast between structural and process-centred approaches noted above.

1. Europe and Turkey

There are two major research puzzles posed by scholars of contemporary EU-Turkey relations both of which bear closely on the subject matter of this thesis. The first is why the EU changed its policy on the Turkish case between 1997 and 1999 (Onis 2000, Muftuler-Bac 2000, Park 2000a, Robins 2003). The second is why Turkey was accepted into accession negotiations in 2004 (Nugent 2007, Schimmelfennig 2009, Kirisci 2004, Camyar 2009; Font 2006). As already noted, the two puzzles essentially focus on the same underlying question: Why would the EU member states do something which was unpopular both with elite and public opinion across the Union? The question is very similar to that posed by scholars of CEEC enlargement who asked how eastern enlargement came to happen so quickly (Sedelmeier 2005: 3) and on such a large scale (Vachudova 2007: 105). As Sedelmeier reminds us (2005: 3), whilst eastern enlargement may now seem to have been “inevitable” this was not always the case as several member states were opposed to it. Schimmelfennig (2001:47) questions why the member states offered full membership when they could have stuck at the level of association agreements.

1.1. Luxembourg, 1997

The Turkish umbrage taken at Luxembourg in 1997 can be explained both in the context of its own history and its long standing problematic relationship with the EU. As Kushner (1994) has explained, Turkey’s self-image (and especially that held by its Kemalist political elites) was that of a European country. Therefore any case of not including Turkey in “Europe” made it feel excluded from a place it had a right to be in. Turkish decision makers had not

⁹ The Matutes package (prepared by the Spanish politician Abel Matutes) was a series of measures suggested by the EU in 1990 after the rejection of Ankara’s 1987 application to prepare Turkey for future EU membership. (See Redmond 1993; Arikan 2006).

¹⁰ Whilst the Matutes package contained political and economic proposals, in the event Greek opposition meant that only the economic proposals were possible and these were formulated in to the 1995 Customs Union which the EU signed with Turkey.

yet grasped that the accession criteria for the EU were the Copenhagen criteria and since Turkey did not meet them therefore it was not possible, from an EU standpoint, that it could be a candidate (Onis 2000). As mentioned above Ankara was also working under the misapprehension that “Europe” owed it a favour for having been a loyal NATO member during the Cold War (Park 2000a: 34) and that “Europe” would accept it post-Customs Union because of its potential as a market for EU goods (Rumford 2000: 331).

For this reason, after the Luxembourg European Council, Ankara withdrew formal diplomatic contacts with the EU (although not with individual member states). There was uneasiness at the result in Washington and also by some EU member states who were concerned, for geopolitical reasons, by the loss of Turkish goodwill. The outcome of Luxembourg had been anomalous because most member states had not actually voted against Turkey and many subsequently acknowledged it was a mistake to alienate Turkey to such an extent (Park 2000a: 34). There was also awareness that loss of Turkish goodwill would affect the on-going peace process for Cyprus. Given that the Republic of Cyprus had just been made a formal candidate this was also an area for concern. For these broadly geostrategic reasons the UK began a “charm offensive” on Turkey as soon as its EU Presidency began in January 1998 (Baun 2000). Although Turkey was not a candidate by name “...it was relatively easy to allow the progress reports (of the Commission) to become *de facto* candidacy progress reports” (Park 2000a: 35). In spite of Turkey’s umbrage, the geopolitical pendulum started to swing in Ankara’s favour almost immediately after the Luxembourg summit. However the normative concerns remained. So what happened to enable the member states to overlook these concerns and for Ankara to be deemed a candidate at the Helsinki summit?

1.2. Helsinki, 1999.

The literature about why Ankara was given candidacy in 1999 falls into two broad categories. Firstly, it has been argued that it was for geostrategic reasons and secondly that the shift took place because of domestic changes within Turkey and several key member states. For Muftuler-Bac (2000) the rapid development of ESDP, following the St Malo summit of

December 1998, meant “a formula for Turkey’s incorporation into the EU orbit (had) to be found...” (Muftuler-Bac 2000: 493). Turkey’s geopolitical location was of “such importance” that excluding Turkey from candidacy was “no longer reasonable” (Muftuler-Bac 2000: 490). Atila Eralp concurs in arguing that:

“It is no coincidence that Turkish candidacy was offered in a summit in which important decisions were taken in consolidating European defence and security.” (Eralp 2000: 5)

Muftuler-Bac and Eralp thus make the case that the EU was forced to make concessions to Turkey in 1999 because it needed its cooperation over ESDP.

Secondly, the Kosovo conflict had a wide impact upon EU policy in this time period (Baun 2000). It not only expedited the progress of ESDP (See Bailes 1999; Baun 2000; Donfried and Gallis 2000; Peters 2004 and Webber 2003) but also helped to create the political will to shift conceptions of EU enlargement: essentially this embodied a change from a conception of enlargement as taking place “in waves” to a conception based on a “regatta” start. At the Helsinki European Council all ten CEECs were given candidacy and negotiations effectively diluting conditionality

for Romania and Bulgaria (Nugent 2004). Kahraman (2000) argues that the Kosovo conflict had highlighted to the EU member states the need to keep their neighbourhood as stable as possible. So, having effectively lowered conditionality to the second round of CEEC applicants, albeit with subtlety, this affected the Turkish case.

Another group of authors acknowledges the geostrategic nature of the Helsinki decision but questions the sincerity of it from the EU point of view. Was the offer of candidacy was just a way of “managing” the Turkish government? (Robins 2003a). Whilst Turkey could not be ignored was it merely being placated out of geostrategic need at that time? For Arikan (2003), Turkey was contained at Helsinki for geostrategic reasons and did not enjoy the same treatment as the CEECs who had been treated as “kin” (Sjursen 2002) and given

access to EU networks to help their accession process (Rumford 2000). Turkey's case was always made on geostrategic grounds rather than those of duty or obligation even by its advocate-in-chief, the UK. A convincing case is made by Font (2006) that Helsinki was actually merely a "symbolic gesture":

"Very few within the EU trusted Turkey's capacity to improve its democratic credentials and even fewer perceived Turkey's membership as being a real option." (Font 2006: 198).

Many member states agreed to Turkey's candidacy in 1999 because the geostrategic case was compelling and because they did not believe it would meet the Copenhagen criteria anyway. In other words, the member states put "the ball in Turkey's court" (Onis 2000) for wider geostrategic reasons in the expectation that it would NOT be able to meet the conditions required of it for the process to progress further.

So far it has been suggested that the Helsinki European Council decision was made for geostrategic reasons. Furthermore several authors have argued that whilst the geostrategic reasoning was genuine the actual offer was disingenuous as Turkey was not expected to meet the Copenhagen criteria anyway. Another school of thought has been that the "social democratic wave", which saw more sympathetic governments elected in Athens and Berlin, and the mutual sympathy elicited by the earthquakes in Turkey and Greece in August and September 1999 as having significantly contributed to the decision to recognize Turkey as a candidate at the Helsinki summit in December of that year. Onis (2000: 13) argues that the new governments of Greece and Germany were inclined to take a more multicultural view of the EU than their predecessors had and for this reason were more inclined to overlook Turkey's "democratic deficit" in the wider security self-interest of the EU. Robins (2003a: 110) also cites geostrategic reasons alongside the election of more "inclusive" governments in Athens and Berlin. On the other hand Aybet (2006: 67) has made a case that domestic developments in Turkey were influential in the decision. The arrest of the Kurdish People's

Party (PKK) leader Abdullah Ocalan on February 15th 1999¹¹ and the exclusion of the Welfare Party from mainstream politics in 1997 removed two major reasons for sceptical member states to object to the Turkish case.

The approaches outlined above to explaining the EU's decision at Helsinki to make Turkey a candidate are essentially geostrategic, domestic and institutional. In other words, the member states were persuaded by reasons in their own strategic self-interest, by the removal of reasons to object to it and lastly by reasons motivated by a Machiavellian gamble that it was safe to offer candidacy for geostrategic reasons as Turkey had a very low chance of ever meeting the conditionality anyway.

It is suggested here that because of the increased status of eastern enlargement the Cyprus issue was the dominant factor from the EU's point of view at the Helsinki European Council in 1999 rather than ESDP. However, ESDP may have had a higher priority for the Turkish government at that time. The Turkish attempts to create leverage with ESDP (Bilgin 2001) were not successful at Helsinki. For this reason the issue festered somewhat and became a bigger problem between 1999 and 2002.

Additionally it can be argued that the literature tends to significantly *underestimate* the role of Cyprus at the Helsinki European Council and *overplay* the social democratic wave and the "earthquake diplomacy" of the summer of 1999. The earthquake allowed the Greek and Turkish governments to push forward policies of reconciliation which already existed for wider geostrategic reasons. Moreover this reconciliation did not extend to the highly sensitive issue of Cyprus. Whilst it is true that Greek-Turkish relations improved, the Cyprus issue was not solved before the Helsinki European Council and remained a problem which threatened to undermine the CEEC enlargement round. The thesis will return to these issues in Chapter Three, and will present an empirically thicker and more complex real world approach to explaining the Helsinki decision *vis a vis* Turkey.

¹¹ The Washington Post, February 16th 1999, *Turkey's Alienated Kurds; Government Raids, U.S. Policies Cited as Reasons for Backing Rebels*.

1.3. Copenhagen and Brussels, 2002-4

Whilst, after the Helsinki European Council in 1999, Turkey was a candidate, several major obstacles remained in the path of EU membership namely the Copenhagen criteria, Cyprus and the brewing resentment over ESDP which would become the “problem of Turkey” (Grant 2001). Given these hefty problems then, why were accession negotiations opened in October 2005? Why did no member state object to opening accession talks with Turkey enough to vote against it in the European Council in December 2004? There is not a large body of work addressing this question specifically. Even six years and counting after the event it has only been tackled by a handful of scholars. Font (2006), Nugent (2007), Schimmelfennig (2009) and Camyar (2009) come closest to addressing the specific question in hand.

Font (2006) argues that, whilst in 2004 the member states maintained self-interested motives, they were working from an institutional agenda laid down by previous decisions. In other words, Turkey already had eligibility and candidacy and therefore had to be considered. Moreover its case could only be rejected at this stage on “legitimate” grounds of conditionality. Since Turkey had made considerable advances towards meeting the conditions, the Copenhagen criteria, the EU member states were limited as to the grounds on which they could continue to oppose the Turkish case. They were loath to use cultural or religious reasons lest they appear illiberal and counter to the norms of the EU.

Nugent (2007) uses the “rhetorical entrapment” argument of Schimmelfennig (2001) to make a case that the supporters of the Turkish case, including the European Commission, emphasised the need to develop democracy in Turkey when making the case for opening accession talks with Ankara. The Commission was also involved in the “incremental upgrading” of language in the Turkish case in particular by emphasising that accession was dependent on compliance with the EU’s accession capability (Copenhagen Criteria). This was further highlighted by the wording of the Copenhagen European Council Presidency conclusions.

“These statements can be seen as moving the European Council ,
and hence the EU, from its preferred policy of being close to Turkey
but stopping short of giving it a definite membership to a conditional
promise of the opening of accession negotiations.” (Nugent 2007: 499)

This in turn “constrained potential opposition by making it extremely difficult for any
government to exercise a veto.” (Nugent 2007: 499). In this way Nugent argues that the
Commission’s role was crucial in upgrading the Turkish case. It is not entirely clear whether
Nugent is arguing this was done deliberately or not. However this argument is similar to that
of Font in that both authors are saying the EU narrowed its own options between 1997 and
2004 because of the constraining legacies of previous decisions. In so doing it significantly
reduced the room for manoeuvre available to the member states at the Brussels European
Council in 2004.

Schimmelfennig has also turned his attention to the Turkish case (2009) and utilizes his
rhetorical entrapment argument which he refers to as Normative Institutionalism (Thomas
2009). He also identifies the European Commission as having played a critical role which
“set the agenda” for intergovernmental decision making and framed the agenda “in favour of
norm consistent decisions”. (Schimmelfennig 2009: 419). This was possible because the
Commission was charged with assessing any progress which was made and deciding when
“EU demands were met”. Thus it acted in accordance with the Copenhagen criteria in
making its recommendation to the member states and:

“When Turkey – rather unexpectedly and rapidly - demonstrated its
willingness to reform and made substantial progress, the member
states, including those that were principally opposed to Turkish
accession, found themselves entrapped.” (Schimmelfennig 2009: 427).

Because Turkey had “fulfilled its part of the political accession conditionality deal, they
(member states) were compelled to keep their part of the promise as well and could not

legitimately deny negotiations.” (Schimmelfennig 2009: 427). Furthermore Schimmelfennig identifies a path dependent process going back to the Helsinki European Council:

“Once Turkey was accepted as a candidate in 1999, when the constellation of member state preferences was particularly favourable, its further progress to membership has only depended on meeting the institutionalized enlargement criteria of the EU.” (Schimmelfennig 2009: 429).

Camyar (2009: 235) set out to explain the “striking discrepancy” between the “preferences of EU actors and the actual operation of Turkey-EU relations.” He highlights the “credibility trap” in which EU actors can be caught. Thus once an initial commitment is made EU actors may find it hard to back track.

“Whilst their current preferences may dictate a slow down or halt in the path to membership they change the path only at the cost of losing the credibility of their prior commitments.” (Camyar 2009: 250)

Camyar argues that having emphasised the importance of meeting the Copenhagen Criteria to the EU on several occasions, and notably the Helsinki European Council Presidency conclusions, the EU member states were bound by them when Turkey made progress which they had not expected.

As outlined here, the existing literature on why Turkey has come to be in accession negotiations with the EU tends to examine either the Helsinki summit of 1999 or the Brussels summit of 2004. In addition, and in line with the argument made earlier in this chapter, it can be argued that the Helsinki literature tends to be based primarily upon structural factors such as the end of the Cold War, the consequences of the Kosovo conflict or changes of government in member state countries, and the Brussels literature upon processes within the EU. Thus, authors such as Schimmelfennig, Nugent, Font and Camyar outline processes such as incremental upgrading, rhetorical entrapment and strategic action or advocacy to

explain the outcome of the Brussels European Council in 2004. The argument here is that both of these approaches are incomplete in terms of providing an answer to the research question around which this thesis revolves. Only Font (2005 and 2006), Schimmelfennig (2009) and Nugent (2007) take the time frame 1997-2004 and they stay within the institutional confines of the EU. They do not take other factors into account such as the wider issues of EU enlargement and EU security and the effects that these may have had upon the decision-making processes of the EU member states. This thesis seeks to argue that the decision at Helsinki, made for certain (predominantly structural) reasons, enabled the Turkish accession process to move forward to a stage where processes were possible which progressed it further. It will also take into account the specific perceived problems impinging upon EU decision-making at Council level, particularly EU enlargement, Cyprus and ESDP. In other words, structural factors enabled Turkey to become a candidate, but once this had been achieved, the impact of engagement in the process itself and the need to deal with some very specific problems was crucial in determining successive European Council decisions at Copenhagen and Brussels.

I will return to this later in this chapter, but first it is necessary to look at how the EU has viewed enlargement and the problems and challenges it raises, in order to provide context from the EU's perspective. The chapter will then go on to look at why the Turkish application was viewed as problematic by the EU.

2. EU integration and enlargement

The system which is now the European Union developed from a desire after the Second World War to create "...the possibility for new forms of political cooperation" (Sandholtz and Stone-Sweet 1998: 1; Schuker 2000) and to prevent war from reoccurring. Whilst there was a strong federalist current in Europe at that time, the EU's predecessor, the European Coal and Steel Community (ECSC), was a response to the "practical problem" of how to rebuild the coal and steel industries after the Second World War rather than a purely federalist

project (George and Bache 2001: 63). Nevertheless the Treaty of Rome in 1956 established a broader set of rules and the institutions – centred on the European Commission and the Council of Ministers¹² - to facilitate co-operation between states. During the 1970s, the establishment of the European Council, composed of Heads of State and Government, further elaborated the interplay between intergovernmental and ‘European’ institutions.

2.1. European integration

Almost since it was founded, the European “project” has been involved in both integration and enlargement. Integration was controversial from the start and progress towards “deepening” the relations of the member states was slow until the Single European Act (SEA), masterminded by Jacques Delors, which came into effect in 1987. This laid plans for a single market and repeated the federalist objective of transforming “relations as a whole among their States into a European Union”.¹³ The Treaty on European Union (TEU) was signed at Maastricht in February 1992 outlining plans for further political and monetary union. It led to the introduction of the Euro currency in 1999 and the establishment of the three pillar structure of the EU including nascent plans for a common foreign and security policy (CFSP). It also reiterated the ideal of the Rome Treaty for an “ever closer union among the peoples of Europe” and increased the relative influence of the European Parliament (McAllister 1997: 224). Plans for such integration were not universally popular with either public or elite opinion in the member states and this ambitious attempt at European integration may have weakened the EU, and its President, Jacques Delors, by leaving it vulnerable to accusations of acting without democratic legitimacy (George and Bache 2001: 127).

2.2. European enlargement

Enlargement too has been on the agenda of the EC and then the EU almost since the Rome Treaty in 1956 and Turkey has been involved in this process since it applied in 1959.

¹² The European Parliament did not exist by that name until 1962 but in an earlier incarnation was known as the European Parliamentary Assembly. Members were MPs from the member states delegated to attend rather than being members of an elected European parliament *per se*.

¹³ Preamble to Single European Act 1987. Official Journal reference: OJ L 169 of 29.06.1987

However, by the time accession negotiations were opened with Turkey in 2005 five enlargement rounds had already concluded. The first was initiated in July 1961 when the UK applied to join the European Economic Community, along with Ireland and Denmark. The applications made slow progress throughout the 1960s until Georges Pompidou took over from Charles De Gaulle as French President in 1969 and in 1973 the UK, Ireland and Denmark became full members of the EC. This first enlargement "...set a framework for future enlargement rounds" (Preston 1997: 45) in that it stipulated that applicants must accept the *acquis communautaire* in full and the principles of the Birkelbach report.

The Birkelbach report¹⁴ had been published in January 1962 aimed at the applications of Greece, Turkey and Spain. It set out the conditions of membership and was the forerunner of the 1978 Declaration on Democracy and the 1993 Copenhagen criteria (Torreblanca 2003: 25). It established that democracy was a precondition of membership and implied a commitment to integration in foreign policy terms.

"Building on this declaration, the report concluded that the Community was more than just a free trade area or a customs union, that the 'political character of the Community cannot here on be called into question', that acceptance of the institutional framework was also a precondition for membership; and, even more importantly, that accession to the Union was irrevocable and that it could not be partial." (Torreblanca 2005: 26)¹⁵

Spain and Greece (with Portugal by that time) did not become realistic candidates until after the end of their authoritarian regimes in 1974 for Portugal and Greece and 1975 for Spain. The EEC viewed their applications strategically and was explicit in laying down accession criteria as a means of encouraging stability on its borders (Preston, 1997: 53). Greece acceded in 1981 and Spain and Portugal followed suit in 1986. In this way their accession

¹⁴The work of the German SPD politician, Willi Birkelbach.

¹⁵The Birkelbach report is reprinted in Truyol (1999) or is available from the archives of the European Communities, 07.515:32; X3.075.15.

was not merely a rational choice cost benefit decision to maintain stability in the neighbourhood but was also taken with the aim of spreading “deeper values” (Sjursen and Smith 2004:8) and in effect to encourage those countries on the Community’s borders to become more like itself. It also had the consequence of redistributing the balance of power within the European Community away from the north (Nugent 2004:29).

The European Free Trade Area (EFTA) enlargement round encompassing Austria, Sweden and Finland followed in 1995 (See Redmond 1997). The end of the Cold War had released the EFTA countries from the imperative to maintain their neutrality and prompted their applications which were largely made for economic reasons (George and Bache 2001: 209). This was the quickest and easiest of all the enlargement rounds because of the pre-existing trade links between the applicants and the EU and the fact that they possessed similar political and administrative systems (Faucompret and Konings 2008: 32). It did however increase the number of EU members and intensified feelings that “the EU was becoming too big to be able to conduct its business on the basis of a system that had been devised for a much smaller number of states.” (Nugent 2004: 31). The prospect of further enlargement to encompass up to ten Central and East European countries, which was clear by the middle of the 1990s, was thus seen as a further threat to integration, both institutionally and in the broader political and economic context

2.3. CEEC enlargement

According to Preston (1995), the EFTA enlargement round was the last one to comply with the “classical” model laid down by the first, UK, Denmark and Ireland, round. This presumed that applicant states would accept the *acquis communautaire*¹⁶ and would willingly obey “the pre-existing rules of the club.” (Preston, 1995: 452). The sheer scale of the CEEC

16 “The *acquis communautaire* is the accumulated body of European Union (EU) law and obligations from 1958 to the present day. It comprises all the EU's treaties and laws (directives, regulations, decisions), declarations and resolutions, international agreements and the judgments of the Court of Justice. It also includes action that EU governments take together in the Area of Freedom, Security and Justice and under the Common Foreign and Security Policy.”
As defined by House of Commons Library Standard Note SN05944, 26th April 2011. Page 2.

application demanded a different approach amidst fears the EU would not be able to cope with the scale of it and it could be a threat to the institutional and political base of European integration. In an effort to deal with these fears, the 1992 Lisbon European Council laid down three basic conditions for membership - identity, democracy and a respect for human rights plus a willingness to adopt the *acquis communautaire*. This was necessary in order to "...impose order on a clamour of demands that threatened to engulf the Community and more significantly the process of deepening...." (Sjursen and Smith 2004:9). The year after the Lisbon European Council the EU formally outlined the "Copenhagen criteria" at the Copenhagen European Council in 1993 when it agreed to go ahead with eastern enlargement¹⁷ on the condition that applicant countries should meet the Copenhagen criteria. In other words they should have a functioning market economy, stable democratic institutions, and a commitment to the *acquis* (Schimmelfennig 2001: 59).

Eastern enlargement was not universally popular at this stage and many member states had misgivings (Nugent 2004:35); as already noted, CEEC enlargement was not as inevitable as it may seem with hindsight (Sedelmeier 2005:3). Misgivings revolved around concerns that such a large "widening" of the EU would threaten its future integration or "deepening" (Sjursen and Smith 2004: 9). Additionally the large number of potential applicants was a concern, as was the fact that they were trying to join a highly institutionalized club "from a lower economic base than had been the case previously." (Preston, 1995:459). Whilst the legitimacy of the CEECs' claim to membership status was compelling (Sjursen 2002) the Copenhagen criteria were the formulation of a "safety valve" for the EU providing "exit options further down the line" (Sedelmeier 2005: 185). In other words the EU was only committing itself to the accession of those states which had become like the existing member states, thereby minimising the potential threat to integration. How could any existing

¹⁷"The European Council today agreed that the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required."¹⁷
Copenhagen EU Council Presidency conclusions, June 1993, Section 7. Para.3.

member state object to such a well-intentioned and worthy incentive? However, the unintended consequence of the emphasis on this conditionality was that if the CEEC states met the criteria this would drive the enlargement process forward.

Formal applications were made by 10 CEECs between 1994 and 1996, which led the EU Commission to produce the *Agenda 2000* document in 1997. This gave the “Opinion” of the European Commission on whether the applicant countries had met the Copenhagen Criteria for becoming candidates. The Luxembourg European Council in 1997 accepted the Commission’s recommendations that five of the CEECs – Czech Republic, Estonia, Hungary, Poland, Slovenia – should begin negotiations and the other five – Bulgaria, Romania, Lithuania, Latvia and Slovakia – should wait until they had improved economic conditions. It was, as the then Enlargement Commissioner Hans van den Broek described it, a case of the “ins and the pre-ins”¹⁸.

It was “not long” however before the limited nature of the Luxembourg decision was seen as mistaken (Nugent 2004: 36) and the Kosovo crisis of March 1999 “led to a rethinking of enlargement strategy” (Baun 2000: 123). The effect was the dilution of the conditionality for candidacy (as opposed to membership) embodied in the Copenhagen criteria in order to incentivise more eastern European countries including Romania and Bulgaria to improve their economies and political systems and become stable neighbours.

The case of eastern enlargement was fundamentally different from previous rounds in terms of scale, popularity and the political and economic conditions of the CEEC applicants compared to those which had gone previously (O’Brennan 2006). This being so, several studies have questioned why the EU enlarged eastwards at considerable risk to itself

¹⁸Enlargement Commissioner, Hans van den Broek, speech to the International Press Institute “The future of Europe”, Brussels on 27th November 1997.

(Sjursen 2002; Schimmelfennig 2001; Sedelmeier 2005). Sjursen argues that the duty felt by the EU towards the CEECs overrode its misgivings about the potential cost of doing so. The decision was thus based on an “understanding of who Europeans are and what it means to be European.” (2002: 507). Sjursen distinguishes this “kinship” approach from that of Schimmelfennig (2001) who concentrates on political norms as a means of explanation. This argues that the existing member states became “rhetorically entrapped” by their liberal democratic identity and those member states opposed to including the CEECS were reluctant to say so for fear of ruining their liberal democratic credibility. In other words the “brakemen” (opponents) were “effectively prevented” from open opposition by the need to adhere to the norms of the EU. In contrast to Moravcsik’s (1998) liberal intergovernmentalism approach, which focuses on grand bargains at the level of the European Council, Schimmelfennig also looks to the processes involved over time for a full explanation of *how* this took place. Thus Schimmelfennig (2003b) argues that those member states in favour of CEEC enlargement deliberately used the norms of the EU to further their own ends or as “rhetorical action”¹⁹.

The role of the European Commission is also highlighted in the literature. “Principled policy advocates” within the Commission who had “internalised” the norms entailed in the EU’s identity” (Sedelmeier 2005: 9) pushed the CEEC case and “delegitimized” any opposition to it. O’Brennan (2006) has also argued that the CEEC case was made by elite level individuals within the Commission who were influenced by ideas of duty and kinship in the early stages and later became convinced of the strategic argument. The Commission was able to “shape the policy agenda and structure negotiations in a way which proved decisive.” (O’Brennan 2006:174). Whilst the European Council took the final decisions, the member states were operating on an agenda driven by the Commission. Some member states were in agreement with the Commission’s recommendations but others were hampered by not wanting to appear contrary to the fundamental principles of the EU (O’Brennan 2006: 180). In this way

¹⁹The “strategic use of norm based arguments” (Schimmelfennig 2001:62; see also Schimmelfennig 2003b).

the “safety valve” nature of the Copenhagen criteria became a constraint on member state decision making which served to override any objections on the grounds of scale, cost, or effect on the integration process. Having highlighted the Copenhagen criteria the member states were reluctant to renege on the deal. By focusing on issues of “principle and previous commitment” the “principled policy advocates” within the Commission “were able to strip away these potential objections one after the other.” (Sedelmeier 2005: 184).

This, in turn, meant that the CEEC case was made incrementally. By responding favourably at the early stages and setting the Copenhagen criteria as the accession criteria, the EU then found itself “rhetorically entrapped” when the CEECs made faster progress towards the Copenhagen criteria than had been expected. According to this argument the policy advocates within the Commission and the member states worked to “incrementally set the EU on a path to (CEEC) enlargement” and get the CEECs to a position where the remaining member states felt they were being “steam rolled” (Sedelmeier 2005: 82) into the decision but nevertheless could not say no. Much of this process was carried out at elite level and against public opinion which led to the need to sell the policy to the member states public through securitisation (Higashino 2004). In other words the policy of eastern enlargement was justified by referring to what might happen if it did not go ahead ie: conflict in Europe, lack of reform in the CEECs, proliferation of conflicts such as that in Kosovo. Initial securitization was aimed at the member state leaders in the European Council but by 1999 was extended to “the EU public” (Higashino 2004: 364) and the policy reached its pinnacle at the Helsinki European Council in that year.

Alternatively it has been argued that member states may have gone along with CEEC enlargement because they did not believe it could happen i.e.: that the CEECs would not meet the Copenhagen criteria (Sjursen 2002). In this way, as noted above, the Copenhagen criteria operated as both a “firmly articulated commitment” and a get-out clause for the member states when considering CEEC enlargement. However the get-out clause was problematic when the CEEC countries made significant progress towards meeting the

Copenhagen criteria and at the European Council summit in December 2002, also in Copenhagen, the decision was taken to admit the CEEC countries²⁰ to the EU on the 1st May 2004.

It is clear from this account that enlargement – and specifically the eastern enlargement - can be presented as a threat to integration, requiring, at the very least management so that it does not become disruptive and possibly more coercive measures aimed at excluding or delaying the accession of troublesome candidates. However, Dinan (2005: 4) notes that as well as being a threat to integration, enlargement has also been the catalyst for more integration as witnessed by the Amsterdam, Nice and Lisbon Treaties²¹. Enlargement can also be seen as a form of foreign policy aiming to “reshape political order in Europe” acting out of self-interest – the desire for a peaceful neighbourhood – but also from a sense of right and wrong and the projection of liberal ideals (Sjursen and Smith 2004: 7 and 17). These ideals have at important junctures been taken up by the “principled policy advocates” within the Commission (Sedelmeier 2005) and by the UK and Germany (Higashino 2004). The safety valve of the Copenhagen criteria made it easier to reach incremental agreement along the way. However these “incremental steps on the path to enlargement made it difficult to use such exit options later” (Sedelmeier 2005: 185).

Even though it had been an applicant for much longer the Turkish case became contemporaneous to that of the CEECs and therefore was subject to the emphasis on the Copenhagen criteria introduced to manage the scale of the CEEC applications. However a distinction should be made between Turkey and the CEECs. Whilst the latter were seen as “kin” who should be returned to the European fold this was not the case for Turkey for whom the justifications for accession were “very different” (Sjursen 2002: 17) and primarily geostrategic.

²⁰Plus Cyprus and Malta and excepting Romania and Bulgaria.

²¹Dinan (2005: 6) also notes the converse is true i.e.: that deepening has led to widening specifically referring to the SEA and the EFTA round.

In spite of this Turkey was not without its supporters as there were several key member states who had been convinced of the security case for Turkish candidacy and accession. These states – primarily the UK and Germany – faced several major obstacles to making the case for Turkey in the European Council. These were the on-going Cyprus dispute, the issue of how Turkey could be incorporated into the ESDP structure, and the differing identities and strategic cultures of Brussels and Ankara. The next section will explore these issues in more detail.

3. The problems of Turkey

Turkey was a problematic case even for those states in favour of bringing it closer to the EU. As outlined above, this was partly because Turkey's perception of Europe was different from Europe's perception of itself. Turkey's conflation of "European" and "Western" meant it was deeply offended in 1997 by not being "rewarded" by the EU for favours it believed it had done for Europe during the Cold War. Turkey failed to understand that the EU saw itself as entirely different from NATO or the "West". Similarly, it appeared that Turkey and its leaders had not fully understood the significance of the Copenhagen criteria for EU accession (Onis 2000). This made the Turkish government inclined to suspect and cite "discrimination".

This broader, apparent lack of mutual understanding was accompanied by a number of much more specific problems. The Cyprus issue must also be included in any consideration of Turkey-EU relations. Turkey was extremely sensitive to any suggestion that Greece was working against its case within the EU by linking Turkey's case with progress on the Cyprus issue. Such a combination of sensitivities made Turkey extremely hard to deal with for the EU, as witnessed by the Luxembourg European Council and ESDP.

3.1. Cyprus

The issue of "Cyprus" became inextricably entwined with Turkey-EU relations after the end of the Cold War and continued to be a significant influence on the processes involved

between 1997 and 2004. For this reason it is important to understand the “long, complex and unhappy”²² background to the “Cyprus issue”.

The island of Cyprus was part of the Ottoman Empire under which both Greek speaking and Turkish speaking communities co-existed, mostly peacefully. In 1878 it became a UK colony until it gained independence on 16th August 1960 with a constitution providing a proportionate power sharing system²³. However underlying tensions caused by the Greek community's support for *Enosis* (union with Greece) came to a head in 1963 when the Turkish side stopped participating in the power sharing arrangement. The situation worsened considerably in 1974 when the Turkish government sent troops to “occupy the north to protect the Turkish community from a feared Greek takeover”²⁴.

Since the military intervention in 1974 the island has been divided by a “Green Line” policed by the UN. In 1977 and 1979 the Turkish Cypriot President, Rauf Denktash, reached an agreement with Archbishop Makarios and then Spyros Kyprianou which established a “bicommunal, bi-zonal federation” (Hannay 2005: 8). However this remained rudimentary and in 1983 the Turkish side proclaimed independence and formed the unrecognized (except by Turkey) state of the Turkish Republic of Northern Cyprus (TRNC)²⁵. Efforts have continued ever since, under UN auspices, to negotiate a more permanent solution. Thus the “Cyprus issue” began either in 1963 or 1974 depending on whether you are Greek or Turkish Cypriot²⁶ and the “Cyprus issue” now is one of how to reunite the island without further conflict. It has proved an intractable issue due to deeply ingrained bitterness and a strong sense of historical self-justification on both sides which has so far defeated the best efforts of all those who have attempted to find a way forward, including a clutch of UN Secretary Generals.

²² As described by the House of Commons Foreign Affairs Select Committee Second Report, February 2005.

²³ House of Commons, Foreign Affairs Committee Third Report (No. 23), 1986/7.

²⁴ House of Commons Standard Note, *Cyprus: A political and economic overview* November 4th 2009, SN/IA/5208 Sec. 1.1. pg. 3.

²⁵ For further background see Dodd 1998; Nugent 2000; Suvarierol 2003; Ker Lindsay 2005 and Hannay 2005.

²⁶ House of Commons Foreign Affairs Select Committee Second Report, February 2005.

The accession of Greece into the EC/EU in 1981 without Turkey²⁷ meant Greece then had a veto within the European Council and the ability to hinder the Turkish case for accession primarily by trying to make it conditional on a settlement of the Cyprus issue. The PASOK administration of Andreas Papandreou was also inclined to take a hard line *vis a vis* Turkey and the EU “became Greece’s main instrument against Turkey.” (Barchard 1998: 27). Additionally with Greece on the inside the EU was partial by definition and could not take on a mediator role between either, Greece and Turkey, or the two Cypriot factions. The EU’s need to “work to unanimity” gave Greece the opportunity to “insert its views into every relevant community text” (Barchard 1998: 28).

During the Cold War this had not been an issue as the EC’s policy had been to maintain equilibrium in the eastern Mediterranean. It had not sought to find solutions as it was keen not to upset “....the delicate balance it had tried to maintain between Greece and Turkey...” (Muftuler-Bac 1997: 61; see also Arikan 2003: 147). However after the Cold War this security imperative waned and the EU was vulnerable to pressure from Athens. Thus the Commission’s 1989 Opinion on Turkey’s formal application directly and negatively linked the Turkish case to the Cyprus issue²⁸.

The Commission did propose the Matutes package of measures²⁹ which was intended to strengthen economic and political links between Turkey and the EU. However, Greek opposition meant the proposed political links between Turkey and the EU were obstructed by Athens and only the economic aspect, the Customs Union, came to fruition (Barchard 1998: 5; see also Muftuler-Bac 1997). This increased the political sensitivity and sense of injustice surrounding the twin issues of Greece and the Republic of Cyprus in Ankara. Arikan (2003:158) has claimed Greece deliberately sought to link Turkish accession of the EU with the Cyprus issue knowing the intractability of the dispute. Arikan (2003: 161) also argues this

²⁷Whose case at that time was hampered by the military coup of 1980.

²⁸European Commission, 20th December 1989, *Opinion on Turkey's request for accession to the Community*. SEC (89) 2290 final/2, December 20th 1989.

²⁹ The Matutes package (prepared by the Spanish politician Abel Matutes) was a series of measures suggested by the EU in 1990 after the rejection of Ankara’s 1987 application to prepare Turkey for future EU membership. (See Redmond 1993; Arikan 2006).

tactic was used by other opponents of Turkey within the EC/EU when Ankara applied in 1987. Cyprus was an acceptable reason to oppose Turkey whereas the real reasons, cultural and economic grounds, were not so³⁰.

This had been further complicated, and politically sensitized, when the Republic of Cyprus applied to the EU on July 4th 1990 prompting “outrage” from both Turkey and Turkish Cyprus (Ker-Lindsay 2005a: 17). The Opinion of the Commission on the Cypriot application, three years later, concluded that the adoption of the *acquis communautaire* “would not appear to present insurmountable problems in the case of Cyprus”³¹. However, the Commission stopped short of recommending the Cypriot case go forward, pointing out instead that it must “also have the greatest regard”³² to the troubled relations of Greece and Turkey and the Cyprus issue itself.

Nonetheless, during its Presidency of the EU in 1994, Greece was able to exert influence on behalf of Cyprus. At the Corfu European Council, a deal was made by which Nicosia would be included in the next, CEEC, round of enlargement in return for Greece dropping its objections to Customs Union with Turkey under the Matutes package (Brewin 2000:21; Ker Lindsay 2005a:20; Arikan 2003: 161). This further raised tensions between Greece and Turkey, and within Cyprus, as Turkey made talk of permanent division of the island. The situation was exacerbated by skirmishes over the Imia/Kardak islands in the Aegean and the proposal to site S-300 missiles on Cyprus. The EU Commission document on the implications of eastern enlargement, *Agenda 2000*³³, in 1997 duly included Cyprus as a candidate whilst Turkey was not included. Furthermore it “effectively avoided the question of when Turkish membership should be offered by making it conditional upon the establishment of good neighbourly relations with Greece including settlement of the Cyprus question.”

³⁰ For an alternative view see Melkopides (2006).

³¹ European Commission, June 30th 1993, *Opinion on the application by the Republic of Cyprus for membership*. Doc/93/5.

³² European Commission, June 30th 1993, *Opinion on the application by the Republic of Cyprus for membership*. Doc/93/5, pg 5.

³³ European Commission, July 13th 1997, *Agenda 2000 - For a stronger and wider Union*, COM (97).

(Arikan 2003: 168). Thus the Turkish government felt that the Cyprus dispute was being used as a means to block their own candidacy but not that of the Republic of Cyprus.

It can clearly be argued that Greek membership of the EC from 1981 has negatively affected the Turkey EU relationship and that once Cyprus was given candidacy, as a *quid pro quo* for Customs Union with Turkey, this too was always likely to adversely affect Turkey EU relations because of the highly sensitive nature of the Cyprus issue in Turkey. Thus this explains the situation the parties were in at the Luxembourg European Council in 1997. At the same time it is relevant to point out that the EU was reluctant to admit Cyprus as a divided island. Therefore as soon as Cyprus was given formal candidacy at Luxembourg the need for a solution to the Cyprus issue increased. However the assurances given to the Republic of Cyprus that its case was not linked to accession and the caveats to the Turkish government that its own candidacy was linked to a solution served to politicise the issue even further. For this reason the Cyprus issue was not solved and continued to play a very salient role in the period under consideration. Indeed, as will be seen later, Turkey was given candidacy at Helsinki at least partly to smooth the process of the eastern enlargement round (including Cyprus).

3.2. ESDP

As outlined above the division of Europe after the Second World War placed Turkey into the “West” and facilitated its incorporation into NATO (Park 2000a: 32) as a valued geostrategically. After the end of the Cold War, Turkey also became entrenched into the Western European Union (WEU)³⁴. It was invited to join as an Associate Member in 1992 along with the non-EU European countries, Norway and Iceland³⁵. Under this arrangement Turkey participated fully in the WEU Council and planning operation and “had *de facto* membership” (Dogan 2003: 5). One of the major obstacles which came to face Turkey’s advocates within

³⁴ The Western European Union (WEU) had been established in 1948 but operated at a relatively low level until the mid-1980s when the question of European security rose to the fore. This advanced further after the end of the Cold War when the WEU effectively became the defence arm of the EU and also a link between the EU and NATO (Dogan 2003:4).

³⁵ They were soon joined by the Czech Republic and Poland.

the EU was Ankara's reaction to the incorporation of the WEU into the EU in 1999 and the development of ESDP in its place. The problem was that the EU was not able to transfer the favourable terms of Turkey's WEU *de facto* membership across into ESDP – which was only open to members of the EU.

The dissolution of the WEU was the end product of the “whole new dynamic” unleashed by the end of the Cold War (Bailes 1999: 308). NATO had to redefine its role from deterrent and hard security to “crisis management” (Bailes 1999: 308). In addition, the EU, NATO and the WEU had to find a way to delineate responsibility for conflicts such as those in the Balkans following the end of the Cold War. The UK Prime Minister, Tony Blair, had been affected by the apparent inability of either the EU or the WEU to prevent ethnic cleansing and massacres such as Srebrenica (Webber 2003:162). Such dissatisfaction led to the UK government withdrawing its opposition to the merging of the WEU with the EU (Bailes 1999: 314) and this made the European Security and Defence Project a viable possibility (Yost 2007: 27). At the Franco-British summit at St Malo in December 1998 Tony Blair endorsed the plan for the EU to have “autonomous decision making” backed up by “credible military force”³⁶. The result was that tentative steps were made to develop a European-based security and defence capability in the early part of 1999.

Crucially the Kosovo conflict of 1999 galvanized EU member state support for a security project to be based within, and under the control of, the EU. An “ESDP” (European Security and Defence *Policy*) was able to develop within the EU rather than an “ESDI” (European Security and Defence *Identity*) which would be based within NATO (Peters 2004: 392). Kosovo, and its potential to cause more bloodshed and a refugee problem had provided much of the political will for these developments:

³⁶The St Malo Declaration, 4th December 1998. Full transcript in Chaillot Paper no. 47, (Ruttens 2001). NB: Whilst Blair was motivated by the disappointment that the EU could no longer rely on the USA to step in where necessary he was backed by France who saw an opportunity not to have to rely on the USA (Webber 2003: 163).

“...it was this that not only solidified the Europeans’ stand at Washington (NATO summit) but drove them on, six weeks later, at Cologne (European Council summit) to commit themselves irrevocably to a defence role for the Union in the teeth of some last minute wavering by non-Allies.” (Bailes 1999:315).

These developments were causing growing unease in both Ankara and Washington as ESDP was developing at rapid speed generating considerable ambiguity about how it would operate in practice and what the line of command would be. The Cologne European Council set out “goals and desiderata” but left “...the devil of institutional detail to later” (Bailes 1999: 316). For this reason both Ankara and Washington were anxious about where they would fit into the new arrangements. Within the WEU at that time it was openly noted that the role of the non-EU NATO allies such as the US and Turkey³⁷ would be the “hardest circle to square” (Bailes 1999: 317). This point was made at the Washington NATO summit in April 1999 and again at the European Council in Cologne in June 1999.

Indeed the “problem of Turkey” (Grant 2001) was to become a serious hindrance to the development of ESDP between the Helsinki European Council and that in Copenhagen three years later. The EU was very reluctant to grant Turkey’s request that its privileged status within the WEU should be transferred into ESDP. It was equally unwilling to grant Turkey EU membership without due process. However as the EU required the use of NATO capability it had to take the Turkish case into account as Turkey had a veto on the North Atlantic Council (NAC) within NATO.

Turkey interpreted this lack of flexibility by the EU negatively (Tocci and Houben 2001). Whilst it was willing to contribute troop numbers to ESDP, Ankara made it clear that it was prepared to use its NATO veto to block ESDP access to NATO facilities. ESDP had become a flagship project for the EU which was very keen to deploy it in the former Yugoslav

³⁷Also Iceland and Norway.

Republic of Macedonia (Operation Concordia) in March 2003. For this reason the member state leaders at the Copenhagen European Council in 2002 were under pressure to placate Turkey in order to find a way forward for ESDP. This issue will be fully explored in Chapter Four

3.3. Security culture

The “problem of Turkey” and ESDP is evidence of a broader problem: the differing security cultures of the EU and Turkey. As argued above, Turkey, and its leaders, had historically conflated ideas of the “west” with those of “Europe” and latterly the EU (Onis 2000). Turkey did not understand that the EU had “diverged from Westphalian principles” (Oguzlu 2003: 292) and had a security identity different from its own. Whilst the EU was prepared to allow Turkey to sit in on discussions (so called “decision-shaping”) in ESDP, it would not concede the “decision-making” rights which Ankara demanded (Missiroli 2002). In making such demands, Turkey could be seen as acting in accordance with the Cold War mentality of its military and Kemalist elite and was repeating a brinkmanship tactic which had been used successfully many times during that time (Bilgin 2001: 46).

However, the EU was not prepared to dilute its emphasis on the Copenhagen Criteria for geostrategic reasons. Turkish reactions to the EU accession process should be seen in the light of this fundamental mismatch as “...there is a close relationship between Turkey’s security culture and the way Turkey reacts to the EU accession process.” (Oguzlu 2003: 290; see also Park 2005). Similarly, Missiroli’s (2002) argument that Turkey was acting in a “peculiar” fashion by apparently both supporting ESDP with troop numbers and blocking its operation was rebutted by Bilgin (2003: 347) on the grounds that if the Turkish policy is seen in the context of its security identity it is not “peculiar” at all. Turkey saw its value to the EU as lying in its geopolitical location and thus believed it would be able to use this as leverage.

The deadlock created by the ESDP situation – underlined by what can be seen as broader differences in security cultures - contributed to the pressure on the EU member state leaders

and the outcome of the Copenhagen European Council .In due course I will argue that the high conditionality of the Copenhagen European Council Presidency conclusions – a result of the compromise – was very significant in processes which followed. Here, it is important to point out that the specific problems of Cyprus, ESDP and security culture noted in this section are part of a broader approach to understanding of the process by which Turkey gained candidacy and then open negotiations with the EU. It is to this broader approach that I turn in the conclusions to the chapter.

Conclusion

This chapter has identified three landmarks of the process by which Turkey was granted candidacy and then opened negotiations for accession into the EU. These can effectively be represented by the European Councils of 1999 in Helsinki (and its outcome in contrast to the 1997 Luxembourg European Council), in 2002 in Copenhagen and lastly in Brussels in 2004. The majority of what has been written about the research question in hand is about the transition between the Luxembourg and Helsinki European Councils and the obvious research puzzle of why the EU changed its policy so radically in such a short space of time. The answers suggested tend to converge on structural issues, pointing to the changing European security setting and the pressures created by the Balkan conflicts and specifically the Kosovo conflict of early 1999. This changed the EU's attitude to both ESDP and CEEC enlargement which in turn affected its policy on Turkey.

Other authors have also highlighted the serendipitous election of more sympathetic governments in both Greece and Germany who in 1997 had been Turkey's most vehement opponents in the European Council. In addition there were some changes in Turkey – such as the arrest of the PKK leader Abdullah Ocalan – which may have contributed to the atmosphere in which Turkey's European aspiration could be considered in a more favourable light. Finally there is a strong argument to suggest that whilst these factors were instrumental in obliging the EU to consider candidacy for Turkey it actually did so because

many member states did not believe Ankara would meet the conditionality laid down by the Copenhagen criteria.

By contrast, those authors who have looked at the Brussels European Council summit in 2004 and asked why it agreed to open negotiations with Turkey have relied largely upon process based explanations. They point to processes of path dependence and incrementalism which developed over time in order to explain why the EU member state leaders may have voted in favour of something their material interests might have led them to oppose. Ultimately it is argued the EU member states at Brussels were rhetorically entrapped by their previous discourse and commitments *vis a vis* Turkey. Having told Ankara on several occasions that the Copenhagen criteria were the ultimate arbiter they then had limited room for manoeuvre when Turkey went a long way towards meeting the criteria.

As mentioned above this thesis sees the structural changes around 1999 as having enabled Turkey's accession and the processes which followed thereafter as having determined it. In other words by looking at the processes we can see not only what happened, but also how and why. In addition, we can explore the ways in which the process of engagement between the EU and Turkey between 1999 and 2004 could overcome (or by-pass) the specific problems of Cyprus, ESDP and broader security tensions. The added value of this thesis is to incorporate the structural changes with the processes of engagement they engendered and with specific problem-solving processes to contribute to an explanation of the timeframe 1997-2004 as a whole.

The thesis thus rests on three key empirical propositions that emerge from this study of the context and the literature:

- Firstly, that structural changes including the end of the Cold War, geopolitical pressures and domestic changes made possible the acceptance of Turkey as a candidate between 1997 and 1999.

- Secondly, that the process of engagement that began in 1999 then enabled a combination of incremental commitment, purposeful advocacy and rhetorical entrapment to create the conditions in which Turkey was accepted as a negotiating partner for accession in 2004.
- Thirdly, that this same process of engagement enabled the specific problems of Cyprus, ESDP and security cooperation to be by-passed or defused in such a way that negotiation for accession could start even without their solution.

The thesis will go on to focus particularly on the second and third of these empirical propositions, and in Chapter Two to advance a framework for analysis based on a Historical Institutionalist approach as the most appropriate way of exploring the central research question.

The research question, how come accession negotiations have been opened with Turkey, will be addressed with a theoretically eclectic and empirically rich account. It will encompass both structure and process to bring together the time period of 1997 and 2004. Within the processes at work it is also suggested there is a strong element of agency involved and, broadly speaking, the first enabled the second to happen. The rhetorical entrapment in question therefore is active as well as passive. These processes can be seen through a temporal approach to politics (Pierson 2004). For these reasons Historical Institutionalism provides a framework in which to analyse the research question. As a theory, it can encompass these different factors such as structure, agency and process without inherent contradiction. Crucially it prioritises the temporal approach without which the processes may not be visible. The next chapter will explore the framework in more detail.

Chapter Two: Turkey-EU relations 1999-2004: A framework for analysis

At the end of Chapter One, three empirical propositions were set out in relation to the changes that took place in EU-Turkish relations between 1999 and 2004. These propositions focused on the structural forces that shaped the changes and made them possible, on the processes through which change took place and the specific problems that confronted those working to produce change. They reflected in turn the study of the context and of the existing literature that was carried out in Chapter One. By definition, they omitted discussion of exactly how the questions would be pursued, and the purpose of Chapter Two is to explore the issues of theory, approach and method that are raised by the general focus of this thesis on the evolution of EU-Turkey relations during the period under study.

The theoretical stance of this thesis is being shaped by its research design. This is an $n=1$ within-case analysis intended to answer the research puzzle of why, in 2004, did the EU member states agree to open accession negotiations with Turkey when it was not a universally popular candidate for normative and cultural reasons? Why was progress in Turkey's EU accession process possible at this time when it had not been before, and has not been since, for several varied and long standing reasons? The intention is to provide an answer without sacrificing the empirical complexity of the situation suggested by the review of the existing literature.

This empirical complexity includes structural considerations, such as ESDP and CEEC enlargement (including the Cyprus issue) and process-based factors such as path dependence. In addition, it is argued here that agency must be incorporated into the

explanation of EU policy towards Turkey in the time period 1999-2004. The structural changes of the late 1990s initiated processes which, in conjunction with the on-going structural geostrategic considerations, created an opportunity for agency on Turkey's behalf by the Ankara government and also by advocates within the EU Commission and sympathetic member states. Therefore any "theory" to be used must be able to withstand such complexity. It would not be possible to answer this research puzzle with a parsimonious positivist approach.

It is argued here that structure and agency both influenced the processes which ensued from the decision to offer candidacy to Turkey at the Helsinki European Council summit but were in different configurations at different times. Structural geostrategic factors were most influential from 1999-2002 specifically at the Helsinki and Copenhagen European Councils. The influence of these factors began to wane after 2002 but did not disappear. Agency was also present throughout as various member states, primarily Germany and the UK, made the Turkish case within the EU but it only became worthwhile after the 2002 Copenhagen European Council. The answer to the research puzzle lies in the complex interaction of structure, process and agency between 1999 and 2004 in creating a "perfect storm" of circumstances which enabled Turkey to make more progress towards its European aspiration than it had done at any time before or has done since.

To be able to reflect this complexity it is necessary to take an eclectic theoretical palette which can account for the influence of both structure and agency simultaneously and for actors to behave in either a self-interested or a normative way at different times. This approach reserves the right to call on either reflectivist or rationalist insights – or both – as befits the empirical evidence and to take temporality into account. Historical Institutionalism, as used here, is less a theory than an "approach to studying politics and social change" which is "distinguished by its attention to real world empirical questions, historical orientation and its attention to the ways in which institutions structure and shape behaviour." (Steinmo 2008:118).

Accordingly this chapter will seek to put HI into its own theoretical context by outlining how it has evolved and offering a definition of it as applied here. It will also seek to justify its eclectic nature and its ontological crossing of the rationalist-reflectivist divide. It will offer brief definitions of “security” and “identity” as well as a detailed outline of the process tracing methodology to be applied. Process tracing (George and Bennett 2005) is salient to HI as it offers a means with which to claim rigour and validity in the face of claims that HI cannot claim to be a political “science” (King, Keohane and Verba 1994; Wight 2006).

1. Theory and Metatheory

Theory provides the means to explore a given research puzzle. It is a “way of making the world, or some part of it, more intelligible or better understood.” (Viotti and Kauppi 1997:15). Without theory, data is merely a list, or a narrative, and theory helps us to decide which questions to ask about a plethora of data and how to judge the results. More specifically, theory can be seen as “a causal argument of universal transhistorical validity and nomothetic quality which can be tested through a series of hypotheses.” (King, Keohane and Verba 1994; see also Waltz 1979). Understood in this way, theories are a means to test data whilst maintaining “reliability” and “validity” in order to acquire “knowledge” or “truth”. However the pursuit of such “knowledge”, which presumes a positivist epistemology, necessitates theoretical parsimony which can strip explanations of context and explanatory value (Katzenstein and Sil 2005; Buzan and Little 2009: 460) or, as George and Bennett (2005: 266) put it, “....highly general theories that attempt to formulate broad covering laws tend to have quite limited explanatory and predictive power.” The pursuit of positivist universal theory leads the analyst who wants to maintain explanatory power at apparent risk of incommensurability. In other words, can complexity be “scientific”? Can it produce “truth”? However, such a conundrum is obviated if universal theory is not the goal and positivism is not accepted as the given epistemological stance. Middle range theories (Merton 1968) do not claim universality and instead are “deliberately limited in their scope.” (George and

Bennett 2005: 266). They are able to capture empirical complexity and maintain validity by not accepting the positivist epistemology and not seeking to establish truth. George and Bennett note the drawbacks of the deductive-nomological method of positivism, and its variants, and instead focus on empirically establishing causal mechanisms as a method to establish a valid account of a given puzzle (George and Bennett 2005: 129-131).

This is typical of the repeated challenges to the hegemony of positivist epistemology in the metatheory of international relations and politics over the past twenty years. The so called “rationalist/reflectivist” divide has been described as the “fourth debate” in the history of the academic discipline of International Relations (Waeber 1996; Dunne *et al* 2007). It follows on from “realism and idealism”, “behaviouralism and traditionalism” and neo-realism and neo-liberalism as the dominant debate within the discipline and broadly echoes the positivist/post positivist debate (Smith, Booth and Zalewski 1996; Kurki and Wight 2007: 5)³⁸.

However, more recently the debate has moved on again and questioned why there has to be such a “divide” between the epistemologies of positivism and post-positivism and the ontologies of rationalism and reflectivism. Rather than attempting to show which one is *better* it has been argued that both can be valid and, furthermore, this combined approach can boost explanatory power (Checkel 2000). The sharp division between “scientific” methods of “explanation” and those of “understanding” which are more akin to literary theory (Hollis and Smith 1991) are not only a “false dichotomy” (Chernoff 2007a:182) *but* they are also not able to capture the breadth and depth of empirical reality. Moreover it is not possible to be objective (Chernoff 2007a: 193) and “one of the most important intellectual steps you can take as an analyst of international relations events and topics is to recognize your own philosophical and ideological commitments.” (Sterling-Folker 2006:10; Rosamond 2007). This approach is not a wholesale rejection of parsimony but a call to be “honest about the difficulties inherent in such an enterprise.” (Hay 2010b: S129).

³⁸ It is important here to characterise process-tracing as a method rather than a theory. However it is a method which enables (middle range) theories to lay claim to validity other than that allowed for by positivism.

Colin Wight (2006) offers an epistemological justification for this approach by critiquing the hegemony of positivism as the definition of what “science” is. Wight does not agree that the positivist approach to “science” is the only one with “scientific” validity. Moreover such an approach cannot deliver complex explanations required by the social world with its greater number of variables. For Wight “science” is a “pragmatic product in process”

“What makes a particular practice a science is not its form of validation but its commitment to public validation of its structure and form of reasoning, the constant questioning of its beliefs, its notion of and belief in the possibility of epistemological convergence and its commitment to a multi-layered realism.” (Wight 2006: 61)

In other words Wight is calling for rigour as a measure of “science” rather than the production of universal truths.

1.1. Eclectic theorizing

Several writers have argued that a wide theoretical palette is necessary in order to tackle complex issues such as the EU (Anderson 1995) and NATO (Jacoby 2006; Webber 2007) as no one single theory can explain all the evidence. Indeed Rosamond (2000) has maintained that different theories can not only apply to different aspects of complex puzzles at one time but different theories may apply at different times in history. As Social Constructivism has gained disciplinary legitimacy in recent years the trend has been to incorporate “thin” (Wendt 1999) reflectivist insights of identity into the broader rationalist picture of self interest in order to broaden the scope of the discipline and boost explanatory power (Checkel 2000).

There have been several calls for what is variously termed “theory synthesis” (Moravcsik 2003) “eclectic theorizing” (Katzenstein and Sil, 2005:4) and “trans-paradigmatic pragmatism”

(Hellman 2006)³⁹. The motive for this broad approach is similar. In the same vein as Jacoby and Webber above, Moravcsik (2003:132) argues that "...the complexity of most large events in world politics precludes plausible unicausal explanations." Katzenstein and Sil (2005:2-3) call for scholars to "bypass the metatheoretical battle" in order to "deepen understanding of substantive problems that reflect the complexity of political life....." while Hellmann's (2006:25) motive is also that "the standard repertoire of routine theory building is unlikely to yield satisfactory results (with highly complex phenomena)...". Thus the motive for drawing on both reflectivist and rationalist insights is to be able to explain complex political situations such as institutions of which NATO and the EU are two examples⁴⁰. Such complexity does not lend itself to a parsimonious positivist theoretical approach as advocated by King, Keohane and Verba (1994) or Waltz (1979).

Therefore in order to cope with such complexity and to maintain explanatory power it is necessary to either take the route of theory synthesis with its "pragmatic" approach to philosophy or to find another philosophical justification for doing so. The next section therefore will attempt to do this. It will firstly explore exactly what positivism is before going on to offer an alternative epistemological approach which can account for the use of rationalist and reflectivist insights without the need to be "pragmatic".

1.2. Critical Realism

The research puzzle of this thesis is complex and requires the use of rationalist and reflectivist insights – or either – at different times. It is the contention here that both structure and agency play a role in the processes which explain the research puzzle and also that both ideas and interests are relevant in assessing the motivation of the actors involved. Hence as already outlined above it is necessary to address the issue of commensurability.

³⁹ See also Jupille *et al* (2003)

⁴⁰ In respect of the EU, "institution" is defined here as: "...a relatively enduring collection of rules and organized practices embedded in structures of meaning and resources that are relatively invariant in the face of turnover of individuals and relatively resilient to the idiosyncratic preferences and expectations of individuals and changing external circumstances." (March and Olsen, 2006: 4). NB: The issue of whether NATO is an institution, or not, rages on (Webber *et al* 2004).

However commensurability is only an issue if positivism is the epistemological stance which is taken. This is not a positivist study and instead follows the epistemology of critical realism. As Brown (2007: 412) outlines, positivism is the underlying epistemological belief that it is possible to study society using the methods of the natural sciences. Indeed the positivist approach associates itself with “scientific method” and presumes that such methodology will lead it to “truth”. It will be able to discover the laws of society through the application of a deductive natural science method. The objects of such scientific study are “real” and exist in the world so therefore can be observed through observation and measurement.

Positivism has of course been critiqued by post positivists who question why positivism should be the gold standard of social science. They point out that criticising post positivist approaches on the grounds they are not positivist enough is a circular argument. Critical realism however provides a way out of this argument. It takes an epistemological, rather than an ideological or methodological, stance against positivism. It does not argue that positivism is wrong merely that its claims are too ambitious. If the positivist goal is to identify truth and generalisable laws of nature, critical realism argues that this is not possible. It argues instead that truth may exist but we cannot know when it has been reached as the observation of any individual is fallible. Therefore we cannot say that positivist approaches are the correct route to scientific knowledge as we cannot know when ultimate knowledge is arrived at. Therefore, it is necessary to keep an open mind about knowledge and about “truth” and the way it is arrived at. By this logic therefore the issue of incommensurability ceases to exist with a critical realist epistemology.

As a critical realist it is possible to take insights from rationalist and reflectivist schools of thoughts without having to justify it metatheoretically or take a “pragmatic approach” which bypasses the philosophical issues. To the philosophical purist bypassing issues does not make them go away. As Patomaki and Wight (2000) highlight, referring to the constructivism of Alexander Wendt (1989).

“A synthesis based on problematic metaphysical systems produces only a synthesis of two problematic metaphysical positions not an improved metaphysical position.” Patomaki and Wight (2000: 215)

Wight later (2006: 17) points out that Wendt’s attempt to provide a *via media* – way of crossing the rationalist/reflectivist divide - is flawed philosophically because it still adheres to a positivist epistemology. This is not to criticise constructivism *per se* merely the epistemological foundations it is built upon. Taking a critical realist epistemological stance rules out the need to be philosophically “pragmatic” and removes the anxiety this may induce in the philosophically-minded International Relations scholar.

Critical realism is widely accredited to the work of Roy Bhaskar (1975; see also Archer *et al* 1998; Hartwig, 2008). The term is often conflated with that of Scientific Realism and is subject to “concept stretch” (Sartori 1977). However critical realism is the form of scientific realism associated with social research (rather than natural science) and I will follow the definition of Wight (Joseph and Wight 2010: 2; see also Wight 2006; 2007a; 2007b). For critical realists, truth is not possible and can’t be claimed by positivists. Positivist claims to know what scientific method is therefore also problematic and if judged by these criteria the issue of commensurability is “...an endless quest to solve problems which have no solution.” (Wight, 2006: Abstract).

For critical realism science is “....about aims, depth explanations, rather than method.” (Wight, 2006:61) and critical realism⁴¹ is an “...interesting development for those keen to move beyond positivism without rejecting the commitment to science.” (Wight 2007b: 382). It is not necessarily deductive and fundamentally challenges the hegemony of positivism as the judge of good science without dismissing positivism *per se*. Positivism – and its approach – *could* be correct but we cannot know that as “no claim is immune from

⁴¹ Wight often refers to Critical Realism as Scientific Realism

challenge...” (Patomaki and Wight 2000: 216) therefore it cannot claim “truth” status and its methodology cannot be the criteria by which other approaches are judged.

This critical realist epistemology enables the argument that ontology in itself is a political choice. Political theories want to be able to claim truth in order to be powerful. If we accept that we cannot know the truth then the differing ontologies cannot claim truth. This clears the way for insights from one or more theories to be used simultaneously. Thus, this change in epistemological view is also beneficial in terms of explanatory power as it “opens up new avenues to IR theorists....previously hidden from view by the dominance of the positivist view of science in IR.” (Chernoff 2007b: 405)

Wight (2006: 18) argues that science is not necessarily positivist⁴² but should instead be defined as an “attempt to explore the world beyond appearances” and “provide explanations at a deeper level”. Political “science” is a battleground for differing ontologies. That is, differing ideas of how the world is and should be. To judge them all by just one standard of science is misleading and limiting. Instead “science” should be characterised by a rigorous approach only – and this can include either reflectivist insights or rationalist insights – or both. This in turn can incorporate the study of causation in a given circumstance as well as just correlation. Causation may not be deductive and may not produce universal laws – but that does not mean it is not “scientific” and it is metatheoretically coherent within a critical realist epistemology. Critical realism emphasises the role of structure and process within causation rather than merely looking for “law-like regularity” (Joseph and Wight 2010: 3). In this way it allows the theorist to ask different questions that one working within a purely positivist epistemology. In other words this approach asks different questions and legitimises a wider variety of theoretical frameworks with which to answer them.

⁴² Conversely however a study could be critical realist but appear to be positivist in methodology with the caveat that it is not claiming to be “truthful” merely “good science”.

Therefore, a critical realist epistemology can accommodate an eclectic approach to Historical Institutionalism such as that proffered by Sven Steinmo (2008). This is, in effect, middle range theory attempting to “formulate well specified conditional generalizations” (George and Bennett 2005: 266) rather than a universal theory. It emphasises the role of processes within a given situation and reflects the view that human beings are not either “simple rule followers” or “strategic actors” but potentially either – or both (Steinmo 2008:163). The next sections will look at the HI approach and the associated methodology of process tracing in more detail.

2. A framework for analysis

This thesis is an attempt to answer a research puzzle distinguished by its complexity. It asks why the European Council of Brussels in 2004 agreed to open accession negotiations with Turkey. As outlined above it rests on a series of empirical propositions:

- First, structural changes including the end of the Cold War, geopolitical pressures and domestic changes made possible the acceptance of Turkey as a candidate between 1997 and 1999.
- Second, that the process of engagement that began in 1999 then enabled a combination of incremental commitment, purposeful advocacy and rhetorical entrapment to create the conditions in which Turkey was accepted as a negotiating partner for accession in 2004.
- Third, that this same process of engagement enabled the specific problems of Cyprus, ESDP and security cooperation to be by-passed or defused in such a way that negotiation for accession could start even without their solution.

In terms of theoretical explanation, the centre of gravity is Historical Institutionalism (HI). As already established HI is able to reflect this complexity because it is theoretically eclectic and is not attempting to produce parsimonious, positivist “science”. Instead Historical

Institutionalism tries to return to real world research. Its parameters as a “theory” are defined by the “approach” rather than by specific theoretical constructs. As already mentioned⁴³ it is a “theory” for scholars who “think history and ideas matter” and struggle to contain empirical evidence within categories of “universal truth” (Steinmo 2008: 136).

What Steinmo means by “eclectic” therefore is that the HI scholar can draw on either material or ideational factors to understand and explain a given research puzzle with issues of commensurability countered by the argument of Wight (2006). HI seeks to establish its “scientific” credentials through the production of detailed evidence via process tracing. It is not aiming to show evidence of correlation which can be extrapolated to other cases but instead to show evidence of likely causation in the case in question. It accepts that “how one behaves depends on the individual, on the context and on the rules.” (Steinmo 2008: 126). As such it is neither a rationalist or a reflectivist theory but one which can draw on either or both at different times and in different contexts.

This approach is suited to the research puzzle in hand because it can incorporate the complexity of the situation rather than trying to fit such a complex research puzzle into a parsimonious theoretical framework. Whilst it would be difficult to explain the propositions of structure, process and agency by using exclusively material or ideational factors, when using either (or both) the explanatory potential is increased. Steinmo’s (2008) HI therefore maintains the use of classic HI concepts such as path dependence but argues that this ontological shift is necessary in order to be able to reflect real world situations because actors do not conform to just one behaviour at all times even within a normative institutional setting.

This section will therefore begin by placing Historical Institutionalism within its theoretical context. Whilst Steinmo has defined HI as an eclectic “approach” this has not always been the case. Prior to the ontological “reflectivist turn”, Historical Institutionalism was viewed as a

⁴³ See above – Introduction, section four, Page 21.

rationalist theory in its own right. It is argued here that incorporating structure and agency within HI enables greater explanatory value.

2.1. New Institutionalism

Historical Institutionalism is a sub-set of New Institutionalism which falls within the wider debates on the theory of European integration. They seek to explain *why* the states of Europe have apparently chosen to create supranational bodies and abrogate some degree of sovereignty. Broadly speaking theoretical debates in European integration centre on whether the institution influences the policies of its member states.

On the one hand it is argued by Liberal Intergovernmentalism that “European integration can best be explained as a series of rational choices made by national leaders...” (Moravcsik 1998:18). Furthermore, “...the integration process did not supersede or circumvent the political will of national leaders – it reflected their will.” (Moravcsik 1998: 4). On the other hand, it is claimed by New Institutionalists (March and Olsen 1984; Hall and Taylor 1996) that institutions can normatively influence and temper the behaviour of member states such that member states can find themselves voting for policies they do not agree with, or experiencing the unanticipated effects of interaction within a variety of institutional contexts. Historical Institutionalism however attempts to escape this binary choice and accept both that “institutions do matter” (Rosamond 2000: 116) but also that member state interests are alive and well although they may be operating within the norms and values of the institutions and actors may use norms strategically (Schimmelfennig 2003). This thesis will draw on this theoretical approach which originally evolved to explain integration and apply it to the issue of EU enlargement.

It is necessary therefore to highlight the artificiality of the theoretical distinction between Intergovernmentalism and New Institutionalism and suggest instead that, rather than being in competition to explain all aspects of integration or enlargement, they are actually addressing “different phenomena” (Puchala 1999: 330) by asking different research

questions. The intergovernmentalist tends to look at moments in time or “snapshots” in order to explain the outcome of a given institutional setting. However, the Historical Institutionalists look at how processes develop over time and in this way, it is argued, can add explanatory value. Therefore the HI scholar is not necessarily in opposition to the intergovernmentalist or to the other varieties of New Institutionalism such as Rational Choice Institutionalism and Sociological Institutionalism but is merely taking a different approach. This approach is one that is theoretically and metatheoretically eclectic and, crucially, which takes a temporal approach rather than a “snapshot”.

2.2. Historical Institutionalism

The Historical Institutionalism to be used in this thesis is based on Pierson and Skocpol (2002) and Steinmo (2008) for whom Historical Institutionalism means asking “real world questions” taking into account time, place and context.

“How one behaves depends on the individual, on the context and on the rule. While this statement may seem rather obvious, it has huge implications for how we should study politics.” (Steinmo 2008:126)

It is theoretically eclectic and “agnostic” as to metatheory (Steinmo 2008: 10) and responds to criticisms of its validity (Peters, Pierre and King 2005) through detailed qualitative empirical methods such as process tracing (George and Bennett 2005; see also Pierson and Skocpol 2002, Steinmo 2008). Furthermore it emphasises temporality: “Historical Institutionalists make visible and understandable the over-arching contexts and interacting processes that shape and reshape states, politics and public policy making.” (Pierson and Skocpol 2002: 693). In not taking this approach the analyst may simply not see important insights:

“Without the kind of attentiveness to temporally specified process that is a distinctive hallmark of Historical Institutionalist scholarship, important outcomes may go unobserved, causal relationships may

be misunderstood and valuable hypotheses may never receive consideration.” (Pierson and Skocpol 2002: 699)

In this way HI is not just a description of events or a historical narrative. It highlights “processes” such as path dependence which just happen to occur temporally and are not visible to a “snapshot” view (Pierson 1994, 2000). The path of such processes can be dependent on either material or ideational factors. It is important to note however that Historical Institutionalism is still theoretically parsimonious compared to “thick historical” description and, as such, is still “political science” (Thelen 2002:95). It is trying to reflect the complexity of empirical reality but accepts that it cannot “...hold a mirror up to reality.” (Hay 2010b: S128).

However, such processes cannot be divorced from the context of complex empirical reality. In this case it is presumed the context is influenced by security and identity. Firstly geostrategic security issues were a strong influence on EU policy at Helsinki in 1999 and continued to be so thereafter particularly up to Copenhagen in 2002. Secondly EU identity has strongly influenced how it reacted to these structural changes. Thirdly, what is considered to be a security issue at all can be dependent on identity. It is necessary therefore to offer brief definitions for these terms.

Security in this thesis is from Buzan *et al.* (1998:21):

“It is when an issue is presented as posing an existential threat to a designated referent object.”

In this case the referent object could be a state or an individual and the threat could also be a state, non-state or something less tangible such as poverty, climate change or terrorism. Similarly, identity is not the fixed entity presumed by positivist theories and for these purposes is defined as:

“...what enables a group of people to refer to themselves as ‘we’.”

(Waever *et al* 1993:5/6)

That is, states and other actors⁴⁴ behave according to their identity and this affects what states perceive to be their self-interest including geostrategic self-interest.

“Identity is important because what is the value of studying the self-interested action of states without knowing what this self is. What appears as our interest is highly dependent on who “we” are.” (Waever 2000:267)

Specific EU identity “defies easy categorization...” (Manners and Whitman 1998: 238) but this study will follow Schimmelfennig (2001) to presume the primary component to be a commitment to liberal democracy.

“The belief in and adherence to liberal human rights are the fundamental beliefs and practices that constitute the community.”
(Schimmelfennig 2001: 58).

So within a context influenced by issues of security and identity as here defined the Historical Institutional approach will identify temporal processes which can help us to explain and understand the causal mechanism linking 1999 and 2004 in the Turkish accession process. The next section will look in more detail at what these processes are.

Critical junctures

According to HI, there are points in history which can be seen with hindsight to have been “critical junctures”. They are moments from which it is hard to reverse policy and are the beginning of path dependent processes. They are also, to some extent, a necessarily arbitrary point or a convenient theoretical device to avoid going ever farther back into history or “infinite explanatory regress into the past” (Mahoney 2001:8).

⁴⁴ The EU, whilst not a state (Hix 1998:38) is an actor (Bretherton and Vogler 2006: 4; see also Manners and Whitman 2003) and can act according to an identity.

“Before a critical juncture a broad range of outcomes is possible; after a critical juncture, enduring institutions and structures are created and the range of possible outcomes is narrowed considerably.” (Mahoney 2001: 7).

The term emerged from Collier and Collier’s 1991 study of early 20th century Latin America. They argued that “.....change would not occur unless there was a conjuncture of a variety of internal political forces that individually were not capable of generating significant change but which together could produce it.....” (Peters 2005: 78). This is subtly different from the definition I will use here. Collier and Collier’s framing is of a configuration of events which leads to a given outcome. What this study utilizes however is a more recent formulation of the critical juncture as a point in history which puts an institution on one path rather than another and after which “...major alternative development trajectories are increasingly closed off.” (Mahoney 2001: 8). The explanatory value comes from the processes which follow from the critical juncture rather than the juncture itself which is necessarily arbitrary in many cases.

Capoccia and Keleman (2007:348) urge “caution and clarity” in the approach to critical junctures. They define them by “probability jump” and “temporal leverage”. That is, increased likelihood that choices made at the given time will affect the outcome by triggering a path dependent process “which constrains future choices”. One must also “anchor” the critical juncture into a unit of analysis. What is a critical juncture for one policy area may not be for another. Similarly, temporally, the critical juncture is a relative concept.

“.....the duration of the critical juncture must be brief relative to the duration of the path dependent process that it initiates.” (Capoccia and Keleman, 2007:350)

Capoccia and Keleman (2007) also argue that change is a contingent factor for critical junctures. So critical junctures do not necessarily initiate change and they do not necessarily

arise out of “exogenous shock” or rapid change. Any such change can also be incremental. Critical junctures should primarily be seen as the starting point of path dependence as defined retrospectively. The next section will examine path dependence.

Path dependence

There has been a certain amount of “concept stretch” (Sartori 1970) in relation to the notion of “path dependence” and analysts “...often lack a clear understanding...” of it (Mahoney 2000: 535). For Hay and Wincott (1998: 955), it is the process by which “strategic choices made at a particular moment eliminate whole ranges of possibilities from later choices while serving as the very condition of existence of others.” Elsewhere path dependence is defined as increasing returns, lock-in and sequencing (Capoccia and Keleman 2007: 342) and for Mahoney (2000: 535) “path dependence occurs when a contingent historical event triggers a subsequent sequence that follows a relatively deterministic pattern.” Pierson and Skocpol (2002:697) define it as “the dynamics of self-reinforcing or positive feedback processes in a political system...” This is the definition which I propose to follow.

“....once actors have ventured down a particular path they are likely to find it very difficult to reverse course. Political alternatives that were once quite plausible may become irretrievably lost.” (Pierson and Skocpol 2002:700)

In other words, what comes after depends on what went before because once a policy decision is taken it can be difficult to change it for reasons of material cost or normative credibility or both. In this way “...policy decisions accumulate over time. A process of accretion can occur in a policy area that restricts options for future policy makers...” (Kay 2005: 558). The options policymakers have at time-point B may be dependent on a decision taken at time-point A. Another seductively simple definition of path dependence is:

“...that what has happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time.” Sewell (1996:262-3)

That is, actors may be “rational” but the agenda from which they make rational choices is limited by what has gone before. For Hay (2002) the role of Historical Institutionalism is to illuminate the influence of the past on the structures and ideas of the present.

Page (2006:89) also urges theoretical clarity in dealing with path dependence and identifies it as an umbrella term encompassing four processes which are similar but crucially not the same.

1. Increasing returns: “...benefits that rise smoothly as more people make a particular choice and positive feedback as little bonuses given to people who have already made that choice or who will make that choice in the future.”
2. Self-reinforcement: “Making a choice or taking an action which puts in place a set of forces or complementary institutions that encourage that choice to be sustained.”
3. Positive feedback: “...an action or choice creates positive externalities when the same choice is made by other people.”
4. Lock-in: “...one choice or action becomes better than another one because a sufficient number of people have already made that choice.”

These processes can unfold over time leading to inadvertent or unintended consequences which make interesting research puzzles such as the one in question here.

“The long term effects of institutional choices which are frequently the most profound and interesting ones should often be seen as the by-product of social processes rather than the realisation of actors’ goals.” (Pierson and Skocpol 2002:708).

Thus, unintended consequences would not be obvious to anyone taking a snapshot view. Asking the substantive question makes it necessary to examine context and time and then to demonstrate causality – as opposed to mere correlation – through process tracing (George and Bennett 2005).

2.3. Accounting for change – structure and agency

So far it has been argued that Historical Institutionalism is characterised by its use of temporal processes which open explanatory options which are not visible if a non-temporal approach is taken. Moreover HI is theoretically eclectic; concepts from both sides of the divide - ideas and interests - can be subject to path dependency. In this way, HI offers broad explanatory value for real world puzzles.

However, a common criticism of Historical Institutionalism is that it relies upon the theory of punctuated equilibrium or “rapid bursts of institutional change followed by long periods of stasis...” to explain change (Krasner 1984:242; See also Goertz and Mahoney 2006). This has left it vulnerable to criticism that HI itself had “...little or no capacity to predict change.” (Peters 2005:77). Even long standing HI practitioners such as Sven Steinmo have acknowledged the problem: “There is something basically flawed...with the idea that political and institutional change is purely a product of fate.” (Steinmo 2008:133). This section sets out to offer a definition of agency and structure and to offer an alternative way of dealing with change within HI.

The question of structure and agency is a question of philosophy as well as politics and sociology. It has been argued therefore that it is a “spurious” question and a “*cul de sac* of obfuscation and meaningless abstraction” (Fuller 1998: 104). However to view agency and structure as a “problem” to which an answer can be found is mistaken because structure and agency cannot be resolved “empirically” but should instead be viewed ontologically. It is entirely consistent to agree about what happened empirically in any given event and yet to disagree as to the relative influence of agency and structure (Hay 2002: 91).

However it is necessary to define the terms. The structure and agency debate centres on “...to what extent do we as actors have the ability to shape our destiny as against the extent to which our lives are structured in ways out of our control.” McAnulla (2010: 271). This is another formulation of the Marxist “truism” that “men make history but not in circumstances of their own choosing” (Hay 2002: 90). Structure is the “context” of a research question and agency is the ability of an actor to achieve intentions (Hay 2002: 94). It is argued here that both structure and agency can be influential and taking a binary approach may fail to reflect the complexity of social reality. Moreover taking this pragmatic approach to the structure and agency debate can add significantly to the ability of Historical Institutionalism to be able to account for change within institutions.

Recent Historical Institutionalism theorists have offered more complex explanations of change incorporating both agency and structure. Change “....resides in the relationship between actors and the context in which they find themselves...” (Hay and Wincott 1998: 955; see also Thelen 1999 and Hay 2006) with the advantage of greater potential for understanding complex causal processes and the disadvantage that it is a “laborious and time consuming exercise...” (Hay 2002: 149). Structure and agency exist in a dialectic relationship with each influencing the other according to the situation which means that “...change can be the consequence of strategic action...filtered through perceptions of an institutional context that favours certain strategies actions and perceptions over others.” (Hay and Wincott 1998: 955).

In more recent work Hay (2002) has offered the concept of “punctuated evolution” as an alternative to punctuated equilibrium. It is “iterative, yet cumulative, change animated and informed by particular political economic paradigms.” This redefines equilibrium away from stasis towards an on-going incremental change.

“For long periods of time change may appear
incremental... ...punctuated by a dramatic quickening in the pace of

change associated with moments of crisis. In such moments, political regimes are overturned and governing paradigms replaced.” (Hay 2002:162)

This model specifically highlights that change is not only “rapid” but is also slow and incremental. It is “interactive and iterative” with a dialectic relationship between agency and structure in which “...structures facilitate and constrain agents” and “agents interpret structures...” (Marsh *et al.* 2004: 11). In this framework, logically, agents can be influenced – or not – by structure and either by rational self-interest or by ideational factors and each can induce path dependence. Much of this theory is case dependent and the crucial point is to present rigorous empirical evidence to back up a claim being made:

“I have argued that the key to understanding institutional evolution and change lies in specifying more precisely the reproduction and feedback mechanisms on which particular institutions rest.”
(Thelen 1999:400).

In order to understand why EU policy towards Turkey changed between 1997 and 2004 it is necessary to make a case using evidence of the causal mechanisms linking one point in time to another. It is the contention of this chapter that the evidence obtained can be explained by Historical Institutionalism as outlined by Steinmo (2008) in a version which incorporates both ideas and interests as being subject to temporal processes with actors operating within a context. By understanding the causal mechanisms, a rigorous and “scientific” case can be made on an $n=1$ basis (George and Bennett 2005: 132).

3. Process Tracing

I have looked above at how the pre-conceived notion of “science” has affected the choice of methodology and the academic debate which has raged over what counts as “validity” in political science. I have argued that this notion of what is valid has changed in the past two

decades. This change has been countenanced by expanding definitions of what constitutes good science. The criteria by which quantitative and qualitative methods are judged are not necessarily the same. The view of qualitative methods has moved on significantly since King *et al*'s "Designing Social Inquiry" was published in 1994 (Bennett and Elman 2006a:458). Process tracing has been offered as a method to rigorous qualitative science (George and Bennett 2005). It is not a new idea but had been "undervalued by a field mesmerized by a standard regression model whose limitations are now becoming clear." (Hall 2003: 391).

3.1. "Getting on with it".

"Most process tracers are empirically orientated scholars who just want to get on with it, that is, conduct research on the fascinating world around us." (Checkel, 2005: 20)

Process tracing is a method, not a theory, applicable to small "*n*" cross case analysis and *n*=1 within case analysis. It uses qualitative methods – primarily documents, archives and interviews – to uncover causal mechanisms and runs counter to King *et al*'s (1994) emphasis on legitimising qualitative methods by correlation. For process tracers, King *et al* have conflated "causes of effects" and "effects of causes" in a misguided effort to give qualitative methods legitimacy (Bennett and Elman 2006). As such, process tracing is an appropriate method for Historical Institutionalism as it provides the detailed evidence of causal mechanisms required to make the case for a given series of events (Checkel 2005:3).

The earliest reference to "process tracing" (Tansey 2007) was Alexander George's article in 1979 followed by another with Timothy McKeown in 1985. Its most detailed exposition is the 2005 book "Case Studies and Theory Development" written by Alexander George with Andrew Bennett. The narrative produced by process tracing provides evidence that a sequence of events has happened in a particular way. However, although similar to, it is not a historical narrative but a strategic narrative "...which differs from a straightforward narrative

of historical events by being structured to focus attention on how patterns of events relate to prior theoretical belief about social phenomena.” (Goldstone 2003: 50).

“(Process tracing) consists of analysing a case into a sequence of events and showing how those events are plausibly linked given the interests and situations faced by groups or individual actors.”
(Goldstone 2003:47)

Process tracing is not history but it is the application of political theory to historical narrative and “....moves us away from the correlational arguments and as-if styles of reasoning that too often dominate in IR and European studies, and towards theories that capture and explain the world as it really works.” Checkel 2005:14).

“....ultimately we justify the practice of converting historical explanations into analytical theoretical ones by emphasising that the task of the political scientist who engages in historical case studies for theory development is not the same as the task of the historian.” (George and Bennett 2005: 225).

The intention is to “test, challenge and shift prior beliefs about the case (or cases) under examination...” (Goldstone 2003: 51) rather than produce a universal law to apply across all cases. As such it is not claiming the “certainty” of statistical inference but operating instead on Bayesian logic of probability (Bennett and Elman 2006: 461; Goldstone 2003: 51). As George and McKeown (1985) stated, process tracing was a way to help the analyst with small n avoid making spurious correlations for causal association by establishing the causal processes. In so doing, process tracing allows complexity and context to be incorporated into explanations. If complexity involves multiple and interdependent variables and/or the effects of temporality and sequencing (George and Bennett 2005: 231) then this has made process tracing particularly suitable to multi causal theories such as New Institutionalism and in particular Historical Institutionalism.

Fundamental to the practice of process tracing is the assumption that the researcher is looking to establish and make inferences from causal mechanisms within the “confines of a single or few cases” (Bennett and Elman 2006:459). This is done through the detailed examination of primary sources “...to see whether the causal process a theory hypothesises or implies in a case is in fact evident in the sequence and values of the intervening variables in that case.” (George and Bennett 2005: 6)

Process tracing uses classic qualitative methodology such as the study of interview material and documents (Bryman 2001; Creswell 2003). According to George and Bennett’s definition it does not venture into ethnography, focus groups and associated methods of analysis. This is partly because it is not starting with overt post-modernist ontology usually associated with these methods and partly because they would not easily contribute to the aim of the project which is to “...trace the links between possible causes and observed outcomes...” (George and Bennett 2005:6). In other words these methods are asking questions the process tracer is not trying to answer. However, this is not a hard and fast distinction. George and Bennett state:

“We exclude post-modern narratives from our view of case studies.....though some of the more disciplined forms of discourse analysis approach our view of case studies.” (George and Bennett 2005: 18).

The process tracing method is pre-determined by the questions to be asked rather than the underlying ontology. The questions to be asked are about the complexity of the social world. The research puzzle to be addressed here is an example of just such a question. In order to trace the causal mechanisms it is necessary to look at the influences of policy makers and decision takers at various different times and the implications these decisions had after they were taken.

Tansey (2006) and Odell (2005) have criticised George and Bennett for having a narrow methodological range. They “....tend to equate the case study method with the historian’s method” and as a result “...other forms of data collection including interviewing are left largely under explored.” Tansey (2007) and Odell (2006) highlight that elite interviewing should be considered by the process tracer as well as archives and documents. It does not contradict George and Bennett’s approach and is a method used here.

3.2. Causal Mechanisms

So we see that the distinctive feature of process tracing is that it sets out to explicate causal mechanisms in small *n* studies to a high level of detail which gives them internal validity and possibly external validity. Thus methodologically it is looking to explain any link between cause and effect by tracing the possible process by which an event happened and looking for evidence to support the case. In short, the process tracing method is more akin to detective work than that of a “scientist” in the positivist sense. The quality of the argument lies in establishing the causal process rather than its predictive power.

Causal mechanisms are “...a set of hypotheses that could be the explanation for some social phenomenon, the explanation being in terms of interactions between individuals and other individuals or between individuals and some social aggregate.” (Hedstroem and Swedberg 1998: 25) or “...the process and intervening variables through which an explanatory variable exerts a causal effect on an outcome variable.” (Mahoney 2005: 363)⁴⁵. For George and Bennett (2005:141) the causal mechanism is a “process” (“X leads to Y through steps A, B and C”) rather than a law (if X then Y). The causal process is not demonstrated solely by correlation but also “the specification of our hypotheses about a causal process that brought about the correlation.” (Bennett 2003: 16). Causal mechanisms

⁴⁵ Bennett (2003: 12) offers the following definition of causal mechanisms: “...ultimately unobservable physical, social or psychological processes through which agents with casual capacities operate in specific contexts to transfer energy, information or matter to other entities. In so doing, the causal agent changes the affected entity’s characteristics, capacities or propensities in ways that persist unless and until subsequent causal mechanisms act upon it.”

work at a micro level of analysis – rather than macro – because of the detail needed to provide the evidence of process (Checkel 2005:4). Exactly how micro to go is a matter of judgment. At some stage it will be necessary to stop and therefore some presumptions will be required. However the level of presumption is much lower than that required for correlational quantitative methods.

In conclusion, causal mechanisms are the processes by which complex variables interact to form events between start and finish and we identify them through process tracing.

“Process tracing attempts to empirically establish the posited intervening variables and implications that should be true in a case if a particular explanation of that case is true.” (George and Bennett 2005: 147)

The method of process tracing is to examine the available sources – official documents, media reports, interviews, biographies – for evidence to support a hypothesised causal process and to make a case for it.

3.3. Criticisms of process tracing.

The criticisms of process tracing revolve around its association with case study research and the implications thereof for generalisation rather than anything inherent in process tracing itself. As previously discussed, King *et al.* (1994) dismissed the importance of the mechanism in favour of the outcome or correlation.

“We can define a causal effect without understanding all of the causal mechanisms involved but we cannot identify causal mechanisms without defining the concept of causal effect. “ (King *et al.* 1994: 86)

Thus for “traditional” i.e.: positivist political scientists, process tracing is history rather than political “science”. For George and Bennett (2005: 138) this view is logically flawed and

“...risks conflating the definition of causality with that of causal effect.” They urge us not to confuse predictive relationships with causal explanations ie: that x happens does not explain how or why. It varies from deductive nomological methods and comparing the two is like comparing “apples and oranges” (George and Bennett 2005: 138). King *et al* also criticised small *n* studies as not being rigorous for not considering alternative theories, selection bias and measurement error. George and Bennett retort that the detail provided by process tracing compensates for these issues. Indeed while quantitative research makes many assumptions in the name of parsimonious theory, process tracing is inductively considering many options and alternative theories.

George and Bennett (2005) acknowledge there are limits to process tracing (see also Bennett and Elman 2006; Checkel 2005). The causal path must be uninterrupted or else “causal validity is challenged.” (George and Bennett 2005: 221). There may also be more than one explanation to fit the evidence thrown up by process tracing. The method is also time consuming and can throw up false positives as well as false negatives. The quality of evidence is paramount and the process tracing project can be compromised by lack of data. It can lead to weak “kitchen sink arguments where everything matters”. (Checkel 2005:17)

Whatever its other failings, process tracing can only be criticised for not being generalisable if generalisability is the standard by which it is judged. On the positive side, its level of detail allows causal inference and also may highlight previously unidentified variables. For these reasons it has high explanatory potential.

3.4. “The problem of complexity”

The basis of process tracing – and one of its benefits - is that it can deal with the “problem of complexity” (George and Bennett 2005: 13) in a way which previously hegemonic quantitative methods could not. This had meant complexity was under emphasised in political science thereby missing the importance of such issues as equi-finality – different

causal paths to the same outcome - multi-finality – different outcomes from the same causal path (Sayer 2000) - feedback loops, path dependence and other causal concepts.

“Process tracing is a methodology well suited to testing theories in a world marked by multiple interaction effects where it is difficult to explain outcomes in terms of two or three independent variables – precisely the world that more and more social scientists believe we confront.” (Hall 2003: 18)

By using process tracing the analyst can restore complexity to the development of theory. George and Bennett's (2005) critique is in the name of theory development and explanatory content. Qualitative methods which defer to correlation are not able to address the problem of complexity which the authors are sure exists. However, process tracing – with its alternative method of identifying causal mechanisms – is able to do this. Process tracers “make a case” for a given argument. To use an analogy: 90% of arson cases are committed by the owners of the building involved. However this does not prove the guilt of an individual in any one instance. To do that, a case must be made. In making that case, complex causal relationships may be unveiled.

At the same time, there is a trade-off to be had between theoretical parsimony and thick description. Which method is chosen depends on the definition of scientific rigor which is being applied and what questions are being asked. For process tracers the question will usually involve complexity. In this case the epistemological assumption is one of critical realism (Wight 2006). The result will not be generalisable across cases but instead will be a within case study of the EU and the accession process of Turkey. This spans 1999-2004 although in effect it is necessary to refer to events up to two years either side of these arbitrary points in time to encompass events from the Luxembourg European Council of 1997 up to the date when formal accession talks actually began in October 2005. It will fundamentally argue that the processes which lead to the Brussels European Council in

2004 and the formal opening of accession talks the following October are path dependent. This study is seeking to explicate the causal mechanisms at play.

Conclusion

The research question in hand asks why the Brussels European Council in 2004 agreed to open accession negotiations with Turkey when this was not a universally popular policy decision. Why did some member states vote against their own judgment and that of public and elite opinion in their own countries? As outlined in Chapter One this is an extremely complex area involving concepts of structure, process and agency. In order to encompass this variety of concepts it is necessary for the theoretical, metatheoretical and methodological approaches to be able to deal with complexity. How is it possible to frame a research programme which can encompass such theoretical eclecticism including structure and agency and an equally Byzantine empirical landscape involving issues such as Kosovo, ESDP, Cyprus, eastern enlargement of the EU (and NATO) plus the consequences of September 11th 2001, the “war on terror” and the second Iraq war?

It has been argued in this chapter that this can be done within a critical realist epistemology which does not claim to be able to pinpoint “truth” in the positivist sense but which does aim to make a rigorous case for a given causal process through detailed process-tracing.

Deviating from the positivist epistemology enables the critical realist to draw on both rationalist and reflectivist insights without issues of commensurability which means the Historical Institutionalism of Steinmo (2008) is feasible. It maintains that ideas as well as interests can initiate temporal path dependent processes. It also makes a virtue of taking context, and complexity, into account when considering a research puzzle. In this way structure and agency are not viewed as a binary choice but are instead placed in an interactive relationship whereby the precise association between structure and agency is a judgment call which depends on the context. Within this context are concepts of identity and security both of which are influences on the interests and ideas of the actors involved. This is

a “stretched” definition of Historical Institutionalism compared to its original incarnation (Steinmo *et al* 1992) but is entirely coherent in a wider discipline which in the past twenty years has embraced social constructivism (Wendt 1999) and moved on from a positivist definition of validity and rigour in qualitative analysis (King *et al* 1994). It is significant here that Sven Steinmo himself has made this journey across the rationalist-reflectivist divide. His later work redefines HI as an “approach” rather than a “theory” *per se*. The framework for analysis here defined can accommodate the following propositions:

- Structural factors enable change to take place, but processes of interaction within institutional contexts determine the timing and nature of the changes that take place.
- Specifically, the roles of ‘critical junctures’ and path dependency within an HI approach enable the analysis to ask questions about the ways in which change is initiated and about how decisions taken at one point in time affect decisions taken at later points.
- Questions of security and identity reflect both the impact of broad contexts and structural change and the impact of middle-range processes, and thus provide a bridge between an HI approach and the broader context within which institutional interactions take place.
- The HI approach accommodates the interaction of member states and ‘European’ institutions within the context of discussion of issues such as Turkish membership, and enables analysis to highlight these interactions and their impact on the evolution of the relationship.
- Process tracing is designed to produce the kind of structured and focused description of EU-Turkish relations between 1999 and 2004 that will enable the complexity of motives and actions to be assessed and the impact of incremental commitment, advocacy and rhetorical entrapment to be gauged.

These elements produce a set of key conceptual questions that will underlie the empirical chapters that follow, and that will provide the structure for the overall conclusions to the thesis. In taking the propositions suggested by the review of existing literature it does not take issue with them but offers “added value” through a temporal and complex explanation. In other words the Historical Institutional approach allows the analyst to approach the study in a way which offers scope for complex understanding and explanation. It will do so by asking the following questions:

- What are the patterns of interaction between structure, process and agency that shaped the decisions in 1999 to admit Turkey as a candidate and then in 2004 to open negotiations with Turkey?
- What evidence is there of the impact of critical junctures and of path dependency (with its associated forces of increasing returns, self-reinforcement, positive feedback and lock-in) in the evolution of EU-Turkey relations during the period 1999-2004?
- What evidence is there of the interaction between different agents within the process of EU-Turkey relations, and in particular of the interaction between member states and European institutions? What impact did different agents have on the process?
- What is the evidence that the above factors (structure and process, critical junctures and path dependency, security and identity, agency and institutions) played key roles in generating the patterns of incremental commitment, advocacy and rhetorical entrapment that one would expect to operate in the evolution of EU-Turkey relations? In particular, how did such patterns affect the decision to grant candidacy in 1999, the decision to open negotiations in 2004, and the treatment of specific problems such as Cyprus, ESDP and security cultures?

The empirical chapters, three to five, will now look at how structure, process and agency interacted within the time frame in order to provide detailed evidence for the hypothesised

path dependent processes of incrementalism, advocacy and rhetorical entrapment. These will allow an assessment of both how and why Turkey has come to be in accession negotiations. Chapter Three takes the period between the Luxembourg summit in 1997 and the Helsinki summit in 1999 and the EU policy on Turkey which changed so drastically in this time. Chapter Four starts post Helsinki and goes up to the Copenhagen European Council looking at the processes which led to the highly conditional Presidency conclusions in 2002. Finally Chapter Five will explore the processes leading up to the Brussels European Council summit of December 2004.

This chapter has set out the elements of a framework for the analysis of EU-Turkey relations, and specifically the changing position of the EU on Turkish candidacy and potential accession between 1999 and 2004. It has presented the case for a Historical Institutional approach, which can accommodate both the influence of structural factors and the agency of individuals on the path dependent processes which ensue. Additionally, this Historical Institutional approach, which is based on the work of Steinmo (2008), can argue that only by looking across time can the complex interplay of agency and structure be seen in its path dependent context. In other words the temporal approach can highlight the processes which result from activity in an environment which is influenced by both structure and agency. What Historical Institutionalism offers, as well as the temporal perspective, is the option not to decide which of these complex factors is dominant prior to examination of the empirical evidence. For HI, as defined by Steinmo (2008), this can only be done on a case by case basis once the evidence has been consulted. In this case, structural factors such as CEEC enlargement and ESDP, unleashed by the end of the Cold War, led to the scenario where the agency - strategic use of norms - was possible because of the path dependent processes involved. The active rhetorical entrapment of some member states was possible *because* of the decisions taken by the European Council at an earlier stage under pressure from structural issues.

Chapter Three: From Luxembourg to Helsinki

At the beginning of 1999 it seemed faintly ridiculous that Turkey could be a candidate of the European Union in the near future. The EU was still dealing with the consequences of its decision at the Luxembourg European Council in December 1997 not to include Turkey with the CEEC round of enlargement. Turkey itself meanwhile had been without a government since November 1998 when the previous Prime Minister, Mesut Yilmaz, had lost a vote of no confidence in the Parliament amidst allegations of corruption⁴⁶. The next incumbent Bulent Ecevit, of the Democratic Left Party (DSP) arrived with an anti-EU mandate and the legacy of having been the Prime Minister in 1974 when Turkey invaded northern Cyprus. Turkey's human rights record was still being questioned even by allies such as the US State Department⁴⁷. Its relations with Greece remained hidebound by mutual suspicion with the on-going disputes over Imia/Kardak and Cyprus showing no sign of resolution. The murky secret service waters surrounding the arrest of Abdullah Ocalan – and his claims that Greece had previously funded the PKK – threatened to polarise positions further.

However if we fast forward less than a year we see the apparently unlikely scenario of the EU's Enlargement Commissioner, Günter Verheugen, and its Common Foreign and Security Policy High Representative, Javier Solana, flying to Ankara from the 1999 European Council in Helsinki to *persuade* the Ecevit government that Turkey should become a candidate for

⁴⁶ BBC News, 25th November 1998. “‘Corrupt’ Turkish government falls.” http://news.bbc.co.uk/onthisday/hi/dates/stories/november/25/newsid_4141000/4141566.stm

⁴⁷ US State Department Human Rights Report on Turkey 1998 – published May 1999. “There is a general recognition, including by the Government, that the country's human rights performance is inadequate and needs to be brought in line, not only with its international obligations and commitments, but also with popular aspirations and demands and the Government's own policies.”

the EU. It is valid to ask therefore – what happened to change EU policy so dramatically between 1997 and 1999?

This chapter will make a case that the EU's policy change was primarily due to structural geostrategic reasons. The apparent *volte face* in EU policy towards Turkey was actually a process of incremental change throughout 1999 influenced by a variety of security reasons and actors. These were broadly speaking initiated by the Balkan wars of the 1990s and in particular by the Kosovo conflict. As a result of the impending conflict in Kosovo the USA upped its longstanding efforts in late 1998/early 1999 to find a solution to the Cyprus issue in order to maintain stability between Greece and Turkey in the eastern Mediterranean for the sake of NATO. Kosovo also influenced EU enlargement and security policy. Firstly, it convinced member states of the need for the ESDI/ESDP project initiated at St Malo in December 1998 and expedited its progress. Secondly, it changed attitudes of the member states towards the eastern enlargement of the EU. The desire not to see a repeat of Kosovo overcame residual reticence amongst some members and once more expedited the progress of eastern enlargement from the "wave" approach to the "regatta". As a result, Turkey's pivotal role in both ESDP and eastern enlargement meant that by December 1999 those member states remaining opposed to Turkish accession were minded to overlook their misgivings and thus there was the political will for candidacy to be offered.

However, whilst those states opposed to Turkey on normative grounds were minded to overlook misgivings, this was not so true of Greece whose objections were of a more "cultural" or "religious" nature and hinged on the troubled issue of Cyprus. Considerable progress was made in the relationship between Ankara and Athens during 1999, facilitated by the earthquakes of August and September 1999, but problems remained over the Cyprus issue which went to the wire at Helsinki. The accession of Cyprus was crucial to the unhindered progress of the remaining eastern enlargement round as Greece had made it

clear within the EU forum that it would hinder the progress of the CEEC enlargement round if the Republic of Cyprus was not included. Primarily for this reason, Verheugen and Solana made the late night dash from one edge of Europe to the other in order to persuade Bulent Ecevit to return with them to Helsinki and sign on the dotted line.

1. The Kosovo effect

The Kosovo conflict in 1999 was a catalyst in the Turkey-EU accession process. It altered the structural geostrategic circumstances in which the Turkish case was operating. The influence it had on the USA, the EU and its member states worked in favour of the Turkish case. This section will now outline the various aspects to this claim and provide empirical evidence in support of them.

1.1. The Luxembourg European Council 1997.

Turkey was one of the first applicants ever to apply to the EU, in 1959. Its position as an “eligible” country at all can be attributed to the Cold War fault lines which placed it in the “West” as a member of NATO (Park 2000a:32). As was outlined in Chapter One, the European member states at that time acknowledged Turkey’s geostrategic value for NATO but were more critical than the USA of Ankara’s record on human rights and democracy, problematic economy, demographic profile and religion (Pope and Pope 1997: 186). These issues gave the EU reasons not to take the Turkish case any further than the Customs Union of 1995 and Turkey was not included in the enlargement round outlined at the Luxembourg European Council in 1997. Whilst the EU did reaffirm Turkey’s *eligibility* for EU accession, the decision not to include Ankara as a candidate was justified by reference to Turkey’s record on human rights and democracy. Measures to improve that record were included:

“While the political and economic conditions allowing accession negotiations to be envisaged are not satisfied, the European Council

considers that it is nevertheless important for a strategy to be drawn up to prepare Turkey for accession by bringing it closer to the European Union in every field.”⁴⁸

This caused consternation in Turkey (Robins 2003a: 109). The Prime Minister, Mesut Yilmaz, issued a statement dismissing the proposed European strategy and claiming that Turkey had been the victim of “partial, prejudiced and exaggerated” assessments of its “domestic structure and foreign policy” (Robins 2003a: 109). Turkey was aggrieved that Bulgaria, Romania and crucially Cyprus had been included when it hadn’t. For this reason, Ankara suspended “political dialogue” with the EU (whilst maintaining economic dialogue with the EU and bilateral relations with Member States)⁴⁹ It is puzzling, therefore, that two years later the EU’s view had changed even though Turkey had not significantly improved its record of human rights and democracy. It is an “...interesting and paradoxical period to explore.” (Onis 2000:8)

Less than a week after the disappointment of the Luxembourg European Council in 1997, the Turkish Prime Minister, Mesut Yilmaz, flew to Washington to see President Bill Clinton⁵⁰. Washington had been disappointed by the EU’s decision at Luxembourg not to include Turkey in the enlargement round. In American eyes, Turkey remained a crucial geostrategically and also deserved a reward for loyalty during the Cold War and the 1991 Gulf War. It was geopolitically placed at the heart of the Balkans, Caucasus and the Middle East and was symbolically vital as a Muslim democracy. Washington’s priority was to stabilise the south eastern Mediterranean region ie: Greece, Turkey and Cyprus and avert any threat of military conflict between two NATO allies as had nearly happened in 1996. Additionally it saw EU accession as a way of democratising and stabilising Turkey.⁵¹ Clinton summarised his view thus:

⁴⁸ Luxembourg EU Council Presidency conclusions, December 1997, Section 31.

⁴⁹ Turkish Daily News, December 15th 1997, *We beg to differ with the optimism of EU officials.*

⁵⁰ Turkish Daily News, December 20th 1997, *Washington rolls out a deep red carpet for Yilmaz*

⁵¹ Senior State Department official – interview – March 2010.

"If you look at the size of the country, if you look at its geo-strategic significance, what it could block and what it could open the doors to, it is terribly important."⁵²

The EU was apparently less concerned with strategic considerations in 1997 than with maintaining its core values of human rights and democracy. The incumbent President of the European Council, the Luxembourg Prime Minister Jean-Claude Juncker stated that "...it is not possible for countries that practice torture to sit round our table..."⁵³. However the severity of this statement was widely seen as a geostrategic mistake among the member states notwithstanding Turkey's undeniable democratic and human rights failings.

"Most member states were pretty appalled by the way it had been handled by the Commission and by Juncker. They made it clear that they had not vetoed (Turkey) and they did not wish to slam the door."⁵⁴

The USA – and those member states who appreciated the geostrategic significance of Turkey – was keen for the EU accession process to become the means by which Turkey's democratic failings were addressed in order to promote stability in the eastern Mediterranean. In other words there was a feeling within EU circles that doing nothing was not an option for geopolitical reasons⁵⁵. The USA handed the UK, which was due to take over the EU Presidency in January 1998, the task of "soothing Turkish anger" and bringing Ankara back into the fold⁵⁶.

In January 1998, the then Sir David Hannay⁵⁷ was named by the British Prime Minister, Tony Blair, as his personal envoy to Turkey. As a former UK ambassador to the UN and envoy to

⁵² Financial Times, December 19th 1997. *Washington set to soothe Turkey's wounded pride.*

⁵³ Luxemburger Wort newspaper, quoted by Agence France Press, December 12th 1997. *Fears of Turkey rift overshadow EU summit.*

⁵⁴ Senior UK diplomat A – interview, March 2010.

⁵⁵ Senior State Department Official – interview March 2010

⁵⁶ The Times, December 22nd 1997. *US seeks to defuse Turkish quarrel.*

⁵⁷ Lord Hannay since 2001, hereafter referred to as Lord Hannay.

Cyprus, Hannay was familiar with the area and was given the brief to “smooth ruffled feelings in Ankara, persuade Turkey that Europe has not slammed the door on it and avert the threat of rhetorical escalation and even military adventurism in the volatile region.”⁵⁸ As Lord Hannay himself has since reflected the “general view” was that the Turkish government had over-reacted at Luxembourg and now “needed to be helped out of the hole into which they had thrown themselves.” The issue was complicated by the involvement of Greece and the Republic of Cyprus within the EU.

“There was some awareness that the text of the conclusions of Luxembourg had been rather provocative and a continuing feeling of guilt, everywhere except in Athens, that the EU had not been able to honour its commitment to provide financial aid under the 1995 Customs Union Agreement⁵⁹. All were only too well aware that there would be no progress in solving the Cyprus problem as long as Turkey was so deeply disenchanted with the international community.”
(Hannay 2005: 85)

The UK Prime Minister Tony Blair was instrumental in acting to placate Turkey’s ruffled feathers via Lord Hannay and by the time of the Cardiff Summit in March 1998 “the show was back on the road.”⁶⁰ However, whilst Turkey may have been placated bilaterally behind the scenes this was not the case in public and with the EU. Ankara refused to attend the EU Council’s Cardiff summit in March 1998 or to participate in the European Strategy for Turkey. Its relations with Athens continued to be problematic and Greece continued to block EU Customs Union funds for Turkey. What changed at this time, to affect the Turkish case, was the impending Kosovo conflict which increased the need by outside actors to make progress on Turco-Greek relations in general, and the Cyprus issue in particular, for the sake of the

⁵⁸ The Times, January 20th 1998, *British envoys try to defuse Turkish anger over EU snub*.

⁵⁹ Greece had blocked the full implementation of the EU’s 1995 Customs Union agreement with Turkey as part of on-going hostilities. See Rumelili (2003: 224) and below Section 1.2.

⁶⁰ Senior UK diplomat A – interview, March 2010

NATO response to Kosovo and the EU response to Kosovo (ESDP and eastern enlargement).

1.2. Cyprus

The Republic of Cyprus was given candidate status of the EU in 1997 with the wider CEEC enlargement round. It had made good progress towards meeting the Copenhagen criteria and the *acquis communautaire* and therefore there was no reason not to take the process further at the 1999 Helsinki European Council. However the EU was reluctant to admit Greek Cyprus without a solution to the Cyprus issue⁶¹.

Greek Cyprus applied to the EU in 1990 and whilst it was highly eligible in terms of the Copenhagen criteria, the division of the island was problematic. Admitting Greek Cyprus without its Turkish counterpart (TRNC) would import the seeming intractable Cyprus issue into the EU's jurisdiction and would alienate Turkey, the geostrategic value of which was acknowledged. This was made clear to the Republic of Cyprus in the European Commission's opinion in 1993. During its Presidency of the European Council in the first half of 1994, Greece was able to work a deal and at the Corfu European Council summit, in June, Cyprus was endorsed as a potential candidate amidst strong rumours that Greece had threatened to block the CEEC enlargement round if this was not done⁶². Such dealing was further entrenched the following year when Greece agreed not to veto Customs Union for Turkey on the condition that Cyprus was made an official candidate as soon as possible⁶³. Conversely, the Turkish Prime Minister Tansu Ciller gave tacit agreement to Cypriot EU candidacy on the same basis.

The next priority for the Greek government was to separate the Republic of Cyprus' EU path from that of the Cyprus issue. In the run up to the Luxembourg European Council in 1997, it was clear that it would block the CEEC enlargement round if Cypriot progress was made

⁶¹ Senior official in European Council DG enlargement B – interview – March 2010.

⁶² Senior Turkish diplomat A – interview – March 2010.

⁶³ Senior European Commission official D – interview – August 2010. See also European Report, February 4th 1995. *EU initiative on Cyprus could pave the way for Customs Union*. <http://eisnet.eis.be>

dependent on a solution to the Cyprus issue. Thus, as the Turkish Cypriot leader Rauf Denktash was not in favour of Turkish accession to the EU whilst the Republic of Cyprus was already virtually assured of its place, there was very little incentive for either side to find a solution to the Cyprus issue⁶⁴.

As a result, in 1999 the EU found itself in the position of being obliged to include the Republic of Cyprus if it wanted to pursue eastern enlargement. This was stated several times by different officials within the European Council and the Commission during interviews in February/March 2010. It was "...impossible to take in new member states without Cyprus. Greece would have vetoed it."⁶⁵ Furthermore it was "...absolutely clear, you will never find it in written form, but we would never get an accession treaty ratified by the Greek parliament unless Cyprus was part of it."⁶⁶ and "...the Greeks made the case that there was to be no CEEC enlargement if Cyprus was not involved."⁶⁷ For this reason the imperative to find a solution to the Cyprus issue before Cyprus acceded increased at the same time that the likelihood of this happening decreased.

In so doing the EU faced the prospect of alienating Turkey further. As enlargement was a "...priority not to be jeopardised because of Cyprus, Turkey and Greece..."⁶⁸ it was therefore necessary to either find a solution to the Cyprus issue, and reunite the island, or find a way to placate Turkey such that Ankara was not alienated beyond repair. If this could not be done the issue of Cyprus was threatening to derail the eastern enlargement process itself seen, post Kosovo, as a means of ensuring the future security of Europe itself as well as the EU (Higashino 2004).

In these ways the desire to facilitate eastern enlargement – highlighted by the Kosovo conflict – worked in favour of the Turkish case. The EU was less able to lecture Turkey about

⁶⁴ The UK government had repeatedly made this point in 1994/5 but was overruled because of the trade benefits mainly by the French according to Senior UK Diplomat A – interview – March 2010.

⁶⁵ Senior official in European Council DG enlargement B – interview – March 2010.

⁶⁶ Senior European Commission official D – interview – August 2010.

⁶⁷ Dutch Diplomat – interview – March 2010.

⁶⁸ Senior official in European Council DG enlargement B – interview – March 2010.

the need for conditionality if it was lowering the bar for Bulgaria and Romania. Moreover the urgent need to find a solution to the Cyprus issue in order to push forward eastern enlargement required Turkish (and Greek) co-operation and "...it was clear that they (the EU member states) had also to give something to Turkey." ⁶⁹

From September 1999, until the Helsinki summit in December, concerted diplomatic efforts were made by the EU in order to "find a formula that would allow us to go along (ie: carry on) even if there was no solution (to the Cyprus issue)." ⁷⁰ The EU member states and the Americans also worked to bring the Turkish government "on side" and to find a solution to the Cyprus issue. For the EU, this was a relatively new policy but for the US and the UK it was merely a continuation of efforts which had, to date, been unsuccessful. A number of extraneous factors facilitated these efforts during 1999 and these will be examined in the next section.

1.3. The Kosovo Campaign, March-June 1999.

The NATO campaign Operation Allied Force began at 8pm GMT on March 24th 1999 and lasted until June 3rd of the same year when a ceasefire proposed by the Russian envoy Viktor Chernomyrdin and the EU envoy, the Finnish President Martti Ahtisaari, was accepted by Slobodan Milosevic, the Serbian President. The two month air campaign was "The most intense and sustained military operation to have been conducted in Europe since the end of World War II ..." (Lambeth 2001:xx-xxi) and created a refugee problem not seen in Europe since the 1940s as well as several thousand Serbian military and civilian deaths and major damage to Serbian infrastructure.

Signs of conflict in Kosovo had been obvious for some time as the dispute between the ethnic Albanian secessionist Kosovo Liberation Army (KLA) met the full might of the nationalist Serbian state. Whilst acknowledging the KLA's equally bloody tactics, the consensus of the international community was that "...blame for the collapse into full scale

⁶⁹ Senior European Commission official A – interview – March 2010

⁷⁰ Senior European Commission official D – interview – August 2010.

civil war”, which was killing tens of thousands of ethnic Albanian Kosovars, should be “placed squarely on the shoulders of Milosevic.” (Webber and Sperling 2009: 450). A year before, in March 1998, the American Secretary of State, Madeleine Albright, mindful of the previous civilian massacres in Bosnia, had warned Milosevic that bloodshed against civilian ethnic Albanians in Kosovo would not be tolerated⁷¹. The UN Security Council passed a resolution calling for them to stop and threatened NATO airstrikes in October 1998⁷². These were averted by an agreement brokered by the US special envoy Richard Holbrooke⁷³. However, breaches continued and a last ditch meeting at Rambouillet in March 1999 of the foreign ministers of the international contact group failed to reach agreement with Milosevic⁷⁴. A final ultimatum delivered by Holbrooke on March 22nd 1999 also failed and the next day control of the Operation was handed over to NATO’s Allied Supreme Commander, General Wesley Clarke, to commence the air assault.

Washington had long believed that stability in the eastern Mediterranean was generally geostrategically desirable and this was heightened by the impending Kosovo conflict. Thus from early 1999 Washington stepped up its efforts to find a solution to the Cyprus issue and lobbied hard in EU capitals for Turkish candidacy. At the same time the EU’s reaction to Kosovo was the rapid development of its own capability - ESDP. This section will now explore how these consequences of Kosovo worked in favour of Turkish candidacy at the Helsinki European Council of December 1999.

1.4. The USA

The USA had viewed Turkey as a strategic ally throughout the Cold War and for this reason had been prepared to overlook Turkey’s shortcomings on human rights and democracy (Kuniholm 1991, Kushner 1994). It had viewed Turkish accession to the EU as a means to

⁷¹ The Economist, March 14th 1998, *The Kosovo cauldron*.

⁷² Financial Times, October 1st 1998, *NATO air strikes against Yugoslavia draw nearer*.

⁷³ Financial Times, October 1st 1998, *NATO suspends threat to bomb Serbs*;

Financial Times, October 13th 1998, *Holbrooke on verge of Kosovo breakthrough*;

Financial Times, October 13th 1998, *NATO hardens its threat of air strikes against Serbs*.

⁷⁴ House of Commons Research Paper, 99/48, April 29th 1999, *Kosovo: Operation Allied Force*

the end of stabilising Turkey's democracy in the long term and promoting stability in the eastern Mediterranean ie: between Greece, Turkey and Cyprus for the sake of NATO unity and the wider good.

“In 1993-4 we thought that if we could encourage Turkey's entry into the EU as a full member then it would open the possibilities for the USA, Turkey and the EU to do something new in the 21st century.”⁷⁵

To this end, after the failure of the Matutes package⁷⁶, the US State Department “worked really hard on European governments and the EU institutions” for a Customs Union with Turkey and was buoyed by its success in doing so⁷⁷. The division of Cyprus was the obvious stumbling block to further improving relations between Greece and Turkey and in June 1997 President Bill Clinton appointed the Nobel prize nominee Holbrooke, fresh from securing the Dayton peace accord in Bosnia, as his envoy to Cyprus⁷⁸.

However even Holbrooke, variously described as “the Quentin Tarantino” of diplomacy⁷⁹ and a “latter day Metternich”⁸⁰ found the Cyprus issue difficult to broker⁸¹. The impending signs of conflict in Kosovo in 1998, which Holbrooke himself was instrumental in trying to solve, created a new urgency for a solution to Cyprus. On-going tensions between Greece and Turkey threatened to destabilise NATO as it prepared for the delicate operation in the Balkans in which Greece and Turkey were divided by religion along the same Orthodox Christian and Muslim lines as the Serbs and Kosovar Albanians. In early January 1999 the US administration began to try to kick start a solution to the Cypriot issue. NATO, and thus the USA, could not risk “losing” Kosovo because of the consequences for the region – in

⁷⁵ Senior USA State Department official – interview – March 2010.

⁷⁶ The Matutes package (prepared by the Spanish politician Abel Matutes) was a series of measures suggested by the EU in 1990 after the rejection of Ankara's 1987 application to prepare Turkey for future EU membership. A watered down version of the Matutes package was the basis for the (See Redmond 1993; Arikian 2006).

⁷⁷ Senior USA State Department official – interview – March 2010.

⁷⁸ The Financial Times, June 9th 1997. *Stakes are high for Cyprus initiative.*

⁷⁹ The Economist, June 13th 1998. US ed. *Peacemaking in Bosnia: Junkyard Dogs.*

⁸⁰ British Diplomatic Oral History Project, Churchill College, University of Cambridge. Sir Ivor Roberts interview, Page 26.

⁸¹ The Guardian, May 5th 1998. *Peace envoy leaves Cyprus in despair.*

terms of escalation of conflict or more likely a refugee crisis - and the potentially catastrophic loss of credibility for NATO⁸².

On January 4th 1999, Richard Holbrooke contacted Glafkos Clerides, the Cypriot President to arrange a meeting between Clerides and Bill Clinton. In late January the Turkish ambassador Mark Parris made similar overtures to the caretaker Prime Minister in Ankara Bulent Ecevit. On January 28th it was announced that Bill Clinton would visit both Athens and Ankara in November 1999 when he was in Istanbul for the Organisation for Security and Cooperation in Europe (OSCE) summit. This was the first American head of state visit to Greece since George Bush Senior in 1990⁸³.

In the meantime, in early 1999, the US Secretary of State, Madeleine Albright⁸⁴, and Bill Clinton⁸⁵ emphasised the interdependent and insecure nature of the Balkans and the eastern Mediterranean. The view of the US administration was that a solution to the Cyprus issue was the key to wider problems.

“We share a critical interest in bringing about a diplomatic resolution to the Cypriot problem for we cannot meet our broader goals as long as Cyprus remains unsolved.”⁸⁶

For this reason, Greece and the Republic of Cyprus had come under pressure, from Washington, not to site Russian-made S300 missiles on Cypriot territory which they had reluctantly agreed not to do⁸⁷.

⁸² Deutsche Presse Agentur, April 16th 1999, Kosovo casts long shadow over NATO 50th anniversary.

⁸³ United Press International, January 28th 1999. *Clinton set to visit Greece in November*

⁸⁴ Madeleine Albright quoted by US Federal News Service February 4th 1999. “We must never forget there is no natural boundary to violence in southern Europe. Spreading conflict could re-ignite fighting in neighbouring Albania and destabilise fragile Macedonia. It could affect our NATO allies Greece and Turkey and it could flood the region with refugees and create a haven for international terrorists, drug traffickers and criminals.”

⁸⁵ Associated Press, February 4th 1999. *Clinton seriously considering sending troops to Kosovo*. “The Balkans are an explosive area. They touch other difficult areas, and unless we can contain and ultimately defuse the ethnic hatreds in that region they can embroil us...in a much larger conflict. The time to stop this conflict in Kosovo is now before it spreads and when it can be contained at an acceptable cost.”

⁸⁶ Associated Press, February 17th 1999. *Albright says missiles decision opens new opportunities for an accord*.

The Americans thus demonstrated willingness to apply pressure to both Greece and Turkey over Cyprus for the wider good of NATO. Turkish accession to the EU was seen as a desirable long term goal and a solution to Cyprus was a precursor to that. The Kosovo conflict gave this long term goal added impetus in late 1998/early 1999 and this active role by the State Department was to continue throughout 1999. At the same time Kosovo had created angst in EU capitals which were morally concerned about ethnic cleansing and practically concerned about the potential of the Kosovo issue to spread and create refugee crises within the EU⁸⁸. It will be argued in the next section that these broad concerns helped win backing from the member states for the Anglo-French St Malo ESDI/P initiative.

1.5. The EU - ESDP

At the end of the Cold War, the structure of European security arrangements required a new direction. Both the evolving Common Foreign and Security Policy (CFSP), within the post-Maastricht Treaty EU, and NATO itself, were incomplete. The CFSP lacked the military capability to shore up its humanitarian and peacekeeping intent whilst NATO had the capability but its *raison d'être* had dissipated at the same time as the Soviet Union (Duke 2001:33).

Between 1994 and 1996, NATO developed the notion of the Combined Joint Task Force (CJTF) in order to offer “capability” to the Western European Union to carry out the St Petersburg tasks⁸⁹. It was a “deployable, multinational multi-service formation generated and tailored for specific contingency operations.” (Terriff 2003: 39). As such it “provided an answer to those who had questioned whether the alliance did have a role in the post-Cold War era or whether it was simply an anachronism whose day was done.” (Terriff 2003: 39). The CJTF concept was formalised at the NATO Berlin meeting⁹⁰ in June 1996 which laid down its “separable but not separate” nature and the European Security and Defence

⁸⁷ Financial Times, December 30th 1998. *Cyprus backtracks over missiles*.

⁸⁸ Senior official in European Council DG enlargement C – interview – March 2010.

⁸⁹ The provision of humanitarian aid, peacekeeping and crisis management.

⁹⁰ See NATO, *Final Communiqué*, Ministerial meeting of the NAC, June 3rd 1996..

Identity (ESDI) (Donfried and Gallis 2000; Yost 2007). This would give the EU some capability and enable the member states to act even if the U.S. saw "...no compelling reason for involvement." (Duke 2001: 33). It was also a means to restore NATO's *raison d'être* in the European sphere. NATO was the provider of security but would enable the EU – at this stage through the Western European Union (WEU) - to act even when NATO itself was not involved directly. However at that stage the exact nature of the CJTF chain of command was not explicit i.e.: whether the CJTF would remain attached to NATO and be led by U.S. command or whether it would be based within the WEU and led by European NATO personnel.

Whilst this point was not crucial in 1996, it was to become so two years later. The experience of the Bosnian war and the looming Kosovo conflict had by then convinced Tony Blair a European capability was needed and he "regretted European performance over Bosnia as a failure..."⁹¹.

"He formed a strategic judgement that we should work with the French to shape a European defence identity strategy rather than see it shaped by the French and the Germans."⁹²

Blair was motivated by the desire to have a means to enforce peace following the frustrations of Bosnia when Europe had been seemingly unable to do so without the involvement of the USA. This was not an isolated view. The former Conservative politician Chris (now Lord) Patten put it thus:

"When Yugoslavia is being dismembered, men butchered, villages burned down, women raped and Europe did bugger all...I think that was a terrible moment in our history and in Europe's history."⁹³

⁹¹ Senior UK diplomat C – interview - April 2010

⁹² Senior UK diplomat B – interview - March 2010

⁹³ Lord Patten. Comments made in "Getting our Way", presented by Sir Christopher Meyer, BBC 4. Broadcast on February 23rd 2010. Wingspan Productions.

To this end Blair was keen to have an autonomous European capability outside of NATO as “Europe's military capabilities at this stage are modest - too modest.”⁹⁴

Thus, at the St Malo meeting with Jacques Chirac in December 1998 the British Prime Minister Tony Blair withdrew previous UK objections to incorporating the WEU into the EU in order for the EU to be able to “...play its full role on the international stage.”

“To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises.”⁹⁵

The effect of this was to enable the EU to bring “ESDI” and the CJTF under tighter control and to transform them into an intergovernmental entity within the European Council and not within NATO. It thereby implicitly challenged NATO's newfound role and unsettled those states, such as Turkey, who were embedded into the WEU and NATO – but not the EU.

“The challenge at hand was no longer constructing a WEU based ESDI within NATO but working out arrangements for the EU to pursue an European Security and Defence Policy in co-operation with the alliance.”(Yost 2007: 74).

The St Malo declaration did acknowledge the wider concerns of non-EU NATO members⁹⁶ but nevertheless it created anxiety in Washington mainly as to the ulterior motives of Jacques Chirac. The Americans were reassured to some extent by the involvement of the UK and in particular George Robertson:

⁹⁴ Tony Blair quoted by BBC News online, March 8th 1999. *'We won't repeat Bosnia mistakes' - Blair*

⁹⁵ The St Malo Declaration, December 4th 1998. Full transcript in Chaillot Paper No. 47 (Ruttens 2001)

⁹⁶ Franco- British Summit, *Joint Declaration on European Defence*, St Malo, December 4th 1998.

“If it had been Franco-German then the Americans would have been more suspicious. At St Malo, because the British were in the lead the US thought they could be relaxed with it.”⁹⁷

However, after St Malo, American anxieties continued as the “pace picked up in bargaining between NATO and the EU over the nature of their relationship.” (Hunter and Farley 2002: 53). The Americans were not opposed in principle to the EU desire for an independent capability. Washington had been pushing for Europe to take more responsibility for its security and accepted that this was the “quid pro quo”⁹⁸ for securing the involvement of the French government. However in the months to follow there was a degree of uncertainty about where the line of command would end causing increasing anxiety in Washington and Ankara. It was not clear how an ESDP could keep the non-EU NATO states happy, negotiate access to CJTF and maintain a transatlantic relationship. “We were saying to the member states....(that) they were alienating us (USA).”⁹⁹

At the 50th anniversary NATO summit in Washington, in April 1999, NATO formally accepted, in principle, the EU's desire to have a capability for “autonomous action” with the proviso of the “3Ds” - No decoupling, No duplication, No discrimination - outlined by Madeleine Albright.¹⁰⁰ However its anxiety over the future of the transatlantic security relationship remained as did its broader concern for the status of Turkey within European security architecture (Tocci and Houben: 2001 4)¹⁰¹.

Turkey's anxiety was that the status it had enjoyed – and spent a lot of time negotiating¹⁰² - within the WEU would not be carried over into ESDP. Turkey had been a de facto member of

⁹⁷ Senior NATO official – interview – March 2010

⁹⁸ Senior NATO official – interview – March 2010

⁹⁹ Senior USA State Department official - interview – March 2010

¹⁰⁰ Federal News Service, State Department press briefing, April 22nd 1999. *Press briefing with U.S. Secretary of State Madeleine Albright and British Secretary of State for Foreign and Commonwealth affairs Robin Cook.*

¹⁰¹ Whilst the State Department was concerned for the Turkish position it was also concerned about its own. Senior NATO official – interview – March 2010. See also statement by the US Ambassador to NATO at the time Alexander Vershow quoted in Borawski and Young (2001: 38).

¹⁰² Senior NATO official – interview – March 2010

the WEU with, among other things, the right to participate on the same basis as full members in WEU operations¹⁰³ (see also Tocci and Houben 2001). Turkey wanted to retain a similar role in decision making within ESDI and had threatened to block agreement of the NATO Strategic Concept at the Washington summit unless this point was stressed. The Americans agreed to back Ankara and “at the eleventh hour” the EU members of NATO agreed to placate Ankara and “take into account the full participation of all European Allies if they were so to choose.” (The NATO Strategic Concept 1999. Para. 30.104; Donfried and Gallis 2000: 4). Furthermore the Washington Summit Communiqué stated:

“We attach the utmost importance to ensuring the fullest possible involvement of non-EU European Allies in EU-led crisis response operations, building on existing consultation arrangements within the WEU.”¹⁰⁵

However the ambiguity over the EU NATO relationship remained. The Washington declaration still appeared to presume this would be done as part of an ESDI within NATO rather than an ESDP outside of it.

This uncertainty was clarified somewhat at the Cologne European Council summit in June 1999 when the concept of a European Security and Defence Policy was unveiled along with plans for the “possibility of integrating the WEU into the EU.”¹⁰⁶ The Cologne European Council Presidency conclusions attempted to allay the American concerns of undermining NATO and alienating the non EU NATO members, but it was clear that ESDP would be an EU-led organisation.

¹⁰³ Senior Turkish Diplomat B – interview – March 2010

¹⁰⁴ NATO, The Alliance’s Strategic Concept, April 24th 1999,

¹⁰⁵ NATO, Washington Summit communiqué April 24th 1999, *An alliance for the 21st century* Paragraph 9d: “We attach the utmost importance to ensuring the fullest possible involvement of non-EU European Allies in EU-led crisis response operations, building on existing consultation arrangements within the WEU. We also note Canada’s interest in participating in such operations under appropriate modalities.”

¹⁰⁶ Cologne EU Council Presidency conclusions, June 3-4th 1999, Annex, *Presidency Report on Strengthening of the common European policy on security and defence*, Sec.1.

“We welcome the results of the NATO Washington summit as regards NATO support for the process launched by the EU and its confirmation that a more effective role for the European Union in conflict prevention and crisis management will contribute to the vitality of a renewed Alliance. In implementing this process launched by the EU, we shall ensure the development of effective mutual consultation, cooperation and transparency between the European Union and NATO. We want to develop an effective EU-led crisis management in which NATO members, as well as neutral and non-allied members, of the EU can participate fully and on an equal footing in the EU operations. We will put in place arrangements that allow non-EU European allies and partners to take part to the fullest possible extent in this endeavour.”¹⁰⁷

The last sentences of this paragraph again are reassuring *prima facie* but neither Turkey nor the USA was satisfied as it varied considerably from the NATO Washington Summit declaration and made no commitment to matching the WEU conditions for Turkey. For this reason it was “.....not surprising that the U.S. administration concluded that the EU had broken trust over this issue.” (Hunter and Farley 2002:57). Until this point the USA had felt that it could impose a limit on the size of the ESDP. They gradually realised that this was not the case and that “even the UK” would resist attempts through NATO to “freeze” ESDP at a certain point.¹⁰⁸

This EU attitude to ESDP was “decisively influenced by Kosovo and the whole history of the European performance in the Western Balkans in the 1990s...” (Peters, I. 2004: 392). Kosovo in particular galvanised support for and provided the “political will” necessary to drive

¹⁰⁷ Cologne EU Council Presidency conclusions, June 3-4th 1999, Annex, Presidency Report on Strengthening of the common European policy on security and defence, Sec.3.

¹⁰⁸ Senior NATO official – interview - March 2010. He added that this continued until divisions arose over the Iraq War in 2003.

ESDP forward¹⁰⁹. There was a feeling that “...this is our backyard and we should be able to sort it out...we need to speak with one voice.”¹¹⁰ The appointment of the outgoing Secretary General of NATO, Javier Solana, (as opposed to an EU insider) is another example of this change of attitude to European security (Bilgin 2001).

“It was not that the EU did not want to rely on NATO...it was not a competition with NATO...it was just that defence was something that the Europeans needed to be able to do themselves. You could trace that back to the Brussels Treaty of 1948.”¹¹¹

However whilst the EU changed its attitude to security capability it did not alter other aspects of its institutional identity. EU “theologians”¹¹² within the EU Council secretariat wanted to make ESDP “conform as much as possible to existing EU rules”. There was “no way the EU could change its institutional cloth to suit them (Turkey).”¹¹³ For this reason priority was given to “...getting the institutional arrangements right over the need to produce concrete pragmatic results.”¹¹⁴ The EU was unwilling to countenance non EU member involvement in ESDP and rejected Turkish participation on the associate *de facto* grounds it had enjoyed within the WEU. For its part the Turkish government found it hard to understand why the WEU arrangements could not carry over into ESDP and why the EU “...had to be so orthodox.”¹¹⁵ When the Turkish government realised “...they were not going to be part (of ESDP) in the same way as the WEU the Turkish military in particular were very upset.”¹¹⁶ Turkey became insecure about its place within the western security architecture and the ability of the USA to make Ankara’s case.

¹⁰⁹ Senior UK diplomat D – interview - April 2010.

¹¹⁰ Swedish Diplomat – interview – March 2010.

¹¹¹ Senior ESDP advisor A – interview – March 2010.

¹¹² Those EU officials dedicated to upholding the norms and values of the EU. Source: Senior WEU official – interview – February 2010.

¹¹³ Senior ESDP advisor A – interview – March 2010.

¹¹⁴ Senior WEU official – interview – February 2010.

¹¹⁵ Senior Turkish Diplomat C – interview – March 2010.

¹¹⁶ Senior ESDP advisor A – interview – March 2010.

Another reason the EU was so unwilling to accommodate Turkey within ESDP was a suspicion that the Turkish government was trying to use ESDP as a way of circumventing the strict conditionality of the Copenhagen criteria. This view was common within European member state diplomatic and elite actor circles. There was still reluctance amongst member states to engage with Ankara because of normative concerns and suspicion of Turkey's real motives:

“...they thought that it was a way of (Turkey) getting in....that they could participate in (ESDP) and demonstrate their indispensability and get in by the back door. The EU realised what they were doing and were all the more determined not to give them a free ride.”¹¹⁷

However, there was a problem with this approach. A European Security and Defence Policy would require access to NATO capabilities. As a NATO member Turkey possessed a veto on this agreement¹¹⁸. The EU member states were slow to acknowledge the level of Turkish anxiety over ESDP but after the Cologne European Council there was a gradual realisation that they would have to take Turkey into account if ESDP was to progress. The UK in particular was aware of Turkish concerns and their potential to stall ESDP. Tony Blair was “...not going to allow (ESDP) to be obstructed by (Turkey).”¹¹⁹ Thus, EU candidacy, at Helsinki, was seen in Whitehall as a placatory *quid pro quo* for Ankara which in the opinion of the Foreign Secretary Robin Cook would put the “ball in Turkey's court” to meet the Copenhagen criteria, something he was “quite sceptical” they could achieve in the short or medium term.¹²⁰ In this way Kosovo, and the ESDP it engendered, can be said to have acted as a catalyst in the progress of Turkish candidacy in 1999. Kosovo prioritized the need

¹¹⁷ Senior NATO official – interview - March 2010

¹¹⁸ In due course agreement on the Berlin Plus arrangements were not finalised until December 2002 because of Turkish blocking tactics (Cameron 2005: 21) or what Missiroli (2002) has described as the “problem of Turkey” (See also Bilgin 2003).

¹¹⁹ Senior policy advisor UK Foreign Office – interview – March 2010.

¹²⁰ Senior policy advisor UK Foreign Office – interview – March 2010. Also Robin Cook was “more exercised” about Turkey's human rights record than Downing Street.

for a solution to the Cyprus issue for the US which was keen to eliminate causes of conflict within NATO.

Whilst these can be characterised as “hard power” consequences of the Kosovo conflict, there were also “soft power” (Nye 2004) consequences which impacted on the Turkish case for candidacy. The next section looks at the impact of Kosovo on the on-going EU eastern enlargement process and the implications this had for Turkey.

1.6. The EU - Enlargement

The eastern enlargement of the EU may now seem like an obvious step to have taken but this was not always the case. For much of the process it was “far from taken from granted.” (Sedelmeier 2005: 3) and the sheer scale of the eastern enlargement round has also puzzled academics (Vachudova 2007; Brennan 2006). It has been argued that the Kosovo conflict of early 1999 can explain the development and scale of eastern enlargement as it “...led to a rethinking of enlargement strategy...” and changed member state attitudes to eastern enlargement as well as the Turkish case (Baun 2000: 123). Eastern enlargement had come to be seen as a high stakes policy and it was felt that “...if the EU had failed enlargement to the east we would have written the EU off...it was the soul of the EU that was at stake.”¹²¹ Additionally the change of attitude to the eastern enlargement round obliged the more reluctant member states to consider the Turkish case more sympathetically.

In 1997, following the publication of Agenda 2000, the Luxembourg European Council had agreed to start accession negotiations with five CEECs and encourage another five to continue reforms. These were the “ins and the pre-ins” as laid down by the then External Relations Commissioner Hans van den Broek (Baun 2000: 86). Whilst efforts were made not to alienate the “pre-ins” there was a level of conditionality implied. The effect of the Kosovo conflict was to lower this level of conditionality by 1999. As it happened, three of the “pre-ins” not deemed ready at Luxembourg – Latvia, Lithuania and Slovakia – had made good

¹²¹ Senior official in European Council DG enlargement B – interview – March 2010.

progress. However the remaining two, Bulgaria and Romania, “might not have been (included) in 1999 had it not been for the war in Kosovo.” (Smith, J. 2000: 122).

The governments of Bucharest and Sofia had co-operated with sanctions on Serbia and provided vital access to their airspace during the NATO air campaign on Belgrade¹²². They had also taken in large numbers of refugees from Kosovo¹²³. Dealing with a potential refugee influx to western Europe “scared the Europeans (member state governments) to death”¹²⁴ and was a primary motivation in member state capitals to extend eastern enlargement as far as possible in order to reward favours already done and to incentivise existing and future candidates to work towards liberal democracy. Tony Blair was a major advocate of both Bucharest and Sofia for these reasons¹²⁵. It has been suggested that Blair may have “precipitated” their candidacy by talking it up during visits to Bulgaria and Romania in May 1999 (Smith.J. 2000: 122.). Blair’s view was that enlargement should be a foreign policy tool to incentivise domestic reform and maximise the chances of future stability and prosperity in wider Europe¹²⁶ and was “clearly in favour of this.”¹²⁷

By October 1999, the EU member states were taking a “strategic view of (eastern) enlargement” rather than one based on “objective criteria”¹²⁸ because, within the Commission, it was felt that bringing in the remaining CEECs was the most likely way to foster “long term stability” for eastern Europe and “...without Kosovo this would not have happened”¹²⁹. This development would certainly have made it more difficult for the European Commission and member states to argue the case for strict conditionality with regard to Turkey. Ankara had already demonstrated its sensitivity to being treated differently to other applicant states after Luxembourg (Nugent 2007). In addition, Turkey’s own geostrategic importance to the EU and NATO had also been highlighted by the Kosovo conflict. The

¹²² Agence France Press, May 27th 1999. *NATO bombing hits new peak.*

¹²³ Agence France Press, March 25th 1999. *European countries brace for influx of Kosovo refugees.*

¹²⁴ Senior official in European Council DG enlargement C – interview – March 2010.

¹²⁵ Senior UK Diplomat C – interview April 2010.

¹²⁶ Senior UK Diplomat B – interview March 2010.

¹²⁷ Senior European Commission official D – interview – August 2010.

¹²⁸ The Economist – October 2nd 1999 – *Enlarging the EU – A new pace?*

¹²⁹ Senior European Commission official D – interview – August 2010.

Incirlik airbase had become a hub for attacks on Belgrade; Turkey had also provided eleven F-16 fighter planes and put an infantry battalion on standby should ground troops be authorised¹³⁰. Within the EU Commission DG Enlargement there was tacit acknowledgement that Turkey had “played a very important role for the logistics of NATO...” which created a “new momentum in relations”¹³¹. Thus the Kosovo conflict highlighted the soft power desirability of eastern enlargement, Turkish accession and Turkish geostrategic value. However eastern enlargement brought with it the contentious and intractable issue of Cyprus.

2. Changes of heart

The previous section has outlined how the geostrategic structural considerations were changing in the late 1990s in favour of the Turkish case. It outlined how the Kosovo crisis in particular added an imperative on the USA and the EU to resolve the tensions in the eastern Mediterranean. For Washington this was driven by NATO considerations of the need for unity in the face of pending conflict and for Brussels it was driven by both the development of ESDP and the CEEC enlargement round. The result of these factors was a gradual change of attitude to the Turkish case during the second half of 1999. This was affected by several factors which will be addressed within this section.

2.1. The “Ecevit letter”

The UK government had been telling the Turkish government for some time that accession was dependent on an improvement in its human rights and democracy record and for any progress to be made Ankara would have to “...set out how they were going to address all their failings under the Copenhagen criteria”¹³². In the spring of 1999 the Ecevit government took the first steps on the road to constitutional reform and it was the German government – which held the Presidency of the EU at that time – which facilitated the development. The

¹³⁰ House of Commons Research Paper, 99/48, April 29th 1999, *Kosovo: Operation Allied Force*

¹³¹ Senior European Commission official A – interview – February 2010

¹³² Senior UK diplomat A – interview – March 2010

newly incumbent SPD (Sozialdemokratische Partei Deutschlands) Prime Minister, Gerhard Schroeder, and his Green coalition counterpart, the Foreign Minister, Joschka Fischer, had been shocked by the barbarity of the ethnic cleansing in Kosovo¹³³ and backed the NATO air campaign against Belgrade in spite of opposition from within their own parties¹³⁴. They also saw the geostrategic logic of encouraging the Turkish case and were mindful of their SPD-voting German Turkish electorate¹³⁵. For these reasons Schroeder used the German Presidency of the EU to push the Turkish case for EU accession by seeking to meet the normative concerns of the majority of Turkey's opponents within the EU member states.

In April 1999 the German EU Presidency asked the Turkish government to write a document outlining "that (they) understood what candidacy meant."¹³⁶ In other words that Turkey realised it would have to make far-reaching constitutional changes to improve democracy and human rights and could not expect simply to be rewarded for its geostrategic significance. In this "stately dance"¹³⁷ the so called "Ecevit letter" was then circulated to all the member states. In effect it was a pledge to reform and an acknowledgement that reform was necessary in order to join the EU.

"....(it) said that we understood perfectly well that it required Turkey to do a lot of things...the membership was not automatic and Turkey realised it had a lot of work to do....."¹³⁸

The Turkish government did what was asked of it but in return stressed that they did not expect to be treated any differently from Romania and Bulgaria. This required acknowledgement that the Copenhagen criteria did not apply to *candidacy* merely to *accession*.

¹³³ BBC Monitoring Europe, Source: ddp ADN news agency, Berlin. April 1st 1999. *German foreign minister sees orgy of expulsion and killing in Kosovo*.

¹³⁴ International Herald Tribune, April 1st 1999, *Pacifists Speaking Up in Bonn*.

¹³⁵ Senior German policy advisor – interview – August 2010.

¹³⁶ Senior Turkish diplomat A – interview - March 2010.

¹³⁷ Senior UK diplomat A – interview – March 2010.

¹³⁸ Senior Turkish diplomat A – interview - March 2010.

“...previously there had been the idea that we should try to fulfil the Copenhagen Criteria...some people like (Anna Lindh¹³⁹) had said that we should fulfil some, if not all, the Copenhagen criteria as the precursor for being given candidate status...which in itself was an insult because the other candidates were given the obligation to meet the criteria before starting accession negotiations.”¹⁴⁰

2.2. The Kurdish issue

The Greece-Turkey relationship arguably hit an all-time low in early 1999 as it slowly became clear that Greece was complicit in harbouring the head of the Turkish military's *bête noire*, the P.K.K. (Partiya Karkerên Kurdistan) leader, Abdullah Ocalan (a.k.a. “Apo”). Ocalan had been resident just over the Turkish border in Syria from 1980 to October 1998 when the Turkish government threatened a military incursion to find him if he was not asked to leave. He did so and began a four month game of global cat and mouse involving Ankara, Athens, the USA and, allegedly, the Israeli secret service Mossad¹⁴¹.

Initially Ocalan went to Moscow and then to Rome. The Italian government refused a request to extradite him to Turkey but he was placed under house arrest in Rome. He left Italy on January 14th 1999 and was rumoured to be in a private plane trying unsuccessfully to apply for asylum in various European countries literally being turned away in mid-air. He was arrested on February 16th 1999 in Nairobi by Turkish agents and was returned to Turkey. Having initially denied knowledge of his whereabouts¹⁴² Greece later admitted Ocalan had been in the Greek Embassy in Nairobi since February 2nd and claimed it had been trying to

¹³⁹ Anna Lindh was the Swedish foreign minister

¹⁴⁰ Senior Turkish diplomat A – interview - March 2010

¹⁴¹ This was denied. See Agence France Press. February 16th 1999. “Israel denies any role in capture of Kurdish leader.”

¹⁴² Athens News Agency, February 2nd 1999. “Government denies press reports of Ocalan's presence in Greece.”

<http://www.greekembassy.org/Embassy/Content/en/Article.aspx?office=2&folder=279&article=3635>

find an African country to take him in¹⁴³. Strong rumours circulated that the Greek Foreign Minister Theodore Pangalos had arranged the private plane and a false passport¹⁴⁴.

Reports of the actual circumstances of Ocalan's arrest vary from the outwitting of Greek diplomats, by Turkish special forces, to their capitulation¹⁴⁵. Either way the episode was a "worst case scenario"¹⁴⁶ for the government of Costas Simitis which came under pressure both from Turkey and from its own nationalist element which saw the arrest of Ocalan by Turkey whilst ostensibly under Greek provision as the betrayal of an ally¹⁴⁷. On February 20th 1999 Foreign Minister Pangalos, and two other senior ministers, resigned.

The implications of Ocalan's arrest directly affected Turkey's EU aspiration positively and negatively. The Greek government's humiliation was compounded when it emerged that the USA had been helping Turkey to track Ocalan¹⁴⁸. This left the Simitis administration in a more vulnerable position when the Americans began to exert pressure on it to cooperate over Turkish EU accession and the Cyprus issue¹⁴⁹. However, the departure of Pangalos enabled Simitis to appoint George Papandreou as Foreign Minister. Papandreou was a liberal on the Turkish issue and this helped to facilitate rapprochement in the eastern Mediterranean later in 1999.

However, the Ocalan case was highly politically sensitive in Turkey. He was sentenced to death on June 29th 1999 after a show trial widely reported in the Turkish and European media and condemned by organizations such as Amnesty International as well as many member states. The death penalty contravened the rules of the Council of Europe, of which Turkey was a member, as well as the norms and expectations of the EU. The implied

¹⁴³ Agence France Press, February 16th 1999. "Kenya confirms Ocalan was in Nairobi, says he left Kenya."

¹⁴⁴ Senior UK Diplomat A – interview – March 2010.

¹⁴⁵ New York Times, February 17th 1999. *In Snatching a Fugitive Rebel, Ankara Wins Opportunities on Several Fronts.*

¹⁴⁶ Agence France Press, February 16th 1999. *Greece faces "worst case scenario" over Ocalan affair.*

¹⁴⁷ The Economist (U.S. ed.) February 20th 1999. *Greece: The Ocalan crisis.* See also The New York Times, February 16th 1999. *Greek Embassy in Nairobi Hands Rebel Kurd to Kenya.*

¹⁴⁸ New York Times, February 20th 1999. *U.S. Helped Turkey Find and Capture Kurd Rebel.*

¹⁴⁹ Although it is true that Costas Simitis was already more sympathetic to the Turkish case than his predecessors had been

criticism however, prompted the petulant response from Bulent Ecevit ¹⁵⁰ and the death sentence on Ocalan hung ominously over the Turkish case for candidacy forming a rallying point for Turkey's opponents within the EU and for opponents to the EU within Turkey.

In late November 1999 the High Court in Ankara upheld the death sentence on Ocalan prompting further warnings from the EU and its member states that Turkey should "forget the Helsinki Summit if Ocalan is executed..."¹⁵¹. Ocalan's right to appeal to the European Court of Human Rights gave both the EU and Turkey a breathing space at the Helsinki European Council but it was clear that in the medium term the Ocalan issue was a potential problem for Turkish progress to meeting the Copenhagen criteria.

2.3. "Earthquake diplomacy"

Relations between Greece and Turkey were crucial to Turkish candidacy prospects because Greece had a veto within the European Council. Greek potential to veto the Turkish case undermined any EU reassurances to Ankara that it would be treated objectively. This was an oft-made demand by Turkey and was an echo of the umbrage taken by Ankara after the Luxembourg European Council in December 1997. In September 1999, in an interview with the Financial Times, the Turkish Foreign Minister, Ismael Cem, spoke of Turkey being "tired of rebuffs" by the EU.

"It has damaged Turkey's image and become humiliating. If it turns wrong at Helsinki, we may not ask for our candidacy again." ¹⁵²

The UK Foreign Secretary Robin Cook told Cem that "...Turkey's aspirations to join the EU must be judged by the same objective standards as any other candidate for membership to

¹⁵⁰ Ecevit said: "The European Union has not even accepted us as a member and we are not about to take a political decision to please them..." Quoted by The Times, July 5th 1999, *Turkish doubts on hanging Ocalan*.

¹⁵¹ German Ambassador to Ankara Hans Joachim Vergau quoted by the Turkish Daily News, November 26th 1999. *European diplomats warn that Ocalan's execution will harm relations*.

¹⁵² Turkish Foreign Minister Ismael Cem. Quoted by the Financial Times, September 2nd 1999, *Turkey warns over EU membership*."

the EU..."¹⁵³. That Robin Cook was able to say this was a reflection of the improvements in Greek-Turkish relations over the summer of 1999 helped by so called "earthquake diplomacy".

On August 16th 1999 western Turkey suffered a serious quake which killed tens of thousands of people. The outpouring of sympathy and aid between Greece and Turkey after the earthquake gave Simitis and Papandreou "...the cover they needed to start normalising relations with Turkey."¹⁵⁴ In other words, the Greek government was also under pressure from other member states to give ground over Turkey and the sympathy invoked by the earthquake enabled Papandreou to succumb to demands by his EU member state counterparts without losing too much support in the domestic arena¹⁵⁵.

In this way there was a change in the Greek stance towards Turkish EU accession. Whilst at the Cologne European Council, in June 1999, Athens had blocked German plans for Turkish candidacy, at a meeting of EU foreign ministers in Saariselka, Finland, on September 5th 1999 Papandreou announced that Greece would support a 600 million Euro loan by the European Investment Bank to Turkey for earthquake reconstruction and neither would it stand in the way of Turkish candidacy of the EU at Helsinki. Papandreou attributed the *volte face* directly to the changes wrought by the earthquakes.

"Because out of this tragedy there was a human warmth that came out between the two peoples. The citizens took the lead in diplomacy. It went beyond the political leaderships of the two countries, and they have sent a very strong message to us that we must work for peace. I just hope that this climate can remain."¹⁵⁶

¹⁵³ Agence France Press, September 2nd 1999. *EU must treat Turkey like all applicants: Cook.*

¹⁵⁴ The Times, September 7th 1999, *Quake softens Greek stance on ancient foe.*

¹⁵⁵ In advance of the meeting of EU foreign ministers at Saariselka, Finland, in early September 1999 an EU spokesman was briefing that "...foreign ministers of 14 EU members will try to convince the 15th - Greece - to continue on the road to normalization of relations with Ankara." Agence France Press, September 2nd 1999. *EU FMs to try to persuade Greece to lift aid embargo on Turkey.*

¹⁵⁶ United Press International, September 6th 1999, *Europe hails Greek support for Turkey.*

Moreover Papandreou added:

"We want to become the steam engine inside the EU to help Turkey's European course."¹⁵⁷

"Greece is saying very clearly that it is in Greece's interest to see a European Turkey".¹⁵⁸

George Papandreou, and his deputy, Yiannos Kranidiotis, had come to the conclusion that Turkish accession was in the best long term economic and security interests of both Greece and the Republic of Cyprus¹⁵⁹. Amongst UK Foreign and Commonwealth Office (FCO) officials Papandreou was seen as having used the "earthquake to his credit"¹⁶⁰.

"For Papandreou, bad relations with Turkey damaged Greece, necessitating a high rate of defence spending and sacrificing many commercial and economic opportunities in Turkey's large and rapidly growing market. Moreover he saw that the alienation of Turkey from the EU was contrary to Greece's interest since it was liable in the long run to destabilise Turkey and leave Greece with an erratic unpredictable but still powerful neighbour." (Hannay 2005: 98)

When, on September 7th 1999, Greece suffered its own earthquake, Turkish rescue teams were amongst the first on the scene. This further created a climate of cooperation with popular support in Greece and Turkey. However the problem was abated but it was not solved. In all his statements, Papandreou was at pains to separate the Cyprus issue from the Turkish case. Neither had Greece agreed to lift its veto on Turkish Customs Union funds being released. Whilst "earthquake diplomacy" had helped to produce a new climate for

¹⁵⁷ United Press International, September 6th 1999, *Europe hails Greek support for Turkey*.

¹⁵⁸ The Times, September 7th 1999, *Quake softens Greek stance on ancient foe*.

¹⁵⁹ Senior UK diplomat A – interview – March 2010.

¹⁶⁰ Senior UK diplomat A – interview – March 2010.

cooperation between Athens and Ankara, Cyprus remained a serious problem in Greco-Turkish, and therefore Turco-EU, relations.

The EU member states which advocated Turkish accession – including France, Germany and the UK – were pleased with the Greek change of heart at Saariselka which promised to simplify the complexity of Turkish candidacy. The three factors outlined above had enhanced the Turkish case. The Ecevit letter had gone some way towards addressing the normative concerns. Similarly the Ocalan episode had weakened Greece to some extent and the earthquakes had helped to promote co-operation. However, opposition remained within Greece and also other member states, on both normative and cultural grounds.

3. The road to the Helsinki European Council

The next section will examine the context in which the decision to offer candidacy to Turkey at the Helsinki European Council was taken. It will look at the actions of the EU member states, the European Commission and the impact of the Cyprus issue before turning to the Council itself.

3.1. EU member states

By September 1999 Turkey had influential advocates within the EU in the form of the UK and Germany. Moreover other member states were falling in line, persuaded by the Kosovo arguments already outlined. The long term view of the UK's FCO was that Turkish accession to the EU would be a geostrategic benefit¹⁶¹ and this was a view they were keen to encourage New Labour ministers to adopt in full¹⁶². Germany too had come to see the Turkish case on geostrategic grounds in early 1999 and had been a major instigator of the Ecevit letter and attempts to push candidacy for Turkey onto the agenda at the Cologne European Council. In the event, the Turkish case at Cologne was overshadowed by a

¹⁶¹ Senior UK Diplomat D – interview – April 2010. NB: One does not have to speak to a UK diplomat for long before this view is expressed. This was my experience without exception during my fieldwork.

¹⁶² Senior UK politician B – interview – March 2010; Senior policy advisor UK Foreign Office – interview – March 2010.

combination of Greek opposition to it and the dramatic end of the Kosovo conflict. However, after Cologne, Gerhard Schroeder expressed “regret” to Turkey about what had happened¹⁶³ and this was followed up, with a visit to Ankara, by the German foreign minister Joschka Fischer¹⁶⁴ and by the German ambassador to Ankara, Hans Joachim Vergau, *in situ*¹⁶⁵. In July 1999, Italy, which had been in serious dispute with Turkey over Abdullah Ocalan in February, also pledged to support candidacy (although crucially not membership without improvements to Turkey's human rights record)¹⁶⁶. France was more circumspect but by the time of the Saariselka meeting, in early September 1999, Paris was working towards the goal of candidacy for Turkey.

However support for Turkey was not unanimous. At Saariselka, the Swedish foreign minister, Anna Lindh had stated that Sweden was “*not* Turkey's adversary” but was a “defender of human rights.”¹⁶⁷ Sweden's (and also Denmark's to a lesser extent) view was that Turkey should meet more of the Copenhagen criteria *before* candidacy could be granted¹⁶⁸. At this time, Turkey also faced underlying cultural opposition and there was “still a view that the EU was a Christian club and a Catholic one at that...”¹⁶⁹ This group included the Belgians and, to a greater extent, Wolfgang Schussel of Austria who argued that Turkey was too far from meeting the Copenhagen Criteria to be considered for candidacy although this was not given much credence¹⁷⁰.

These normative and cultural objections to the Turkish case were however beginning to weaken as momentum gained in Turkey's favour. The initial gesture by George Papandreou in early September – perhaps nudged by some of his fellow EU foreign ministers was very

¹⁶³ Agence France Press, June 4th 1999. *Germany fails in bid to get EU ties to Turkey back on track*; Turkish Daily News, June 9th 1999. *Schroeder: “I’m sorry.”*

¹⁶⁴ Turkish Daily News, July 21st 1999. *Fischer to reaffirm Bonn's wish for better relations with Ankara.*

¹⁶⁵ Turkish Daily News, August 12th 1999. *Ambassador Vergau: Germany supports Turkey's EU candidacy.*

¹⁶⁶ Agence France Press, July 28th 1999. *Dini says Italy supports Turkish quest to join EU.*

¹⁶⁷ Turkish Daily News, September 15th 1999. *Ankara breaks the ice with European Union.*

¹⁶⁸ Deutsche Press Agentur, September 10th 1999. *Ankara sends minister to Brussels in sign of diplomatic thaw.*

¹⁶⁹ Senior policy advisor UK Foreign Office – interview – March 2010.

¹⁷⁰ Senior UK diplomat B – interview – March 2010

important to the Turkish case for candidacy as it had "...encouraged the Turks that accession was not as impossible as they had thought it was"¹⁷¹. In Brussels' eurocratic circles George Papandreou and Ismael Cem were widely seen as "enlightened personalities" and their personal "good chemistry" enabled them to build a trusting working relationship¹⁷². Ismael Cem was invited to a meeting of EU foreign ministers, in Brussels, on September 14th 1999 to make Turkey's case for EU membership and, crucially, to outline Turkey's commitments to the Copenhagen criteria and how it would go about meeting them¹⁷³.

The mood amongst the foreign ministers in Brussels on September 14th was broadly positive. Speaking afterwards the French Foreign Minister, Hubert Vedrine, said:

"It was the most interesting meeting I have ever had with Turkey...We are now at a new phase when we are not fighting any more about Turkey but are all trying to find clever solutions." ¹⁷⁴

The following week, Ismael Cem continued his diplomatic charm offensive at the United Nations General Assembly meeting in New York. Cem held further meetings with EU foreign ministers and was pushing for a firm commitment to candidacy at the forthcoming Helsinki European Council . In addition the Turkish business lobby group TUSIAD¹⁷⁵ toured EU capitals in October and November 1999 making the Turkish case to business and civil society groups¹⁷⁶.

3.2. European Commission

Whilst progress was being made in the intergovernmental fora, the European Commission was preparing to publish its progress report on Turkey. The incoming enlargement Commissioner Gunther Verheugen had already made clear his intention to support the Turkish case. Verheugen had been a member of Gerhard Schroeder's inner circle in the

¹⁷¹ Senior UK diplomat A – interview – March 2010

¹⁷² Senior European Commission official A – interview - February 2010.

¹⁷³ Turkish Daily News, September 7th 1999. Will Greeks bearing gifts open EU route for Turkey?

¹⁷⁴ Turkish Daily News, September 15th 1999. Ankara breaks the ice with European Union.

¹⁷⁵ Türk Sanayicileri ve İşadamları Derneği - Turkish Industrialists' and Businessmen's Association

¹⁷⁶ Turkish NGO official A – interview – March 2010.

SPD government and was very familiar with the Ecevit letter and the geostrategic argument for Turkey. He told the European Parliament Foreign Affairs Committee on September 1st 1999 that the Turkish issue should be addressed at Helsinki with the caveat that Turkey should continue to demonstrate willingness for constitutional reform¹⁷⁷.

The 1998 EU Commission progress report on Turkey had highlighted “persistent human rights violations” and “major shortcomings in the treatment of minorities” as well as the “major role played by the army in political life.” Whilst acknowledging the Turkish government’s commitment to combat human rights violations it noted “...this has not so far had any significant effect in practice.”¹⁷⁸ The October 1999 progress report was only slightly more encouraging in substance. It noted “encouraging signs of democratisation” but “serious shortcomings in terms of human rights and protection of minorities” remained and although the basic features of a democratic system existed in Turkey “...it still does not meet the Copenhagen political criteria”¹⁷⁹. It proposed a set of measures to increase political dialogue, to provide financial assistance and help to meet the *acquis communautaire* and thus the Copenhagen Criteria.

On this basis whilst more encouraging – or perhaps less discouraging – than the previous year there were still a lot of reasons for Turkey’s critics to be sceptical¹⁸⁰. In a speech of November 4th 1999, Gunther Verheugen made a geostrategic case for Turkish candidacy. Verheugen argued that the EU was duty bound to consider Turkey as an accession candidate because eligibility was already conferred. Moreover it was in the best interests of the EU to consider Turkey because the alternative was that Turkey may lose its westward security orientation. Whilst acknowledging Turkey’s shortcomings in human rights and democracy he said:

¹⁷⁷ Financial Times, September 2nd 1999, *Turkey warns over EU membership*.

¹⁷⁸ European Commission, 1998, Regular Report from the European Commission on Turkey’s Progress towards accession. Sec 1.4.

¹⁷⁹ European Commission, 1999, Regular Report from the European Commission on Turkey’s Progress towards accession. Sec 1.4.

¹⁸⁰ Not least the death penalty on Abdullah Ocalan.

“At the same time there are the geopolitical and strategic arguments that make it imperative to support Turkey's affiliation with Europe, bring about democratic change in Turkey, encourage it to change its position on Cyprus and put its relations with Greece on a sound footing.

If we deprive Turkey of the prospect of accession, we will be held responsible for everything that goes wrong in the country. Then the question might become: “Who lost Turkey?”¹⁸¹

Verheugen had “grasped the strategic importance of Turkey...partly due to the Balkan War....” and so had many of his officials within the Commission¹⁸². Moreover the “Who lost Turkey?” speech of November 1999 was an obvious attempt to make put geostrategy above normative concerns.

However, it is also important to note here that an offer of candidacy for Turkey was not as significant as it first appeared because Turkey was not actually expected to meet the Copenhagen criteria. Within the Commission it was acknowledged that “candidacy” was “meaningless” unless accompanied by compliance with the Copenhagen criteria¹⁸³ and that was “... something which everybody considered impossible...including Gunther Verheugen himself.”¹⁸⁴ The view of European Commission officials at that time, was that if the EU offered Turkey candidacy the ball would be “...in Turkey’s court”. This was a view shared by the UK foreign minister Robin Cook who was “quite sceptical about the short term prospects (of Turkey meeting the Copenhagen Criteria)”¹⁸⁵. For the EU candidacy was purely instrumental as a means of placating Turkey enough to smooth the eastern enlargement process and ESDP. It was not expected that Ankara would actually meet the Copenhagen

¹⁸¹ Speech by Gunther Verheugen. *The second decade: Towards a new and integrated Europe*, 4th November 1999, Den Haag.

¹⁸² Senior European Commission official A – interview – April 2009

¹⁸³ Senior European Commission official B – interview - April 2009.

¹⁸⁴ Senior European Commission official A – interviews – April 2009/March 2010.

¹⁸⁵ Senior policy advisor UK Foreign Office – interview – March 2010.

criteria anytime soon but if candidacy was to encourage reforms at some stage this was a positive. Paradoxically, the fact that Turkey was not expected to meet the criteria may have encouraged sceptical normative opponents to suppress their dislike of Turkey's application in favour of the geostrategic case put forward by Gunther Verheugen.

3.3. Cyprus

During 1999, the USA was continuing its efforts to solve the Cyprus issue in order to further Turkish candidacy. In June 1999 it (with the UK) had "encouraged" the G8 group of nations to call on the two sides in Cyprus to resume talks under the auspices of the United Nations (UN)¹⁸⁶. This was reiterated by UN Security Council resolution 1250¹⁸⁷. However, the Turkish Cypriot leader Rauf Denktash was predictably uncooperative. In a reply to Kofi Annan he said:

"The European Union was once the grave digger of negotiations, the same failure awaits the G-8...no one can pull my ear and force me to sit at the negotiation table."¹⁸⁸

However Denktash was not entirely right about this. Whilst he had considerable influence over Bulent Ecevit, who largely agreed with him, Ecevit was in coalition with two other parties. Additionally, the issue of Cyprus at that time was clearly connected to Turkey's EU aspiration and thus neither Ecevit nor Denktash was a "free agent" as the US was intent on turning the situation around (Hannay 2005: 108-109).

When Bulent Ecevit went to Washington to see President Bill Clinton, in late September 1999, Cyprus was high on the agenda¹⁸⁹. Ecevit had been the Prime Minister in 1974 who

¹⁸⁶ Agence France Press. June 11th 1999. *Cyprus hails G8 call for unconditional negotiations with breakaway north.*

¹⁸⁷ Agence France Press. June 29th 1999. *UN Security Council calls for autumn peace talks in Cyprus.*

¹⁸⁸ Xinhua News Agency. June 24th 1999. *No one can force Turkish Cypriots into talks: Denktash.*

¹⁸⁹ Although so were Kosovo, Northern Iraq, the Baku-Ceyhan oil pipeline, trade and drug/ people trafficking. See *Remarks Prior to Discussions With Prime Minister Bulent Ecevit of Turkey and an Exchange With Reporters*, September 28, 1999, The American Presidency Project. www.presidency.ucsb.edu and BBC News Online, September 29th 1999, *Clinton calls for Cyprus deal.*

gave the order to invade northern Cyprus and it was extremely politically sensitive to him. However, it seems clear some pressure was exerted on Ecevit whilst he was in Washington.

Before he went Ecevit told reporters:

“It will be not realistic to expect the Cyprus question to be solved with Greece's contribution while the main problems between Turkey and Greece remain unsolved (Aegean disputes). The Cyprus question should be solved between the two communities on the island. In accordance with our opinion, there is not any problem on Cyprus. But those who claim that there is a problem should leave its solution to the communities on the island. Otherwise, I do not think that it would be useful to add the Cyprus question to the problems which have not even been discussed between Turkey and Greece.”¹⁹⁰

However, after the meeting which he described as “friendly and fruitful” Ecevit said:

“We have agreed that there could be no return to the status quo on Cyprus to the pre-1974 period. We have supported the idea of President Clinton to send his special representative to the region next week to search if a basis, appropriate to progress, exists or not.”¹⁹¹

Clinton had “made it very clear that the US wanted settlement negotiations to begin and, when he got a predictably negative reaction, that he was not prepared to take no for an answer.” (Hannay 2005: 109).

In September 1999 Al Moses and Tom Weston took over from Richard Holbrooke as Bill Clinton's Cyprus envoy and were told to “go solve the problem” with a “license to pressurise Athens and Ankara” as necessary in order to “clear the way to the future.”¹⁹² Cyprus was

¹⁹⁰ Anatolia News Agency, Ankara, in English, 26 Sep 99, BBC Monitoring Europe.

¹⁹¹ Anatolia News Agency, Ankara, in English, 29 Sep 99, BBC Summary of World Broadcasts

¹⁹² Senior USA State Department official – interview – March 2010.

seen by Washington as a local difficulty with wide implications¹⁹³ and Clinton was keen for progress to be made on the Cyprus issue *before* his visit to the OSCE summit in November 1999. He remained closely involved in the Cyprus issue and was a “huge advocate” of the Turkish case for accession to the EU:

“There was a huge effort made by the USA in advance of the Helsinki summit to try to make the case (for Turkey)...we were really explicit about it. (Clinton) talked it up all the time.”¹⁹⁴

Following this meeting Moses and Weston undertook a month of shuttle diplomacy which enabled Bill Clinton to announce, on his way to the OSCE summit in Istanbul in November, aboard Air Force One, that both Cypriot leaders had agreed to resume talks under UN auspices on December 3rd 1999 – the week before the Helsinki European Council ¹⁹⁵.

At this stage the Greek government's support for Turkish candidacy remained conditional on the smooth progress of Cyprus into the EU i.e.: that Cypriot entry should not depend on finding a solution to the Cyprus issue as a whole. Conversely, Denktash was threatening non-compliance if Cyprus went forward¹⁹⁶. Thus, in spite of the earthquake diplomacy effect, Ismael Cem's charm offensive in the capitals of the EU member states and multifarious efforts by Turkey's advocates old and new, the issue of Cyprus remained problematic at Helsinki.

Bulent Ecevit's attitude to the Cypriot issue was influenced by his past. He “felt the burden of his previous prime ministerships” when dealing with Cyprus and the EU. Previously he had opposed EU membership and ordered the invasion of Cyprus. Now he felt under pressure to follow Turkey's European calling – particularly because of the strong public support for it -

¹⁹³ The Washington Times. September 29th 1999. *Turkey accepts offer for Cyprus envoy: move raises hopes for talks with Greece.*

¹⁹⁴ Senior USA State Department official – interview – March 2010.

¹⁹⁵ The Washington Post, November 15th 1999. *Cypriot Leaders Agree to Talks.*

¹⁹⁶ Agence France Press. December 1st 1999. *Denktash vows to snub Cyprus talks if EU application proceeds.*

but “his heart wasn’t in it” and he certainly was not going to make big concessions on Cyprus for the sake of it¹⁹⁷.

“I am not convinced that he was very much in favour of membership (of the EU)...he did not believe in it...but he felt that having been offered this opportunity...that if he turned it down he would never be able to live it down.”¹⁹⁸

The Greek government meanwhile tempered “...any EU support for the UN’s efforts to find a settlement with a clear statement that it must not be an absolute precondition for Cyprus joining the EU.” (Hannay 2005: 112). On this Greece and the Cypriots were “immoveable”. Neither Turkey nor Greece enhanced their reputations within the EU over the Cyprus issue and both were seen by EU diplomats as “....bloody minded.”¹⁹⁹. As the Helsinki European Council approached therefore Turkey and Greece remained at stalemate over the Cyprus issue. The EU could not progress with the CEEC enlargement round without the inclusion of the Republic of Cyprus. However the inclusion of Cyprus without some concession to Ankara would alienate the Turkish government further which was not considered to be in the security interest of the EU. The EU therefore faced the choice of undermining the CEEC enlargement round or alienating Turkey.

3.4. The Helsinki European Council – December 1999.

According to insiders, Helsinki was a “crazy” summit which was “fraught and quite exciting”²⁰⁰. As it approached, whilst the normative arguments against Turkey had been countered by the Ecevit letter and cultural arguments by the securitisation approach of the “Who lost Turkey?” argument²⁰¹, the Cyprus issue remained problematic. Two days before

¹⁹⁷ Senior Turkish diplomat A– interview – March 2010.

¹⁹⁸ Senior Turkish diplomat A– interview – March 2010.

¹⁹⁹ Senior UK diplomat D - interview April 2010.

²⁰⁰ Senior European Commission official A – interview – February 2010

²⁰¹ Additionally both were tempered as well by the belief that Turkey was extremely unlikely to meet the Copenhagen criteria anyway.

Helsinki, Athens was the only member state which hadn't given its backing to Ankara and was insisting that Cypriot accession to the EU should not be linked to the UN peace process.

Ecevit was equally immovable and the day before the Helsinki European Council began he declared he had "no intention of compromising on either the Aegean or the Cypriot issue" and furthermore "...everyone should know that Turkey has alternatives other than the E.U."²⁰². In other words the EU faced the choice between allowing Cyprus to enter as a divided island by default and alienating a crucial geostrategic partner or scuppering the eastern enlargement round. The diplomatic effort in the run up to Helsinki was focused on finding a way in which Turkey would not be alienated by the Republic of Cyprus' accession status.

The resulting Helsinki European Council Presidency conclusions on Cyprus were, as Lord Hannay eloquently describes, with typical diplomatic understatement, a "masterpiece of constructive ambiguity" which sought to placate both the Greek and Turkish sides.

9. (a) The European Council welcomes the launch of the talks aiming at a comprehensive settlement of the Cyprus problem on 3 December in New York and expresses its strong support for the UN Secretary-General's efforts to bring the process to a successful conclusion.

(b) The European Council underlines that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made

²⁰² New York Times, December 9th 1999. "*First Question for Europe: Is Turkey Really European?*"

without the above being a precondition. In this the Council will take account of all relevant factors.²⁰³

Whilst the initial Cypriot reaction to this wording was “euphoric” (Hannay 2005: 113), Bulent Ecevit refused to accept it and declined to travel to Helsinki as a “candidate” on those terms. Several EU member state leaders tried to persuade Ecevit by phone including Tony Blair and Gerhard Schroeder²⁰⁴. There was a perceived need within the Commission to find a formula “which allowed us to go along (without losing Turkey) even if there was no solution to Cyprus.”²⁰⁵ There was also frustration in the Commission that the Cyprus process was being managed vicariously through the United Nations which had meant a loss of direct control²⁰⁶.

In the event, Jacques Chirac offered the use of his personal plane for Javier Solana and Gunther Verheugen to fly to Ankara to persuade Ecevit to return with them. Javier Solana rang the US State Department and asked for Bill Clinton to get involved. Clinton told the Turkish government it was a “huge gigantic breakthrough” and the culmination of a decade’s work. He urged Ecevit to see Solana and return with him to Helsinki²⁰⁷.

Other members of Ecevit’s advisory team were also trying to persuade him to cooperate and felt his stance was “nonsensical”.

“There was this rather strange idea that by accepting candidate status Turkey was consenting to the membership of Cyprus on terms acceptable to Greek Cypriots.”²⁰⁸

However Ecevit’s advisors saw that if Turkey did not take up the offer of EU candidacy the Republic of Cyprus’ would go ahead anyway and Turkey would reduce its future chances of

²⁰³ Helsinki European Council, December 10-11th 1999, Presidency conclusions. Section 9, (my italics). See Appendix III.

²⁰⁴ Senior Turkish diplomat A – interview – March 2010.

²⁰⁵ Senior European Commission official D – interview – August 2010.

²⁰⁶ Senior European Commission official D – interview – August 2010.

²⁰⁷ Senior USA State Department Official – interview – March 2010.

²⁰⁸ Senior Turkish diplomat A – interview – March 2010.

candidacy. The advisors also felt the pressure from Bill Clinton and loyalty to the USA for previous support. They made the case to Ecevit that Turkey had nothing to lose. However Ecevit was sensitive to public opinion on Cyprus and wanted reassurance that he would not be accused of having “done a deal” which sold Turkish Cypriots short.

Hence, Solana and Verheugen took a letter from the Finnish Prime Minister Paavo Lipponen clarifying the Helsinki European Council Presidency conclusions. It began:

“Mr Prime Minister,

Today the European Union has set out on a new course in its relations with the Republic of Turkey. I am pleased to inform you officially of our unanimous decision to confer Turkey the status of candidate State, on the same footing as any other candidate....”²⁰⁹

It went on to reassure the Turkish government that its accession was not linked to that of Cyprus and a settlement would not be forced upon them by the International Court of Justice. It urged Ecevit to join the “other candidate states” in a working lunch in Helsinki the following day²¹⁰.

Nevertheless the Lipponen letter was a hard sell to Ecevit. Solana and Verheugen had a hostile reception from both Ecevit and Cem as both were extremely sensitive about how the Cyprus issue would be perceived by Turkish public opinion. They were also keen to establish the terms of the financial package and pre accession strategy which was on offer. On these terms an exhausted Ecevit was reassured that he had not sold the Turkish Cypriots short and finally he agreed to go to Helsinki and for Turkey to be a candidate²¹¹.

²⁰⁹ This had not been cleared with the Greek and there was a “considerable row” (Hannay 2005: 115). For full text of the Lipponen letter see Hannay (2005:115) or Guney (2007) or Appendix I below.

²¹⁰ When the plane arrived in Ankara it was found to have a cracked window and another one had to be sent from Paris to make the return journey to Helsinki. Source: Senior European Commission official A – interview – March 2010.

²¹¹ Senior European Commission official D – interview – August 2010.

Conclusion

This chapter set out to assess why the EU member states agreed to confer candidate status on Turkey at the Helsinki European Council in 1999 when Turkey remained an unpopular applicant. At the Luxembourg European Council, in 1997, the EU had not included Turkey in the CEEC enlargement round because it was too far from meeting the Copenhagen criteria. Thus the Helsinki decision was a puzzle because very little had changed in Turkey in the intervening two years. Therefore it was necessary to look at the EU context to establish what factors had altered to change the policy.

The conclusion is that the decision was the result of a shifting in the wider security environment of Europe in the late 1990s which created the conditions whereby even those member states which retained misgivings about Turkey felt they had little choice but to placate Turkey's EU aspirations for geostrategic reasons. The end of the Cold War had unleashed nationalist forces which destabilized the Balkan region. The Bosnian conflict had shocked public and elite opinion within the member states and created a political will in favour of policies to prevent a recurrence such as eastern enlargement of the EU and ESDP. The impending Kosovo conflict in 1998/99 heightened the sense of unease amongst the EU member state leaders and highlighted a need to do something to prevent the conflict from recurring and spreading through the Balkans. The result of this was to expedite the progress of the CEEC enlargement round and ESDP in 1999 beyond what might otherwise have been the case. However both of these policies required the cooperation, or at least the goodwill, of the Turkish government which was lacking following its rebuff at Luxembourg.

Thus Kosovo hastened the progress of ESDP and CEEC enlargement and these in turn provided the geostrategic need for the EU to placate Turkey. This added to the existing opinion within several member state capitals that the outcome of the Luxembourg European Council had been a mistake and Turkey was too important to either ignore or alienate so an alternative way of dealing with Turkey would have to be found. This is not to say that Turkey was a universally popular candidate merely that these structural geostrategic factors had

crystallized the underlying pre-existing feeling within the EU that Ankara should not be ignored and instead needed to be “managed”. At the same time Kosovo had increased the imperative on the USA to find a solution to tensions in the eastern Mediterranean in order to facilitate relations within NATO. The key to doing this was finding a solution to the Cyprus issue and lobbying Turkey’s case for EU candidacy. This led to Washington being prepared to exert pressure on both Athens and Ankara to these ends.

However, in spite of the pressing geostrategic considerations, the nature of the EU’s “management” of Turkey was driven by its strong liberal democratic identity which would not countenance the lowering of conditionality in Turkey’s case. It was not seen as an option, for example, to make an arrangement whereby Turkey could be fast tracked into the existing CEEC enlargement round or take part in ESDP with full membership rights without being a full member of the EU much to the incomprehension and annoyance of the USA. The decision at Helsinki to offer candidacy was taken because Turkey’s European aspiration had to be “managed” in order to secure cooperation on the geostrategic matters of ESDP and eastern enlargement. The EU’s policy at Helsinki was instead to grant candidacy at the same time as stressing to Ankara that it would be treated in the same way as any other candidate and that would require meeting the Copenhagen criteria. Having made this position absolutely clear however the EU did not appreciate what its position would be if Turkey did actually meet the criteria.

Indeed, there is considerable evidence that the offer of candidacy was made precisely because the EU did not expect Turkey to meet the criteria. Those member states with reservations about the Turkish case believed they were “safe” to acquiesce to Turkish candidacy because it was not thought possible that Turkey would be able to meet the conditionality required of it and therefore Turkish accession would not come to pass. The view within the Commission was that “candidacy” was just a form of words and was meaningless outside of the Copenhagen criteria which were stressed within the Helsinki European Council Presidency conclusions. Seen in this way it was actually a hollow,

perhaps insincere, offer made in order to manage the Turkish accession case more carefully than had been done at Luxembourg because of the increasingly pressing security constraints on the EU.

The empirical conclusion of this chapter therefore is that the shifting of the geopolitical and geostrategic sands in Europe in the late 1990s obliged the EU to change its policy *vis a vis* Turkey for the reasons outlined. The wider need to expedite eastern enlargement and ESDP inclined previously sceptical member states to soften their position in order to “manage” Turkey’s aspiration. However it should also be noted that they were willing to do this because they did not expect Turkey to meet the Copenhagen criteria.

In terms of structure, process and agency the conclusion is that the period up to the Helsinki European Council should be seen as a critical juncture in what was to follow up to 2004. The decision to offer candidacy to Turkey – for the reasons I have described – was structural and is significant not *per se* but because of the processes it initiated which are to be the subject of the next two chapters. Helsinki should be seen as a turning point in Turkey’s EU fortunes and happened as a result of a confluence of extraneous circumstances in 1999 which worked in favour of the Turkish case for EU accession – including the Kosovo conflict and the Turkish and Greek earthquakes. Therefore structural considerations created the circumstances for process to ensue. However there is also evidence of agency on Turkey’s behalf at this early stage. In other words structural considerations cannot take all of the credit for the change of Turkish fortunes at Helsinki.

Both the Blair and Schroeder governments were in favour of the principle of Turkish accession and were working to enable this in 1999. The German government instigated the “Ecevit letter” in March/ April 1999²¹² which was instrumental in making the case for Turkish candidacy with the sceptical member states. The UK government was lobbying the Turkish case behind the scenes and was also trying to find a way forward for the Cyprus issue

²¹² I have not established whether the Schroeder government was acting in collaboration with any other EU member states (UK) in this regard. This would be an excellent future research project.

through Lord Hannay. In 1999 such advocacy was hampered by the unavoidable truth that Turkey was in no way a viable accession state and even the UK and Germany in 1999 did not view Turkey as a viable candidate. Their agency at that stage was directed towards pushing Turkey as a “candidate” in order to “manage” its European aspirations for geostrategic reasons rather than aiming for accession negotiations to be opened. The Ecevit letter was certainly successful in this regard and whilst Lord Hannay’s efforts in Cyprus were less so they may have helped by regaining the trust of Bulent Ecevit enough for him to agree to the candidacy in spite of the implications for northern Cyprus.

In this way then there is evidence of agency as well as structure having influenced the outcome of the Helsinki European Council for Turkey but the real significance of Helsinki lies in the consequences of it. The decision to offer candidacy increased the level of institutional relations between Turkey and the EU and included Turkey within the bureaucratic framework of accession agreements and annual progress reports. This required the EU member states to consider the Turkish case at European Councils as a matter of course and in effect obliged them to have an on-going opinion on Turkey whereas previously they had been able to ignore it.

Simultaneously, candidacy was a psychological fillip to those actors within Turkey who were in favour of EU accession. These were primarily based in the business community of TUSIAD but were also in Ecevit’s own DSP (Democratic Left Party). The boost given by candidacy may even have inspired the formation of the AKP which was motivated by the promise of religious freedoms which EU accession may bring. Whilst the process of constitutional reform was slow, even after 1999, the consequence of Helsinki was that it was seen as a worthwhile option. A third process initiated at Helsinki was the result of the stress placed on the Copenhagen criteria for Turkey by the EU. Having stressed it so highly and made a commitment to Turkey that it would be “treated like any other” the EU would come to be reluctant to renege on the deal for fear of losing credibility. The emphasis on the Copenhagen criteria was made for geostrategic reasons but would come to be a path

dependent ideational process which would eventually “rhetorically entrap” the EU member states and oblige them to agree to open accession negotiations with Turkey in October 2005.

The next chapter will examine the time period 1999-2002 and will explore the implications of the Helsinki European Council in more detail. It will look at the continuing structural factors of ESDP and eastern enlargement and how they impinged on the processes of EU Turkey relations which were running in parallel with them.

Chapter Four: From Helsinki to Copenhagen

The purpose of this chapter is to explore the significance of the decision taken at the 2002 Copenhagen European Council to offer a date for “talks about talks” to Turkey in its on-going quest for EU accession. In short the effect this had was to raise the conditionality in the Turkish case. This chapter will trace the path dependent processes which led from the Helsinki European Council in 1999 to that in Copenhagen three years later. It will outline the consequences of the Helsinki European Council, the processes which ensued and the implications thereof for the Turkish case for accession.

As outlined in Chapter Three, the decision of the Helsinki European Council in December 1999 to make Turkey a candidate country of the EU was taken as a result of structural geostrategic changes which affected the EU in the late 1990s. The unrest in the Balkans led to both the development of a European security capability (ESDP) and the widening of the CEEC enlargement round both of which required some kind of Turkish co-operation. During 1999 there was a tacit acknowledgement amongst the EU member states that Turkey’s long standing aspiration to membership had to be managed for these wider geostrategic reasons. However at the same time it was presumed that Turkey would not meet the entry requirements – the Copenhagen criteria – in the short or medium term, if ever.

So whilst in 1999 it was realised that the treatment of Turkey had been a geostrategic miscalculation this did not mean a wholesale reappraisal by the EU member states. It meant instead that the offer of candidacy was actually the management of the Turkish case in a way which was expected to placate the Turkish government enough to expedite ESDP and CEEC enlargement but not lead to any real change in the Turkish case. The fact that Turkey was not expected to actually meet the entry requirements meant those member states with misgivings – either normative or cultural – had been able to overlook them in the wider geostrategic interests of the EU.

However a by-product of the candidacy offer was to increase the institutionalisation of the EU Turkey relationship through the EU's Accession Partnership Document and the subsequent National Programme for the Adoption of the Acquis (NPAA) from Ankara. Moreover it encouraged those actors within Turkey who were in favour of EU accession. Whilst Bulent Ecevit himself was slow to respond and hidebound by factionalism within his ruling coalition, the result was that Turkey passed a series of significant constitutional reforms by December 2002.

So the need to “manage” the Turkish application led to the offer of candidacy which inadvertently increased the level of institutionalisation in the relationship. However, the very geostrategic considerations which had expedited the EU-Turkey accession process at Helsinki hindered it thereafter. Between 1999 and 2002 it seemed repeatedly as if the Turkish case had stalled permanently as the Ecevit government appeared to be failing to help either the Cyprus issue or ESDP. With regard to ESDP the offer of candidacy at Helsinki had failed to allay Turkish anxiety about their role within it which they suspected correctly would not match that which they had enjoyed within the WEU. This anxiety over ESDP also influenced Turkish policy on the issue of Cyprus as it did not make them any more inclined to exert pressure on Rauf Denktash to enable progress on the Cyprus issue. The deal made with the Cypriots at Helsinki that their EU accession was separate from a deal on the Cyprus issue had further alienated the Ecevit government. The combination and

interaction of these issues were deferred and fudged repeatedly in the three years after Helsinki into a stalemate which had to be solved at Copenhagen if Operation Concordia was to go ahead in March 2003 and the CEEC enlargement round was to proceed smoothly. To admit Cyprus as a divided island “would mean excluding the Turkish Cypriots, importing the 40-year-old Cyprus dispute into the EU, as well as poisoning Turkey’s own EU bid.”²¹³

Thus, that the Copenhagen European Council has been described as “chaotic”²¹⁴ is not surprising. It was the culmination of the EU’s eastern enlargement programme which had become part of the “soul” of the EU²¹⁵. This chapter will argue that the pressing need to settle eastern enlargement with Cyprus as a united island and to find a way of unblocking the Berlin Plus arrangements for ESDP forced the member states as an intergovernmental bargaining body to concede a “date for talks about talks” for Turkey at the Copenhagen European Council in 2002.

Whilst the Copenhagen European Council Presidency conclusions were actually a harried compromise, the “date for talks about talks” produced in the “chaotic” circumstances served to increase the emphasis on the Copenhagen criteria within the Turkish EU accession process and encourage the new AKP government in Ankara to further reform. As I will argue in Chapter Five, by 2004 this “rhetorically entrapped” (Schimmelfennig 2005, 2009) those member states which remained opposed to opening accession talks with Turkey into agreeing to do so.

1. The Legacy of Helsinki

Firstly this chapter will explain the legacy of Helsinki and the *unexpected* consequences of Turkey being given candidacy in December 1999. This section will look at these issues firstly from the European Union’s and then from Turkey’s.

²¹³ Financial Times, December 10th 2002. *Election triggers hope of economic and political renaissance: Victorious AKP focuses on implementing IMF package and its overriding goal of achieving EU membership.*

²¹⁴ Senior UK Diplomat B – interview – March 2010.

²¹⁵ Senior official in European Council DG enlargement B – interview – March 2010.

1.1. The EU

In the European Commission's Regular Report, published in the run up to the Helsinki European Council in 1999, it was made clear that Turkey had not met the Copenhagen criteria.

“Recent developments confirm that, although the basic features of a democratic system exist in Turkey, it still does not meet the Copenhagen political criteria.”²¹⁶

Moreover, as mentioned above, key actors within the European Commission, and the member states, did not actually expect this situation to change in the short or medium term. The granting of candidacy to Turkey at Helsinki was primarily a function of the EU's need to expedite the enlargement process and a general desire to promote democracy in Turkey and thereby maintain stability in the crucial geopolitical eastern Mediterranean region. Candidacy was, in part, a *quid pro quo* for Turkey for the easy ride given to the Republic of Cyprus ²¹⁷. Implicit within this point was the fact that candidacy by itself was meaningless. It was *hoped* that candidacy would encourage Turkey to carry out reform towards the Copenhagen criteria but this was not actually expected to happen. There was a “lack of trust in real Europeanisation by the Turks”²¹⁸ and this was “something which everybody considered impossible.”²¹⁹ (See also Font 2005; 2006). The Helsinki European Council Presidency conclusions made the conditionality of Turkey's position clear.

“Turkey is a candidate state destined to join the Union on the basis of the same criteria as applied to the other candidate States.”²²⁰

²¹⁶ European Commission, 1999, *Regular Report from the European Commission on Turkey's Progress towards accession*. Section 1.4 General evaluation.

²¹⁷ Senior UK Diplomat B – interview – March 2010.

²¹⁸ Senior official in European Council DG enlargement B – interview – March 2010.

²¹⁹ Senior European Commission official A – interview – April 2009. Also Senior UK Diplomat B – interview – March 2010.

²²⁰ Helsinki European Council, December 10-11th 1999, Presidency conclusions, Section 12. See Appendix III.

In order to help Turkey reach this point there would be a “pre-accession strategy” to “stimulate and support” reforms. This would involve “enhanced political dialogue”, increased access to Commission agencies and financial assistance. In due course the Commission would draw up a formal Accession Partnership to bring all aspects of the strategy together into a one legal document. This would give Turkey a plan of necessary action and provide a structure by which the Commission could monitor and assess Turkey’s progress. The Feira European Council Presidency conclusions in June 2000 gently encouraged Turkey to carry out reforms and invited the Commission to make progress on preparing financial assistance for Ankara and the formal Accession Partnership document.²²¹

In November 2000 the Commission’s progress report took a less gentle tone. It noted that political dialogue had continued between Ankara and the EU. The European Parliament’s EC-Turkey Joint Parliamentary Committee had met, trade volumes increased, and a framework for financial assistance had been adopted. However the report criticised the Turkish record on civil military relations, minority rights and corruption. It said Turkey’s record on “torture and ill treatment” remained “largely unchanged”. Whilst, on a positive note, it noted that Turkish society had embarked on a debate on these issues, the report concluded that Turkey was “...slow in implementing the institutional reforms needed to guarantee democracy and the rule of law.”²²²

Using the unpromising 2000 progress report as a base, the Commission began to prepare the formal Accession Partnership document (APD)²²³. It was the object of intense negotiations at the European Council in Nice in December 2000 as the Greek government had lobbied strongly for a solution to the issue of Cyprus²²⁴ to be a precondition of the Accession Partnership Document (APD). These were highly contentious issues in both Ankara and Athens bearing in mind that Cyprus had been the issue which nearly halted

²²¹ Feira EU Council, June 19-20th 2000, Presidency conclusions.

²²² European Commission, 2000, *Regular Report from the European Commission on Turkey’s Progress towards accession*. Section 1.4, General evaluation.

²²³ Official Journal of the EU, L085 – 24 March 2001, <http://eur-lex.europa.eu/JOIndex.do>

²²⁴ And the territorial spats over the Aegean islands of Imia/Kardak

Turkish candidacy at Helsinki. In the event a document was drafted by the French Foreign Minister Hubert Vedrine²²⁵ which “fudged the wording so it could be interpreted favourably by all parties and in different ways by analysts in each country” (Kuniholm 2001:13). The APD was published on March 8th 2001 quickly followed in Ankara by the National Programme for the Adoption of the *Acquis* (NPAA)²²⁶. In so doing the EU maintained the Turkish accession process but deferred the problem of Cyprus until the end of 2002²²⁷.

Furthermore, at the Gothenburg European Council in June 2001, the Presidency conclusions welcomed what had been achieved - the “enhanced political dialogue” and the NPAA - but warned that further progress was needed in “areas such as human rights.”

“Turkey is urged to take concrete measures to implement the priorities of the Accession Partnership which is the cornerstone of the pre-accession strategy.”²²⁸

At this stage, therefore, Turkey was not considered to have made significant progress in constitutional reform and was still being urged to do so by the European Commission. The first constitutional reform package was passed in October 2001²²⁹. In its progress report of November 2001 this was acknowledged by the European Commission but Turkey’s failings in this regard were not overlooked.

“Though it is beginning to make progress in some areas, Turkey does not yet meet the Copenhagen political criteria and is therefore encouraged to intensify and accelerate the process of reform to ensure

²²⁵ Agence France Press, December 7, 2000. *Greek, Turkish PM shake hands at Nice Summit.*

²²⁶ NPAA available at: http://ec.europa.eu/enlargement/pdf/turkey/npaa_full_en.pdf

²²⁷ It is salient to note that the Nice Treaty which was signed at the end of the Nice summit in December 2000 did not include Turkey in its institutional framework projections designed to cope with enlargement. This has been cited as further evidence that the EU did not see Turkey as capable of the necessary reforms and therefore not a viable accession prospect (see Muftuler Bac 2004; Erdogdu 2002).

²²⁸ Gothenburg European Council, June 15-16th 2001, Presidency conclusions.

²²⁹ For more detail see Chapter Four Sec. 1.2.

that human rights and fundamental freedoms are fully protected in law and practice, for all citizens, throughout the country.”²³⁰

The Laeken European Council Presidency conclusions, in December 2001, also acknowledged the Turkish constitutional amendments which could “bring forward the prospect of the opening of accession negotiations with Turkey. Turkey was encouraged to continue its progress towards complying with both economic and political criteria, notably with regard to human rights.”²³¹ The EU remained encouraging to Turkey but also reiterated the significance of the Copenhagen criteria as entry conditions.

Within the same time frame, the EU was also finalising accession negotiations with the CEEC candidate countries in time for them to participate in the 2004 European parliamentary elections. The list was Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic, the Czech Republic and Slovenia²³². Turkey’s slow progress at this stage therefore risked it falling further behind the CEEC countries and the Republic of Cyprus. It was also agreed at the Laeken European Council in December 2001, to convene a European Convention to be chaired by the former French President, Valerie Giscard D’Estaing, to “consider the key issues arising for the Union’s future development and try to identify the various possible responses.”²³³ Giscard D’Estaing had made no secret of his view that the offer of candidacy at Helsinki had been a mistake.

“There are two reasons to make it impossible. First, except for Istanbul, Turkey is not located on the European Continent, but mainly in Asia. Second, if we start admitting countries not located in Europe, by which criteria do we reject membership by any state? If we want to have a real, deep integration, it must be with people of comparable conditions,

²³⁰ European Commission, 1999, Regular Report from the European Commission on Turkey’s Progress towards accession. Section 3.2, General evaluation. Pg 98.

²³¹ Laeken European Council, December 14-15th 2001, Presidency conclusions.

²³² It included all countries in negotiations except Bulgaria and Romania.

²³³ Laeken European Council, December 14-15th 2001, Presidency conclusions – Laeken Declaration.

politically, economically and culturally, and located on the European soil.”²³⁴

However, Turkey was asked by the EU – in common with the other candidate countries - to send a representative to the Convention. This was in marked contrast to the Nice Treaty a year before when Turkey had not been included²³⁵.

In February and March of 2002, further constitutional amendment packages were presented to the Turkish Parliament. The EU reaffirmed its message at the Seville European Council of June 2002 that CEECs should prepare to enlarge in time for 2004 European parliamentary elections. A fourth amendment package was passed by Turkish deputies in early August 2002. The extent of this last package – which will be explored in more detail below – surpassed the expectations of many observers within the EU. The Enlargement Commissioner Gunter Verheugen welcomed it as a “courageous decision” by the Turkish government.²³⁶ The EU arrived at the Copenhagen European Council with a Turkey which had belatedly, and slightly haphazardly, exceeded earlier expectations of its capacity to reform. The EU was also having to deal with the prospect of managing the final negotiations for the largest enlargement round ever as well as the Cyprus issue and the Berlin Plus arrangements for its flagship defence project ESDP.

It is important to note here that the candidacy offered at Helsinki had enabled the pro EU lobby in Turkey to make the politically sensitive case to implement the reforms necessary to make any progress towards meeting the necessary criteria to move forward with European accession. This was a radical departure from the previous patterns of Turkish politics. (See Hale 2003, Ugur 2003; Tocci 2005). The offer of candidacy at Helsinki had led the pro EU

²³⁴ Washington Times, February 27th 2000. *Non-interference in Austria*.

²³⁵ Oguzlu (2003) has suggested this should be seen as a result of the Al Qaeda September 11th 2001 bombings and its effect in raising Turkey’s “strategic stock” (Webber *et al* 2004).

²³⁶ European Commission press release *Commission welcomes package of reforms in Turkey*. August 5th 2002.

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/02/1197&format=HTML&aged=0&language=EN&guiLanguage=en>

lobby in Turkey to believe that if reforms were implemented the EU would have to take their case seriously. Thus the sincerity with which candidacy was offered by the EU is irrelevant to the outcome of it being offered. By the time of the Copenhagen European Council in December 2002 Turkey's advocates, including the UK, had come to see the progress within Turkey as being in the best interests of both Turkey and the EU and something to be encouraged.²³⁷

1.2. Turkey

The reforms in Turkey which were to prove so vital at Copenhagen had been slow to materialise. This was partly because of the coalition nature of Bulent Ecevit's government and partly because Ecevit himself was not a natural Europhile. This section outlines how the protracted reforms eventually came to pass after the unpromising start.

In wider Turkish society, the major political parties were in favour of EU accession, as was much of civil society (Duner and Deverall 2001) and even the military, who saw it as a "natural extension of Turkey's NATO membership which would further cement its relationship with the western powers." (Hale 2003: 110). However, Ecevit was at the head of a three party coalition government²³⁸ which included the right-wing Nationalist Action Party (Milliyetci Hareket Partisi - MHP) as senior partner. Whilst most in Ecevit's own party (DSP) and the other coalition partner (ANAP) were in favour of EU accession, the MHP was extremely sensitive about the reforms that would be necessary to meet the Copenhagen criteria²³⁹.

So, whilst Ecevit had the support of his own party and broad public opinion, he had to deal with the acute nationalist sensitivities of the MHP position when approaching reforms which were necessary for Turkey to have any chance of starting accession talks with the EU.

Furthermore, Ecevit was physically unwell and "his heart wasn't in (the reforms)..." A

²³⁷ Senior UK Diplomat E – interview – May 2010.

²³⁸ A coalition of the Democratic Left Party (Demokratik Sol Partisi - DSP), the Motherland Party (Anavatan Partisi - ANAP) and the Nationalist Action Party (Milliyetci Hareket Partisi - MHP)

²³⁹ For example the MHP regarded any concession on the Kurdish issue as "an insult to those who had died in the long struggle against the militants of the Kurdistan Workers' Party." (Hale 2003:110).

combination of these two factors meant no reforms were presented until nearly two years after the 1999 Helsinki European Council and then in a very febrile political atmosphere.

The differences of opinion between the DSP/ANAP and the MHP were demonstrated by contrasting reactions to the European Commission's 2001 Regular Report on Turkey's progress which stated: "...though it is beginning to make progress in some areas, Turkey does not yet meet the Copenhagen political criteria."²⁴⁰ Whilst the MHP leader Devlet Bahçeli dismissed the report as "...void of justified and valid foundation."²⁴¹, the ANAP leader Mesut Yılmaz acknowledged that "...a fair amount of this criticism is justified and needs to be addressed immediately."²⁴²

Ecevit's coalition was further weakened in 2001 by an economic crisis which had begun in November 2000 and resulted in intervention from the IMF (International Monetary Fund)²⁴³. This also affected his ability to implement controversial reforms.

"It took about two years to get things started by which time he (Ecevit) was ill, losing control. His coalition was in tatters and there was an economic crisis. A lot of time was wasted. If Ecevit had been really determined he would have been able to secure much more ground before the 2001 (economic) crisis. He had a whole year that he could have used much better and which he did not use at all." ²⁴⁴

The first constitutional package of October 2001 addressed freedom of expression and the death penalty. In November 2001 a new Civil Code was also adopted. It addressed gender (in)equality in marriage and property rights for divorced women and was a "major breakthrough" (Muftuler-Bac 2005: 24). In February and March 2002 further amendments

²⁴⁰ European Commission, 2001, *Regular Report from the European Commission on Turkey's Progress towards accession*.

²⁴¹ Agence France Press, November 15th 2001, *Far right leader lashes out at EU*

²⁴² Agence France Press, November 13th 2001, *Turkey acknowledges shortcomings, urges more support from EU*.

²⁴³ See Akyuz and Boratov (2003) for more detail on the Turkish economic crisis of 2000/01.

²⁴⁴ Senior Turkish diplomat A – interview – March 2010.

were made to the 1982 Turkish constitution mainly concerning freedom of speech and political expression. These were a continuation of those passed in October 2001.

This slow start to reform was then implemented with Ecevit in poor health and in an extremely difficult economic climate involving high inflation, unemployment and a falling exchange rate and GDP (Yeldan 2008). The uncertainty created by Ecevit's reluctance to stand aside on health grounds threatened to undermine a fledgling economic recovery²⁴⁵ and the government finally fell on July 17th 2002 following the resignation of a tranche of DSP members of parliament including the foreign minister Ismael Cem²⁴⁶. The final collapse of the Ecevit government had been the result of two things – the frailty of Bulent Ecevit²⁴⁷ and the opposition of the MHP to the August package of reforms.²⁴⁸ In the event, the “government proceeded to collapse in slow motion over a period of weeks (in July 2002).” (Hannay 2005: 173). In early August 2002 a recalled parliament decided both to hold elections in November and pass the fourth reform package. This had been driven forward by Mesut Yilmaz of ANAP and “had placed Turkey in a better position than before to hope for a positive result at Copenhagen.” (Hannay 2005:174).

The far-reaching reforms of August 2002 were passed in the interregnum between parliaments as MPs from the pro-EU parties, DSP and ANAP, delayed campaigning in order to vote them through²⁴⁹. These reforms were a “...major step in fulfilling the political aspects of the Copenhagen criteria.” They abolished the death penalty, revised the anti-terror laws and allowed Kurdish groups to broadcast in their own language (Muftuler-Bac 2005:24). By

²⁴⁵ Financial Times, July 2nd 2002. *Turkey's test*

²⁴⁶ Financial Times, July 12th 2002. *Former foreign minister to head pro-EU 'dream team': Senior Ministers desert Ecevit.*

²⁴⁷ Confidence in Bulent Ecevit's abilities within the Turkish civil service had been eroded several months before when he took umbrage, with little apparent cause, to a comment by the President Ahmet Necdet Sezer and unsettled the financial markets (Senior Turkish diplomat A – interview – March 2010).

²⁴⁸ The Times, July 10th 2002, *Frailty and conflict at the heart of Ankara's government*

²⁴⁹ Turkish Daily News, August 1st 2002, *Justice Committee begins discussion of EU adaptation laws*

August 2002 the Turkish economy had improved²⁵⁰ and the Turkish government was “...doing all the right things”²⁵¹ to move forward to EU accession in terms of making progress towards meeting the Copenhagen criteria.

In November 2002 pro-European voters punished the DSP (and its successor the YTP) and ANAP for not carrying out more reforms while anti-European voters deserted the MHP for conceding too much (Onis and Keyman 2003; Muftuler-Bac 2005). The result was the election of the Justice and Development Party (Adalet ve Kalkinma Partisi - AKP) on November 3rd 2002 with enough votes (34.2%) to be able to form a majority government. Neither DSP, ANAP nor MHP won enough votes to be able to take seats in parliament²⁵².

The AKP was driven by both “ideology and interest” and saw EU reform as a means by which to reach the end of religious freedom and political legitimacy as an “Islamist” party (Tocci 2005: 80). It passed two more constitutional reform packages on 3rd and 4th December 2002 literally days before the Copenhagen European Council. These strengthened previous reforms, revised the penal code for torture and ordered retrials of all cases decided in the state security courts (see also Tocci 2005:73). Up to December 2004 the AKP would pass four more constitutional packages and a new Penal Code.

Turkey had been slow to begin the necessary reforms and for nearly two years met the EU's low expectations of it. This explains why Ankara was not included within the Nice Treaty and ESDP arrangements. It was not a member of the EU nor was it expected to enter into accession negotiations very soon – unlike the CEECs. However from the beginning of 2002 the Turkish reform process gathered pace²⁵³. Ironically whilst Ecevit's political and personal weakness may have at first impeded progress it ultimately facilitated it. Those around him were able to capitalise on his physical and political weakness to drive through the necessary

²⁵⁰ Financial Times, July 1st 2002, *Turkey's ailment: The country's chances of controlling public debt and securing economic recovery could be jeopardised by the ill-health of the prime minister*; Turkish Daily News, July 2nd 2002. *Ailing Prime Minister Bulent Ecevit meets coalition partners Bahceli and Yilmaz in attempt to ease concerns over his health, economy.*

²⁵¹ Senior UK diplomat A – interview – March 2010.

²⁵² A political party in Turkey must gain at least 10% of the vote to take seats in parliament.

²⁵³ The impact of the 9/11 attacks must also be taken into account (Webber *et al* 2004)

legislation with broad consensus. Thus the new AKP Turkish government arrived at the European Council in Copenhagen in December 2002 able to point to reforms which “exceeded expectations” of the EU member states (Ugur 2003: 177).

This meant that Turkey had gone further towards meeting the Copenhagen criteria than had been expected of it. The legacy of Helsinki for Turkey was that it created an incentive for reform. This process should not be overplayed. The rush to reform was actually very slow due to Bulent Ecevit’s own inclination, his ill health and a hostile coalition partner. However Ecevit’s weakness ultimately allowed the pro EU lobby to push through the necessary legislation.

This unexpected progress, coupled with the role of Cyprus in eastern enlargement and the need to find a solution to the tortuous Berlin Plus situation, can explain the outcome at the Copenhagen European Council in December 2002. The processes of Turkish domestic reform, the Cyprus issue and the Berlin Plus arrangements for ESDP converged at the EU’s Copenhagen European Council of December 2002 to produce an outcome which was “effectively a conditional date for starting negotiations in 2005.” (Grabbe 2003). I will ultimately argue that this served to reinforce the path dependent nature of the process leading from the Helsinki European Council in 1999 to the Brussels European Council five years later. However first it is necessary to examine the twin processes of the ESDP Berlin Plus arrangements and Cyprus in more detail.

2. The impact of ESDP on EU Turkey relations 1999-2002

This section begins with ESDP and argues that by the time of the Copenhagen European Council there was considerable political will to operationalise ESDP as a peacekeeping force, Operation Concordia, in Macedonia from March 2003. However the “problem of Turkey” was a major impediment to this end. Therefore, at the Copenhagen European Council, the member states were under pressure to find a solution to the “problem of Turkey”. This

section will look at the development of ESDP between 1999 and 2002, explore the “problem of Turkey” and ask why it had proved so difficult to solve prior to Copenhagen.

2.1. The “problem of Turkey”

The Helsinki European Council Presidency conclusions set an “ambitious timetable” for ESDP to have a Rapid Reaction Force (RRF) able “to deploy within 60 days and sustain for at least one year military forces of up to 50,000-60,000 persons capable of the full range of Petersberg tasks” by 2003²⁵⁴. There had been considerable uncertainty and disquiet in both Ankara and Washington in 1999 about the chain of command which the new security policy would operate under. At the NATO Washington European Council in April 1999 the Turkish government had pushed for a veto over EU access to NATO capability and won the backing of the Americans.

“...if EU countries want to set up their own defence organisation it is their business. However when they want to use NATO's means, the NATO members including Turkey must also be involved in that. That is what we said and we had it accepted.” (Turkish Foreign Minister Ismael Cem)²⁵⁵

At Helsinki it was clarified that the EU wanted ESDP to be based within the EU and not within NATO as an “ESDI”. This created the “problem of Turkey” (Missiroli 2002) which would bedevil ESDP from Helsinki until a “solution” was found at the Copenhagen European Council in 2002.

The Helsinki European Council Presidency conclusions acknowledged the non-EU NATO members’ position,

“Appropriate arrangements will be defined that would allow, while respecting the Union's decision-making autonomy, non-EU European

²⁵⁴ Helsinki European Council, December 10-11th 1999, Presidency conclusions, sec. 28.

²⁵⁵ Anatolia News Agency, 25th April 1999. Quoted by House of Commons Research Paper 01/50, May 2nd 2001, *European security and defence policy: Nice and beyond*. Page 28.

NATO members and other interested States to contribute to EU military crisis management.”²⁵⁶

However, as noted above, the EU institutions, and its member states, would not countenance the admission of Turkey to the EU without improvements to its human rights record and therefore it could not be a full member of ESDP²⁵⁷.

The EU member states at Helsinki fundamentally underestimated the strength of feeling in Turkey about the ESDP issue and the implications this had for the progress of ESDP (Bono 2002:32). Ankara believed its geopolitical value alone justified access to ESDP on the same privileged basis it had enjoyed within the Western European Union (WEU) (Park 2000b: 319; Bailes 1999).

“We looked at the ESDP always from a NATO angle. We always thought it should develop in the same way as the WEU. That was why it has become a big frustration for the Turkish bureaucracy.”²⁵⁸

So, even before it had begun, the ESDP had the “problem of Turkey” with which to contend plus a mistrustful transatlantic relationship. This situation was made even more tortuous by the inextricable role of Cyprus. Part of the reason why Ankara was so sensitive about ESDP was because of the fear that unless it was an ESDP insider then ESDP could be used against it over Cyprus and the Aegean disputes.

At the NATO North Atlantic Council (NAC) meeting in Brussels just a few days after the EU Helsinki European Council in 1999²⁵⁹ there was a “lively debate”²⁶⁰ between the USA and

²⁵⁶ Helsinki European Council, December 10-11th 1999, Presidency conclusions, Section 28.

²⁵⁷ Senior UK Diplomat G – interview – March 2010. In other words, “...there was no way the EU could change its institutional cloth to suit (the Turkish government).” (Source Senior ESDP advisor A – interview – March 2010.)

²⁵⁸ Senior Turkish Diplomat B – interview - March 2010.

²⁵⁹ NATO, Ministerial meeting of the North Atlantic Council, Brussels, 15-16th December 1999.

²⁶⁰ Anonymous “senior NATO official” quoted in the Turkish Daily News 17th December 1999. *Turkey wins the war of words in NATO communiqué.*

France over the chain of command. The UK and the Netherlands brokered a compromise wording for the final communiqué:²⁶¹

“... practical arrangements for assured EU access to NATO planning capabilities and for ready EU access to NATO collective assets and capabilities (will be negotiated) on a *case-by-case basis and by consensus as set out at Washington*.” (my emphasis)²⁶²

However, this was a diplomatic rather than an actual success. ESDP was to be based within the EU and therefore NATO did not have the final say over the chain of command. EU insiders insist this was not done in order to side-line NATO *per se*:

“It was not that the EU did not want to rely on NATO...it was not a competition with NATO...it was just that defence was something that Europeans needed to be able to do themselves.”²⁶³

In other words, it was not conceivable to the “EU theologians”²⁶⁴ that it could be any other way.

The chain of command issue was further addressed by the “Food for Thought” paper presented to the EU Defence Ministers’ meeting at Sintra in February 2000. It conceded that the EU would *need* to enter dialogue with NATO and the non EU NATO allies (specifically the USA and Turkey) because it needed recourse to NATO capability²⁶⁵. It should be noted that, within the ESDP secretariat, there was some sympathy with the Turkish position. Officials tried to reassure Turkey, off the record, that whilst the institutional constraints meant they were unable to offer formal arrangements this would not be a problem in *practice*.

²⁶¹ Turkish Daily News, December 17th 1999 Turkey wins the war of words in NATO communiqué.

²⁶² NATO, *Final Communiqué of the Ministerial Meeting of the North Atlantic Council*, December 15th 1999. Press release M-NAC2 (99)166. Section 19.

²⁶³ Senior ESDP advisor A – interview – March 2010.

²⁶⁴ Senior WEU official – interview – February 2010. By EU theologians the interviewee was referring to the level of dedication to EU norms shown by some officials within the EU Council.

²⁶⁵ EU “Food for Thought” paper, pg 102, presented at Sintra EU Defence Ministers’ meeting 2000. Reprinted in Ruttens (2001).

However the Turkish government “wanted more than that....they wanted a seat at the table...”²⁶⁶

This demonstrates the lack of mutual understanding between Turkey and the EU on ESDP. Understanding of Turkey’s strategic and political culture was at a “pretty low level” within the EU²⁶⁷. Turkey was dealt with as it impinged on EU issues and thus the “problem of Turkey” was the result of a classic EU response where the EU tries to tackle a problem “bit by bit but does not address the substance of it.”

“We want enlargement...but if we take Cyprus in we need to reassure Turkey so we work on Greece...at the same time we have to handle feelings of the member states that do not want Turkey....then we find that we have solved the enlargement problem but we have transferred the problem of Turkey.”²⁶⁸

Only the main EU member states understood the implications of ESDP and the possible pitfalls. “The countries which thought about it at all were the French, us (the UK) and the Germans.”²⁶⁹ Indeed it has been suggested that even the UK did not fully anticipate the problem of Turkey and had just presumed that a way would be found “to bring the Turks round”²⁷⁰ and that the offer of candidacy at Helsinki and an off the record assurance would be enough.

2.2. The Feira European Council

Following the “Food for Thought” paper, a solution was proposed at the Feira European Council in June 2000 to the “problem of Turkey” and the other non-EU NATO allies²⁷¹. This would comprise the EU member states + 15 (13 candidate countries plus Iceland and Norway) being brought into a “single inclusive structure in which all the 15 countries

²⁶⁶ Senior ESDP advisor A – interview – March 2010.

²⁶⁷ Senior UK Diplomat B – interview – March 2011.

²⁶⁸ Senior official in European Council DG enlargement B – interview – March 2010.

²⁶⁹ Senior UK diplomat D – interview – April 2010.

²⁷⁰ Senior UK diplomat B – interview – March 2010.

²⁷¹ Iceland and Norway in this case.

concerned...can enjoy the necessary dialogue, consultation and co-operation with the EU..."²⁷² (Reichard 2006: 281). Against the objections of the French government it also created an EU + 6 (non EU NATO allies – Czech Republic, Hungary, Iceland, Norway, Poland and Turkey) which would give Ankara closer contact still (Tofte 2003:7). "In the emerging ESDP jargon this meant that all non EU members would be involved "upstream" (in decision *shaping* which entailed information, consultation and pre-planning) and "downstream" (in implementation) but that decision *making* proper and political control would pertain exclusively to the EU-15." (Missiroli 2002:15)

However the USA remained concerned about being side-lined and losing control of the chain of command for ESDP²⁷³. Washington was keen for the new ESDP to utilise the NATO planning capability, SHAPE (Supreme Headquarters Allied Powers Europe), based at Mons near Brussels in Belgium. There were two potential problems lying in the path of this aim: firstly the French government was keen to maintain an independent planning capability and secondly, Turkey was reluctant to allow EU states – including those who were not members of NATO (i.e.: Cyprus) - to have full access to NATO planning and military assets when Ankara did not have "decision making powers" within the EU. In other words, the Feira European Council arrangements had not solved the "problem of Turkey".

Turkey remained concerned by the loss of WEU privileges which left Ankara out of the decision making within ESDP and felt its geostrategic loyalty to NATO had earned it the right to be involved at a higher level²⁷⁴. The Turkish Ambassador to NATO, Onur Oymen, summarised the Turkish stance:

²⁷² Feira EU Summit Presidency Conclusions. Appendix 1 article 5.

²⁷³ International Herald Tribune. May 24th 2000. "*US starts to fret over EU military independence.*"

²⁷⁴ As outlined by the Turkish foreign minister Ismael Cem in a speech at the NATO Foreign Ministers' meeting in Florence in May 2000. See Anatolia News Agency, May 24th 2000, *Turkey not satisfied with draft of European security document*. Supplied by BBC Monitoring Europe,

“If an EU operation seems likely to affect one NATO ally’s security then the Union will have to listen to what the ally will have to say.”²⁷⁵

The EU member states were well aware of the Turkish position before the Feira European Council²⁷⁶. However Javier Solana made it clear at that stage that the EU was unwilling to relinquish control.

“The political control of operations will exclusively remain with the EU countries. There will be large-scale transparency towards others, but as EU countries, we cannot give up the political decision-making power”²⁷⁷

This led to a sharp rebuke from the Turkish Prime Minister Bulent Ecevit who was strongly backed by the Turkish military.

“They are planning to use our military units assigned to NATO. However, they are reluctant to agree to allow us to participate in their decisions. That is a very serious situation and approach. It is impossible to understand why they insist on such an illogical and unmerciful position? Can the possibility of ill intent be considered? Do they intend to create developments unacceptable to Turkey? As far as Turkey is concerned, their behaviour is very disrespectful. The situation is illogical and abnormal.”²⁷⁸

At this point the “problem of Turkey” became critical. The Turkish Ministry of Foreign Affairs issued a statement making clear it would not “accept offering NATO’s facilities and

²⁷⁵ Anatolia News Agency, May 25th 2000. *European defence development unsatisfactory says Turkey’s NATO envoy*

²⁷⁶ Turkey had made its position clear to the Common Foreign and Security Policy (CFSP) High Representative Javier Solana during a visit to Ankara in May 2000. See Agence France Press, June 1st 2000, *Solana in Ankara for talks on EU affairs and security*. Also: Anatolia News Agency, June 1st 2000, *Turkish, European leaders discuss defence initiative*, supplied by BBC Monitoring Europe.

²⁷⁷ Quoted in Der Spiegel, June 19th 2000, *EU’s Solana denies EU task force to be European army*, supplied by BBC Monitoring Europe.

²⁷⁸ Cumhuriyet, (Turkish newspaper), June 22nd 2000, *Premier angered by EU decision on Turkish defence*, translated by BBC Summary of World Broadcasts.

capabilities for the use of the EU automatically.”²⁷⁹ The Turkish Defence Minister Sabahattin Cakmakoglu said Turkey was willing to use the veto it had negotiated at the 1999 NATO Washington summit.”²⁸⁰

However, in evidence to the European Parliament Foreign Affairs Committee on June 21st 2000 Javier Solana still did not appear to have appreciated quite how unequivocal the Turkish position was. He congratulated the EU on having made “remarkable” progress on ESDP in the six months since Helsinki and appeared to suggest the objections of the Turks (and the Americans) could be appeased by “striking the right balance between safeguarding the autonomy of the EU and allowing for the fullest involvement in the operational phase of any action of partners that wish it.”²⁸¹ Indeed considerable concessions had been made at the Feira European Council . Turkey had been included into the EU’s institutional security arrangements. It was now a member of the EU + 6 and EU +15 committees. “EU + 6” was the EU member states plus the non-EU NATO members²⁸². The “EU +15” was the EU + 6 as well as those in accession talks with the EU²⁸³. Both committees were due to meet four times annually in times of non-crisis. Additionally there would be two more meetings annually of all the countries represented in the EU+15 and the EU + 6 together making a total of ten meetings annually between Turkish and EU ESDP officials when they would have the chance to “discuss ESDP matters and their possible implications”. Was this merely Turkish intransigence? ²⁸⁴

“One could, perhaps, unkindly, observe that what is on display here is a kind of Turkish national diplomatic style – confrontational, uncompromising and stubborn.” (Park 2000b: 319).

²⁷⁹ Anatolia News Agency, June 20th 2000, *Turkey not to offer NATO facilities to EU automatically*, Supplied by BBC Monitoring Europe. See also Agence France Press, June 20th 2000, *URGENT --- Turkey will not let EU use its NATO men and equipment*.

²⁸⁰ Turkish Daily News. June 22nd 2000, *Turkey threatens EU with its NATO power of veto*.

²⁸¹ Javier Solana, quoted in European Report, June 28th 2000, *Defence: Council experts consider how to set up CESDP rapid reaction facility*.

²⁸² Czech Republic, Hungary, Poland, Ireland, Norway and Turkey.

²⁸³ Bulgaria, Greek Cyprus, Estonia, Latvia, Lithuania, Malta, Romania, Slovakia and Slovenia.

²⁸⁴ See Euractiv, April 30th 2001, *Accommodating Turkey in ESDP*; Bailes and Thorhallson 2006.

The “problem of Turkey” endured and re-appeared in the run up to the Nice European Council in December 2000. The UK had come under pressure from the US to counter moves by the French government to regain control of ESDP. Washington distrusted the “tightly drawn lawyers’ document” of Feira (Hunter and Farley 2002: 91) and suspected duplicity by the French government²⁸⁵.

“We (UK) were caught in the middle (of USA and EU) and we were in a very difficult place for quite a long time.”²⁸⁶

The USA felt that the EU was not in a position to take the stance it did, because it needed access to NATO capability and it lacked “sensitivity” and humility. This was primarily a criticism of the French government.

“....it (Feira) had too much of the “Europe-firsters” and not enough leavening by countries on which the United States was relying to protect NATO interests.” (Hunter and Farley 2002: 91).

The Turkish position at this stage was “paradoxical” (Missiroli 2002: 16). At the same time as blocking automatic EU access to NATO capability – and in particular the NATO planning facilities at SHAPE - Ankara committed a generous 5000 troops to ESDP²⁸⁷. However Turkey continued to demand WEU parity and efforts by third parties such as the NATO Secretary-General George Robertson to reassure the Turks that they were not being deliberately side-lined were doomed to failure as it was not within Robertson’s power to grant Turkey the EU decision making powers which it wanted.²⁸⁸

²⁸⁵ Senior UK Diplomat H – interview – October 2010.

²⁸⁶ Senior UK politician A – interview – March 2010.

²⁸⁷ Turkey Ambassador to the UK Korkmaz Haktanir in a letter to the Daily Telegraph – 22nd November 2000. Reported in [House of Commons Research Paper 01/50, May 2nd 2001](#), *European security and defence policy: Nice and beyond*.Pg. 28.

²⁸⁸ Bulent Ecevit quoted in Agence France Press, December 12th 2000, *US tries to persuade Turkey not to veto EU defence plans*.

For these reasons the Nice European Council , in December 2000, was a diplomatic power struggle primarily between France and the UK over the “question of semantics”²⁸⁹ of whether ESDP constituted a “European army” or not. Either way it failed to solve the problem of Turkey for ESDP. Moreover, ironically, the Turkish policy was working in opposition to its long standing ally, the USA. Washington was keen for ESDP to use SHAPE facilities in order to maintain a semblance of control over the chain of command. However, for NATO to agree to allow the EU to have access to SHAPE it would need a unanimous vote at the NATO foreign ministers meeting in Brussels in December 2000 and Turkey was not inclined to change its mind despite lobbying from Washington²⁹⁰.

At the NATO foreign ministers’ meeting in December 2000, therefore, NATO found itself in the paradoxical position of proposing a plan which the Turkish position would make unworkable. Lord Robertson warned the French government that ESDP would not be allowed access to NATO military assets, except via SHAPE, and warned that they needed NATO capability *ergo* they needed to use SHAPE. At the same time however the Turks were refusing to budge and accused the EU of acting “against logic, moral value and conscience.”²⁹¹ This was in spite of their NATO allies “practically pleading” with Ankara to drop its insistence on being involved in the fine detail decision making²⁹² within the ESDP organisation. Ultimately, the USA Secretary of State, Madeleine Albright, accepted the Turkish position and the issue was put off for another day.

“In the end it is not we but Turkey that has to be satisfied and for the moment they aren’t....we understand the fact that Turkey has particular

²⁸⁹ Javier Solana quoted by The Guardian, December 9th 2000, *Chirac gives way in row with Blair on NATO: Security Differences on defence remain despite a show of unity.*

²⁹⁰ Bill Clinton sent Bulent Ecevit a letter which was hand delivered by the American Ambassador in Ankara Robert Pearson. It was addressed to “Dear Brother Ecevit...” (Turkish Daily News, December 14th 2000) and urged Turkey not to use its veto in this way. The Secretary of State Madeleine Albright also met with the Turkish Foreign Minister, Ismael Cem, and Bill Clinton telephoned Ecevit on December 14th 2000 from Air Force One - with no success.

²⁹¹ Turkish foreign minister, Ismael Cem, quoted by Xinhua News Agency, December 15th 2000, *NATO Fails to Get Turkey to Agree to NATO-EU Deal.*

²⁹² Turkish Daily News, December 14th 2000, *Turkey doesn't budge on ESDP as NATO meeting begins.*

concerns given its unique location and it's not surprising that its concerns are greater than other EU allies. At the same time we understand the EU's position and believe that it really has made a good effort.”²⁹³

The upshot of the Nice European Council was that the EU maintained its decision making autonomy and had committed itself to only being obliged to use NATO planning when it was using NATO military assets²⁹⁴. The EU member states continued to try “to convince the Turks their position was not productive”²⁹⁵ but they did not change their minds about allowing the Turks into the decision making circle of the EU²⁹⁶.

“EU decisions have to be taken at 15 not 16. It is as if NATO were told that Alliance decision were to be taken by non NATO members. No one would agree to that.”²⁹⁷

The Nice European Council also established the structure of ESDP²⁹⁸. The most important decisions were to be taken by the member state foreign ministers (General Affairs Committee) or the European Council heads of state. However the day to day work was based within the Second Pillar of the EU and the CFSP High Representative Javier Solana. In addition, there was the Political and Security Committee²⁹⁹ which was comprised of national representatives of ambassadorial level; the EU Military Committee (EUMC) which was made up of Chiefs of Defence of the member states and finally the EU Military Staff

²⁹³ Quoted in The Washington Post, December 16th 2000, *Turkey Blocks Deal To Share NATO Force; EU Would Have Used Alliance's Assets*

²⁹⁴ This caused anguish in the US State Department. The then George W Bush Advisor Richard Perle described an ESDP which developed its own planning capability as “a catastrophe for NATO”. Quoted in Daily Telegraph, December 16th 2000, *America tries to stop EU going it alone on defence*.

²⁹⁵ General Jean-Pierre Kelche of France in evidence to the UK House of Commons' Defence Select Committee, 28th March 2001.

²⁹⁶ In assessing this view it should be borne in mind that, at this time, December 2000, the Turkish government had done very little towards meeting the Copenhagen criteria and was not considered to be a viable EU candidate by the other member states.

²⁹⁷ General Jean-Pierre Kelche of France in evidence to the UK HoC Defence Select Committee, 28th March 2001.

²⁹⁸ For more detail see Bjorkdahl and Stromvik (2008: 34).

²⁹⁹ The Political and Security Committee was known by the French acronym COPS – established by: EU Council Decision 2001/78/CFSP –at Nice EU Council, December 2000.

(EUMS) which comprised military officers seconded from national governments. The job of the EUMC was to give advice to COPS and the EUMS. The European Commission had a representative on COPS and the DG External Relations, Chris Patten, played “quarter-master” to the High Representative for CFSP Javier Solana in “an amiable way”^{300 301}.

The Feira European Council in June 2000 had decided that the non-EU NATO allies could take part automatically in operations involving the use of NATO assets but on a case by case basis for EU-led operations. The Nice European Council in December 2000 made a further “concession” by outlining how, presuming the invitation to participate was forthcoming, and accepted, all countries involved in an ESDP operation would then be represented on a “Committee of Contributors”. The views of the Committee of Contributors would be taken into account by COPS but it, COPS, would retain the overall decision making function. In Turkish diplomatic circles the Committee of Contributors came to be seen as an insulting token gesture which left Turkey (and other non-EU NATO allies) “out of the debate” (Reichard 2007:157).

“My experience of the Committee of Contributors was disastrous....the EU made all the decisions and made all the juicy talks. They sent their youngest members to the Committee of Contributors. This was ridiculous. The EU was not taking NATO seriously...not only us (Turkey).”³⁰²

As the EU member state leaders signed the Nice Treaty the EU “hedged its bets”³⁰³ and failed to find a definitive solution to either the problem of Turkey or the underlying

³⁰⁰ Senior ESDP advisor A – interview – March 2010.

³⁰¹ In fact Solana “had more trouble” with the member state presidencies who wanted to keep control of the policies during their “six months of glory” Senior UK diplomat D – interview – April 2010.

³⁰² Senior Turkish Diplomat B – interview – March 2010.

³⁰³ The Guardian, Feb 27th 2001, *EU ministers sign treaty but defence plan rankles*.

transatlantic tensions between ESDP and NATO³⁰⁴. The finding of a solution to both issues was deferred to another time.

2.3. The Istanbul Letters and the Ankara Document.

In early 2001, problems threatened to stall ESDP indefinitely. It had not finalised arrangements for co-operation with NATO and, in any case, it was not able to enact the arrangements NATO would prefer – use of SHAPE planning facilities - because of the Turkish stance. Crucially, at the same time there was a desire within the EU to make ESDP operational as soon as possible³⁰⁵ notably for Operation Concordia to take over from NATO (Operation Amber Fox) in Macedonia³⁰⁶. The Turkish position was not popular in EU circles³⁰⁷ and it was still not considered possible for Turkey to have full decision making powers in ESDP.

“It is as if NATO were told that Alliance decisions were to be taken by non NATO members. No one would agree to that. Either you belong or not.”³⁰⁸

However, by this time, there was an acceptance of an urgent need to find a way forward through the impasse caused by the “problem of Turkey” and the UK was instrumental in this regard. The UK Foreign and Commonwealth Office’s Political Director, Emyr Jones-Parry,

³⁰⁴ The new George.W.Bush administration in Washington broadly followed the line of the outgoing Clinton administration. The US view centred on an implicit fear of being side-lined by the French. For this reason NATO, and the US, wanted ESDP to use the SHAPE planning facility (Hunter and Farley 2002:113). During his visit to Camp David on February 22nd and 23rd 2001, Tony Blair “set out the reasons why (the UK) was keen on (ESDP)...” and quoted the “...the lessons of Bosnia, Sierra Leone and Kosovo” (Campbell 2007: 506). Ultimately Bush traded his scepticism over ESDP for support from the UK for the US missile defence system. (See Benedict Brogan, Daily Telegraph, 24th February 2001. See also The Times, 24th February 2001, *Blair and Bush seal a new friendship with defence deal*. Repeated in Riddell (2003: 138) see also Campbell 2007:507.)

³⁰⁵ The Nice EU Council Presidency Conclusions in December 2000 had urged the incoming Swedish Presidency to expedite progress “...so that a decision....can be taken as soon as possible and no later than at the European Council in Laeken (December 2001). Para.12. http://www.europarl.europa.eu/summits/nice1_en.htm#III

³⁰⁶ The Economist, US Edition, September 15th 2001. *Wake up Europe!*

³⁰⁷ The French foreign minister Alain Richard criticised the Turkish “attitude” and maintained that there was “no advantage for our Turkish friends in maintaining this hard line stance.” Quoted in Turkish Daily News, May 20th 2001, *Ankara keeps it position on new European army*.

³⁰⁸ Evidence of French General Jean-Pierre Kelche to House of Commons Defence Select Committee, *European Security and Defence*, 28th March 2001, 2000-2001, HC 390-I, Para 58.

and George.W.Bush's envoy, James Dobbins³⁰⁹, with backing from the Netherlands and Spain³¹⁰, were attempting to negotiate a behind-the-scenes deal which would break the impasse. They prepared the so-called "Istanbul Letters" document which proposed that Turkey would be able to send representatives to COPS both "periodically" and "in the event of a crisis."³¹¹ It also offered an expanded role for the "Committee of Contributors" and reassurance that Turkey would be involved in operations which either used NATO assets or were in the vicinity of Turkey. Lastly the Turks were reassured that ESDP (ERRF) capability would not be used in the political disputes of NATO allies i.e.: Greece, Cyprus and Turkey. The UK and the USA made clear to Ankara that this was the best deal available and the Nice European Council modalities had been "interpreted to the maximum".³¹²

The "Istanbul Letters" of May and June 2001 were an effort to allay Turkish fears of losing its place within European security architecture and, more specifically, losing control over any operations involving Cyprus and Greece. The discussions took place behind the scenes and in secrecy at the NATO foreign ministers' meeting in Budapest in May 2001 when the Turkish foreign minister Ismael Cem was offered verbal and written reassurances and finally agreed to the compromise (Tofte 2003:145)³¹³. However, on his return to Ankara, Cem was overruled by the Turkish military which made its views known in an "Information Note" issued on June 4th 2001. It re-iterated the demand for Turkey to retain its WEU status.

³⁰⁹ George Bush had sent an envoy James Dobbins to Ankara the week before to "...allay Turkey's concerns". See Agence France Press, May 30th 2001, *Elements in place for deal with Turkey on EU-NATO links*. Dobbins was accompanied by a senior FCO official. See Anatolia News Agency, May 28th 2001 *Turkey insists on say in EU access to NATO facilities*. Also, US Secretary of State Colin Powell was reportedly working behind the scenes at Budapest to broker a deal. See Agence France Press, May 29th 2001, *European NATO allies pressed on burden as Turkey renews concerns*.

³¹⁰ Agence France Press, May 30th 2001, *Elements in place for deal with Turkey on EU-NATO links*, Anatolia News Agency, May 28th 2001, *Turkey insists on say in EU access to NATO facilities*.

³¹² New York Times, June 5th 2001, *In Accord, Turkey Tentatively Agrees European Union Force May Use NATO Bases*.

³¹³ Ismael Cem said: "The ball is our side now. If we do not want to play we have no right to complain about EU issues. So far we have said that EU was making discrimination by refusing Turkey's candidacy. But now we are one of the candidate countries and we have to fulfil necessary reforms needed for the membership." See Turkish Daily News, May 16th 2001 *Despite EU's strong desire Turkey keeps its stand on ESDP*.

“It is believed that the EU must provide rights similar to the WEU-which is the infrastructure of the ESDP-acquis for non-EU European Allies, which Turkey gained even before having the status of a EU membership candidate, in the framework of Washington decision.”³¹⁴

Donald Rumsfeld was in Ankara at this time to discuss the new US missile defence system and the continuing Operation Northern Watch in northern Iraq³¹⁵. He adopted a conciliatory tone when asked about the Turkish stance saying the Turkish view was “understandable”³¹⁶. However the rejection of the Istanbul Letters dashed hopes of finding a solution to the “problem of Turkey” before the special meeting of the NATO North Atlantic Council (NAC) in Brussels on June 13th 2001 and the Gothenburg European Council immediately thereafter³¹⁷. At Gothenburg the task of implementing ESDP was passed to the incoming Belgian Presidency³¹⁸.

The UK and the US continued to work behind the scenes for a solution to the Berlin Plus issue in the run up to the Laeken European Council in December 2001. A revised version of the Istanbul Letters called the “Ankara Document”³¹⁹ was presented by the UK to the Turkish government in early December 2001 with strong American backing³²⁰ and won the agreement of Bulent Ecevit and the Turkish military³²¹. It was not significantly different from the Istanbul Letters but included a pledge that ESDP would never be used against a NATO

³¹⁴ Turkish Daily News, June 5th 2001. *Rumsfeld: Turkey's concerns over ESDP 'understandable'.*

³¹⁵ Turkish Daily News, June 5th 2001. *Rumsfeld: Turkey's concerns over ESDP 'understandable'.*

³¹⁶ Turkish Daily News, June 5th 2001. *Rumsfeld: Turkey's concerns over ESDP 'understandable'.*

³¹⁷ It also highlighted the continuing influence of the military in Turkish society (Narli 2000, see also Heper 2005).

³¹⁸ Gothenburg European Council, June 15-16th 2001, Presidency conclusions, Section V, Para. 51.

³¹⁹ Also referred to in some places (Tofte 2003) as the Istanbul Document. This should not be confused with the Istanbul Letters of May 2001.

³²⁰ Significantly whilst the UK can take credit for much of the diplomacy involved in the Ankara Document it was presented to the Turkish government as a *fait accompli* by the UK with US personnel present with the implicit message for Ankara that there was no point turning to Washington for back up (Rynning 2003: 65 see also note 35). This was to underline the message given to Turkey by Donald Rumsfeld in June 2001 at the time of the Istanbul letters that this was the best result possible.

³²¹ See Agence France Press, December 2nd 2001. *Turkey largely satisfied over European Defence Project: Ecevit.* Also Financial Times, December 4th 2001 *Turkey breaks impasse on EU Rapid Reaction Force.*

member³²². This was sufficiently close to the similar WEU pledge for the Turks not to lose face (Reichard 2006:156 n82). It also gave Turkey the “right to suspend operations.....citing either geographical proximity or national security interests.”³²³ However the Greek government would not agree to the terms of the Ankara Document in spite of pressure on it from the US Secretary of State Colin Powell, CFSP High Representative, Javier Solana, the Belgian Presidency Prime Minister Guy Verhofstadt and the NATO Secretary General George Robertson³²⁴. Neither Greece nor Turkey “evoked much sympathy” in Brussels’ EU and defence diplomatic circles as both were seen “as a nuisance”³²⁵, “not an asset to the EU”³²⁶, inconsistent and self-interested on the issue³²⁷. As a result, whilst the Ankara Document may have appeased the Turks it failed to solve the “problem of Turkey”³²⁸.

At the Laeken European Council in December 2001 the EU agreed to declare ESDP “operationally capable”. Pressure for progress, which had been brewing since the Nice European Council a year earlier, had been “....increased by the events of 11th September 2001” (Duke 2002: 10). However no agreement was reached with Greece over the Ankara Document and the “tortuous politics”³²⁹ of EU NATO cooperation continued. At the Barcelona European Council in March 2002 and again at Seville in June 2002 the EU “demonstrated willingness” to take over the NATO mission Operation Amber Fox in Macedonia in early 2003 (Reichard 2006:285; Rynning 2003: 65). This increased the pressure to find a solution to the Berlin Plus situation in the run up to the Copenhagen European Council in December 2002. The EU member states therefore arrived at Copenhagen with the future credibility of

³²² Senior UK Diplomat H – interview – October 2010.

³²³ Ankara Document reproduced in Brussels EU Council Presidency conclusions, October 24-25th 2002, Annex 2, CP 57.

³²⁴ Athens News Agency, December 14th 2001, *Athens warns of Euro force veto if sovereign rights infringed*.

³²⁵ Senior official in European Council DG enlargement B – interview – March 2010.

³²⁶ Dutch Diplomat – interview – March 2010.

³²⁷ Brussels NGO official A – interview – February 2010.

³²⁸ This stance left Greece politically exposed within the EU (Dutch Diplomat – interview – March 2010) which was keen to operationalise ESDP in Macedonia. Due to the Danish defence opt out dating back to the Maastricht Treaty the defence portfolio passes to presidency nation to follow it which would be Greece in January 2003. Greece was also just six months away from taking over the EU defence portfolio for a year (Rynning 2003:65).

³²⁹ Senior UK Diplomat G – interview – March 2010

their flagship security project depending on Turkish (or Greek) agreement. It had reached such a critical point because of the differing security cultures of the EU and Turkey and in spite of efforts by the UK – and the USA – to find a diplomatic solution. The impending nature of Amber Fox's replacement, Operation Concordia³³⁰, gave an added impetus at Copenhagen which was also dealing with wider eastern enlargement and the Cyprus issue.

It is not possible to fully disentangle the outcome at the Copenhagen European Council from wider issues of eastern enlargement of the EU and therefore Cyprus because of the influence of the Cyprus issue on Turkish policy making. The next section will examine how the Cyprus issue developed in parallel to Turkish domestic politics and ESDP. The last will explore the interaction of all three in the run up to the Copenhagen European Council of December 2002.

3. The impact of Cyprus on EU-Turkey relations 1999-2002.

As outlined in Chapter Three, the inclusion of the Republic of Cyprus in the fifth enlargement round of the EU in 1997 was testament to the hard bargaining of its advocate, Greece. This continued up to the Helsinki European Council in 1999 when the Cyprus issue was the one part of previously frosty Greek-Turkish relations that “earthquake diplomacy” could not melt. Greece insisted that the progress of Cyprus within the EU should not be linked to progress on the Cyprus issue. The EU's desire to maintain Greek support for the CEEC enlargement round meant this was duly included into the Helsinki European Council Presidency conclusions as the “carefully constructed ambiguity” of paragraph 9b (Hannay 2005: 113)³³¹ which would ultimately make the issue *more* difficult to solve.

³³⁰ Operation Amber Fox finished in December 2002 whilst Operation Concordia did not start until March 2003 because of the delays caused by the “problem of Turkey”. An interim NATO operation, Allied Harmony, filled the gap. See Mays (2003: 189).

³³¹ Helsinki European Council, December 10-11th 1999, Presidency conclusions. Paragraph 9b. See Appendix III.

The Greek government had been able to exert this leverage and power through the virtue of already being a member of the EU and therefore being in possession of a veto in the European Council (Suvarierol 2003: 65). For this reason, if the EU wanted eastern enlargement it was “left with no choice but to accept the membership of Greek Cyprus even prior to a settlement despite the repercussions this may have on its relations with Turkey.” (Tocci 2002: 1). As we have seen in Chapter Three above, it was this issue which prompted Bulent Ecevit to dig his heels in and for Verheugen and Solana to be obliged to fly to Ankara at the eleventh hour to persuade him to return to Helsinki and for Turkey to become a candidate. Offering candidacy to Turkey at Helsinki was a *quid pro quo* for the inbuilt, and arguably unfair³³², advantage that the Republic of Cyprus now had³³³.

It is ironic therefore that the EU was both anxious not to import the Cyprus issue into its jurisdiction and forced to construct a policy which would actually make that more likely. The Helsinki deal may have been a short term expedient but it “gave away the shop” to the Cypriots³³⁴. The hyper politically sensitive nature of the Cyprus question in Turkey took away the incentive for the EU sceptic Bulent Ecevit to exert pressure on the Turkish Cypriot leader Rauf Denktash who was also against Turkish accession. The reassurances given to Cyprus at Helsinki tainted the UN led negotiations to find a settlement over the next three years. No real progress was made before the Copenhagen European Council and the member states arrived in Denmark with an imperative to reach a solution. This section argues that this context can explain why the member states were willing to compromise on the Presidency conclusions wording *vis a vis* Turkey at Copenhagen.

³³² UK Diplomats have tended to blame the then Foreign Secretary Robin Cook for giving in too easily to Greece. This was partly because of the vociferous (Greek) Cypriot vote in London and partly due to normative “leftie” concerns about Turkey and human rights etc in line with the notion of “ethical foreign policy”.

³³³ Senior UK Diplomat B – interview – March 2010.

³³⁴ Senior UK Diplomat C – interview - April 2010. The interviewee added that the UK Foreign Sec. Robin Cook had been “obsessed” with Greece and “foolishly failed to set conditions”. He attributed this to Robin Cook being “very aware of the Greek Cypriot lobby in the UK”.

3.1. Turkish attitudes to Cyprus and the EU

It took some time after the Helsinki European Council for the Turkish government to realise that its leverage over the EU on Cyprus was limited because the EU would admit Cyprus as a divided island come what may – albeit as a last resort. Two years after the Helsinki European Council the Ankara government still appeared to be in denial on this point. This statement was made in August 2001 by Sukru Sina Gurel, a diplomat and political ally of Bulent Ecevit.

"The EU is in a difficult situation because it will either accept the Greek Cypriot side and put the EU seal to the partition on Cyprus or will act against Greece and endanger the enlargement process...."³³⁵

UK diplomats involved in the peace talks found the Turks' approach "not helpful". "Turkey just said that...Cyprus could not join the EU without Turkey say so etc...and lots of specious things like that. It had one major defect....no one else agreed with them."³³⁶

Gunther Verheugen tried to tell the Turks otherwise and persuade Bulent Ecevit to stand up to Rauf Denktash.

"He (Verheugen) explained to the Turks...look you cannot allow Denktash to take (away) the European vocation of Turkey...that cannot be in your interests....it must be solved. (Ismael) Cem fully accepted this....Ecevit never (did). ...Verheugen told him he was overplaying his hand....but he (Ecevit) did not believe him."³³⁷

Bulent Ecevit seriously misread the Brussels consensus which was actually quite scathing about the Cyprus issue. It did "not want to see the entire process blocked because of a small Mediterranean island." (Suvarierol 2003: 65) and "...for the EU, the question of

³³⁵ Anatolia News Agency, August 24th 2001. *Turkish minister says UN leader should be "more creative" on northern Cyprus*. Supplied by BBC Monitoring Europe.

³³⁶ Senior UK Diplomat A – interview – March 2010.

³³⁷ Senior European Commission official D – interview – August 2010.

whether a tiny piece of Cyprus is ruled by Ankara was meaningless.”³³⁸ This attitude by the Turks made progress on the Cyprus issue problematic. The Cyprus peace process was a UN initiative albeit with close collaboration from the UK envoy, Lord Hannay, the US envoy Alfred Moses and the European Commission accession negotiator with the Republic of Cyprus, Leopold Maurer³³⁹. This lack of direct control was a source of frustration within the Commission’s upper echelons³⁴⁰ who would still rather admit Cyprus as a united island – rather than a divided one.

3.2. The UN and Cyprus 1999-2001

At the end of January 2000 the second round of the UN sponsored “proximity” talks opened in Geneva when the UN Secretary General, Kofi Annan, talked of “working towards a comprehensive settlement in the course of a year.”³⁴¹ However the achievement of such progress would have required the Ankara government to exert pressure on the Turkish Cypriot President Rauf Denktash and this was something Ecevit was not inclined to do for the reasons discussed. By the summer of 2000, events had slowed and the protagonists were less optimistic. Rauf Denktash had an “obsessive preoccupation with status and sovereignty” which distracted from the real detail of territory and property swap (Hannay 2005: 128). In July 2000 Kofi Annan’s special representative, Álvaro de Soto, had revised his boss’s optimism and admitted that a deal was “unlikely” in 2000³⁴².

Relations between Athens and Ankara were also tetchy in the autumn of 2000 as tensions over the Aegean rumbled on³⁴³. At the UN proximity talks in Geneva in November 2000 Kofi Annan once again struck an optimistic tone and proposed that it was time for the process to progress and “seize the best chance yet for a Cyprus settlement...” (Hannay 2005: 140).

This coincided with the release of the EU’s Accession Partnership Document (APD) which

³³⁸ Senior European Commission official D – interview – August 2010.

³³⁹ For more detail on the day to day events see Hannay (2005) Chapter Eight.

³⁴⁰ Senior European Commission official D – interview – August 2010.

³⁴¹ Financial Times, February 1st 2000, *Hopes rise for Cyprus settlement this year*.

³⁴² Financial Times, July 6th 2000, *Peace deal 'unlikely' this year*.

³⁴³ Financial Times, November 3rd 2000, *Aegean rivals have a lot to gain: Accord between Turkey and Greece would offer both countries considerable advantages. But will they stop bickering?*

included a paragraph calling on Turkey to support the UN Cyprus initiative in order to "bring the process of finding a comprehensive settlement of the Cyprus problem to a successful conclusion"³⁴⁴.

However, Ankara took umbrage at this paragraph in the APD which appeared to suggest a Cyprus solution was a precondition for Turkish accession. Ecevit saw this as the EU reneging on the "deal" made by Solana and Verheugen the previous year during their eleventh hour dash to Ankara during the Helsinki European Council³⁴⁵. Hence the Turks felt it would be "out of the question" for Turkey to approve the APD paragraph concerning Cyprus...³⁴⁶ and Ecevit wrote to the member state Prime Ministers and senior EU officials to say so^{347 348}. It was political difficult for Ecevit to accept this so openly because of pressure from his coalition partner Devlet Bahçeli and the Turkish Cypriot President Rauf Denktaş. Accordingly Ecevit backed Rauf Denktaş in his boycott of the next round of the UN proximity talks which were due to start in January 2001.

Whilst the Turkish Foreign Minister, İsmail Cem, was able to rebuild bridges with member states during discussions in advance of the European Council in Nice in December 2000, Denktaş's position remained unchanged. He did not win friends amongst the UK delegation involved in the UN talks. His advisor Mumtaz Soysal was described as "pernicious" and adept at "egging Denktaş on".³⁴⁹

³⁴⁴ Agence France Press, November 15th 2000, *Turkey's Ecevit writes to EU ministers over Cyprus snag*.

³⁴⁵ That the Turkish EU accession case would not be directly linked with a solution to Cyprus.

³⁴⁶ Statement of Prime Minister Bülent Ecevit issued by the Turkish Ministry of Foreign Affairs, November 11th 2000.

http://www.mfa.gov.tr/the-statement-of-prime-minister-ecevit-regarding-the-eu-accession-partnership-document-and-cyprus_br_november-11_-2000.en.mfa Accessed 25th September 2010.

³⁴⁷ Anatolia News Agency, November 14th 2000, *Turkish premier informs EU leaders of "unease" over Cyprus issue*, supplied by BBC Monitoring Europe.

³⁴⁸ In fact, behind the scenes, Turkey accepted the need to make progress on Cyprus but the political sensitivity was such that Ecevit could not be seen to bow to pressure from Brussels on the issue (Senior Turkish diplomat A – interview – March 2010.)

³⁴⁹ Senior UK diplomat A – interview – March 2010.

"The Turks used up an enormous amount of time. Denktash did not wish to join the EU. He did not care a damn...(and) it was a benefit if it made it more difficult for Turkey to join (the EU)."³⁵⁰

However, the EU, the USA and the UK, with the UN, continued to try to persuade Denktash to return to the negotiating table. The US envoy to Cyprus Al Moses, and his assistant, Tom Weston, visited the region in early January 2001. Moses made Washington's motivation clear:

"We would like to see a united Cyprus enter the EU. One of the reasons we're advocating seeking to facilitate a comprehensive settlement is to ensure that a united Cyprus enters the EU not a divided Cyprus....and we hope that will be followed closely by the accession of Turkey to the European Union."³⁵¹

However Moses was unsuccessful and left the island with a memorable sound bite:

"When you have one of the two sides saying they don't want to dance, it's very hard to have a tango; you need two to dance."³⁵²

The UK envoy, Lord Hannay, also went to Ankara and Cyprus soon after. Hannay explicitly linked a Cyprus settlement with Turkish and Cypriot EU accession and highlighted the benefits it could bring to northern Cyprus³⁵³. The implicit message of course was the negative consequences for the Northern Cyprus economy and for Turkey's EU accession if the Cyprus talks did not restart and reach a satisfactory conclusion³⁵⁴. Two weeks later Kofi

³⁵⁰ Senior UK diplomat A – interview – March 2010.

³⁵¹ Turkish Daily News, January 12th 2001. *Moses: We want a united Cyprus to enter the EU.*

³⁵² Agence France Press, January 9th 2001. *US envoy leaves Cyprus without making headway in peace process.*

³⁵³ Cyprus News Agency, January 12th 2001. *British envoys says chance of "decisive progress" on Cyprus issue exists.* Hannay said: "The best tonic that the economy of the north Cyprus could have would be to get a settlement of the Cyprus problem and for the whole island to enter the EU, anything else is less good than that.."

³⁵⁴ However, as Hannay noted later "...if like Denktash you did not want Turkey to join the EU in the first place there was no great discomfort." (Hannay 2005: 147).

Annan's envoy, Alvaro de Soto, visited the area and was also unsuccessful³⁵⁵. In May 2001 a high level EU delegation met Turkish Cypriots and delivered a very similar message³⁵⁶.

The talks remained stalled throughout most of 2001 although efforts continued by the UK, the US, the EU and the UN to bring the Turkish Cypriots back to the negotiating table. Kofi Annan met Denktash in Salzburg in August 2001³⁵⁷ and invited Clerides and Denktash to resume talks in New York on September 12th 2001 amidst cautious optimism³⁵⁸. However, ultimately Denktash declined the offer and in the event, the talks would not have taken place anyway as the events of September 11th 2001 intervened. However it was a blow to all concerned.

“Those who had put so much effort into restarting the negotiations were now left, like Sisyphus in the fable, watching the stone rolling back down to the bottom of the hill yet again.” (Hannay 2005: 154).

By this time, there was anxiety in Greek circles that the Turkish impasse could yet delay Cypriot accession³⁵⁹ and in EU circles that it could impede wider eastern enlargement³⁶⁰. Then, in early November 2001 Denktash wrote to Clerides unilaterally proposing that face to face talks between them should restart. Analysis of Denktash's motives for the *volte face* has varied from the stubbornly independent (Hannay 2005: 154) to a Machiavellian attempt to undermine Cypriot accession by filibustering the talks further (Tocci 2002: 5). Denktash's change of heart came soon after the EU Commission President Romano Prodi made the position clear during a visit to Cyprus:

³⁵⁵ Agence France Press, January 29th 2001. *UN mediator makes no headway after four-day trip to Cyprus.*

³⁵⁶ Agence France Press, May 31st 2001. *Top EU officials meet with Turkish Cypriot politician.*

³⁵⁷ He had also met with Gunther Verheugen the day before in Zurich. See Turkish Daily News, August 24th 2001. *“Denktash to meet Verheugen and Annan.”*; Agence France Press, August 27th 2001. *Turkish Cypriot leader departs for talks with Annan, Verheugen.*

³⁵⁸ Agence France Press, August 28th 2001. *Annan reports useful meeting with Turkish Cypriot leader.*

³⁵⁹ Financial Times, July 19th 2001, *Divided Cyprus threatens to veto expansion of EU.*

³⁶⁰ Financial Times, July 20th 2001, *Troubles of a divided island: William Wallace says a crisis is brewing.*

"A political settlement before Cyprus's accession is our strong preference...but let me make one thing clear, Cyprus will join the European Union, and it will be among the first candidate countries to do so."³⁶¹

Although Ecevit's immediate response was to moot the bullish possibility of Turkey annexing Northern Cyprus³⁶², soon after Denktash agreed to restart talks with Clerides under UN auspices. It was agreed that Denktash would meet Glafkos Clerides in January 2002.

3.3. The UN and Cyprus 2002

Talks between Clerides and Denktash resumed in January 2002 with the aim of reaching a provisional conclusion by the end of June that year. Álvaro de Soto³⁶³ was present but only as a "fly on the wall"³⁶⁴. Tom Weston and Lord Hannay were in close contact with de Soto but kept a low profile at the request of Ankara (Hannay 2005:157). The first few months did not make significant progress and in March 2002 Gunter Verheugen re-iterated Prodi's point.

"There is a message for Turkey. Nobody should expect that the European Union can and will change the enlargement agenda and the timetable. Everybody must understand that the clock is ticking, time is running...

"There will be no delay and everybody must understand that we cannot tell a hundred million people in eastern and central Europe that they have to wait until a settlement of the Cyprus question is found. That is not possible....so delaying tactics will not help."³⁶⁵

³⁶¹ Agence France Press, October 25th 2001. *Cyprus will be among first of new countries to join EU: Prodi.*

³⁶² Agence France Press, November 4th 2001. *Turkey could annex northern Cyprus: Ecevit.*

³⁶³ Kofi Annan's envoy.

³⁶⁴ It had been agreed in advance that he could attend but was not allowed to contribute or take notes. Senior UK Diplomat A - Interview – March 2010.

³⁶⁵ Agence France Press – March 22nd 2002. *EU commissioner warns Turkey against stalling Cyprus' EU bid.*

The Turkish response to Verheugen was predictable³⁶⁶. Ecevit's confidence and trust had not recovered from the all-important paragraph 9b of the Helsinki European Council Presidency conclusions and the subsequent "betrayal" of the Accession Partnership document and Denktash appeared to be "navigating without a compass" in the absence of a firm line from Ankara (Hannay 2005: 162). By April 2002 the talks between Denktash and Clerides were again highly politicised and ultra-sensitive. Both the UK Minister for Europe, Peter Hain³⁶⁷, in April, and Lord Hannay in June encountered nationalist sensitivities on both sides which gave a flavour of the "tortuous"³⁶⁸ nature of the proceedings³⁶⁹. Following a briefing by Alvaro de Soto the UN Security Council issued a statement expressing "...concern that progress was slow and that a great deal of ground remained to be covered for the June target for agreement - which the council again strongly endorses - to be met."³⁷⁰ This was a time of maximum flux for the Ecevit government; Ecevit himself was physically weak and his government was teetering on the verge of collapse³⁷¹. The Cyprus talks were in need of a "shot in the arm" (Hannay 2005: 162) if they were to conclude in time for the eastern enlargement round³⁷².

In May 2002 Kofi Annan visited Cyprus to inject some momentum back into proceedings. It was Annan's aim to get Clerides and Denktash to agree to allow the UN to start to draw up a

³⁶⁶ "The remarks we hear from the EU are in a way encouraging the Greek Cypriots to be more intransigent," Foreign Minister Ismael Cem quoted by Agence France Press – March 25th 2002. *Turkey accuses EU of favouring Greek Cypriots in peace process.*

³⁶⁷ Cyprus News Agency, April 11th 2001. *Cyprus: British official's reference to "two peoples" criticised.* Supplied by BBC Summary of World Broadcasts.

³⁶⁸ Senior UK diplomat B – interview – March 2010.

³⁶⁹ For example see: Xinhua News Agency, June 18th 2002, *Cypriot Government Disappointed With British Stance on Issue..* See also, Radio Bayrak, Cyprus, June 18th 2002, *Turkish Cypriot leader comments on Cyprus solution, reacts to UK envoy remarks.* Source BBC Summary of World Broadcasts

³⁷⁰ Agence France Press, April 4th 2002, *Security Council concerned by slow progress on Cyprus.*

³⁷¹ See Turkish Daily News, July 2nd 2002. *Ailing Prime Minister Bulent Ecevit meets coalition partners Bahceli and Yilmaz in attempt to ease concerns over his health.*

Also the Ecevit government in mid-2002 was "unbelievably corrupt, divided and weak." (Source: Senior UK Diplomat A).

³⁷² Lord Hannay has claimed that most parties, including the European Commission, had found TRNC difficult to deal with and "petty harassment was the order of the day". "It was very clear....that they (TRNC) regarded the prospect of membership of the European Union as a serious challenge to their grip on Turkish politics and to the hard line on a settlement they were pursuing in the negotiations, just as Denktash regarded the prospect of Turkey's eventual membership of the EU as a threat to his own grip on Turkey's Cyprus policy." (Hannay 2005:170)

written agreement based on the outcome of the talks so far. However in spite of the intermittent “glimmers of hope” no progress was made and it became clear that the June 2002 deadline would not be met. The Seville European Council in June 2002 reiterated the EU’s position in respect of eastern enlargement and Cypriot accession already made clear by both Prodi and Verheugen.

“The European Council reaffirms that, if the present rate of progress in negotiations and reforms is maintained, the European Union is determined to conclude the negotiations with Cyprus, Malta, Hungary, Poland, the Slovak Republic, Lithuania, Latvia, Estonia, the Czech Republic and Slovenia by the end of 2002, if those countries are ready.”³⁷³

Furthermore the Seville European Council Presidency conclusions laid down a timetable for the CEEC accession treaties to be signed in the spring of 2003 and for the new member states to participate in the European parliamentary elections of May 2004. The conclusions also urged the Greek and Turkish leaders to “....intensify and expedite their talks in order to seize this unique window of opportunity for a comprehensive settlement, consistent with the relevant UN Security Council resolutions, it is to be hoped before the conclusion of the negotiations.”³⁷⁴ However the talks remained deadlocked over the issue of sovereignty and the fifth round of proximity talks ended as Rauf Denktaş said with “... visions and expectations still 180 degrees on opposite sides.”³⁷⁵

3.4. A Sisyphean task

The job of finding a way to solve the Cyprus conundrum for the EU was handed over to the Danish Presidency and Prime Minister Anders Fogh Rasmussen who was unequivocal that

³⁷³ Seville European Council, June 21-22nd 2002, Presidency conclusions. Para. 22.

³⁷⁴ Seville European Council, June 21-22nd 2002, Presidency conclusions. Para. 24.

³⁷⁵ Agence France Press, August 2nd 2002. *Turkish-Cypriots see no progress after seven months of UN talks; See also Associated Press, August 2nd 2002. Fifth round of U.N.-sponsored reunification talks on Cyprus ends without breakthrough.*

whilst the EU would *prefer* to admit a united island Cypriot accession would go ahead come what may.

"A solution to the Cyprus problem would be an advantage, but it is not a condition for enlargement."³⁷⁶

Furthermore the EU Commission was exerting pressure on Turkey to help find a solution and linking this to Ankara's EU accession case³⁷⁷. The UK also articulated an intention to "...do everything it can to ensure that the outcome of this process is a positive one"³⁷⁸

However efforts to kick start the process once again were now hampered by the collapse of the Ecevit coalition government through the summer of 2002. With the resignation of Ismael Cem the job of foreign minister went to the hawkish Sukru Sina Gurel.

"Nothing positive could be expected from the interim government whose Prime Minister (Ecevit) believed he had settled the Cyprus problem in 1974 and whose foreign minister was generally reckoned to be even harder line than Denktash." (Hannay 2005: 174).

The Greek government's stance was to back the Turkish case for accession provided a solution had been found to the Cyprus issue³⁷⁹. Meanwhile the interim foreign minister Gurel appeared to demand a date for talks with the EU begin based on the reform package just passed by the Turkish parliament warning that "mid-way formulas" would be "insufficient"³⁸⁰.

It was in this context that the sixth round of Cyprus proximity talks opened in late August in Cyprus and both sides were then called to Paris to meet Kofi Annan in early September

³⁷⁶ Associated Press, June 3rd 2002, *A divided Cyprus could become member of the European Union, says Danish prime minister.*

³⁷⁷ Associated Press, August 5th 2002, *Turkey Faces EU Membership Hurdles.*

³⁷⁸ Agence France Press, September 2nd 2002, *Britain working hard to ensure a Cyprus solution by the autumn: Hannay.*

³⁷⁹ Deutsche Press Agentur, August 23rd 2002, *Athens: Turkey can join E.U. if Cyprus talks are successful.*

³⁸⁰ Agence France Press, August 21st 2002, *Turkey presses EU to set date for accession talks.*

2002. In advance of the Paris meeting, the USA was making clear its desire for a solution to be found, preferably in advance of Copenhagen:

"We look at the discussions as something that should continue, that should be worked on very, very hard by all parties involved."³⁸¹

Whilst the Paris meeting did not make progress, Kofi Annan remained optimistic and scheduled another meeting with Clerides and Denktash in early October 2002 in New York³⁸². Meanwhile the UN team continued efforts to find an acceptable solution behind the scenes backed up by considerable diplomatic activity by the Americans and the UK.

With a flurry of conspiracy theories³⁸³ it was then announced that Denktash would be undergoing heart surgery in New York immediately after the October talks which were expected to take him out of action for several weeks^{384, 385}. Efforts continued behind the scenes by the UN and the US in particular. Kofi Annan was preparing to present his own plan for the future of Cyprus involving two states in federation but with separate administrations and there was much pressure on Greece, Turkey and both Cypriot sides to find a way forward to facilitate a smooth ride at Copenhagen. However this was made difficult by the absence of Denktash. He had not nominated a representative so no decisions could be taken by the Turkish Cypriot side (Hannay 2005: 181) and very little progress was made in advance of the Copenhagen European Council³⁸⁶.

³⁸¹ US Envoy Tom Weston quoted by Agence France Press, September 2nd 2002, *US urges Cypriot leaders to move forward at Paris meeting*.

³⁸² Agence France Press, October 6th 2002, *No progress in Cyprus talks, but Annan still optimistic*.

³⁸³ Hannay (2005:177) reports "speculation that Denktash was playing a hospital card as part of a continuing filibuster was almost universal and not merely amongst his adversaries."

³⁸⁴ Agence France Press, October 4th 2002, *Denktash to undergo heart surgery in US after Cyprus talks*.

³⁸⁵ In the event this was prolonged further by complications of the surgery Agence France Press, October 17th 2002, *Post-op problems keep Denktash in hospital*.

³⁸⁶ For an overview of the Cyprus issue see Ker-Lindsay (2005a, 2005b) or Nugent (2006)

4. The road to the Copenhagen European Council

It is no surprise then that Copenhagen was a “chaotic” summit³⁸⁷ as it worked under the weight of expectation to find a formula for Cyprus, a solution to the Berlin Plus impasse as well as negotiating the final details of the biggest enlargement round ever undertaken by the EU. The issues of Cyprus, enlargement and Berlin Plus were linked to Turkish accession in a Gordian knot. It was, as the UK Foreign Secretary Jack Straw said at the time, the “...most complex matrix of negotiations in which the EU has ever been involved.”³⁸⁸

4.1. The “complex matrix” of Cyprus, EDSP and enlargement

The Gordian knot was pulled tighter by a number of issues. Firstly, in spite of the reform packages passed, Turkey still did not meet the Copenhagen criteria. Moreover, the reforms it had been able to make were very recent and their implementation untested. In the 2002 Progress Report, the EU Commission once again appeared anxious to *encourage* further reform towards future accession³⁸⁹ but was not able to *recommend* that accession talks be opened³⁹⁰.

Secondly, the Turkish accession case remained very unpopular amongst EU public opinion³⁹¹ and some elite opinion was also strongly opposed to Turkish accession. In November 2002 the former French President, and the chair of the European Convention, Valerie Giscard D’Estaing said Turkish accession would mean the “end of Europe”.

³⁸⁷ Senior UK Diplomat B – interview – March 2010.

³⁸⁸ Financial Times, December 11th 2002, *Denktash illness hits hopes of peace deal on Cyprus*.

³⁸⁹ European Commission, 2002, *Regular Report from the European Commission on Turkey’s Progress towards accession*. Section C – Conclusion: “In the light of the noticeable progress made in recent years and of the remaining areas requiring further attention, Turkey is encouraged to pursue the reform process to strengthen democracy and the protection of human rights, in law and in practice. This will enable Turkey to overcome the remaining obstacles to full compliance with the political criteria.”

³⁹⁰ Associated Press, October 8th 2002, *EU expansion plans likely to disappoint Turkey, no date likely for membership talks*.

³⁹¹ The Eurobarometer surveys of spring and autumn 2002 showed almost half of public opinion within the EU-15 member states was against Turkish accession. See Eurobarometer, Report No. 58.

“Turkey is a nation close to Europe and an important country ... but it is not a European country...Its capital is not in Europe, 95 per cent of its population is outside Europe.”³⁹²

Whilst views such as Giscard D'Estaing's were based primarily on cultural and religious objections to the Turkish case there was also residual opposition amongst member states who did not believe Turkey's record of democracy and human rights had improved *enough* to justify the opening of accession negotiations.

However, thirdly, Ankara was not inclined to empathise with the EU point of view. Its clarion call for some time had been that enough reform had already been achieved to justify the next step³⁹³. This hard-line geostrategic approach is further in evidence in statements by the interim Turkish foreign minister Sukru Sina Gurel in advance of the Commission Progress Report in October 2002. He hinted that the failure to open accession talks may influence “...other aspects of relations between Turkey and the European Union.”³⁹⁴ In other words, failure to open accession talks would adversely affect Turkish willingness to cooperate with ESDP and to exert pressure on Rauf Denktash over the Cyprus issue – both of which the EU was keen to conclude and operationalise at the Copenhagen European Council . The EU's inability, or unwillingness, to make a special case for Turkish accession meant it would be more difficult to expedite its flagship policies of eastern enlargement and the ESDP Operation Concordia in Macedonia. However, because it wanted to roll these policies out, and quickly, a way had to be found.

³⁹² Le Monde, November 8th 2002. See also: Agence France Press. November 8th 2002. *EU's Giscard d'Estaing says Turkey would spell 'end' of Union*. The Turkish case was also unpopular with elite opinion in Austria. See Deutsche Press Agentur. October 8th 2002. *No chance for Turkish E.U. membership, says E.U. Convention member*.

³⁹³ The Turkish President Ahmet Necdet Sezer said in June that failure to open accession negotiations with Turkey before the end of 2002 “...could damage the motivation for reform in Turkey. The sincerity of the EU will be questioned by the Turkish population.” Agence France Press. June 21st 2002. *Turkey expects EU to back progress on reforms, pave way for talks*.

³⁹⁴ Agence France Press, October 5th 2002, *Turkey says ties with EU will suffer if no date given for talks*.

4.2. The AKP Dimension

A further dimension of the difficulties facing the EU in advance of the Copenhagen European Council was the state of flux of domestic Turkish politics. Little progress could be made on either Berlin Plus or Cyprus until after the general election on November 3rd 2002. It was won by the AKP with 34.2% of the vote and a parliamentary majority with a mandate to pursue EU accession³⁹⁵. The UK government had established *before* the election that the AKP was a credible player in terms of EU accession. It had “been obvious that the AKP were building up a head of steam and we (the UK) needed to find out what they were all about.”³⁹⁶.

The UK Ambassador to Ankara, Sir Peter Westmacott, had forged close links with AKP politicians (particularly Abdullah Gul and Yasar Yakis)³⁹⁷. He established that the AKP was serious about EU accession – albeit for its own reasons – and was prepared to take action to achieve it.

“...it convinced us that the AKP was going to be an effective proponent of Turkey’s inclusion because they had come to the conclusion that the best way to counter the military and the deep state was to join the EU.

“We knew certainly that we were in business both for Turkish accession and Cyprus.”³⁹⁸

Thus the AKP’s European aspiration neatly merged with the UK government’s longstanding strategic aims in the eastern Mediterranean. The new Turkish government embarked on a tour of all the major European capitals to make the Turkish case immediately after the election of November 3rd 2002³⁹⁹. The Prime Minister, Abdullah Gul, and the Chairman of the

³⁹⁵ AKP won 363 out of 550 seats in the Turkish parliament (See Cagaptay 2002)

³⁹⁶ Senior UK Diplomat E – interview – May 2010.

³⁹⁷ Senior UK Diplomat E – interview – May 2010.

³⁹⁸ Senior UK diplomat A – interview – March 2010

³⁹⁹ Turkish Daily News. December 1st 2002. Flying AKP chairman searches for concrete support.

AKP, Tayyip Recep Erdogan⁴⁰⁰, were very specific, and indeed “pushy”⁴⁰¹ about what Ankara would accept. They continued the narrative of their Kemalist predecessors and lobbied for a “date for talks” rather than “talks about talks”⁴⁰². The Turks were extremely sensitive about their position relative to the CEECs and wanted parity with Romania and Bulgaria⁴⁰³. Additionally they wanted Turkish accession negotiations to open before the CEECs, and especially Cyprus, formally acceded in May 2004.

However the EU case was equally consistent. After meeting Erdogan in Copenhagen in late November 2002 the Danish Prime Minister, and EU Presidency incumbent, Anders Fogh Rasmussen said: “As far as a date for the start of the accession negotiations is concerned, my answer is clear: Turkey can get a date if and when Turkey fulfils the political criteria.”⁴⁰⁴

4.3. The USA dimension

The role of the USA must also be taken into account at this time. Whilst under the Clinton administration the UK and the USA had shared a broadly similar geostrategic motivation of EU accession for the purpose of “making Turkey a different country... with a modern economy and a real democracy”⁴⁰⁵, there had been a change of emphasis under the administration of George.W.Bush which in late 2002 was focusing on Iraq and Saddam Hussein thereby heightening Turkey’s geostrategic value to the USA⁴⁰⁶. In early December 2002 the US Deputy Defence Secretary Paul Wolfowitz held talks in Ankara about Turkey’s possible role in any operation against Iraq⁴⁰⁷. The following week, just two days before the Copenhagen European Council, the Prime Minister Recep Tayyip Erdogan went to

⁴⁰⁰ Erdogan was officially chairman of AKP rather than Prime Minister because of a previous conviction under the Turkish constitution for reciting a poem at a public rally which banned him from public office.

⁴⁰¹ Senior European Commission official A – interview – February 2010.

⁴⁰² Although both the European Parliament President Pat Cox and Gunther Verheugen’s spokesman Jean-Christophe Filori were both quick to rebuff Giscard D’Estaing’s remarks. See Agence France Press, November 8th 2002. *Brussels denies Turkish membership would spell the end of the EU.*

⁴⁰³ This coincided with the furore over Giscard D’Estaing’s negative remarks about Turkish accession

⁴⁰⁴ Financial Times. November 28th 2002 *Leaders consider next steps as momentum builds for Europe to open door to Ankara.*

⁴⁰⁵ Senior USA State Department Official – interview - March 2010

⁴⁰⁶ See Riddell (2003) and Meyer. C. (2006) for background accounts.

⁴⁰⁷ Financial Times, December 4th 2002. *Turkey renews pressure to win firm date for EU entry talks.*

Washington for talks with George.W.Bush about both Turkish co-operation in any Iraq campaign and Turkey's EU accession after which the White House press spokesman Ari Fleischer endorsed the Turkish case:

“He (Bush) thinks it is very important that the EU give consideration to a nation like Turkey, an Islamic democracy, a merging country that has certainly made tremendous strides in terms of integration into Europe and to an approach that is compatible with the transparency and openness of Europe.”⁴⁰⁸

In the run up to Copenhagen, the USA indulged in “unprecedented lobbying”⁴⁰⁹ and “bullying tactics”⁴¹⁰ on Turkey's behalf. The EU's External Relations Commissioner Chris Patten could reportedly “hardly suppress his anger” after Secretary of State Colin Powell wrote to him suggesting the EU should waive strict conditionality in Turkey's case because “all manner of good things would come from Turkey's full membership of the EU...”⁴¹¹ while President Bush telephoned the Danish Prime Minister Anders Fogh Rasmussen on the eve of the summit to make the case⁴¹². The US State Department did not understand why the EU persisted in the strict legal approach to Turkish accession rather than taking a strategic view.

“We kept saying that there was a strategic question here. Turkey is to the benefit of the EU so why not think strategically? The Europeans said to us...that what if this was Mexico...but still our frustration was “for God's sake, think strategically.”...

“It is a strange amalgam....where is the first champagne cork going to be popped if the EU says never....if you want this society (Turkey) to be

⁴⁰⁸ The Times, December 11th 2002. *Bush backs Turkey's efforts to join the EU*. See also Agence France Press, December 12th 2002. *Bush lobbies EU, France for Turkey accession*.

⁴⁰⁹ The Times, December 14th 2002. *Hawks fail to secure Turkey's early EU entry*.

⁴¹⁰ Financial Times, December 14th 2002. *Tough talk by Ankara and Washington misfires*.

⁴¹¹ Senior USA State Department Official – interview - March 2010

⁴¹² Financial Times, December 12th 2002. *US presses Brussels on Turkey: Powell pushes accession talks before reforms are complete*.

a 21st century society then we have to give it incentives and we cannot screw around.”⁴¹³

Ultimately the American efforts did not succeed. The EU resented the interference and mistrusted President Bush’s motives which were “transparently” concerned with the pending Iraq campaign⁴¹⁴. Anders Fogh Rasmussen stated publicly after the Copenhagen summit: “I think we have to emphasise that this is a European decision and only a European decision.”⁴¹⁵

4.4. The Copenhagen European Council 2002: The date for “talks about talks”.

Nevertheless, whilst the EU was not able to accept the geostrategic case above the normative case it still needed to face geostrategic reality. It had to find a way forward if it wanted to proceed with Operation Concordia and admit Cyprus as a united island rather than only the Greek-speaking Republic of Cyprus plus a seemingly intractable border dispute which meant very little to most Europeans⁴¹⁶ and was potentially destabilising (Wallace 2002). A compromise of some sort was necessary.

Whilst the AKP was treated with some scepticism within the European Commission⁴¹⁷ there was an acknowledgement of the progress already made and good intentions which should be encouraged. This sense of Turkey’s geopolitical value had been heightened after the World Trade Centre attacks on September 11th 2001 which had made a “psychological difference”⁴¹⁸. In marked contrast to the situation after the Helsinki European Council it was now acknowledged that Turkey could make progress towards meet the Copenhagen criteria.

⁴¹³ Senior USA State Department Official – interview - March 2010

⁴¹⁴ The Times, December 14th 2002. *Hawks fail to secure Turkey’s early EU entry.*

⁴¹⁵ The Times, December 14th 2002. *Hawks fail to secure Turkey’s early EU entry.*

⁴¹⁶ In Brussels circles the Cyprus issue was seen as a peripheral legacy of British colonialism and not important in its own right. (Senior European Commission official D – interview – August 2010.)

⁴¹⁷ Senior European Commission official D – interview August 2010

⁴¹⁸ Senior European Commission official A – interview – February 2010

There were mixed views within the European Council. Outside of the EU's official circles, Giscard D'Estaing had been joined in the public fray by Pope John Paul II⁴¹⁹, the leader of the Christian Social Union party in Germany Edmund Stoiber⁴²⁰ and the former French Foreign Minister, the socialist, Hubert Vedrine⁴²¹ who all highlighted Turkey's religious differences as a reason against its accession. The Turkish case for talks to open in 2004 was openly backed by four member states - UK, Spain, Italy and Greece⁴²². However the remaining member states were more cautious and backed the Verheugen approach of incentivising further reform before opening accession talks. Even France and Germany did not feel that the Turks had done enough domestically to warrant the opening of accession talks as soon as 2004.

Following a meeting with Anders Fogh Rasmussen on December 4th 2002, Jacques Chirac and Gerhard Schroeder proposed instead to the Council in Copenhagen that a decision in the Turkish case should be postponed for two years with a view to opening negotiations in July 2005 subject to Commission recommendations based on Turkish progress⁴²³. At the pre-summit dinner in Copenhagen this was opposed by the UK, Spain, Italy and Greece but supported by Sweden, Finland and also Jan-Peter Balkenende of the Netherlands and

⁴¹⁹ Pope Jean Paul II called for a clear reference to Christianity in the Convention on the future of Europe. He said: "The contribution of Christianity and man's Christian vision in the history and culture of different countries is part of a common treasure and it appears logical that this should be inscribed in the project of the Convention," Source EU Observer, November 8th 2002, *Religious identity enters Convention debate*.

⁴²⁰ Stoiber reportedly told the CSU conference in October 2002: "Europe is a community that is based on western values. As a community of shared values, Europe has to deal with the question of its borders. These borders must be based on shared values, culture and history. Turkey's membership would breach these borders." Source The Guardian, November 27th 2002, *Turkey demands talks on joining EU: Scepticism grows in Europe's key capitals as Muslim nation pushes for a place at the top table*.

⁴²¹ Vedrine said: "Turkey is not a European country and has no more reason to be in the European Union than in the Organisation of African Unity," he said. "It would be more honest to say things clearly." Source: The Independent, November 5th 2002, *Europe offers a cautious welcome to the AKP*. See also: The Guardian, December 9th 2002, *Turkey and its place in Europe*.

⁴²² With Greek Cyprus's place virtually assured Greece had no reason to oppose. They were also being pressurised heavily by both the EU Commission and Presidency and the USA. See Agence France Press, December 2nd 2002, *US leans hard on EU to open its doors to Turkey*. See also: Agence France Press, December 2nd 2002, *EU presses for Cyprus solution before enlargement summit*.

⁴²³ Chirac had been forced to take his own hostile public opinion into account. July 2005 was conveniently after the May 2005 referendum in France. The Daily Telegraph, December 14th 2002. "Europe dismisses Bush plea to let Turkey join earlier."

Wolfgang Schüssel of Austria who were able to use it to mask underlying concerns more akin to those voiced by Giscard D'Estaing⁴²⁴. Ultimately a compromise suggested by Anders Fogh Rasmussen was accepted by the member states. December 2004 was given as a “date for talks about talks” when, subject to a favourable progress report by the Commission, the Council would offer a date for talks to begin.⁴²⁵

“If the European Council in December 2004, on the basis of a report and a recommendation from the Commission, decides that Turkey fulfils the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay”.⁴²⁶

Behind the scenes Abdullah Gul and Recep Tayyip Erdogan were disappointed with this compromise but had been placated by the UK with the addition of “without delay”. They were sensitive to the reaction of the Turkish press⁴²⁷ however which may have bounced them into a more belligerent public reaction (Hannay 2005: 194). Abdullah Gul accused the EU of “discrimination” whilst Erdogan said Chirac was breaking promises⁴²⁸.

Ultimately, Erdogan was quick to see the futility of this approach and conceded the pressure domestic public opinion had imposed on Chirac and to a lesser extent Schroeder. By early afternoon on Friday December 13th 2002 Gul and Erdogan “had decided, to proclaim victory and to present the outcome, correctly, as a considerable success.” (Hannay 2005: 194). They also met with both Chirac and Schroeder to rebuild relations and later told Turkish reporters that Turkey would “...prove if it joins the EU that a Muslim country can be

⁴²⁴ The Daily Telegraph. December 14th 2002. Europe dismisses Bush plea to let Turkey join earlier.

⁴²⁵ The Guardian. December 14th 2002. EU embraces ten new members – and open the door to Turkey.

⁴²⁶ Copenhagen European Council, December 12-13th 2002, Presidency conclusions. Para.19. See Appendix IV.

⁴²⁷ Cumhuriyet, December 14th 2002, *Once again a broken dream*; Hurriyet, December 14th 2002, *Turkey's hopes are gone*. See also The Guardian, December 14th 2002, *Dismayed Turks vow to meet the test*.

⁴²⁸ The Daily Telegraph. December 13th 2002. *Turks win date for talks on EU entry*.

democratic and comfortable with the modern world. I think the European leaders are not ignoring this."⁴²⁹

4.5. ESDP and the Annan Plan

After this rollercoaster ride however the chance for pushing forward the Annan Plan on Cyprus had passed. On the afternoon of Friday December 13th 2002 the Turkish delegation announced that the “proposals (Annan Plan) were unacceptable in too many ways to enumerate and there was nothing to negotiate about.” (Hannay 2005: 194). It was felt that the disappointing result on Turkish accession had left the AKP too politically vulnerable to take a stand against Denktash on the highly sensitive Cyprus issue.⁴³⁰

For this reason the UN talks on the Annan Plan collapsed and the European Union switched to its Plan B of accepting Cyprus as part of a divided island whilst setting a new deadline of February 28th 2003 in the hope that agreement could be reached before the accession treaty was signed for the Republic of Cyprus in April 2003. Additionally Turkey was urged by the EU to “pursue energetically its reform process”.⁴³¹

The Berlin Plus issue within ESDP also loomed large over the Copenhagen European Council . Within the EU it was believed that the Turks were deliberately using Berlin Plus to lever a date for accession talks to start⁴³². This was not thought to be a “wise tactic” as they “lost friends”⁴³³ and it “made people angry”⁴³⁴, including Jacques Chirac who was usually sympathetic to the Turkish case but objected to what was described as “aggressive lobbying” by Turkey on both Cyprus and Berlin Plus⁴³⁵ with a view to procuring accession.

⁴²⁹ Turkish Daily News. December 14th 2002. *Turks leave Copenhagen with broken heart, but hopeful.*

⁴³⁰ Senior UK diplomat A – interview – March 2010

⁴³¹ Copenhagen European Council, December 12-13th 2002, Presidency conclusions. Para. 19. See Appendix IV.

⁴³² Senior official in European Council DG enlargement C – interview – March 2010.

⁴³³ Senior UK diplomat B – interview – March 2010.

⁴³⁴ Senior UK diplomat A – interview – March 2010. A very similar point was made by Senior UK diplomat B (interview March 2010) who added that the legacy of the hardball tactics of 2002 may still be being felt now within ESDP.

⁴³⁵ The Guardian, December 14th 2002. *Dismayed Turks vow to meet the test.* NB: In Turkish circles Chirac was seen to have “broken promises” (Senior Turkish diplomat E – Interview - February 2010).

Such was the political will within the EU to press ahead with the plan to launch Operation Concordia as replacement for NATO's Operation Amber Fox in Macedonia that there were even suggestions that ESDP could manage the small project without recourse to NATO assets at all thereby by passing the Berlin Plus arrangements altogether⁴³⁶. This was strongly opposed by the UK and there was recognition that it was not a sustainable long term strategy. However, there was a feeling within the EU that the Berlin Plus arrangements, ie: the Turkey-Greece impasse could not be allowed to block ESDP much longer.

Attempts by the EU member states to deal with the question of Berlin Plus at Copenhagen were complicated by the fact that the AKP government was a very young administration. There was deep suspicion of AKP "within the (Turkish) state apparatus" which left Erdogan, who wasn't even able to be Prime Minister at that stage, and Abdullah Gul "unsure" of their footing⁴³⁷. Just as they had been unwilling to pressurise Rauf Denktash over Cyprus, Erdogan and Gul did not feel able to make easy concessions on the Berlin Plus arrangements which effectively also boiled down to similar sensitivities over Cyprus.

Ultimately it was "some hectic shuttling" between all sides by Javier Solana⁴³⁸ on the fringes of the Copenhagen European Council (Hannay 2005: 196; Reichard 2006: 287) which made the deal on Berlin Plus. It was agreed that the Republic of Cyprus and Malta would not take part in ESDP missions using NATO assets as neither were members of NATO nor had signed up to the Partnership for Peace (PfP) initiative⁴³⁹. This was accepted by Erdogan and Gul⁴⁴⁰ who had been persuaded by the UK diplomatic contingent that it was a good deal with which to work.

⁴³⁶ Letter from Prime Minister of Belgium Guy Verhofstadt to Tony Blair and Jacques Chirac. Full transcript in Haine (2003) (Chaillot Paper No 57).

⁴³⁷ Turkish NGO official A – interview – March 2010. He added: "In fact Copenhagen was a mess."

⁴³⁸ Javier Solana was familiar to the Turkish government from his former role as Sec. Gen. of NATO.

⁴³⁹ EU Observer, December 14th 2002, *EU strikes deal with NATO over security and defence*.

⁴⁴⁰ Although some commentators in Turkey argued immediately that they should have held out for a better deal. See Turkish Daily News, December 20th 2002, *Turkey welcomes solution to ESDP amidst some concerns*.

The UK argument was that the conditionality of the Copenhagen European Council Presidency conclusions could be used instrumentally to further Turkish aims. In other words, if the Turks did what was being required of them by the conditions it would be "...hard for the member states to go back....we told them that if they did this, this and this then they would start. People (member states) would have no choice."⁴⁴¹ However, it was also made clear to Erdogan and Gul that France and Germany were prepared to press ahead with ESDP regardless of Turkish cooperation. Moreover, the Cyprus issue had not been resolved and the Republic of Cyprus would go ahead to accession. Turkish leverage was weak and for all of these reasons it was the best deal available.

Conclusion

In Chapter Three it was argued that the change of EU policy towards Turkey between 1997 and 1999 can be explained largely by geostrategic structural factors. The shifting security environment in Europe at that time highlighted Turkey's geopolitical value and obliged the EU member states to consider Ankara's case more favourably at the Helsinki European Council than they had done at Luxembourg two years previously.

However there is also evidence of agency on Turkey's behalf by a small group of member states which helped to make the case to member states as a whole. This small group – primarily the UK and Germany - were already convinced of the geostrategic case for Turkish membership of the EU. In early 1999 they tried to prepare the way for Turkish candidacy through initiatives such as the Ecevit letter and efforts to find a resolution to the Cyprus issue. Such efforts meant that ultimately, in 1999, Turkish candidacy came to be seen, by the member states as a group, as the price to pay for expediting ESDP and CEEC enlargement. It would have the added bonus of incentivising reform within Turkey and potentially lowering the tensions in the eastern Mediterranean between Greece and Turkey. This was of course

⁴⁴¹ Senior UK Diplomat B – interview – March 2010.

with the proviso that Turkey was not actually expected to progress very much beyond candidacy.

The advocacy in 1999 therefore was only ever intended to further Turkish candidacy – not its accession - as it was accepted within the EU that Turkey's further progress would be dependent on improvements to its undeniably poor record of democracy and human rights. Candidacy in 1999 was merely a way to “manage” the Turkish aspiration to accession in the light of the increasingly pressing geostrategic need to do so. At the Helsinki European Council this this need was considerably stronger than it had been at Luxembourg.

The significance of Helsinki however is less why it happened than the consequences of it. Whatever the intention of the actors involved may have been the result of the Helsinki decision to offer candidacy was to change the status of the Turkish application within the EU. It increased the bureaucratic integration of Ankara within the EU's institutional framework. After 1999 Turkey was on the agenda of the European Councils and was a part of the European Commission's system of progress reports. Any attempt to side-line it from these would have to be publically justified (unlike previously). Simultaneously, the offer of candidacy encouraged the pro-EU lobby within Turkey to work towards making the necessary changes such that Ankara's aspiration could progress further. In these ways Turkey's case was upgraded incrementally between 1999 and 2002 and it started to make the domestic reforms necessary to meet the Copenhagen criteria.

The structural geostrategic issues which had been so influential in gaining candidacy for Turkey at Helsinki continued to influence its case up to the Copenhagen European Council. Whilst Turkey was still seen in a negative light by many EU member states because of its perceived lack of cooperation over ESDP and Cyprus they were nevertheless obliged to placate Ankara for these same reasons. It was not possible to solve either issue before Copenhagen in spite of repeated and sustained efforts to do so. Therefore the atmosphere at the Copenhagen European Council in December 2002 was “chaotic” and pressurized.

Similarly to the situation at the Helsinki European Council three years earlier, at Copenhagen the EU member states were constrained in their dealings with Turkey because of wider geostrategic structural factors - specifically the plans to press ahead with CEEC enlargement and the deployment of Operation Concordia as an ESDP operation. Both issues required Turkish cooperation and that required the placation of Turkey's security concerns and progress on the Cyprus issue – issues that were inextricably linked. To have dismissed the Turkish application out of hand at Copenhagen would have jeopardised both issues.

The result of this continuing need to “manage” Turkey carefully was the wording of the Copenhagen European Council Presidency conclusions, brokered by Tony Blair, which pledged that the Turkish case would be reappraised two years hence on the basis of the European Commission's progress report of October 2004. The Turkish delegation were disappointed by this outcome which did not meet their prior demands for accession talks to be opened before the Republic of Cyprus was due to accede in May 2004. However considering Turkey had made only belated progress on meeting any of the Copenhagen criteria the outcome was relatively favourable. The UK contingent was able to persuade the Turks it was the best result possible and was an opportunity.

This was because the Copenhagen Presidency conclusions wording transformed the European Commission into the arbiter in the Turkish case. It is the conclusion here that such a favourable outcome was the result of continuing agency by the UK in conjunction with the pressing geostrategic considerations acting on the EU member states at the Copenhagen European Council. The significance of the conclusions is that they created an opportunity for meaningful agency on Turkey's behalf by its advocates within the EU for the first time.

Therefore it is possible to conclude the following: Firstly that the outcome of the Copenhagen European Council in 2002 was itself the path dependent result of decisions taken at the Helsinki European Council in 1999. The fact that, after Helsinki, Turkey was “in the system”

coupled with its (albeit) belated but unprecedented green shoots of constitutional reform made it harder for the EU member states to ignore the merits – or otherwise – of Ankara's case for talks to open.

Secondly, as well as this element of path dependent processes, the outcome of Copenhagen was also the result of wider geostrategic factors which limited the options of the EU member states in dealing with Turkey. The Helsinki European Council may have temporarily smoothed the path of CEEC enlargement but it did not solve the underlying issues of Cyprus and ESDP. These issues therefore continued to hinder the smooth progress of both and so Turkey still needed to be “managed” at Copenhagen in 2002. This management was done within the liberal democratic identity of the EU by reiterating the significance of the Copenhagen criteria in dealing with applicant states and throwing the date for consideration forward by two years.

So, thirdly, the result of the Copenhagen European Council was to further emphasise the significance of the Copenhagen criteria. In stressing yet again that these were the criteria by which Turkey would be judged, the EU locked itself into abiding by them. Whilst, at Helsinki, this strategy was taken for instrumental reasons and in the expectation that Turkey would not meet the criteria, by Copenhagen this position had changed. There was a realisation that it was possible, perhaps even likely, that Turkey could meet the criteria and this was a source of anxiety to Turkey's opponents within and outside of the EU. Such anxiety remained based in both normative and “cultural concerns but the EU was obliged to “manage” the Turkish case in some way because firstly it had said it would and secondly it still required Turkey's geostrategic cooperation.

The compromise wording was the way it found to deal with this conundrum however, in stressing the importance of the criteria and crucially by giving the European Commission the role of arbiter in the case, the EU inadvertently upgraded the Turkish case further. The result at Copenhagen in 2002 was stark: if Turkey could meet the Copenhagen criteria accession

negotiations would be opened. This result created room for meaningful agency by Turkey's advocates. It was seen as an opportunity by the UK FCO and the Turkish government who reasoned that if Turkey made considerable progress the EU member states would feel obliged to honour their previous commitments.

Finally then it can be concluded from the evidence here that process and structure both played a role in explaining the outcome of the Copenhagen European Council in 2002. The Turkish case was only on the agenda at all because it had been made a candidate at Helsinki. Furthermore Turkey's case had to be addressed in a climate whereby the Turks were starting to make progress with domestic reform and in which Turkish cooperation was required for the smooth progress of CEEC enlargement and ESDP. In this way, process and structure brought the EU to the point at Copenhagen whereby it was obliged to manage the Turkish case. Perhaps the real significance of the Copenhagen European Council however was the opportunity this combination provided thereafter for meaningful and worthwhile agency on Turkey's behalf. This is not to say that agency by Turkey's advocates had not already been seen. It was in evidence most obviously by the brokering role of Tony Blair at the Copenhagen European Council but the UK had also been active on Turkey's behalf with the Istanbul Letters and the Ankara Document in 2001 aimed at solving the "problem of Turkey" to expedite ESDP operations and to remove Turkey from being seen as a "problem". Prior to Copenhagen the agency on Turkey's behalf was still only aimed at facilitating the wider geostrategic factors (CEEC enlargement/Cyprus and ESDP) rather than being specifically aimed at the accession process.

However as will be examined in the next chapter, after December 2002 this changed. The UK government had already established that the AKP had the political will to pursue EU accession and the reforms that required. Therefore, after November 2002 any advocacy by the UK on Turkey's behalf could be meaningful because the EU had pledged repeatedly to judge the Turkish case by the Copenhagen criteria. The UK knew the AKP meant business

and it was prepared to venture that if it could carry out the reforms the EU would feel obliged to abide by its previous rhetoric.

Chapter Five: From Copenhagen to Brussels

This chapter will argue that the high conditionality of the Copenhagen European Council Presidency conclusions allowed Turkey's advocates to work the system to achieve their aim of accession negotiations being opened with Ankara. This was done by anticipating the constraining influence of EU identity on its decision making in an European Council setting. It therefore implies a degree of agency and advocacy by some EU member states in favour of the Turkish case and the rhetorical entrapment of others by this agency. In effect the EU's previous emphasis on the Copenhagen criteria as the condition of accession was used against it. Turkey's advocates wagered on the assumption that if Ankara was able to implement substantial reforms the member states would not be able to say no to the opening of accession negotiations. Between 2002 and 2004 the new AKP government in Ankara was

helped to meet enough of the Copenhagen criteria – particularly the political section – in order for the member states to be rhetorically entrapped.

“After Turkey had fulfilled its part of the political accession conditionality deal (the member states) were compelled to keep their part of their promise as well and could not legitimately deny negotiations.” (Schimmelfennig 2009: 427)

The advocate-in-chief within the EU was the UK in the form of FCO personnel in its embassy in Ankara but also “well placed Brits”⁴⁴² within the European Commission. It had been realised after the Copenhagen European Council that whilst the outcome had not been ideal it was a basis on which to build. From that time it was UK FCO strategy to ensure that Turkey had met enough of the Copenhagen criteria by 2004 to restrict the grounds on which Turkey’s opponents could object. This coincided with the *zeitgeist* within the EU Commission and the AKP government. The argument is that the action to help Turkey meet the Copenhagen criteria was deliberate and therefore, not only were member states “rhetorically entrapped” (Schimmelfennig 2003b; 2009) by their previous statements but that action was actively taken to entrap them.

What this chapter offers is a “thick description” of the processes involved. It explains how the AKP’s EU resolve was initially tested by the pending Iraq war and the Cyprus issue which also stretched relations with its UK and US allies. Nevertheless, Turkey’s advocates inside and outside of the EU, persevered in finding a solution to the Cyprus issue. This was testament to Turkey’s on-going geopolitical value which had been highlighted by both 9/11 and the Iraq war. Additionally, the AKP’s willingness, albeit after a dubious start, to carry out domestic reforms subsequently reinforced the agency of Turkey’s advocates.

At the Brussels European Council, in December 2004, Turkey’s opponents indeed had few arguments left against the opening of accession talks. Those normatively opposed had

⁴⁴² Senior UK Diplomat B – interview – March 2010.

largely had their fears allayed and could see the wider geostrategic case. Those culturally opposed were not brazen enough to articulate the cultural/religious arguments in a public EU forum. For these reasons, the December 2004 Brussels European Council agreed to open accession talks with Turkey the following October.

1. Turkey's advocates

This section will look at the agency undertaken on Turkey's behalf by its advocates within the European Union between 2002 and 2004.

1.1. UK

Turkey's primary advocate within the EU was the UK. This had been so for several decades and was based on a UK Foreign Office orthodoxy that "Turkey would be an asset for the Europeans in dealing with the Muslim world"⁴⁴³ as well as the beneficial effects for both the EU and NATO of encouraging stable democracy in Anatolia. In 1990 the Conservative government, and its Foreign Secretary, Douglas Hurd, decided to take a "strategic approach" in spite of Turkey's human rights record because it was a "key partner" in a "key location."⁴⁴⁴ This sentiment endured and was expressed in markedly similar form by all the 13 UK politicians and diplomats with whom I spoke during my research. In particular it was a view shared by Prime Minister Tony Blair and his Foreign Secretary Jack Straw⁴⁴⁵ who saw Turkey as a "model" (of Muslim democracy) and important to the "changing face of European security". It was "strategically important in a defence sense and strategically important in a social sense."⁴⁴⁶ Fundamentally Tony Blair's attitude was that Turkey's strategic value "trumped" the demographic, economic, political and cultural objections offered by other member states to its joining the EU.

⁴⁴³ Senior UK diplomat D – interview – April 2010.

⁴⁴⁴ Senior UK diplomat H – interview - October 2010.

⁴⁴⁵ Straw was more convinced of the Turkish accession case than his predecessor Robin Cook had been.

⁴⁴⁶ Senior UK Diplomat C – interview – April 2010.

“It was vital to have Turkey on board to show that you can have a stable Muslim country on the borders of Europe.”⁴⁴⁷

The events of September 11th 2001 had served to raise further the symbolic and strategic importance of Turkey for the UK “perhaps more so than for other (EU) member states” because of Tony Blair’s closer links to George W Bush and the Iraq conflict⁴⁴⁸. The Iraq conflict itself highlighted Turkey’s geostrategic value as a transit route for NATO. Turkey was also symbolically important. A successful democracy in Ankara would “...give added force and added order to Blair’s idea that a Muslim democracy was viable.”⁴⁴⁹ Moreover this general view was shared in 2002 by the USA⁴⁵⁰. There was also some sympathy for it in the German government of Gerhard Schroeder⁴⁵¹ (which had previously included Gunther Verheugen before his move to Brussels in September 1999).

However, even so, at the Copenhagen European Council in 2002, Tony Blair had been unable to make the case for Turkey to go straight to accession talks largely because the government of Bulent Ecevit had not made enough progress towards the Copenhagen criteria. Without such reforms it was too difficult to overcome the residual normative and cultural opposition to the Turkish case. After Copenhagen, it was realised within the FCO that “we had to get the Turks into a place where they could tick off all points for joining.”⁴⁵² That was “...such an obvious thing to do...”⁴⁵³ and to a large extent was a re-run of the policies used for eastern enlargement whereby the CEECs were given an incentive to reform and a “European scaffold” to work within⁴⁵⁴.

⁴⁴⁷ Senior UK Diplomat F – interview – June 2010.

⁴⁴⁸ Senior UK Diplomat C – interview – April 2010

⁴⁴⁹ Senior UK Diplomat F – interview – June 2010.

⁴⁵⁰ Senior USA State Department Official – interview – March 2010.

⁴⁵¹ Senior European Commission official D – interview – August 2010.

⁴⁵² Senior UK Diplomat B – interview – March 2010.

⁴⁵³ Senior UK Diplomat C – interview – April 2010

⁴⁵⁴ Senior UK Diplomat F – interview – June 2010. However this source also stressed that there was a sincere wish by the UK (and the EU Commission) that reform should take place in Turkey for reasons already outlined. This was not a time for “grubby deals” to push Turkish candidacy for its own sake. This was a chance to effect real change in Turkey, perhaps for the first time, which was also considered to be in the best interests of both Turkey and the EU member states.

The logic of the UK FCO was that if Turkey's human rights "issues" could be addressed the only reasons left would be "cultural" and even staunch opponents such as Austria and the Republic of Cyprus may be reluctant to openly express reasons based solely in cultural prejudice in an EU forum with norms based on liberal democracy and social justice.

"You use the logic of the process and you are not prepared to say that Turkey is fundamentally different...if they have passed the post then you have got to let them move to the next stage and that is how we squeezed them through."⁴⁵⁵

The FCO was already aware of the AKP and its intentions. The "brilliant diplomatist"⁴⁵⁶, the UK Ambassador in Ankara, Sir Peter Westmacott, had made strong contacts with the AKP before the November 2002 election. He did a "sterling job" of assessing their intentions and capability⁴⁵⁷.

"We knew a lot about them before they took power...and it convinced us the AKP was going to be an effective proponent of Turkey's inclusion because they had come to the conclusion that the best way to counter the military and the deep state was to join the EU."⁴⁵⁸

Westmacott established that, whilst the AKP were not secular in the Kemalist sense, neither were they Islamist in the fundamentalist sense. Moreover Abdullah Gul and Yasar Yakis in particular were "known in previous incarnations" and were able to "fill a political vacuum". It was believed that the AKP was more serious about EU reforms than its predecessors had been⁴⁵⁹.

⁴⁵⁵ Senior UK Diplomat B – interview – March 2010.

⁴⁵⁶ Senior UK politician C – interview – September 2010.

⁴⁵⁷ Senior UK Diplomat H – interview – October 2010.

⁴⁵⁸ Senior UK Diplomat A – interview – March 2010.

⁴⁵⁹ Senior UK Diplomat E – interview – May 2010.

“They did at least produce a manifesto which had some sensible things about European aspirations and taking forward Turkish candidacy.”⁴⁶⁰

Because the AKP were a known quantity, and were considered to be a viable partner, the UK government thought it worthwhile to work with the AKP to make progress towards the Copenhagen criteria.

“We pursued it and it is true to say that if it had not been for British sponsorship we would not have started accession negotiations with Turkey. We (the UK) can take a lot of the credit.”⁴⁶¹

Sir Peter Westmacott had “extremely good access” to the upper echelons of the AKP and became an unofficial advisor “on call” to the government. “He was extraordinarily pivotal in all that. He was the EU expert for the AKP.”⁴⁶² Ambassador Westmacott’s diplomatic skills meant he was able to be “very tough on telling them what they should do.” He had the “gift of delivering the tough message without losing the way.”⁴⁶³ His role was to “liaise” with the AKP and “engage with them to get the negotiations started.”⁴⁶⁴ Westmacott was able to advise the AKP on which policies would hasten accession talks namely judicial reform, Kurdish freedom of speech, human rights in general and women’s rights in particular. He was also able to advise the AKP on how to “sell” these changes to the Turkish public.

“He did quite a lot of work with them on transparency and better governance in meeting the requirements of the Copenhagen criteria.”⁴⁶⁵

This approach was a specific *modus operandi* within the FCO:

⁴⁶⁰ Senior UK Diplomat E – interview – May 2010.

⁴⁶¹ Senior UK Diplomat B – interview – March 2010.

⁴⁶² Senior UK Diplomat H – interview – October 2010. According to this source the AKP once complained when PW was on annual leave that he was not available to answer a query.

⁴⁶³ Senior UK Diplomat H – interview – October 2010.

⁴⁶⁴ Senior UK Diplomat E – interview – May 2010.

⁴⁶⁵ Senior UK Diplomat E – interview – May 2010.

“The deal (from Copenhagen 2002) was that if they (the Turks) did this, this and this then they would start (accession talks). This means that people (member states) have no choice. That was our key argument. It is very hard for people to go back on that kind of argument. It was about pinning that decision down to the meeting of some political criteria and making it difficult to go back.”⁴⁶⁶

There was also dialogue between Westmacott and the EU Commission officials based in Ankara. This process was furthered by a commonality of interest between the UK and Turkish governments and the EU Commission as well. The UK FCO acknowledged the crucial role of the EU Commission because the final decision by the member states would be based on the Commission’s Progress Report of October 2004.

“The main arbiter was the Commission. There were some well-placed Brits. We worked with them to make sure it came out right.”⁴⁶⁷

These “well-placed Brits” included high ranking officials in the European Commission in Brussels and also in the European Commission representation⁴⁶⁸ in Ankara at that time⁴⁶⁹. They in turn worked extremely closely with the Enlargement Commissioner, Gunther Verheugen.

The policy of the UK was to eliminate “legitimate” reasons why other member states could object to Turkish accession talks starting ie: human rights whilst presuming they would not use “illegitimate” ones ie: religious. In this way therefore the UK was a primary advocate of the Turkish case. Its strategy was to get Turkey to the point whereby it would face minimal opposition within the Brussels European Council. To this end the UK embassy in Ankara provided support to Turkish government officials looking at the strengthening of non-

⁴⁶⁶ Senior UK Diplomat B – interview – March 2010.

⁴⁶⁷ Senior UK Diplomat B – interview – March 2010.

⁴⁶⁸ The EU’s office in Ankara began life as a “representation” but became a “delegation” in July 2004.

Source: <http://www.avrupa.info.tr>

⁴⁶⁹ Michael Leigh (European Commission) and Simon Mordue (EU Representation in Ankara).

governmental civil society and the legal and administrative structures of the government itself in order to facilitate Turkey's "catching the EU train"⁴⁷⁰. Projects encouraged by the UK Embassy included women's rights groups in south eastern Turkey⁴⁷¹, human rights training for the Turkish judiciary⁴⁷² and measures to combat human trafficking across Anatolia⁴⁷³.

The UK also worked to reassure the EU Commission that it would have the support of the member states at the Brussels European Council⁴⁷⁴. The Commission would have been reluctant to present a recommendation it did not think would be passed by the Council of Ministers⁴⁷⁵. Therefore the UK worked to get the support of key member states in order to be able to reassure the Commission their proposal would not be rebuffed in Council. In the run up to Brussels the UK had the backing of Spain, Italy and Greece as well as France and Germany. By reducing the normative grounds for objection to Turkey and highlighting the geostrategic case, the UK was also able to bring the Scandinavians and the Dutch on board. The new CEEC states were told words to the effect of "...we let you in so don't be awkward over Turkey..."⁴⁷⁶ leaving only the Republic of Cyprus and Austria raising serious doubts behind the scenes. Thus the UK was able to reassure the Commission it was not backing a loser. It was the culmination of a close working relationship between the FCO and the European Commission. The co-operation was not an official policy and the Commission was "not following FCO orders" but there was communication and some serendipitous cooperation between the two⁴⁷⁷.

⁴⁷⁰ Sir Peter Westmacott. Quoted by journalist Evren Mesci in an interview published in the Turkish newspaper "Sabah" on October 14th 2003.

⁴⁷¹ Turkish Daily News Oct 16th 2003, *British Embassy marks completion of pro woman project with a reception*.

⁴⁷² Anatolia News Agency, April 2nd 2004. *Envoy says Britain wants to see Turkey become EU member*. Supplied by BBC Summary of World Broadcasts.

⁴⁷³ Anatolia News Agency, Dec 7th 2004. *British envoy explains joint project with Turkey in fighting illegal migration*. Supplied by BBC Summary of World Broadcasts.

⁴⁷⁴ Senior UK diplomat B – interview – March 2010.

⁴⁷⁵ Senior European Commission official B – interview – April 2009; Senior European Commission official D – interview – August 2010.

⁴⁷⁶ Senior UK politician C – interview – September 2010.

⁴⁷⁷ Senior UK diplomat E – interview – May 2010.

1.2. European Commission.

It was a happy coincidence that, in early 2003, the DG Enlargement of the European Commission shared a geostrategic vision of EU enlargement with the UK⁴⁷⁸. Günter Verheugen was "...convinced it was the right thing to do."⁴⁷⁹ He saw Turkish accession as an extension of eastern enlargement and was in favour of it for similar geostrategic reasons "to do with security and defence."⁴⁸⁰ These were not explicitly related to ESDP but instead had a broad composition and included issues such as promotion of democracy, energy security, drugs and people trafficking and the advancement of the EU as a soft power "actor". Turkey would be more democratic, stable and likely to co-operate on a range of security issues from ESDP to the crucial energy pipelines criss-crossing Anatolia⁴⁸¹, terrorism and policing issues (Apap *et al* 2004). It would also enhance EU credibility in the Middle East, for example, "...which was relevant to the peaceful development of Europe".⁴⁸² The events of September 11th 2001 had helped to make the Brussels EU community realise "how crucial the dialogue between the west and Muslim world was."⁴⁸³

The Commission had also made some prior contact with the AKP government and drawn a similar conclusion to that of the UK FCO.

"...what we saw on behalf of the Commission was the opportunity to have a stable government and with (Abdullah) Gul, somebody with whom we could do business....he was surrounded by able and competent ministers....there was a willingness to engage and a

⁴⁷⁸ Senior UK diplomat B – interview – March 2010.

⁴⁷⁹ Senior European Commission official C – interview – March 2010.

⁴⁸⁰ This means general geostrategic interest rather than ESDP *per se*. ESDP was not a Commission area of influence. During Verheugen's 5 year tenure as Enlargement Commissioner he met with Javier Solana (source: Senior European Commission official D – interview – August 2010).

⁴⁸¹ The Nabucco Gas Pipeline International consortium was established in June 2004 for example. (See Winrow 2009).

⁴⁸² Senior European Commission official B – interview – April 2009.

⁴⁸³ Senior European Commission official A – interview – February 2010.

strong commitment built up particularly between (him and)
Verheugen.”⁴⁸⁴.

After the Copenhagen European Council Verheugen sent his “best people” to the EU representation in Ankara to guide the AKP through the process⁴⁸⁵ and the Turks were put “under heavy pressure” to “keep their word” on the reforms⁴⁸⁶. As a result, the “the state of mind changed in the Commission”⁴⁸⁷. The Copenhagen criteria remained key to the process but Commission officials had come to believe that the AKP government could deliver what it said it was going to⁴⁸⁸ and therefore Verheugen was prepared to act as an advocate for Turkey⁴⁸⁹.

It was also recognised within the European Commission that if the 2004 progress report could show evidence of improvement in Turkey it would be very hard for a member state to object to it in the European Council as they could no longer say that Turkey was not ready and would have to rely instead on reasons of culture or religion. For this reason there was a “concerted effort to use all the tools in the enlargement trick box.”⁴⁹⁰ If the Commission could show a “track record” of reform in Turkey it would make the difference at Brussels:

“.....(it) would ultimately enable Gunther Verheugen to make the case in 2004 that Turkey was able to meet the criteria. Verheugen knew exactly what he wanted. We needed to build up a track record.”⁴⁹¹

For this reason, Verheugen spent a lot of time in 2003 and 2004 building personal relationships with both Abdullah Gul and Tayyip Recep Erdogan⁴⁹². He met with them

⁴⁸⁴ Senior European Commission official C – interview – March 2010. NB: There was some overlap with the UK in this regard.

⁴⁸⁵ Senior European Commission official D – interview – August 2010.

⁴⁸⁶ Senior European Commission official A – interview – February 2010.

⁴⁸⁷ Senior European Commission official A – interview – April 2009.

⁴⁸⁸ This had not been the case with the previous Ecevit administration - Senior European Commission official A – interview - February 2010.

⁴⁸⁹ Verheugen would have been very reluctant to make a recommendation in the progress report which did not have a very high probability of being passed by the Brussels EU Council summit (Source: Senior European Commission official B – interview – April 2009.)

⁴⁹⁰ Senior European Commission official C – interview – March 2010.

⁴⁹¹ Senior European Commission official C – interview – March 2010.

regularly and there was a “certain explanation of visions” by Verheugen that “if certain things were done it would allow such and such to happen.”⁴⁹³ Verheugen made it clear to Erdogan and Gul that he needed to see evidence of “concrete deliverables” such as measures to outlaw torture and to improve the rights of the Kurdish minority. These were non-negotiable because they would be demanded by the member states and also because Verheugen and the wider Commission team believed they were the right goals.

“What was important...was not necessarily whether Turkey would join the EU but....that Turkey was anchored in a process whose aim was to allow it to join the EU and that would lead to a radical transformation in Turkish society and support the government in some of the reforms that they wanted to bring through.”⁴⁹⁴

Verheugen was keen to uphold the principles of the Copenhagen criteria. However it is also fair to say that Verheugen took a “pragmatic” view of the Turkish case and what could be achieved in less than two years. His view was that to press conditionality too far in the Turkish case would be hypocritical given that several existing member states would not meet the Copenhagen criteria if contemporaneously assessed now in his view⁴⁹⁵. He believed Turkey should be judged by its intention to reform, which he assessed as genuine, as well as what had actually been achieved. He also believed that once reforms were passed he would be able to make the case in Turkey’s favour and therefore they should be encouraged.⁴⁹⁶

2. Setbacks and solutions

However, whilst the UK and Commission assessment of AKP intentions had been optimistic at Copenhagen, the first few months of AKP tenure were not positive as events intervened.

⁴⁹² Senior European Commission official D – interview – August 2010. Erdogan is a renownedly diffident personality. Their initial bond was built upon his love of football and knowledge of the Bundesliga.

⁴⁹³ Senior European Commission official C – interview – March 2010.

⁴⁹⁴ Senior European Commission official C – interview – March 2010.

⁴⁹⁵ This was apart from the issue of Romania and Bulgaria. Senior European Commission official D – interview – August 2010.

⁴⁹⁶ Senior European Commission official D – interview – August 2010.

There was a “most extraordinary reversal” (Robins 2003b:565) in Turkey’s foreign relations in which it managed to “endanger the whole westward edifice of its policies.”⁴⁹⁷ The “privileged insider” relationship with the US was “undermined” by the Turkish parliamentary decision not to allow its territory to be used during the Iraq war. Meanwhile its EU aspiration was being damaged by the apparent inability of the AKP to exert pressure on Rauf Denktash over Cyprus. The ramifications of both Cyprus and Iraq are part of the context of the Brussels decision in December 2004. Firstly, Cypriot rejection of the Annan Plan in the referendum of April 2004 created a sense of obligation to Turkey. Secondly the Ankara parliament’s decision not to allow the Americans unfettered access to Turkish territory also worked in Turkey’s favour at Brussels.

2.1. Cyprus

The Copenhagen European Council was a serious missed opportunity to find a solution to the Cyprus issue (Hannay 2005:197) but the Presidency conclusions urged both sides to persist and “seize the opportunity...”⁴⁹⁸ of finding a solution before the UN deadline of February 28th 2003. This is evidence of the EU’s desire to solve the Cyprus issue as soon as possible and certainly before the Republic of Cyprus became a member in May 2004. The UN-led Cyprus peace process was inextricably linked with the EU enlargement process because of the involvement of Cyprus in both. The very date for the deadline - February 28th 2003 - was chosen because it was part of a strict timetable leading up to the signing of the EU’s Treaty of Accession with the new member states due to take place on April 16th 2003. So, it was hoped to find agreement to the Annan Plan by February 28th, hold referenda in both halves of the island of Cyprus on March 30th and go forward to the accession signing in April. There was no literally no time to spare in a process which previously had dragged on for decades. Unfortunately, at the very time when the new AKP government needed to concentrate on meeting the Cyprus deadline, it was being forced to grapple with the

⁴⁹⁷ Morton Abramowitz. Former Ambassador to Turkey. Quoted in the New York Times, April 1st 2003, *A nation at war; estranged allies*.

⁴⁹⁸ Copenhagen European Council, December 12-13th 2002, Presidency conclusions. Paragraph 10.

enormity of the Iraq conflict which “distracted it” from Cyprus (see below)⁴⁹⁹. Thus the new AKP government missed the last chance to find a solution before the Republic of Cyprus joined Greece within the European Council .

This pressing chronological logic was not lost on public opinion in the Turkish Republic of Northern Cyprus (TRNC). In late December 2002 large crowds took to the streets of Lefkosa/Nicosia to urge Rauf Denktash to do all he could to meet the 28th February 2003 deadline⁵⁰⁰. At that time the Turkish *de facto* leader Tayyip Recep Erdogan also urged Denktash to take the opportunity while it lasted and to put personal feelings aside in the interests of northern Cyprus which stood to gain economically and politically from accession to the EU.

"This business is not Mr Denktash's personal business. It's not Ahmet's or Mehmet's or Tayyip Erdogan's. It's the struggle of a nation for existence,"⁵⁰¹

In mid-January 2003 there was a further street demonstration in favour of European accession in northern Cyprus⁵⁰². However, whilst the AKP government was in favour the Turkish military, which still exerted considerable influence, regarded the loss of strategically important Cypriot territory as too high a price to pay for furthering ambitions of EU accession for either Turkish Cyprus or Turkey (Heper 2005).

"Turkey will be insistent on having some part of Cyprus and Turkey is ready to pay the price for it unless the U.N. Secretary-General Kofi

⁴⁹⁹ Senior UK diplomat A – interview – March 2010.

⁵⁰⁰ Turkish Daily News. December 28th 2002. *UN wants quick 'yes', Turkish Cypriots march for settlement.*

⁵⁰¹ Recep Tayyip Erdogan quoted by the Financial Times. January 3rd 2003. *Turkey urges Denktash to agree deal over Cyprus.*

⁵⁰² Financial Times. January 15th 2003. *Turkish Cypriots push for UN peace proposal.*

Annan's Cyprus plan helps to reach an agreement which will satisfy both KKTC⁵⁰³ and Turkey."⁵⁰⁴

Gunther Verheugen had already stressed the beneficial economic case for the Turkish Cypriots⁵⁰⁵ and also made clear to Ankara that the Republic of Cyprus would accede regardless of a solution to the Cyprus issue.

"Cyprus will become an EU member in 2004 nothing can change that.

The issue is whether this will be a unified Cyprus or not."⁵⁰⁶

The collective Turkish military view balked at any suggestion it could be bought off with EU money – even if the Turkish Cypriots themselves were happy to be so:

"The national pride is more important than the money. People without their honour mean nothing even though they have money."⁵⁰⁷

However, Verheugen's comments indicated the willingness, and indeed eagerness, of the EU to get the UN peace plan for Cyprus back on track as soon as possible in order not to have to admit Cyprus as a divided island. Verheugen visited Turkey on January 30th 2003 accompanied by the incumbent and forthcoming EU Presidency foreign ministers George Papandreou of Greece and Franco Frattini of Italy.

As indicated by his December 2002 comments, clearly aimed at the self-interest of Turkish Cypriots⁵⁰⁸, Verheugen was also keen to circumvent the influence of Rauf Denktash. Significantly at this time Verheugen believed he had the support of Erdogan against

⁵⁰³ KKTC (Kuzey Kıbrıs Türk Cumhuriyeti) – Turkish Republic of Northern Cyprus (TRNC)

⁵⁰⁴ Anonymous military source quoted in the Turkish Daily News. January 27th 2003.

We are ready to pay any price in Cyprus the military says.

⁵⁰⁵ Athens News Agency. December 22nd 2002. *Cyprus' EU entry without conditions, Verheugen reiterates.*

⁵⁰⁶ Turkish Daily News. February 1st 2003. *Turkey's new target date for EU is 2003*

⁵⁰⁷ Anonymous military source quoted in the Turkish Daily News, January 27th 2003, *We are ready to pay any price in Cyprus the military says.*

⁵⁰⁸ Athens News Agency, December 22nd 2002, *Cyprus' EU entry without conditions, Verheugen reiterates.*

Denktash⁵⁰⁹. However the reassurances which Erdogan had given to Verheugen in private did not materialise in reality. Denktash “showed no interest in engaging in a serious discussion of the main issues in the negotiations...” nor any “sign of....mending his ways.” (Hannay 2005: 204)⁵¹⁰ Additionally the UN peace plan was being hampered by the imminent presidential election in the Republic of Cyprus and the Iraq conflict. Glafkos Clerides was continuing with negotiations for the time being but was lagging behind in the polls against a hard line challenge from Thassos Papadopolous who then won the first round vote outright on February 15th 2003 with 51.55% amidst rhetoric maintaining Clerides had conceded too much to Denktash⁵¹¹.

By February 2003, Iraq was obviously a serious distraction for the Turkish Foreign Ministry. The UK envoy Lord Hannay recounts he was reduced to dealing with junior Turkish foreign ministry officials over Cyprus as his previous contact “was the lead” on Iraq and often cancelled at short notice.

“In Ankara I was brought face to face with the reality that the looming war in Iraq and the need for the Turks finally to give a definitive response to the US and the UK requests to allow their troops to transit Turkey was gradually drowning out all other issues in the consciousness of both politicians and the bureaucracy.”⁵¹²

In late February 2003 Kofi Annan extended the deadline beyond February 28th and invited all parties to meet in The Hague on March 10th for a final decision to be made but optimism was low⁵¹³. The UN team had already decided that the matter hinged with Ankara and the AKP. If

⁵⁰⁹ Senior European Commission official D – interview – August 2010. On another occasion the source said Verheugen also told Denktash directly that “he would not be allowed to decide in which direction the history of Europe will go ...but Denktash did not believe (him)”.

⁵¹⁰ It should be noted at this point that Lord Hannay is an outspoken critic of Rauf Denktash .

⁵¹¹ Associated Press, February 16th 2003, Opposition candidate defeats incumbent President Glafkos Clerides in Cypriot presidential election.

⁵¹² Hannay 2005: 205.

⁵¹³ Agence France Presse, March 9th 2003, Cyprus leaders set for last-gasp talks on UN peace plan

they could exert the right pressure on Denktash and he acquiesced it was more likely that Papadopolous would follow suit. Without that the converse was true.

What was also decided by Kofi Annan and his envoy Alvaro De Soto in advance of The Hague meeting was that if this meeting did not bear fruit the impetus would be lost as the UN would have fallen out of step with the EU enlargement timeline. For this reason they decided that if no progress was made at The Hague the “plug would be pulled” on the Annan Plan. The Hague meeting was not about negotiation but about taking a decision on the future of Cyprus and putting it straight to a referendum of the Cypriot peoples⁵¹⁴. Kofi Annan heralded it as a “....chance for Cyprus to be transformed from a seemingly insoluble international problem to a beacon of international hope. Decision time has arrived and opportunity beckons. It should not be missed.”⁵¹⁵

However, the AKP government of Turkey did not “grasp the Cyprus nettle” at this time (Hannay 2005: 213). The decision by the Turkish parliament the previous week not to allow US troops movements across Anatolia had knocked the confidence of the AKP to deal with such a controversial subject as Cyprus and by The Hague meeting of March 10th 2003 Erdogan’s Cyprus rhetoric had changed character and he was “singing a quite different song...”(Hannay 2005: 214). Even a marathon 16 hour negotiating session overnight March 10-11th 2003 could not find ground for agreement between Papadopoulos and Denktash who, in the absence of real pressure from the Turkish government, had been free not to agree. Kofi Annan emerged from the meeting for de Soto to tell reporters “We have reached the end of the road.”⁵¹⁶ The European Commission made clear that Greek Cypriot accession would “continue as planned”⁵¹⁷ but stressed that Ankara’s failure to recognise Greek Cyprus before Nicosia acceded would make it very difficult “to envisage the start of membership

⁵¹⁴ Agence France Presse, February 27th 2003, Frustrated Annan proposes going straight to Cypriot people on peace deal.

⁵¹⁵ Kofi Annan quoted in the International Herald Tribune, March 10th 2003, *Opportunity beckons for peace, unity and EU entry: my plan for Cyprus*.

⁵¹⁶ New York Times, March 11th 2003, Cyprus Talks On Unity Plan Have Failed, Annan Says.

⁵¹⁷ Verheugen’s spokesman Jean Christophe Filori quoted by Turkish Daily News, March 12th 2003. *Cyprus talks collapse casts EU cloud*.

talks with Turkey."⁵¹⁸ In this way the Erdogan government's inaction over the Annan Plan for Cyprus was in danger of jeopardising its future prospects for EU accession. It had acted against its own avowed interest of furthering EU accession even in the face of personal entreaties from Kofi Annan himself. It would seem that the AKP was still too new to governance to tackle the powerful forces of Kemalism in the twin forms of the Turkish military and Rauf Denktash. This was exacerbated by the knock of confidence the AKP suffered in its own parliamentary party after the vote against US troop movements on March 1st. As Hannay (2005: 218) reports:

"The assumption had to be that the failed vote over Iraq in the Turkish parliament had changed everything."

After the "very disappointing"⁵¹⁹ outcome of The Hague talks, Kofi Annan said publicly that he would not actively pursue the Annan Plan further unless there was "political will for a successful outcome".⁵²⁰ He clearly blamed Rauf Denktash for the impasse.

"Except for a very few instances, Mr Denktash by and large declined to engage in negotiation on the basis of give and take. This greatly complicated my efforts to accommodate not only the legitimate concerns of principle but also the concrete and practical interests of the Turkish Cypriots."⁵²¹

2.2. Iraq

It is clear that in spite of its good intentions *vis a vis* the EU, pre-established by the UK and the EU Commission, the Turkish government got off to a shaky start in 2003. It missed the last opportunity to find a solution to the Cyprus issue before the Republic of Cyprus acceded

⁵¹⁸ Jean Christophe Filori quoted by United Press International, March 11th 2003, *EU warns Turkey over Cyprus deadlock*.

⁵¹⁹ Hannay 2005: 218-9.

⁵²⁰ Agence France Press, April 14th 2003, *Washington seeks ways of reviving failed Cyprus reunifications talks*.

⁵²¹ United Nations, Kofi Annan, April 1st 2003, *Report of the Secretary-General on his mission of good offices in Cyprus*. S/2003/398. Para. 130.

to the EU and became an enemy within. The major reason for this shaky start to the new year was the Iraq crisis which the next section now explores in more detail. It will examine the implications of the second Iraq War for Turkey's EU accession hopes.

Turkey's strategic value to the pending Iraq campaign, particularly the use of the Incirlik air base in Turkey, meant that during the first weeks of the AKP government it was visited in Ankara⁵²² by several senior American political and military officials including General Tommy Franks⁵²³, Marc Grossman⁵²⁴ and John McLaughlin the Deputy Director of the Central Intelligence Agency⁵²⁵. Around the same time the Turkish Chief of General Staff, General Hilmi Ozkok, went to Washington for talks with General Richard Myers⁵²⁶, Dick Cheney, Condoleezza Rice, Colin Powell, Donald Rumsfeld and Paul Wolfowitz⁵²⁷. He also met American military chiefs at US Central Command (USCentComm) in Tampa, Florida. Until this point the Americans had not expected Turkey to refuse its request for land transit rights as "...the American's view of Turkey was that if they (the US) said 'Please do this' then the Turks would do it."⁵²⁸

However, after his visit, General Ozkok expressed "anxieties" about the US plan for Iraq and "hope" that the Iraq issue could be "solved without resort to war."⁵²⁹ Tayyip Recep Erdogan had also refused to commit support – or otherwise - for the American strategy on Iraq and expressed a desire to abide by the decisions of the United Nations:

⁵²² Financial Times, October 8th 2002, US steps up pressure for Turkish accession to EU.

⁵²³ Commander-in-Chief of United States Central Command – led 'Operation Enduring Freedom' in Afghanistan and Operation Iraqi Freedom.

⁵²⁴ Marc Grossman had been the US Ambassador to Turkey 1994-1997 and in 2002 was the Undersecretary of State in the State Department.

⁵²⁵ New York Times, November 18th 2002, *US taking steps to lay foundation for action in Iraq.*

⁵²⁶ Chairman of the US Joint Chiefs of Staff

⁵²⁷ Turkish Daily News, November 4th 2002, Ozkok to visit Washington for talks on Iraq.

⁵²⁸ Senior UK politician A – interview – March 2010.

⁵²⁹ Turkish Daily News, November 8th 2002. *Ozkok meets top US Generals* .

"The most preferred result is to resolve this issue in peace....we don't want blood, tears or death." ⁵³⁰

83% of Turks opposed allowing the US to use Turkish bases and a "53% majority of Turkish respondents believe the U.S. wanted to get rid of Saddam as part of a war against unfriendly Muslim countries, rather than because the Iraqi leader is a threat to peace"⁵³¹. It had not been forgotten in Turkey that Turgut Ozal's decision to comply with UN sanctions on Iraq following the First Gulf War was estimated (although probably overestimated) by the Turks to be in the region of \$35bn (Barkey 2000). Additionally there were many within the Turkish military who feared *per se* any empowerment of the Iraqi Kurds and the consequences this may have for Turkey's own continuing Kurdish insurrection as well as the destabilising and expensive effect of a Kurdish refugee influx from Northern Iraq⁵³².

However, at this time Turkey was still in negotiations with the US about an aid package to compensate them in the event of a second Iraq war⁵³³ and this was widely presumed by the wider diplomatic community in Ankara to be, at least partly, a bargaining position. It should also be noted that at this time Turkey was in the throes of negotiating a favourable outcome for itself on both EU accession and the Berlin Plus arrangements for ESDP⁵³⁴.

The understanding of Turkey's position on the impending Iraq conflict therefore remained fluid. In early December 2002, the Turkish Foreign Minister Yasar Yakis said Turkey *would* allow the US to use its bases only to withdraw the statement hours later with a foreign ministry clarification that he was talking about "possibilities not promises"⁵³⁵. At the same

⁵³⁰ Associated Press, November 3rd 2002. *Turkish election winner says opposes U.S. strike on Iraq unless it is backed by United Nations.*

⁵³¹ The Pew research Center, *What the world thinks in 2002*, Report 165, <http://people-press.org/report/165/what-the-world-thinks-in-2002>

⁵³² Turkish Daily News, November 7th 2002, *Ozkok advises US to avoid Iraq war.*

⁵³³ Turkish Daily News, November 11th 2002, *Ozkok asks US to compensate Turkey in case of attack on Iraq.*

⁵³⁴ Hence the heavy lobby of the Turkish case by George.W.Bush in the run up to the Copenhagen EU summit and Brussels NATO summit in December 2002. See Chapter Five.

⁵³⁵ Associated Press, December 4th 2002, *U.S., Turkey discussing possible bases for Iraq attack.*

time, the US Deputy Secretary of Defence, Paul Wolfowitz, was in Ankara to try to clarify the situation and to offer lucrative investment in Turkey's military infrastructure⁵³⁶.

The next week Erdogan flew to Washington. In a speech in Washington on December 9th 2002 Erdogan stressed war in Iraq should be a "last resort" but if it came to pass Turkey would provide "the necessary support for the last UN resolution."⁵³⁷ In talks at the White House the next day Erdogan reportedly requested American economic – as well as military – aid in return for access to Incirlik and permission to move troops across Anatolia⁵³⁸. Bush meanwhile pledged to push Turkey's case for EU accession at Copenhagen which his administration did to arguable effect (see Chapter Four Sec 4.3). However the upshot of the talks was ambiguous and in late December the Turkish government remained officially undecided about its Iraq policy⁵³⁹.

Hence, in early January 2003 the UK Secretary of State for Defence Geoff Hoon visited Turkey with the UK Chief of General Staff, Admiral Sir Michael Boyce, to discuss the use of Turkish air bases and the deployment of troops through Turkey. The UK representation left "doubting that they (the Turkish government) would (allow troop movements)."

"We were desperate to drive across Turkey to Iraq (but) Turkish public opinion was against it and it struck me as the response of democrats. People were thinking about their constituents. The Americans never understood that."⁵⁴⁰

⁵³⁶ Associated Press, December 4th 2002, *U.S., Turkey discussing possible bases for Iraq attack*.

⁵³⁷ Turkish Daily News, December 11th 2002, Turkey to cooperate with the US on Iraq.

⁵³⁸ Financial Times, December 11th 2002. *Turkey outlines price of co-operation with US*.

⁵³⁹ Turkish Daily News, December 25th 2002, Turkey's Iraq decision still pending.

⁵⁴⁰ Senior FCO official A – interview – March 2010.

American pressure on Turkey continued into 2003 because of the time constraints. The Turkish military was also pressurising the AKP government for a decision⁵⁴¹. The UK Admiral Sir Michael Boyce made a second visit on January 23th 2003 while the US Joint Chief of Staff General Richard Myers visited on January 19th 2003 and lay down a deadline of February 1st for the Turkish decision. On January 25th the NATO Europe Allied Forces Commander James Jones visited General Hilmi Ozkok. However, the AKP were reluctant to decide without recourse to parliament because of the strong opposition of public and elite opinion. On March 1st 2003, the Turkish parliament voted against Erdogan 264-251 with 19 abstentions. Erdogan had been outmanoeuvred by an alliance between the opposition CHP and the conservative wing of his own party led by the parliamentary speaker Bulent Arinc with support from deputies from the south and east of Turkey⁵⁴². Turkey lost significant aid from the US, some control over events in northern Iraq and incurred the wrath of the US State Department⁵⁴³. "It was a very bad thing for the USA...a lot of people were mad at Turkey for a long time..."⁵⁴⁴

Immediately after the vote it was hoped the AKP would resubmit it to parliament. The US believed it had signed a memorandum of understanding in February allowing logistical bases in south east Turkey⁵⁴⁵. It had thirty ships anchored off the Turkish coast carrying the US Army's 4th Infantry Division and these were left *in situ* in anticipation of a second vote. However, Erdogan and Gul did not feel politically able to do this. The timing was problematic

⁵⁴¹ Turkish Daily News, 24th January 2003. *Top British general lobbies for Turkey's permission for British troops*. See also Turkish Daily News. January 25th 2003. *Top NATO commander visits Ozkok to discuss Iraq*. NB: The Turkish military was not in favour of war *per se* but because if it was inevitable it wanted time to plan a response so "...the worst decision is better than indecisiveness." Turkish Deputy Chief of Staff, General Yasar Buyukanit quoted in the Turkish Daily News, January 10th 2003, *Any decision better than indecision*.

⁵⁴² Indeed an old diplomatic hand notes wryly that the AKP supported the war but have liked to rewrite history somewhat. This was "not quite the heroic action it is painted to be." Senior UK diplomat A – interview – March 2010.

⁵⁴³ Financial Times, March 3rd 2003, *Turkish vote deals blow to government*.

⁵⁴⁴ Senior USA State Department official – interview – March 2010.

⁵⁴⁵ The Economist, (US edition), March 29th 2003, *A friendship on hold*.

as Erdogan himself, nominally only Chairman of the AKP, was standing for election to Parliament in the eastern province of Siirt on March 9th 2003⁵⁴⁶.

“.....the Americans left their fourth division floating around in the Med
for some time but the answer never came...”⁵⁴⁷

After that point, Ankara and its EU accession “became a side issue” for the USA whilst it dealt with the second Iraq war without access to Turkish territory⁵⁴⁸.

2.3. Keeping Turkey on track

In March 2003 the AKP’s EU prospects seemed bleak *prima facie*. The intervention of the Iraq issue meant it had alienated the USA and failed to take two golden chances to solve the Cyprus issue which would have eased its EU accession process. Gunther Verheugen warned Ankara that failure to find a solution to the Cyprus issue by December 2004 would “complicate matters” in enlargement terms.⁵⁴⁹ However, in spite of this setback, efforts by Turkey’s advocates continued.

On April 15th 2003⁵⁵⁰ Abdullah Gul met Gunther Verheugen in Luxembourg to discuss a revised Accession Partnership Document. Verheugen pledged financial assistance and urged Gul to continue with domestic reform. Gul re-iterated his government’s desire to start negotiations in 2004 and willingness to pass the reforms necessary:

“We have a political will and determination and enough power in
parliament to carry out all the reform packages....our aim is to speed

⁵⁴⁶ Erdogan was chairman of the AKP but had been prevented from standing for office in the November 2002 election because of a conviction for “Islamist sedition” in 1997 when he was a member of the Welfare Party (Refah Partisi). However he could not be Prime Minister unless he was an MP hence the election in Siirt on March 9th 2003..

⁵⁴⁷ Senior UK politician A – interview – March 2010.

⁵⁴⁸ Senior USA State Department official – interview – March 2010.

⁵⁴⁹ Agence France Press, April 15th 2003, Turkey hopeful for EU entry talks, Brussels reiterates warning.

⁵⁵⁰ The same day as the the Republic of Cyprus was signing the accession treaty with the EU in Athens (at the Greek Presidency summit).

up this process. We want to start the negotiations in 2004 without delay.”⁵⁵¹

Over the next few weeks several EU figures offered reassurance to Turkey that accession was still possible. The French Foreign Minister, Dominique De Villepin, went to Ankara for talks on Iraq, Turkey-EU relations and Cyprus. He praised Turkey’s stance on the Iraq war and backed its claim for EU accession.

"We see Turkey's deep aspiration to join the union and France plans to stand by your side on this road, which is the road of democracy, economic development and social cohesion,"⁵⁵²

In an interview with La Repubblica newspaper, the EU Commission President, Romano Prodi, also included Turkey on a list of future members⁵⁵³. Both were speaking in an anti-Iraq war context and thus from an anti-American stance in which Turkey was seen as reinforcing the European view and the European need for a security and defence policy separate from Washington and NATO. Gunther Verheugen was also vocal at this time in warning the USA that its unpopularity within the EU, because of the Iraq conflict, could hinder the Turkish case. The pressure brought to bear by Washington in the run up to the Copenhagen European Council had “annoyed many Europeans” and “there is no need for them to use such strong pressure.”⁵⁵⁴ However, unlike De Villepin and Prodi, Verheugen was not motivated by an anti-American feeling *per se* but by the belief that Turkish accession was in the best geostrategic interest of the EU.

⁵⁵¹ Agence France Press, April 15th 2003, *Turkey hopeful for EU entry talks, Brussels reiterates warning.*

⁵⁵² Dominique de Villepin quoted in the Turkish Daily News, April 24th 2003, *France praises Turkey's Iraq war policy.*

⁵⁵³ Significantly whilst speaking about Russia as not a possible member. Agence France Press, April 19th 2003, *Prodi urges enlarged EU to show more unity, win US respect.*

⁵⁵⁴ Gunther Verheugen quoted in the Financial Times, April 22nd 2003, *US warned to keep out of Turkey's EU talks.*

“Islam is a part of Europe such as Christianity or Judaism. The membership of a secular and Muslim country like Turkey is beneficial because of the developments in the crisis regions.”⁵⁵⁵

To this end he stressed the need for reforms and reassured Ankara their case would be judged fairly. He urged Turkey to “...stay on course for Europe. You can rely on the Commission to make a fair and objective judgment.”⁵⁵⁶

In 2003, in spite of an unconfident start, the AKP found itself being “encouraged” to continue the reforms and to expedite a solution to the Cyprus issue.

“Finding a solution to the Cyprus question would considerably affect the decision to be made by the EU member countries, which will review Turkey's application for membership. The need to resolve that problem is stressed in the accession partnership document, albeit it is not one of the Copenhagen criteria.” (Sir Peter Westmacott, October 2003)⁵⁵⁷

A similar message was relayed by Gunther Verheugen⁵⁵⁸ to the AKP leadership privately⁵⁵⁹ and in public. His message was that it would be wrong to “put the cart before the horse” and there was a “yawning gap” between stated reforms “and their actual implementation...”⁵⁶⁰

Once the twin crises of Iraq and Cyprus had died down, the AKP began to work towards its European ambitions. Whilst the AKP's motives may not have been entirely EU focussed⁵⁶¹, its parliamentary majority gave it a chance to enact change and to tackle the power of the

⁵⁵⁵ Turkish Daily News, May 8th 2003, *Verheugen: My opinions about Turkey changed in a positive way.*

⁵⁵⁶ Gunter Verheugen Speech to the European parliament Plenary Session, Strasbourg, April 9th 2003, Speech, 03/187 *Responsible for Enlargement Let us not hesitate in seizing this opportunity* EP-Plenary session Strasbourg, 9 April 2003. Source: Rapid.

⁵⁵⁷ Quoted by journalist Evren Mesci in an interview published in the Turkish newspaper “Sabah” on October 14th 2003.

⁵⁵⁸ Alongside the need for progress on the Cyprus issue. See Agence France Press. April 15th 2003. *Turkey hopeful for EU entry talks, Brussels reiterates warning.*

⁵⁵⁹ Senior European Commission official C – interview – March 2010.

⁵⁶⁰ Gunther Verheugen's spokesman Jean Christophe Filori, quoted by Agence France Press, May 15th 2003, *Human rights record casts shadow over Turkey's EU membership bid.*

⁵⁶¹ Ugur (2007: 592) has suggested that EU accession was seen as an “opportunity to restrict the military's ability to intervene against parties with an Islamic background.”

Kemalist establishment which had dominated policy on both the Cypriot and Kurdish issues. As a single party government, the AKP was able to resist pressure from the Kemalist old guard including President Necmet Sezer⁵⁶² and the Chief of Staff General Hilmi Ozkok⁵⁶³. By the spring of 2003 the AKP leadership was keen to stress both that it was ready to find a solution to Cyprus⁵⁶⁴ and that it was prepared to maintain progress on domestic reform in accordance with the Copenhagen criteria⁵⁶⁵. Up to July 2004 there were five major reform packages passed through parliament by the AKP government covering issues such as the death penalty, influence of the military, freedom of speech, Kurdish language rights, increased sentences in cases of “honour killing”, increased trade union rights, right of association and peaceful assembly. Additionally there were fine-tuning constitutional amendments and a major revision of the Penal Code⁵⁶⁶.

From early 2003 the amount of EU aid which went to Ankara increased sharply as the Commission “used (its) financial assistance to make sure these changes happened...” and “put in place a process of transferring management responsibility over to the Turkish authorities.”⁵⁶⁷ Turkey was deliberately treated in a very similar fashion to the other eastern enlargement states with methods such as “twinning” in the police force and military.

Verheugen built up a personal rapport with Erdogan and Gul, there were a “number of “closed door conversations” about how “x” could be possible if “y” was done.⁵⁶⁸ For the UK, Westmacott “...nudged them (the AKP) forward on a number of fronts including judicial reform, women’s rights, Kurdish rights.....etc.”⁵⁶⁹ and tried to tell the AKP that these were “things that were good for Turkey in their own right”. Westmacott also helped the AKP manage its own domestic public relations and “sell this stuff” to Turkish public opinion. “He

⁵⁶² Agence France Press, June 30th 2003, *Turkish president vetoes EU-linked reform in setback to government.*

⁵⁶³ Associated Press, May 26th 2003, *Turkish military deeply concerned over policies of Islamic-rooted Government.*

⁵⁶⁴ Deutsche Press-Agentur. April 17th 2003, *Turkey says Cyprus' membership in E.U. will not strain relations.*

⁵⁶⁵ Agence France Press. April 28th 2003, *Turkey vows to speed up reforms to strengthen EU bid.*

⁵⁶⁶ For further detail see Ugur 2005: 592; Tocci 2005: 73; Kubicek 2005: 365.

⁵⁶⁷ Senior European Commission official C – interview – March 2010.

⁵⁶⁸ Senior European Commission official C – interview – March 2010.

⁵⁶⁹ Senior UK Diplomat E – interview – May 2010.

was trying to help them to do the right thing...on issues such as prison governance, honour killings and the like.”⁵⁷⁰

2.4. The Annan Plan referendum

As the EU continued to stress the desirability of a Cyprus solution for Turkish accession⁵⁷¹, so the USA⁵⁷², and the UK, maintained pressure on Rauf Denktash⁵⁷³ directly - and indirectly through the Ankara government⁵⁷⁴ - to get back into talks on the Annan Plan. However there was limited success until February 2004 when there was a flurry of diplomatic activity at the United Nations HQ in New York. This involved the Greek and Turkish Cypriot leaders, plus other interested parties, after which Kofi Annan announced that he was now prepared to re-open talks on the Annan Plan with the aim of agreeing on a text which could be put to referendum in both the Republic of Cyprus and the TRNC before May 1st 2004. The Cypriot leaders would have from February 19th to March 22nd 2004 to reach agreement amongst themselves after which the Athens and Ankara governments would be brought in for further discussions at the Swiss resort of Burgenstock⁵⁷⁵ until 29th March. Kofi Annan himself would have the final authority:

“As a final resort, in the event of a continuing and persistent deadlock, the parties have invited me to use my discretion to finalize the text to be submitted to referenda on the basis of my plan.”⁵⁷⁶

⁵⁷⁰ Senior UK Diplomat E – interview – May 2010.

⁵⁷¹ Turkish Daily News, April 21st 2003, *Prodi: EU's doors still open to Turkey*.

⁵⁷² In September 2003 the US Cyprus envoy Thomas Weston spent a week touring European capitals to talk about the Cyprus issue. In Ankara he made it clear that Turkey “should be doing more” to find a solution to the Cyprus issue. Agence France Press. September 3rd 2003, *US envoy warns Turkey to do more on Cyprus*.

⁵⁷³ Denktash was facing a general election in December 2003 against opposition parties who were in favour of a solution and with a public opinion also in favour. In the event the election was fought on the Annan Plan issue and the result was extremely close. Whilst the pro EU parties gained a slightly higher percentage (2%) of the votes each side ended up with 25 seats each in a 50 seat parliament. The swing was not enough to oust Rauf Denktash from his place as the President.

⁵⁷⁴ In January 2004 Weston hand delivered a letter to Abdullah Gul from the US Secretary of State Colin Powell encouraging Ankara to return to negotiations on the basis of the Annan Plan.

⁵⁷⁵ Burgenstock castle was used during the filming of the James Bond movie “Goldfinger”.

⁵⁷⁶ “UN Transcript of press conference by Secretary-General Kofi Annan at United Nations Headquarters, February 13th 2004.” <http://www.un.org/webcast/PC2004.html> see also M2 Newswire February 16th 2004.

However, Rauf Denktaş boycotted the Burgenstock talks and, perhaps predictably, an agreement was not reached by 31st March 2004 after which Kofi Annan used his previously agreed right to finalise the text for referendum to be held on April 24th 2004 saying it was a "...choice between this solution, or no solution."⁵⁷⁷ This was a sentiment echoed both by Gunther Verheugen that it was the "the best and most balanced solution that can possibly be achieved" and the UK Foreign Secretary Jack Straw who urged "...all concerned to seize the moment and bring an end to 30 years of division."⁵⁷⁸

However whilst the Turkish Cypriot side was in favour of the Annan Plan, public opinion in the Republic of Cyprus was not and the Cypriot government of Thassos Papadopoulos campaigned against it much to the chagrin of Gunther Verheugen⁵⁷⁹. Although Verheugen was present at Burgenstock, which he described to staff as a "prison"⁵⁸⁰ he was not involved in the negotiations and was critical of the UN way of doing things compared to the EU's. On 24th April 2004 the Greek Cypriots voted 75.8% against the Annan Plan whilst the Turkish Cypriots voted 65% in favour. This left the EU in the difficult position of being about to admit a country which had just acted against avowed EU policy and geostrategic interest. It was the "worst situation that could be imagined."⁵⁸¹ The American delegation was also in despair and finding Papadopoulos "difficult".

"We thought if we could be in favour of the plan...encourage the Turkish Cypriots to vote yes and encourage the Greek Cypriots to vote yes then it would be a huge winner...but everybody miscalculated. To my great regret it did not work out...truly to my great regret. It was very disappointing."

⁵⁷⁷ Deutsche Press Agentur, April 1st 2004, *Hopes fade for reunified Cyprus following talks failure.*

⁵⁷⁸ Press Association, April 1st 2004, *Britain hails Annan's plan for one Cyprus.*

⁵⁷⁹ Deutsche Press Agentur, April 21st 2004, *E.U. enlargement chief rebukes Greek-Cypriot leader.* See also Agence France Press. April 21st 2004, *EU commissioner lashes out at Greek Cypriot call for "no" vote.*

⁵⁸⁰ Senior European Commission official D – interview – August 2010.

⁵⁸¹ Senior European Commission official D – interview – August 2010. Verheugen was also critical of Alvaro de Soto and Thomas Weston.

We did not expect the Turks to vote yes and the Greeks to vote no.

We though “Oh my God...how did we get into this dilemma?”⁵⁸²

“If Clerides had (still) been in charge....we would have got this done and life would have been different. We really lost out by the change in leadership...it was too bad.....because then our plan would have come together, Cyprus would have been in the EU, the Annan Plan would have kicked in...plus we would have had the Turks in the EU.”⁵⁸³

This abject failure heightened a “sense of obligation” within the European Commission to the Turks (and the Turkish Cypriots) in respect of the recommendation to be given in the 2004 Progress Report and the decision by the member states at Brussels.⁵⁸⁴ The EU member states and Commission approached the impending Brussels European Council with Cyprus still as a problem but with the Republic of Cyprus as a member state and Turkey, and the TRNC, having been humiliated in an international forum.

3. The road to the Brussels European Council

3.1. “Pacta sunt servanda”⁵⁸⁵

In the run up to the Brussels European Council , the pace of reforms in Turkey was positive. Verheugen had been gratified to see the AKP reforms implemented and felt real progress was being made⁵⁸⁶. The Annan Plan referendum was an embarrassment to all parties concerned except the Republic of Cyprus but ironically it strengthened the Turkish position.

⁵⁸² Senior USA State Department Official – interview – March 2010.

⁵⁸³ Senior USA State Department Official – interview – March 2010.

⁵⁸⁴ Senior European Commission official D – interview – August 2010.

⁵⁸⁵ Pacta sunt servanda means “agreements are to be honoured”.

⁵⁸⁶ During a visit to Diyarbakir in eastern Turkey in September 2004, in advance of the Progress Report, he was impressed by hearing a children’s choir singing songs in a Kurdish language –which until very recently had been outlawed. This “...showed (Verheugen) that something was changing on the ground so he could justify a pragmatic approach to the Copenhagen criteria.” (Source: Senior European Commission official D – interview – August 2010)

The European Commission felt beholden to the AKP which had met the challenge of constitutional reform *and* had been left politically vulnerable over Cyprus for their trouble.

“There was a feeling that we had spelt out to Turkey what was expected of them and when they had delivered we needed on our side to be able to deliver to have credibility.”⁵⁸⁷

The report for the Open Society Foundation⁵⁸⁸ by Martti Ahtisaari and others in September 2004 also warned that the EU’s integrity was at stake.

“Further delay would damage the European Union’s credibility and be seen as a breach of the generally recognised principle that “*pacta sunt servanda*” ”⁵⁸⁹.

In the run up to the Brussels European Council , Verheugen’s geostrategic motivation was thus joined by a sense of obligation which inclined him to think “pragmatically” about the Turkish case and allow Turkey to be judged by its “intention to reform” as well as actual reform. Moreover, Verheugen believed such decisions were “...always a matter of judgement and “....at the end of the day it is a political decision.”⁵⁹⁰ In this way Verheugen attempted to counter the arguments of those Commissioners who remained concerned about human rights. Not only had human rights undoubtedly improved radically, albeit from a low base⁵⁹¹, but Verheugen could point to examples of having been able to temper the excesses of the AKP, such as the criminalisation of adultery in September 2004⁵⁹², and the desirability of being able to continue to do so.

⁵⁸⁷ Senior European Commission official C – interview – March 2010.

⁵⁸⁸ A civil society think tank founded by the businessman George Soros. <http://www.soros.org>

⁵⁸⁹ Open Society Foundations, *Turkey in Europe: More than a promise?* Report of the Independent Commission on Turkey, chaired by Martti Ahtisaari.

⁵⁹⁰ Senior European Commission official D – interview – August 2010.

⁵⁹¹ Whilst it is clear that legitimate concerns on human rights remained, the situation had improved enormously since 1994. See Human Rights Watch, *Advisory Note to Journalists Covering the Release of Regular Report on Turkey and Recommendations*. October 4th 2004. Also Human Rights Watch, *Turkey: EU bid hinges on further rights reforms*, June 15th 2004.

⁵⁹² Filori said: “Such a law could harm Turkey’s image in its reform process...all positive developments could be overshadowed.” Quoted by Agence France Press, September 7th 2004, *Plans by EU aspirant Turkey to recriminalize adultery split*.

Nevertheless, in mid-2004, considerable underlying opposition to the Turkish case remained in public and elite opinion inside and outside of the EU. In September 2004 Fritz Bolkestein, the Dutch Commissioner⁵⁹³, spoke of the danger of the “Islamisation of the EU if Turkey were to start accession talks. This would mean the “...liberation of Vienna (from the Turks) in 1683 would have been in vain.”⁵⁹⁴ The Austrian Commissioner, Franz Fischler⁵⁹⁵, circulated a nine page letter to all Commissioners raising “...doubts as to Turkey’s long term secular and democratic credentials...” and questioning the cost of potential agricultural subsidies to Turkey⁵⁹⁶. The Vatican was also vocal against the Turkish case:

"Turkey has always represented another continent throughout history, in permanent contrast with Europe. There were wars with the Byzantine Empire; think of the fall of Constantinople (now Istanbul) in 1453 and the threat to Vienna and Austria." ⁵⁹⁷

Moreover, some member state leaders in favour of Turkish accession were dealing with public opinions and rival politicians who were against. The UK public opinion showed one of the highest levels of support for Turkey in the EU albeit only at around 45% in favour⁵⁹⁸. However French public opinion was considerably more opposed with only around 20% in favour⁵⁹⁹ (See also Barysch 2007) leaving Jacques Chirac’s support for Turkey “out of line” with public opinion and that of his UMP party⁶⁰⁰ including his political rival Nicholas Sarkozy. Gerhard Schroeder faced minor and uneasy normative resistance within the SPD party⁶⁰¹ and stronger opposition from his CDU (Christian Democrat Union) rival Angela Merkel who advocated “privileged partnership” for Turkey rather than full accession⁶⁰². At the same time Turkey was feeling “short changed” and “very resentful with some justification” following the

⁵⁹³ For internal market and services.

⁵⁹⁴ Financial Times, October 8th 2004, *Islamisation' warning clouds Turks' EU drive*.

⁵⁹⁵ For agriculture.

⁵⁹⁶ Financial Times, October 10th 2004, *Fischler criticises EU plans for Turkey*.

⁵⁹⁷ Cardinal Joseph Ratzinger quoted in the Financial Times. September 6th 2004. *Turkey's legacy casts long shadow over talks with EU*.

⁵⁹⁸ BBC News Online, September 30th 2005, *EU views on Turkish bid*.

⁵⁹⁹ BBC News Online, September 30th 2005, *EU views on Turkish bid*.

⁶⁰⁰ Financial Times, October 2nd 2004, *Chirac promises Turkey referendum*.

⁶⁰¹ Financial Times, October 6th 2004, *Membership bid threatens fresh rift within Germany's SPD*.

⁶⁰² Deutsche Press Agentur. October 3rd 2004. *Germany split on Turkish E.U. membership*.

Republic of Cyprus' rejection of the latest Annan Plan in April⁶⁰³. Gunther Verheugen had the extremely difficult task both of persuading the European Commissioners to back his plan and cajoling the Turks to maintain the momentum on Cyprus and domestic reform.

3.2. Winning over the European Commission

In the event however, in spite of hostile public opinions, only Franz Fischler and Frits Bolkestein spoke publically within the European Commission against Verheugen's case for Turkey to open accession negotiations. They used "emotional" arguments that Turkey was too populous, not European and not Christian which Verheugen found "easy to counter"⁶⁰⁴. Verheugen stressed the reform achievements of the AKP. He made the geopolitical case including factors such as energy pipelines⁶⁰⁵ and co-operation with Justice and Home Affairs (primarily people and drug trafficking⁶⁰⁶). He also warned of the geostrategic consequences of not saying yes to Turkey in 2004. "He said that if the promise was not kept it would be terrible...not only for Turkey but it would be a signal for the whole Muslim world."⁶⁰⁷

After a "very long debate" Verheugen managed to get the 2004 Progress Report on Turkey passed by the Commissioners and it was published on October 6th 2004⁶⁰⁸. This decision was largely based on a sense of duty:

"...it was a matter of obligation for the EU to agree to open accession negotiations with Turkey. You cannot *not* do something."⁶⁰⁹

Similarly it was felt that Turkey had done what was asked of it:

"You cannot tell somebody, OK, you are ready for negotiations and then never open them. Sometimes the pressure of the policies that the EU has set for itself is such that we have to start."⁶¹⁰

⁶⁰³ Senior UK Diplomat E – interview – May 2010.

⁶⁰⁴ Senior European Commission official D – interview – August 2010.

⁶⁰⁵ For background on the energy related geopolitical considerations see Winrow (2004; 2009).

⁶⁰⁶ For background on drug trafficking across Turkey see Robins (2002).

⁶⁰⁷ Senior European Commission official D – interview – August 2010.

⁶⁰⁸ Available at: http://ec.europa.eu/enlargement/archives/pdf/key_documents/2004/rr_tr_2004_en.pdf

⁶⁰⁹ Senior ESDP advisor A – interview – March 2010.

⁶¹⁰ Senior official in European Council DG enlargement B – interview – March 2010.

Gunther Verheugen had been a major player in this process. He was an arch “political animal” who “invested in relationships”⁶¹¹ with the major players within the EU and Ankara both for and against the proposal.

“That was the key (building relationships)...to getting a recommendation (to open accession negotiations). Without that I can barely envisage a scenario in which a positive recommendation could have occurred if it had not been for (Verheugen).”⁶¹²

In other words, having staked his reputation on the success of it, Verheugen used his political nous to facilitate its progress. This was made possible because of the reforms which had been passed in Turkey since the Copenhagen European Council. Turkey had done enough to demonstrate its intention to go further and thereby win the support of its previously sceptical normative opponents. In the 2004 Progress Report, European Commission officials were juggling their sense of objectivity and fairness with the pragmatic approach to incentivising further reform accepted by Verheugen⁶¹³.

“In view of the overall progress of reforms, and provided that Turkey brings into force the outstanding legislation mentioned above, the Commission considers that Turkey *sufficiently fulfills* the political criteria and recommends that accession negotiations be opened.”⁶¹⁴ (my italics).

Whilst they were not prepared to overlook obvious breaches nor tell outright lies in the progress report “sufficiently fulfilled” was the “...trick that enabled us to demonstrate that...this was the right thing to do.”⁶¹⁵ It was a “creative formula” which allowed the

⁶¹¹ Senior European Commission official C – interview – March 2010.

⁶¹² Senior European Commission official C – interview – March 2010.

⁶¹³ Within the Commission there was a sense of objectivity at all times “...politics does not play a major role. We need to have the facts backed up...” Senior European Commission official B – interview – April 2009.

⁶¹⁴ European Commission, 2004, *Regular Report from the European Commission on Turkey's Progress towards accession*. See Appendix *Recommendation of the European Commission on Turkey's progress towards accession*, Sec. 2., *Assessment of the political criteria*.

⁶¹⁵ Senior European Commission official C – interview – March 2010.

European Commission to concede the obvious point that Turkey had not yet met the Copenhagen criteria whilst not totally compromising its principles.

“Fundamentally at that time we considered that the political criteria were sufficiently met. There were some areas of concern but overall the legal framework was in place.”⁶¹⁶

In this way, the Progress Report and its recommendation were generally favourable. The Progress Report suggested the opening of accession negotiations with the proviso that reforms must continue to make tangible progress and the subtle warning that accession negotiations were an “...open-ended process whose outcome cannot be guaranteed beforehand.”⁶¹⁷

In fact the progress report had not been prepared by the European Commission in isolation. It was done in “very very very close” consultation with the “big three” member states of the UK, France and Germany.

“Every single word of the progress report was agreed with Berlin, Paris and London....every... single...word and particularly (with) Paris. Some parts, words and phrases, were agreed with Chirac directly. It was carefully prepared. We invested hours....there were no surprises.”⁶¹⁸

Everything was done to ensure the progress report would not fail to advance at the Brussels European Council . It was “tailored to make sure that we got the answer that the question was looking for.”⁶¹⁹

⁶¹⁶ Senior European Commission official A – interview – April 2009. Similar point made by Senior European Commission official B – interview – April 2009.

⁶¹⁷ European Commission, 2004, *Regular Report from the European Commission on Turkey's Progress towards accession*. Conc. Para. 8: “Recommendation.....” COM(2004) 656. The “open-ended” clause was the price paid to the Austrian Commissioner Franz Fischler which would allow his Prime Minister, Wolfgang Schussel, to interpret the recommendation as a form of “privileged partnership” rather than the opening of full accession negotiations and appease his public opinion.

⁶¹⁸ Senior European Commission official C – interview – March 2010.

⁶¹⁹ Senior European Commission official C – interview – March 2010.

3.3. Winning over the member states

Even after the 2004 progress report was published, the sailing was not all plain for those in favour of Turkish accession. In October 2004 the Republic of Cyprus subtly raised the stakes by suggesting that Cypriot support could, after all, be conditional upon Ankara's recognition of the Republic of Cyprus, something Thassos Papadopoulos could be confident Ankara would never do.

"As a point of principle, Cyprus is not opposed to Turkey's EU accession as long as Turkey behaves towards Cyprus with the same responsibilities and obligations as it does to other EU member states,"⁶²⁰

French public and elite opinion meanwhile continued to pressure Jacques Chirac. Chirac had already announced that he would seek to amend the French constitution such that the admission of any new member to the EU should be subject to a referendum although this would *not* apply to Romania, Bulgaria or Croatia⁶²¹. In early November 2004 Chirac came under further pressure from his UMP rival Nicholas Sarkozy. As a result, Chirac suggested that a form of "special partnership" for Turkey may be preferable:

"It is not impossible that the road taken by Turkey does not allow it to adhere to all of the values of Europe. In that case, we must find the means to create sufficiently strong links ... without there being full integration,"⁶²²

⁶²⁰ Agence France Press, October 14th 2004, *Cyprus will not veto Turkey if it shows respect for Greek Cypriot government.*

⁶²¹ Agence France Press, October 1st 2004, *Chirac proposes constitutional change for referendum on Turkish EU entry.* This was described by the Financial Times as appearing to be a "....cynical gesture to appease hostile public opinion.", October 5th 2004, *Chirac's gamble.*

⁶²² Associated Press, November 5th 2004, *Chirac evokes another Turkey scenario: close ties, not membership.*

This partnership concept was reinforced later in November by Valerie Giscard D'Estaing, a long-time critic of Turkish accession. In an article in the Financial Times he warned of the dangers of extending the EU too much and too far:

“What is most surprising is the way most European leaders have let themselves be drawn into a simplistic choice between agreeing to negotiations on Turkey's accession to the EU and closing the door in its face.”⁶²³

Additionally, the European Parliament's centre right grouping, the European People's Party (EPP), gave the job of coordinating its position amongst EU governments to Wolfgang Schüssel the Austrian Prime Minister⁶²⁴ and Cyprus further re-iterated its desire for Ankara to recognise the legitimacy of the Republic of Cyprus or face veto at Brussels⁶²⁵. In the run up to the Brussels European Council therefore opposition to the Turkish case remained entrenched at public and elite level.

However, at the Brussels European Council, the actions of the member states did not reflect this opposition. The reforms undertaken in Turkey, particularly since Copenhagen in 2002, had neutralised the opposition of those member states opposed to Turkey on normative grounds. They had had to concede that progress had been made and needed to be encouraged further. This was particularly persuasive when the geostrategic case, including 9/11, was added – that Turkey was too important to reject. Such narrative was common amongst Turkey's advocates.

"If Europe ends up by refusing Turkey, it would risk seeing it being rocked by a radical Islam and joining up with Iraq and Syria to form a threatening unity at its borders." ⁶²⁶

⁶²³ Valerie Giscard D'Estaing, Financial Times, November 25th 2004, *A better European bridge to Turkey*.

⁶²⁴ Financial Times, November 9th 2004, *France calls for fall back option in Turkish EU negotiations*.

⁶²⁵ Xinhua News Service, November 21st 2004, *Cyprus sets five demands for Turkey's EU aspiration*.

⁶²⁶ Dominique Strauss Kahn, Interview with the Financial Times. November 26th 2004. *Socialist heavyweight fears Europe 'breakdown'*

“...after 40 years of promises ...(not opening accession negotiations)
would have very negative consequences.....in my opinion Turkey's
membership of the European Union is totally in (the EU's) interest.”⁶²⁷

The member states were reluctant to be seen as illiberal and there was a feeling amongst the member states that they “would not want to be seen as anti-Muslim or some kind of racist reason.”⁶²⁸

However, Jacques Chirac was forced to make further concessions to his public opinion. In early December it was made clear that, at Brussels, Chirac would have three pre-conditions for agreeing to open accession negotiations with Turkey. Firstly, that Turkey must be prepared to settle for less than full membership if talks failed; secondly that if talks were successful the Turkish case would be the subject of referenda in the member states and thirdly that the start of talks should be delayed until the second half of 2005 – in order not to become entwined with the French referendum on the Lisbon Treaty due in May 2005.

The Cypriot President Thassos Papadopoulos, who was already unpopular because of the Annan Plan referendum⁶²⁹, was maintaining his demands for the Turkish government to recognise the Republic of Cyprus before accession negotiations could be opened. Whilst the government in Nicosia may have lacked credibility it retained a veto in the European Council and “could not simply be ignored”⁶³⁰.

The nub of the issue was that Turkey was being asked to sign an additional Protocol to the Ankara Agreement of 1963 to incorporate the new member states of the fifth enlargement – including Cyprus. Nicosia's intention may, or may not, have been disingenuous but the logic of the Cypriot case was so strong as to be very difficult for the EU Commission and the Dutch Presidency to ignore given the veto potential of the Republic of Cyprus. How could Turkey expect to enter accession negotiations with an institution which included a country it

⁶²⁷ Joshka Fischer, quoted by Agence France Press, October 20th 2004. *Turkish EU membership would be "D-Day" in anti-terror war: German FM.*

⁶²⁸ Senior UK politician A – interview – March 2010.

⁶²⁹ It was a widely held view in the Commission that Papadopoulos had “cheated” over his stance on the Annan Plan referendum - Senior European Commission official D – interview – August 2010.

⁶³⁰ Ludlow (2005:14)

did not recognise? This point was made to Ankara by both the EU Commission and the Dutch Presidency. It was also accepted in principle in the Turkish Ministry of Foreign Affairs and the AKP leadership. However it remained an extremely sensitive domestic issue and was not fully addressed by Ankara or the Dutch Presidency before the Brussels European Council and remained unresolved as it began.

Therefore, as Brussels approached, the member states were being asked to judge the case on the basis of a progress report which was largely favourable. In this way, the normative objections amongst member states had been neutralised. France remained a key player as whilst Jacques Chirac had been obliged to water down his support for Turkey he remained an advocate for Ankara in practice. Some member states felt they had been “wrong footed” and there was “no way out”⁶³¹ of offering to open accession talks with Turkey. They felt unable to voice residual concerns about religion and economics and were trapped within the norms of the European Council which was premised on “politeness” and it would be “quite a big thing to be sitting in the Council of Ministers wanting to stop such and such...countries would need to look around for support.”⁶³² The reality was that at the Brussels European Council the number of countries willing to be associated with illiberal thinking was limited. Austria⁶³³ had been appeased with the “open ended” wording of the progress report and a deal for Croatia to become an EU candidate⁶³⁴ and Greece was also in favour of opening accession negotiations with Turkey.

However the issue of Cyprus was a trickier political conundrum. As noted by an unnamed EU diplomat, “...the Greek Cypriots wanted to rub the Turks’ noses in it.”⁶³⁵ The the Republic of Cyprus’ clever stance meant it was not opposing Turkey but merely asking it to comply with the “reasonable” request to recognize the Republic. However, the political sensitivity of

⁶³¹ Senior European Commission official A – interview – April 2009.

⁶³² Senior UK politician A – interview – March 2010.

⁶³³ The UK FCO had “scant regard” for Austria which had a “nasty party” in power which was a “throw back to the siege of Vienna etc....”(Source: Senior UK Diplomat C – interview – April 2010.)

⁶³⁴ Verheugen was also an old friend of Wolfgang Schüssel which had helped make the deal. Senior European Commission official D – interview – August 2010.

⁶³⁵ Financial Times, December 18th 2004, *Ankara accepts deal after war of nerves*.

the outcome of the Annan Plan referendum meant Erdogan could not compromise. In advance of the European Council he had insisted that the Cyprus issue was a UN issue and “should not be put on the table” at Brussels⁶³⁶. It is ironic therefore that whilst residual normative and cultural opposition to the Turkish case was losing strength within the European Council it was the “Cyprus issue” which was coming back to haunt the Turkish accession negotiations prospects and continued to threaten Turkey's EU aspiration.

3.4. The Brussels European Council December 2004.

The Dutch Prime Minister, Jan Peter Balkenende, believed he had resolved the issue of the Additional Protocol and Turkey recognising the Republic of Cyprus with Recep Tayyip Erdogan in discussions on the evening of Thursday 16th December 2004 (Ludlow 2005). Accordingly members of the Dutch team drafted a wording which was then to be attached to the Presidency conclusions. Balkenende called a late night press conference on Thursday 16th December 2004 to announce the good news. He presumed the issue was a *fait accompli* and other issues entirely were planned for Friday morning. However, Balkenende misread the Turkish sensitivity on Cyprus and the nuances of eastern Mediterranean politics. As (yet another) unnamed ambassador proclaimed at the time, it may have been simply the Dutch national trait of plain speaking. “The Dutch only do black-and-white - they don't do grey...”⁶³⁷

Erdogan was upset by Balkendende's having told the press that he had “agreed” to recognise Cyprus *de facto*, if not *de jure*, and for it to be added to the Presidency conclusions as an annex.

“That was a complete shock to (Erdogan) ...we were prepared to help out over Cyprus, but we didn't expect the deal to be written down in those terms. We wanted to keep it out of the limelight.”⁶³⁸

⁶³⁶ Financial Times, December 8th 2004, *Turkey outlines its terms*.

⁶³⁷ December 18th 2004, Financial Times, *Ankara accepts deal after war of nerves*.

⁶³⁸ December 18th 2004, Financial Times, *Ankara accepts deal after war of nerves*.

Erdogan harangued Balkenende on the fifth floor of the European Council's Justus Lipsius building in Brussels until the early hours of Friday 17th December 2004. Erdogan accused Balkenende of bias against Turkey and of "choosing 600,000 Greek Cypriots over 70m Turks"⁶³⁹. Erdogan also resented the restrictions on free movement of people and farm subsidies even though these conditions had been "cleared with (the Turks) beforehand..." by the UK diplomatic team⁶⁴⁰. They had been very careful to ensure there were enough preconditions to keep the member states on side and that the Turks could accept the terms of the deal. However the recognition of the Republic of Cyprus was the deal-breaker and Erdogan "almost blew it with mercurial behaviour and demands and language..."⁶⁴¹

Overnight a compromise was worked out at diplomatic level between the Dutch Presidency and the Turks⁶⁴² by which the Turkish government would indicate that they *intended* to sign the Protocol recognising the Republic of Cyprus before negotiations actually began but would not be required to do so *immediately*. Erdogan agreed to this but later on Friday 17th December 2004 announced he was leaving for the airport that afternoon – before anything official was signed. Tony Blair and Gerhard Schroeder were despatched to resolve the situation⁶⁴³ and "...thanks to (Blair's) intervention Erdogan did not leave the Justus Lipsius building..."⁶⁴⁴ and eventually agreed to sign⁶⁴⁵ if it was made clear that member states did not consider signing the Protocol to the Ankara Agreement to be the same as formal recognition of the Republic of Cyprus. Tony Blair had anticipated the difficulty of the Brussels negotiations and had asked Sir Peter Westmacott to attend because of his trusted relationship with the AKP leadership⁶⁴⁶. Westmacott was with Blair as he "patrolled the

⁶³⁹ December 18th 2004, Financial Times, *Ankara accepts deal after war of nerves*. See also Ludlow (2005).

⁶⁴⁰ Senior UK Diplomat B – interview – March 2010.

⁶⁴¹ Senior UK politician C – interview – September 2010.

⁶⁴² By a Dutch and Turkish diplomat who just happened to be old friends (Ludlow 2005).

⁶⁴³ Silvio Berlusconi was also present having invited himself along – Ludlow 2005:33.

⁶⁴⁴ Ludlow (2005:34).

⁶⁴⁵ "Tony Blair more or less persuaded Erdogan personally to (sign the accession agreement)." -

Senior UK Diplomat B – interview – March 2010.

⁶⁴⁶ Senior UK Diplomat E – interview – May 2010.

corridorsto find Erdogan”⁶⁴⁷ and with his help Blair “more or less persuaded Erdogan personally to sign the documents.”⁶⁴⁸ Jacques Chirac⁶⁴⁹ was called upon to reign in the Cypriot zeal on the Friday morning. When Papadopoulos seemed inclined to push his case for Turkey to recognise the Republic of Cyprus Chirac said:

“Mon cher Thassos – we don’t do that sort of thing around here.”⁶⁵⁰

Conclusion

It has already been established in Chapters Three and Four that structural geostrategic changes in Europe in the late 1990s led to the offer of EU candidacy to Turkey in December 1999. Furthermore this offer then set in train several processes which served to incrementally upgrade the Turkish case within the EU and also encouraged pro-EU actors within Turkey to start the process of constitutional reform. It is argued here that these processes, coupled with the continuing geostrategic considerations, meant that the Presidency conclusions of the Copenhagen European Council in December 2002 were obliged to deal with Turkey in a more sympathetic manner than might otherwise have been the case.

Furthermore the resulting compromise wording reinforced the previous emphasis on the Copenhagen criteria and placed the European Commission in the role of arbiter in the Turkish case. This created an opportunity for purposeful advocacy of the Turks. It was purposeful because of the emphasis which had been repeatedly placed by the European Union on the pivotal role of the Copenhagen criteria as conditions for entry. Having reiterated that Turkey would be treated as a state like any other on the basis of these criteria how would the EU be able to refuse Turkey if it subsequently met them? In this way the purposeful agency by Turkey’s advocates within the EU could become rhetorical entrapment

⁶⁴⁷ Senior UK politician C – interview – September 2010.

⁶⁴⁸ Senior UK Diplomat B – interview – March 2010.

⁶⁴⁹ Chirac had already taken a political gamble by backing the Turkish case and took a “personal hit” as a result. (Source: Senior UK Diplomat B – interview – March 2010.)

⁶⁵⁰ Ludlow (2005:33)

(Schimmelfennig 2009) at the 2004 Brussels European Council . While the structural geostrategic issues of enlargement, Cyprus and ESDP were influential on processes along the way – and continued to be so to some extent - ultimately they were a secondary issue to the process and agency of rhetorical entrapment at Brussels.

This chapter then has concentrated on the time period between 2002 and 2004. It has sought to outline the processes and agency which led to the rhetorical entrapment of the member states at the Brussels European Council . It is argued that there was an attempt over this time within Turkey, and by advocates outside of it, to “tick the boxes” of the Copenhagen criteria in order to oblige member states to acquiesce to opening accession negotiations with Turkey.

The structural issues which were so influential at the Helsinki and Copenhagen European Councils were still in evidence at Brussels but had changed character. After May 2004 the accession of the CEEC enlargement round, including Cyprus and Malta, took the urgency out of the need to find a solution to the Cyprus issue before Greek Cyprus acceded as that was now a *fait accompli*. Furthermore the post-Cold War legacy of ESDP, which was a flagship policy at Helsinki and Copenhagen, had been usurped by the events of September 11th 2001, the “war on terror” security environment and the subsequent Iraq war.

Having said that, 9/11, and associated events, had highlighted Turkey’s geostrategic value as a Muslim democracy and also as a country bordering the Middle East. When making his case for the progress report within the Commission in September and October 2004 Gunther Verheugen drew heavily upon Turkey’s geostrategic value and the dangers of repeating the mistakes of Luxembourg in 1997. Similarly those member states which had advocated Turkey were doing so from continuing geostrategic motives. Nevertheless the influence of geostrategic issues on member state policy making at Brussels was considerably less than had been the case at either Helsinki or Copenhagen.

The outcome of the period 2002-2004 can be understood more through process and agency than just structure. It was the effect of previous decisions, influenced by structure and process, which had made the agency possible. In other words, the process from Helsinki to Brussels was path dependent. The Helsinki European Council elevated Turkey to candidate status which encouraged reform in Turkey and embedded Turkey within the EU's institutional and bureaucratic structure. The very fact that it was a candidate, coupled with the on-going security considerations, put Turkey high on the agenda at Copenhagen in 2002 and, with the need to keep Turkey on side for the sake of Cyprus and ESDP, contributed to the conciliatory wording of the Presidency conclusions in December 2002 which raised Ankara's status further. They stated unambiguously that a decision would be taken in December 2004 based on whether the Commission considered Turkey to have met the Copenhagen criteria. Turkey's advocates capitalised on this sequence of events.

It is important to note here that there was no suggestion of trying to circumvent the Copenhagen criteria merely of trying to maximize the chances of Turkey actually meeting it – or coming closer to doing so. To this end the Turkish government was advised by both the UK Embassy in Ankara and the European Commission Representation to Ankara. There was considerable overlap between these two bodies thanks to the “well placed Brits” within the Commission such that both the Commission and the FCO were working in parallel towards the same end and from the same motivation.

The upshot of this serendipitously symbiotic policymaking was that Turkey was helped to make progress and specifically of the kind that would tick the boxes of the Copenhagen criteria. By the autumn of 2004, after some skilful politicking by Gunther Verheugen, Turkey had done enough to enable the Commission to decide that it had “sufficiently fulfilled” the criteria (helped by the on-going structural security issues⁶⁵¹). This reassured those member states which had previously opposed Turkey on normative grounds and rhetorically

⁶⁵¹ When making his case for the progress report within the Commission in September and October 2004 Gunther Verheugen drew heavily upon Turkey's geostrategic value and the dangers of repeating the mistakes of Luxembourg in 1997.

entrapped those which remained opposed to Turkey on cultural grounds but were reluctant to say so in public. The phrase “sufficiently fulfilled” was used again in the Presidency conclusions at the 2004 Brussels European Council .

“(The European Council has) decided that, in the light of the.....Commission report and recommendation, Turkey sufficiently fulfils the Copenhagen political criteria to open accession negotiations....”⁶⁵²

In this way the actors pressing Turkey’s case worked within the norms of the EU, and indeed used the norms of the EU strategically, to further what they considered to be their own self-interest. Structural security issues were present but were not as predominant as at Helsinki and Copenhagen. Instead the outcome can be explained through the instrumental rhetorical entrapment of some member states which remained sceptical about, or hostile to, the Turkish case by those actors who were convinced of the wider geostrategic benefits doing so. The Presidency conclusions of the Copenhagen European Council – influenced by structural factors – and its ensuing processes had presented an opportunity to Turkey’s advocates within the European Union to rhetorically entrap the other member states.

It was understood by the advocates that if Turkey could make significant progress the remaining reluctant member states would not be able to say no to accession negotiations because the EU had previously committed itself to that criterion and built its whole post-Cold War identity upon it. For this reason it was worthwhile for Turkey’s advocates to put in the effort to help the AKP make the necessary progress as there was a good chance that Turkey’s opponents would be “rhetorically entrapped” by their own previous normative statements. In addition, to say no after Turkey had made such politically risky progress would have risked destabilising the eastern Mediterranean area and also undermining the EU’s credibility as a liberal institution.

⁶⁵² Brussels EU Council December 2004 Presidency conclusions. Section 22. See Appendix V.

It is certainly ironic that the very conditions which it had initially been presumed would keep Turkey on the periphery of Europe – the Copenhagen criteria - ultimately obliged the member states to open accession negotiations. The member states were passively rhetorically entrapped within their own identity, and by their previous decisions, and crucially they were actively rhetorically entrapped by the actions of other EU member states.

Conclusion

This thesis has sought to account for the unprecedented progress which the Turkish EU accession process made between 1999 and 2004. Neither before nor since this time has the Turkish case made such strides forward. However this progress was not the result of Turkey suddenly becoming a popular option. Its unpopularity, based within both normative objections to Turkey's record of human rights and democracy and also "cultural", economic and demographic concerns, has been broadly constant since it first applied in 1959. In fact, the very fact that both normative and cultural concerns remain strong in 2012 adds weight to the question of why and how Turkey was able to make such progress between 1999 and 2004.

So the question which has been addressed here is: What happened in and around the EU Turkish accession process between 1999 and 2004 to enable the outcome of the Brussels European Council in 2004? In order to address this issue it has been necessary to consider whether the outcome was due to events within the EU, its member states, the Turkish government or whether it was due to structural factors. In other words, was the change due to structure, process or agency?

The evidence presented here suggests all three factors contributed to Turkey's progress between 1999 and 2004. It uses a Historical Institutionalist temporal approach to posit an explanation of why and how this happened: the decision to offer candidacy to Turkey in 1999 was influenced by structural considerations and started a series of path dependent processes which created an opportunity for agency and led to the decision by the member states at Brussels five years later to open accession negotiations with Turkey.

This path dependence was both material, in terms of the time and money invested in Turkey by the EU, and ideational in terms of the stress placed on the Copenhagen criteria.

Furthermore the combination of on-going geostrategic structural considerations and these path dependent processes put the Turkish case onto the agenda at the Copenhagen 2002 European Council and obliged still reluctant member states to compromise with Ankara and agree to a date for "talks about talks" two years hence. This then enabled Turkey's advocates within the EU to actively progress the Turkish case by advising and helping Turkey to meet the Copenhagen criteria thereby "rhetorically entrapping" the member states at Brussels in 2004. A process can thus be traced back from Brussels to Helsinki in 1999.

The explanation lies in the complex interaction of structure, process and agency during this time. All were present throughout and influenced each other but the relative influence of each was not static and altered through time. Fundamentally, however, it is important to note that processes cannot be seen in isolation. It is necessary to consider the structural considerations which influenced the EU member state decision-making and the agency of

some EU member states. This argument is an extension of that about the CEEC enlargement process which highlighted the role of the European Commission and its “principled policy advocates” who ratcheted up the CEEC case and delegitimised opposition to it (Sedelmeier 2005:9). Similarly it echoes the argument that those EU member states with residual opposition to CEEC enlargement were hampered by not wanting to appear contrary to the fundamental principles of the EU (O’Brennan 2006:180).

This conclusion will explore these issues in more detail. It will firstly look at the empirical findings of Chapters Three, Four and Five before going on to assess the role of structure, process and agency. It will also look at how well the process tracing methodology has served to provide evidence for the explanation offered by the theoretical approach of Historical Institutionalism. Lastly, it will examine the time period from 2004 until the present day and suggest a future research agenda. It concludes ultimately that the combination of circumstances - structure, process and agency - which broke the previous stalemate and facilitated progress between 1999 and 2004 was a window of opportunity which has now closed.

1. Empirical Findings

As described in Chapter One, the object of the empirical research in this thesis is to establish the validity or otherwise of the following propositions:

Firstly, structural changes, including the end of the Cold War, geopolitical pressures and domestic changes made possible the acceptance of Turkey as a candidate between 1997 and 1999.

Secondly, the process of engagement that began in 1999 then enabled a combination of incremental commitment, purposeful advocacy and rhetorical entrapment to create the conditions in which Turkey was accepted as a negotiating partner for accession in 2004.

Thirdly, this same process of engagement enabled the specific problems of Cyprus, ESDP and security cooperation to be by-passed or defused in such a way that negotiation for accession could start even without their solution.

This has been approached through looking at the time period 1999-2004 and specifically at the processes leading up to three major European Councils in that time – Helsinki 1999, Copenhagen 2002 and Brussels 2004. This section will revisit the conclusions from these chapters before returning to evaluate the propositions.

1.1. Helsinki

As highlighted previously, the decision of the Helsinki European Council to offer candidacy to Turkey was perhaps a surprising one considering the outcome of the Luxembourg European Council just two years before. Chapter Three sought to explain this abrupt change of policy by the EU towards its longest-standing applicant.

It concluded that the EU's stance on Turkey at Helsinki had been driven by its response to the changing geostrategic landscape in Europe following the end of the Cold War. The instability of the Balkans in the 1990s in general, and the horror of the Bosnian conflict in particular, created a determination that it should not be allowed to happen again on the European continent. This had two consequences: firstly, it led to the St Malo agreement between France and the UK which created a path for an EU based security and defence policy. Secondly, it expedited the CEEC enlargement programme.

The smooth progress of both the CEEC enlargement round and what would become ESDP required the cooperation of Turkey and therefore the more sympathetic consideration of the Turkish case for EU accession in early 1999. With regard to CEEC enlargement the EU had no choice but to include Greek Cyprus because otherwise Greece would not support it. However it was reluctant to admit Greek Cyprus as part of a divided island⁶⁵³. Therefore it

⁶⁵³ This would have meant importing into EU jurisdiction one of the world's most intractable border disputes.

was seen as preferable to find a solution to the Cyprus issue before the CEEC enlargement round was finalized and that required some form of cooperation with Turkey.

ESDP on the other hand required the cooperation of Turkey because whilst the EU member states were increasingly keen to develop an autonomous security capability within the EU they did not want to pay for separate facilities. In other words it was always the case as ESDI developed into ESDP that it would require access to NATO capability over which Turkey had some influence. The prospect of conflict in Kosovo in early 1999 added urgency to both of these issues: There was a perceived need to maintain stability in the Balkans and eastern Mediterranean and the need to find some way of closing the animosity between Greece and Turkey as NATO allies.

For all of these reasons, in the year before Helsinki, it was necessary to undo the umbrage taken by Turkey following the “rejection” of it at the Luxembourg European Council in 1997. Tony Blair had already extended Lord Hannay’s role as Cyprus conciliator to include an EU remit during the 1998 UK EU Presidency⁶⁵⁴. Much of the problem at Luxembourg had been caused by on-going mistrust by Turkey of EU motives because of the Cyprus issue and because Turkish politicians conflated the issues of EU accession and NATO expecting one (EU accession) to act as *quid pro quo* for the other (Turkey’s contribution to NATO since World War 2). However, EU actors such as Jean-Claude Juncker of Luxembourg had also failed, as EU President, to appreciate, or had decided to ignore, the role of Greece and the nuances of the EU’s geostrategic considerations *vis a vis* Turkey.

The member states, in 1999, found themselves obliged to reconsider the Turkish case anew and were gradually persuaded that it was in the interests of the EU as a whole to offer candidacy to Turkey. In other words, some placation of Turkey was necessary in order to smooth the passage of the NATO operation in Kosovo as well as both ESDP and CEEC enlargement. At the same time however it was not thought possible that Turkey could

⁶⁵⁴ Hannay was also made Tony Blair’s personal envoy to Turkey in 1998 (Hannay 2005: 84)

become a candidate without some sort of acknowledgement of the Copenhagen criteria which could not simply be ignored. To this end, the Turkish government was encouraged by Gerhard Schroeder to put in writing that it understood changes would need to be made in Turkey before it could be considered as a candidate. The resulting “Ecevit Letter” of May 1999 played an important part in persuading sceptical member states, such as the Dutch and the Scandinavian countries, to overlook their normative misgivings about Turkey.

Such misgivings were also mollified by the high conditionality of the Helsinki European Council Presidency conclusions. Turkey was reassured that it would be treated as a “state like any other”, according to the Copenhagen criteria, with the intention of reassuring Ankara of the EU’s inherent fairness. Hidden within this however was the insincerity of intent highlighted effectively by Font (2005). Those member states which retained misgivings (although not necessarily outright objections) were reassured that whilst the EU was offering candidacy the process could not progress unless Turkey met the Copenhagen criteria. Therefore either the grounds for their misgivings would have been solved by definition or Turkey would not make it that far. It was the latter which was assumed to the case. In this way the member states offered candidacy to Turkey in order to be able to manage the Cyprus issue and, to a lesser extent, ESDP in the wider interests of the EU and Europe⁶⁵⁵. It was not thought possible in 1999 that Turkey would make significant progress towards the Copenhagen criteria in the short or medium term.

However, the high conditionality of the Helsinki European Council Presidency conclusions set in stone the undertaking that Turkey would be treated as a “state like any other”. In other words, if it met the Copenhagen criteria it would be eligible to open accession negotiations. The very condition which, it was presumed, would keep Turkey at bay from the EU ultimately facilitated the opening of accession negotiations.

⁶⁵⁵ The Kosovo conflict had passed by this time. Arguably its primary role had been to help create the political will to maintain harmony in the eastern Mediterranean and to expedite ESDP – both of which required Turkish cooperation.

Others (Robins 2003a; Onis 2000) have argued that the change of heart at Helsinki can be attributed to the election of more sympathetic governments in Greece and Germany at that time and the rapprochement after the earthquakes in Turkey and Greece in August and September 1999. However, I consider these to be serendipitous factors but not the primary causes of the Helsinki decision. The German government of Gerhard Schroeder acted as it did because it had been convinced of the geostrategic argument in favour of Turkish accession. Conversely whilst Costas Simitis and George Papandreou were undoubtedly more conciliatory than their predecessors, and political opponents, in terms of Turkish candidacy they gave very little ground on the vital issue of Cyprus which ultimately almost scuppered the proceedings at Helsinki and necessitated Verheugen and Solana to fly to Ankara to persuade Bulent Ecevit to return with them.

Instead, the evidence suggests that it was wider geostrategic need which led to the change in EU policy towards Ankara at Helsinki. Turkey was no more, or less, popular than it had been at Luxembourg but the wider security environment had changed which caused a need for the Turkish aspiration – which was deep-rooted and heartfelt – to be “managed” rather than dismissed or postponed. This was done by making it clear to Ankara that reform was a necessary precursor to accession and a statement of intention to reform was a precursor to candidacy. Such action by Ankara however was prompted by an EU actor, namely Germany. The Schroeder government was clearly acting to enable candidacy to take place for geostrategic reasons⁶⁵⁶.

Thus, actors within the EU were working to bring Turkey up to a certain standard (the Copenhagen criteria) but were not seeking to relax the criteria in spite of the geostrategic imperative. Therefore, the only way progress was possible was if Turkey demonstrated that it was prepared to change to meet the Copenhagen criteria. Moreover the EU reiterated its commitment to the Copenhagen criteria in the Helsinki European Council Presidency

⁶⁵⁶ This was an early indication of the type of agency which would become more in evidence after 2002.

conclusions. Many member states remained unconvinced that Turkey would ever meet the criteria and this was a factor, ironically, in their agreeing to candidacy. However, the very act of re-iterating the conditionality so heavily in the Turkish case would mean, five years later, that options *vis a vis* the Turkish case were limited.

1.2. Copenhagen

The road to Copenhagen was one of frustration for those parties trying to advance the Turkish case. Both ESDP and Cyprus had proved intractable since Helsinki and the Copenhagen European Council began without solutions to either. This situation was to prove highly influential on its outcome.

In fact the difficulties of Copenhagen in 2002 can be traced back to the “legacy” of the 1999 Helsinki European Council. Whilst Turkey achieved candidacy at Helsinki it did not have the reassurance on ESDP which it had wanted⁶⁵⁷. Ankara was deeply insecure about where it fitted into the ESDP framework and this was exacerbated by the USA also being outside of the decision-making process in ESDP.

Bulent Ecevit’s government deeply mistrusted Greece and was very ready to suspect skulduggery by Athens. This made the ESDP issue highly politically sensitive and difficult to resolve. The situation was exacerbated by the vagueness of the Helsinki decisions on ESDP which resulted in an atmosphere of ambiguity and mistrust between the EU and the USA and Turkey.

The belligerence and suspicion engendered by the ESDP issue did not make Bulent Ecevit’s government inclined to exert the necessary pressure on the TRNC President, Rauf Denktash, to make progress on the Cyprus issue. Neither the EU nor Turkey was apparently acting in its own perceived “best interest” at this time. The EU was not able to drop its normative

⁶⁵⁷ Bulent Ecevit was also deeply unsettled over agreement with the Republic of Cyprus that its future progression in the enlargement process was not linked to a settlement on the Cyprus issue.

concerns even in a wider geostrategic interest⁶⁵⁸ and Turkey was not willing to be flexible on either ESDP or Cyprus when progress on either would have helped its EU ambitions. This situation reflected the slightly artificial atmosphere of the Helsinki European Council where issues had been resolved to achieve the short term aim but there was no underlying resolution to either ESDP or the Cyprus issue. Mistrust remained on both sides as EU actors believed Turkey was trying to get into the EU through the back door of ESDP and Turkey was convinced Greece was working vicariously to gain the upper hand on Cyprus and in the eastern Mediterranean⁶⁵⁹. The long-standing Turco-Greek mistrust had been exacerbated at Helsinki by the de-linking of Greek Cypriot accession from the need to find a solution to the Cyprus issue. This removed any incentive for the Greek Cypriots to cooperate at the same time as raising Turkish suspicions of trickery afoot⁶⁶⁰.

In this way, efforts to solve both the ESDP “problem of Turkey” and the Cyprus issue continued but failed to find resolution in advance of the Copenhagen European Council in December 2002. These efforts were primarily under the auspices of the UK, as a member state, rather than the EU as a whole. Lord Hannay⁶⁶¹ was a personal envoy for Tony Blair based within the Number 10 Downing Street office and his efforts on Cyprus are well documented (Hannay 2005). However, the FCO was also busy behind the scenes on ESDP as efforts were made, led by the senior diplomat, Sir Emyr Jones Parry, to break the deadlock, with American backing, of the “problem of Turkey” within NATO and ESDP. The UK was instrumental in making efforts to break the deadlock on Cyprus and ESDP both for the sake of NATO, ESDP and the EU enlargement process.

Both Cyprus and ESDP were crucial issues for the EU at Copenhagen. ESDP had become a high status, flagship, project and the EU had committed itself to Operation Concordia - taking

⁶⁵⁸ For example to carry over Turkey’s de facto privileged WEU status into ESDP.

⁶⁵⁹ Turkish anxiety was that ESDP – and NATO capability – could theoretically be used against it to resolve a dispute over Cyprus or Imia/Kardak.,

⁶⁶⁰ For the Republic of Cyprus’ point of view on this issue see Melkopides (2006)

⁶⁶¹ By this time Hannay was back to working for the UK FCO. His EU “remit” had ended with the UK presidency in June 1998.

over from NATO's Operation Amber Fox – in March 2003 and wanted to do this with access to NATO capability. Member state leaders arrived at Copenhagen with this crucial point still under discussion. Similarly Copenhagen was to be the final decision point for the CEEC enlargement round – including Malta and Greek Cyprus. The EU had remained keen to find a solution to the Cyprus issue before it was imported into its jurisdiction. For both of these reasons therefore at Copenhagen it was necessary to assuage Turkish concerns.

However, the government of Bulent Ecevit had not made significant progress towards meeting the Copenhagen criteria since the Helsinki European Council. Ecevit's political culture and personal involvement⁶⁶² meant it was 2001 before the Ecevit government even attempted to pass reforms. By this time Ecevit's health was failing and Turkey was in the throes of a major economic crisis requiring IMF intervention. Much of 2002 was spent in political stagnation before an internal rebellion within Ecevit's "Democratik Sol Party" meant an election was called. The majority of the constitutional reforms were passed in July 2002 after the dissolution of parliament by MPs who had stayed behind in Ankara rather than returning to the campaign trail before the November election.

Whilst the sum total of reforms passed in Turkey was nowhere near enough to pacify the normative concerns of the EU member states, the passing of some reforms was to prove significant as a bargaining tool on Turkey's behalf at the Copenhagen Council meeting. It demonstrated a considerable political will on Turkey's behalf to pass more reforms and this was regarded favourably by the EU Commission and the more sympathetically inclined member states. Moreover, the UK Ambassador to Turkey, Sir Peter Westmacott, had established strong links with the AKP during 2002 and ascertained that it was willing, and able, to implement further reforms should it be elected. Whilst neither ESDP nor Cyprus were solved before the Copenhagen European Council, the UK went to Copenhagen with the knowledge that the AKP was a marked departure from previous Turkish governments - particularly that of Bulent Ecevit.

⁶⁶² He had been the Prime Minister in 1974 when Turkey invaded Cyprus.

At Copenhagen, whilst Tony Blair was not able to convince his fellow member states that Turkey had done enough to go forward to accession status he was able to make a case to the other member state leaders that Turkey was too geostrategically significant to be sidelined as at Luxembourg. Therefore some form of words was necessary to keep the Turks on-side and to maintain the reform process under the AKP. In other words if the member states wanted to have any chance of solving the Cyprus issue before Greek Cyprus acceded, or to be able to launch Operation Concordia effectively in three months' time, they would have to make concessions to Turkey at Copenhagen.

In accordance with the prevalent EU identity at that time these concessions did not lower the conditionality attached to the Turkish case. On the contrary, the need for reforms in accordance with the Copenhagen criteria was highlighted. However, the Presidency conclusions in 2002 did incrementally, and inadvertently, increase the commitment to Turkey by making future Turkish progress dependent on a favourable report from the European Commission in October 2004. This was a compromise negotiated by Tony Blair who was then also able to convince Erdogan and Gul that this compromise, far from being another "snub" to Turkey, was an opportunity.

1.3. Brussels

The diplomacy in evidence at the Copenhagen European Council was able to keep the Turkish government "on side" enough for CEEC enlargement to go through, including Greek Cyprus, and for the NATO Secretary-General, Javier Solana, to find enough of a solution to the "problem of Turkey" on the side-lines at the Copenhagen European Council to pave the way for Operation Concordia⁶⁶³ three months later. The consequence of the need to find

⁶⁶³ Operation Concordia began on 31st March 2003. It was designed to create and maintain the political and security conditions in Macedonia in which the 2001 Ohrid Peace Agreement between the FYRoM and its Albanian minority population could be implemented. The operation used NATO assets and lasted until December 2003. <http://www.consilium.europa.eu/eeas/security-defence/eu-operations/completed-eu-operations/concordia.aspx?lang=en>

such expedient solutions to these wider structural issues however was a marked increase in the conditionality involved in the Turkish case in order to secure continuing cooperation by the Turks. The need to compromise meant the member states were reluctant to say “no” to Turkey. Instead they reiterated the treatment of Turkey as a state “like any other” and delayed a decision for two years to be dependent on the forthcoming Commission October 2004 Opinion on Turkey’s progress.

At Copenhagen, Erdogan and Gul were dissatisfied by this wording as it fell short of what they had repeatedly demanded. However, they were placated by the UK delegation on the basis that the conclusions were an opportunity and, if Turkey made substantial further progress, the member states would be obliged to agree to open accession negotiations when they met at Brussels two years hence. EU “identity” was such that if Turkey could make this constitutional progress, many member states would find it hard to “renege” on a deal made in good faith and would be able to see that the progress in Turkey was in the wider interests of the EU and its member states anyway.

Soon after the Copenhagen European Council the AKP was struggling to deal with the impending Iraq conflict – and Ankara’s relationship with Washington – which inevitably pushed the vital issues of EU accession and Cyprus down the agenda of the Ministry of Foreign Affairs in Ankara. The Turkish parliament’s vote against cooperation with the US on Iraq effectively wiped out the goodwill of the Bush administration towards Turkey for several years.

Conversely however, Turkey’s stance on the Iraq issue may have helped its case within the EU where many member states – including France and Germany – had misgivings about the “war on terror”. The UK maintained its allegiance with the USA on the issue but also continued to work on the geostrategic basis that a Turkey within the EU was better than one outside of it. The UK Ambassador in Ankara, Sir Peter Westmacott, continued his very effective diplomacy in Ankara advising the Erdogan government on which policies to pursue

to maximize effectiveness within the EU – such as women’s rights – and how to sell these policies to a socially-conservative support base and public opinion. At the same time the European Commission was also working effectively in Ankara towards a similar end.

It helped enormously that the Enlargement Commissioner Gunther Verheugen had become convinced of the geostrategic case for opening accession negotiations with Turkey and apparently had the backing of the European Commission President, Romano Prodi.

Verheugen’s Deputy Director General for DG Enlargement, Michael Leigh, was a “Brit” as was Simon Mordue, one of Verheugen’s “best people” who worked for the European Commission’s Ankara delegation and subscribed to the same view of geostrategic benefit. There was a synergetic relationship between the UK FCO and the European Commission which meant they were working to the same end from broadly the same motivation with national and ideological links in common. In this way, once the initial political trauma of the Iraq war had receded, the AKP government was able to make more progress in the two years between 2002 and 2004 than ever before towards meeting the Copenhagen criteria.

In the meantime the structural concerns which had dominated at Helsinki and Copenhagen had both receded and changed their character. The issues which had been prominent in 1999 – Kosovo and the Balkans - been usurped by the “war on terror” in general and the Iraq conflict in particular. ESDP suddenly seemed an old-hat solution to a new non-state security problem. The EU’s enlargement and security policies in eastern Europe and the Balkans (including Operation Concordia) had had the desired effect of stabilizing the area.

The Cyprus issue remained a concern until the Annan Plan referendum in April 2004. Prior to that, the EU, working vicariously through the UN, had continued to hope for a solution before the accession of Greek Cyprus. However the vote by the Greek Cypriots against the Annan Plan in April 2004 ended this hope. It had been predictable, and perhaps inevitable, since the decision at Helsinki four and a half years earlier not to insist on a solution to the Cyprus issue as a pre-condition of Greek Cypriot EU accession. After the referendum

outcome it was obvious that it would not be possible for solution to the Cyprus issue to be found before Greek Cyprus acceded and the urgency faded. Ironically however the political damage this potentially caused to the AKP may have ultimately worked in its favour. Latterly, Turkey had cooperated on the Cyprus issue and the ultimate belligerence appeared to have been on the Greek Cypriot side especially after the election in which Thassos Papadopolous ousted Glafkos Clerides in February 2004. There was certainly a feeling within both the UK FCO and the European Commission that the AKP had been hard done by and deserved some allowances to be made as a *quid pro quo*. Furthermore whilst the structural issues had changed, the new security environment also highlighted Turkey's geopolitical value and the need to keep it on side with the EU.

The Brussels European Council approached in 2004 with the Turkish application precariously placed. On the one hand it had made considerable advances towards the Copenhagen criteria but on the other it still did not meet the criteria. However, the constitutional reforms which had been made enabled Gunther Verheugen to argue within the European Commission that Turkey had "sufficiently fulfilled" the Copenhagen criteria. The Cyprus issue too had positive and negative connotations. The outcome of the Cyprus referendum on the Annan Plan in April had left the situation in Turkey *vis a vis* Cyprus highly febrile and the AKP simply unable to make further concessions to the EU particularly on the Cyprus issue but the referendum outcome had won sympathy for Turkey within the European Commission and with sympathetically inclined member states. However, in spite of these advances, obstacles remained. There was still considerable opposition to the Turkish case in both public and elite opinion in several EU member states including France. Additionally, the Greek Cypriot government,⁶⁶⁴ of Thassos Papadopoulos, was prepared to push the Turks to the limit in order to scupper the wider objective of opening accession negotiations with Ankara. The Greek Cypriot strategy was to make its assent conditional on the Turks recognizing all EU member states before accession negotiations opened.

⁶⁶⁴ NB: Not the Greek government which had signalled its assent.

Papadopoulos was well aware that asking Erdogan to recognise Greek Cyprus there and then was not politically possible for the AKP.

The question remains then – why did none of the member states veto the option? There are two strands to the answer to this question. Firstly, the UK assumption in 2002 had been proved right. The normative concerns against Turkey of the majority of the member states had been sufficiently met by Turkey's constitutional reforms for their influence to have diminished. There was a strong logic that whilst Turkey did not actually meet the Copenhagen criteria the incentive of EU accession had achieved an enormous amount since Helsinki in 1999 and encouraging it further was in the wider interest of the EU. Crucially however, in addition to this ameliorating effect of the reforms on normative concerns on countries such as the Netherlands and the Scandinavians, the leading member states countries – Germany and France - remained convinced enough of the geostrategic case to carry on regardless of hostile public and elite opinion. Similarly the UK was not deterred by the AKP's slightly erratic start to its foreign policy career over transit lines to Iraq. Meanwhile, Austria was restricted by a desire not to appear racist in an EU forum and had been appeased by the Croatia deal whereas the belligerence of the Greek Cypriot approach was simply not tolerated within the European Council . The result was that it was agreed to open accession negotiations with Turkey albeit with the “open-ended” caveat (another concession to Austria) and the inclusion of a referendum on Turkish membership in some member states before final membership could be granted.

In terms of the propositions outlined at the beginning of this section the following can be concluded. Firstly, structural changes, including the end of the Cold War, changed the attitude of the EU member states towards Turkey in the time between the Luxembourg and Helsinki European Councils. These geostrategic issues made the member states more willing to consider the Turkish case in 1999 in spite of normative and cultural concerns. There are two caveats to this point. This relaxing of EU member state attitudes to Turkey in 1999 was only possible after Turkey had openly acknowledged its intention to reform in the

“Ecevit letter”. Therefore, even under geostrategic pressure, there was no suggestion that it would be possible for the EU to lower its conditionality for Turkey. Additionally a large factor in the member states being willing to concede candidate status for Turkey was because candidacy was so heavily predicated on Ankara meeting the Copenhagen criteria. The prevailing view amongst the member states was actually that Turkey would not be able to do this in the short or medium term and so further progress was not a realistic possibility. In other words the member states felt able to make concessions to Turkey safe in the belief that it further progress would not be possible.

Secondly, it has been shown that the institutional processes initiated by the Helsinki decision to offer candidacy enabled a combination of incremental commitment, purposeful advocacy and rhetorical entrapment to create the conditions in which Turkey was accepted as a negotiating partner for accession in 2004. The involvement of Turkey as a candidate meant it was the subject of annual progress reports and recommendations which were automatically to be considered by the European Councils. Therefore the EU member states were forced into a position whereby, after 1999, they had to take a public stance on the Turkish case whereas previously this was not the case. This left them vulnerable to the influences of both wider structural factors and the agency of Turkey’s advocates within the EU when it came to policy making on Turkey.

The conclusion here is that, at the Copenhagen European Council, structural factors and the agency of the UK, in the persona of the Prime Minister Tony Blair, resulted in the compromise wording of the Presidency conclusions. Turkey had not made the progress necessary for the opening of accession negotiations to be a *fait accompli* but the geostrategic considerations of CEEC enlargement (and Cyprus) and ESDP’s Operation Concordia meant any rebuff could not be put to the Turks in such stark terms. Instead the EU resorted to the more diplomatic language of reiterating its adherence to the Copenhagen criteria and conceding a date for “talks about talks” two years hence to be decided on the basis of the European Commission’s progress report in 2004. It is unlikely such a softly softly

approach would have been taken if it had not been for the geostrategic concerns of 2002 and the skillful diplomacy of the UK.

The result of this approach however was to create an incentive for the Turkish AKP government to press ahead with reforms. The EU had locked itself in to a pledge to judge Turkey as a state like any other i.e.: by the Copenhagen criteria. If Turkey could meet the challenge of fulfilling the Copenhagen criteria then the EU member states would lose credibility if they did not fulfil the obligation, particularly in the light of the ever-present, although changing, geostrategic considerations. In other words after the Copenhagen European Council, if Turkey made good progress on domestic reform then the EU member states would face significant material and ideational costs if they did not agree to open accession negotiations. Thus the AKP had an incentive to carry out constitutional reforms⁶⁶⁵ and Turkey's advocates within the EU had an opportunity for meaningful and worthwhile advocacy. For the first time it was worth making the effort to help Turkey meet the Copenhagen criteria because its further progress now hinged on the opinion of the EU Commission in 2004 which would be making a decision strictly in accordance with the Copenhagen criteria and in the context of the wider EU liberal identity.

Finally, whilst these path dependent processes may have been initiated by geostrategic concerns and were then helped along by them at Copenhagen it is the case that ultimately the process overtook structure in terms of influence on Turkish-EU accession. By 2004 the EU was rhetorically entrapped by its previous decisions rather than pressurised by geostrategic concerns which had actually slightly subsided. By December 2004 both CEEC enlargement and ESDP had been dealt with and were no longer geostrategic priorities. However the legacy of previous decisions taken under the influence of these issues lived on.

⁶⁶⁵ Many of which were unpopular with its socially conservative support base in the Anatolian hinterland.

At the empirical level then this is what has been discovered and now I will look at how shaping it according to the conceptual framework of structure, process and agency helps it to be framed further.

2. Structure, process and agency

The relative influence of structure and agency on process however is not an empirical judgment but an ontological one. It is entirely possible to agree on empirical findings but disagree on the relative role of structure and agency (Hay 2002: 91). Therefore this section will examine how structure and agency, as well as process, contribute to the empirical findings already outlined.

At the end of Chapter Two a series of propositions were set out. The first one asked what were the patterns of interaction between structure, process and agency that shaped the decisions in 1999 to admit Turkey as a candidate and then in 2004 to open negotiations with Turkey. Structure and agency were influential to different degrees at different times on the path dependent processes which characterize this time period. In the run up to the Helsinki European Council, structural geostrategic considerations were the most influential on EU decision making. Geostrategy continued to affect the EU member states' decision making up to Copenhagen and was still influential at Brussels although to a lesser extent. The agency of Turkey's advocates within the EU is also evident throughout the time frame⁶⁶⁶ but it was only after Copenhagen in 2002 that advocacy on Turkey's behalf could actually achieve the opening of accession negotiations. Both structure and agency were influencing the processes of path dependence at this time. Structure initiated them and continued to be a factor. Furthermore the processes were used strategically by agents to further a self-interested course of action.

The second proposition asked what evidence there was of the impact of critical junctures and of path dependency (with its associated forces of increasing returns, self-reinforcement,

⁶⁶⁶ The Ecevit letter in April 1999 and the Istanbul and Ankara letters in 2001 are testament to this.

positive feedback and lock-in) in the evolution of EU-Turkey relations during the period 1999-2004? This proposition asks specifically about the processes involved between 1999 and 2004 and this will be addressed in more detail in the next section on Historical Institutionalism as an approach. In brief however, the Helsinki European Council should be seen as a critical juncture because once the offer of candidacy was made to Turkey it was increasingly hard thereafter to reverse course. The EU had effectively – although unintentionally – committed itself to judging the Turkish case by the Copenhagen criteria. The offer of candidacy in itself started processes which made that more likely. It encouraged pro-EU actors, within Turkey, and gave Turkey a permanent position on the European Council agenda. The EU member states were obliged to publically consider the Turkish case at every EU Council. Their decision-making was then affected by the wider structural geostrategic concerns working in Turkey's favour which have already been outlined. This combination of process and structure ratcheted up the Turkish case between Helsinki and Copenhagen to an extent which was not warranted by the actual progress made by Turkey. This interaction of structure and process created an opportunity after the Copenhagen European Council for advocates of Turkey within the EU to act on its behalf to help or "advise" the Ankara government to meet the Copenhagen criteria. In so doing they made a strategic use of EU norms which led to the rhetorical entrapment of the member states at Brussels. However, whilst agency ultimately tipped the balance in Turkey's favour it was preceding events which had created the conditions in which the agency could operate. Thirdly the Chapter Two propositions asked what evidence there was of interaction between different agents within the process of EU-Turkey relations, and in particular of the interaction between member states and European institutions. There was a very close relationship between the UK Ambassador to Turkey, Sir Peter Westmacott, and the AKP government. Sir Peter became an unofficial advisor to Recep Tayyip Erdogan and Abdullah Gul to the extent that UK FCO legend has it that they once complained when he was away on annual leave and unavailable to answer a query. He was able to advise on which aspects of the criteria

they should prioritise in order to maximize the positive impression on the other EU member states. Additionally, Westmacott advised on how to sell the changes to a potentially socially conservative and nationalist Turkish public opinion⁶⁶⁷.

Furthermore the UK FCO operated in tandem with the European Commission officials who were working towards the same end and some of whom were “well placed Brits”⁶⁶⁸. In this way the UK FCO and the well placed Brits worked to “....get the Turks into a place where they could tick off all the points for joining.”⁶⁶⁹ It was a strategy based on the premise that if Turkey could meet the Copenhagen criteria the EU would be obliged to open accession negotiations. Whilst the FCO was involved in hands-on advice and consultancy by Ambassador Westmacott to the Turkish government between 2002 and 2004 the Commission were working in tandem through the EU Representation in Ankara. Additionally Gunther Verheugen worked hard in Brussels to convince his fellow Commissioners that Turkey had “sufficiently fulfilled” the Copenhagen Criteria and the Commission also worked closely with the French foreign ministry in general and Jacques Chirac in particular⁶⁷⁰. The Commission would not have submitted a positive recommendation on the Turkish case without Paris’ endorsement and the progress report was approved line by line by the Chirac office in advance. There was a happy coincidence of efforts by the three major EU member states – the UK, France and Germany – to bring about the opening of accession negotiations with Turkey in 2004. However, this agency was only effective because of previous processes.

The last proposition in Chapter Two questioned the evidence for the influence of structure, process and agency on Cyprus and ESDP. The conclusion is that structural factors made these issues relevant to the Turkey-EU accession process between 1999 and 2004. Indeed

⁶⁶⁷ The AKP at this time was also working within the politically charged atmosphere caused by the Cyprus issue and forthcoming referendum.

⁶⁶⁸ Such as Michael Leigh and Simon Mordue.

⁶⁶⁹ Senior UK Diplomat B – interview – March 2010.

⁶⁷⁰ As Senior European Commission official C told me, nothing went in to the 2004 Progress Report on Turkey which had not been previously cleared with Jacques Chirac’s office.

Turkey would probably not have become a candidate if it had not been for its involvement in CEEC enlargement via Cyprus and ESDP. Subsequently this involvement led to concerted efforts to solve the Cyprus issue and the “problem of Turkey” for ESDP. So the Turkey-EU accession process was a positive influence on efforts to solve these problems. Conversely these “problems” help to take the Turkish case forward at Helsinki and Copenhagen and to a lesser extent at Brussels. The need not to alienate Turkey, for these reasons, meant the EU member states were obliged to treat Ankara with more caution than may otherwise have been the case. Ultimately however the decision at Brussels in 2004 was the result of rhetorical entrapment rather than a major geostrategic influence (although this was a minor factor). The decisive role played by geostrategy was in creating the conditions in which agency could operate rather than influencing the final decision.

The conclusion of this section is that structure initiated processes which gave rise to the opportunity for agency. Therefore the 1999 decision was primarily due to structure, although agency had played a small part. The 2004 decision was primarily due to agency although structure continued to play a small part. Linking the two dates is a complex path dependent process on which structural geostrategic considerations and agency were also influential.

Structural concerns initiated the path dependent processes and both influenced the outcome of the Copenhagen European Council which created an opportunity for agency on Turkey’s behalf. Whilst the decision to offer candidacy in 1999 was predominantly geostrategic it had the unintended consequence of facilitating the Turkish accession process, contributing to the creation of a range of circumstances which worked in favour of the Turkish case. This was the first time since 1959 that this had been the case. For example, at Helsinki and Copenhagen, when in reality the Turkish case was weak as not much progress had been made constitutionally, geostrategic considerations pushed it forward regardless. However after 2002 real changes did start to be made in terms of constitutional reform in Turkey and then the member states found themselves rhetorically entrapped by previous emphasis on the Copenhagen criteria. They could not say no to Turkey when it had done a large part of

what had been asked of it. Ironically, by this time, the geostrategic issues which had nudged the Turkish case previously had receded. Greek Cyprus was already a member of the EU and eastern Europe and ESDP had been usurped in the security stakes by the wholly different scenarios created by the attacks of September 11th 2001.

3. Assessing the research framework

How well has Historical Institutionalism been able to account for the change which can be seen in the EU's policy towards Turkish accession? It has been concluded that the EU's change of heart towards Turkey was the path dependent result of geostrategic influences upon its decision making. The fundamental reason for the outcome of Brussels in 2004 was that the member states were rhetorically entrapped by decisions taken at previous junctures.

This process of rhetorical entrapment has been traced back to the decision at Helsinki in 1999 to make Turkey a candidate of the EU. However it is argued that the Copenhagen 2002 decision to set a date for talks about talks was also crucial because it served to reiterate the importance of the conditionality of the Copenhagen criteria. By laying such high emphasis on these criteria the EU inadvertently created an opportunity for Turkey and its advocates within the EU. In making this argument, the role of both geostrategy and agency has been acknowledged. They have also been incorporated within Historical Institutionalism albeit a "stretched" version based on the work of Sven Steinmo (2008). This stretched version contains the usual elements of an HI approach such as path dependence, self-reinforcing mechanisms and lock-in but it allows for context to be taken into account and for such processes to be based around ideational factors as well as material. HI defined in this way has been able to account for the factors involved in this complex real world approach to the research puzzle.

The 1999 Helsinki European Council should be seen as a critical juncture in what follows up to the Brussels European Council in 2004. It created a path dependent process linking the time span from which it was hard to backtrack. As outlined above, many of the European

Union member states had always regarded the Luxembourg decision on Turkey as a mistake because it failed to recognise that Turkey had a geostrategic value and therefore its aspiration needed to be “managed” rather than rebuffed. This imperative became stronger as the Kosovo conflict loomed in late 1998 and Turkey’s cooperation was required to progress with both ESDP and the CEEC enlargement round including Greek Cyprus. Therefore at the Helsinki European Council Turkey was made a formal candidate of the EU and the psychological fillip which candidacy gave to its pro-Euro actors was considerable. Even though “candidacy” by itself was meaningless to the EU without some form of reform, within Turkey it was seen as recognition of Turkey’s right to be a candidate and it encouraged pro-EU actors into thinking it was worthwhile for them to make efforts towards reform. Bulent Ecevit’s inherent reticence and opposition to the EU meant that this progress was not immediate but it began to exist and to gather pace. Therefore Turkey arrived at the Copenhagen European Council in December 2002 having made more reforms than ever before in its history and with a newly elected government mandated to implement reforms necessary for EU accession.

At the same time, the structural geostrategic factors which had been influential at Helsinki continued to influence the decision making on Turkey by the member states. Their options were constrained at Copenhagen by the need to solve the “problem of Turkey” for the sake of ESDP Operation Concordia and to find a solution to the Cyprus issue before the accession of Greek Cyprus. Both ESDP and CEEC enlargement were flagship EU policies which had taken on great symbolic importance for the EU and its role in the 21st century.

The path dependence at play at this time is threefold: Firstly, pro-EU actors in Turkey were encouraged by the offer of candidacy at Helsinki and the associated institutional involvement which meant reform started to take place. Secondly the institutional involvement made Turkey a regular fixture on the agendas of the European Council meetings which meant it could not be so easily side lined and had to be addressed. Thirdly, the stress placed by the

EU on considering Turkey as a candidate “like any other” in accordance with the Copenhagen criteria created a rhetorical trap for the EU.

These path dependent processes are both material and ideational. There had been material investment as a result of Helsinki and also ideational investment in the form of repeated emphasis of the Copenhagen criteria. By offering candidacy the EU committed itself to the process of progress reports and pre accession agreements which kept Turkey on the enlargement agenda. Additionally, the stress on the Copenhagen criteria meant that the EU would lose credibility if it reneged on the “deal” to consider Turkey as a candidate like any other if Ankara had made the required changes to its Constitution.

The situation after December 2002 created the opportunity for the agency of Turkey’s advocates within the EU to take it further and to actively rhetorically entrap the member states. It was the combination of structural and process based circumstances at Copenhagen which had led to the highly conditional Presidency conclusions which made the agency of rhetorical entrapment worthwhile. Furthermore, the election of the AKP with a pro-EU mandate, and the UK’s prior knowledge of AKP intentions, made it a worthwhile – although not guaranteed – policy for the UK and the Commission. The rhetorical entrapment of the member states at Brussels can be traced back to the decision at Helsinki which was taken for wider geostrategic reasons and definitely not because the EU wanted to open accession negotiations with Turkey five years later.

It is in the nature of a research puzzle such as this to be complex and to be able to draw on an eclectic range of theory crossing the rationalist–reflectivist divide. This has required a critical realist epistemology (Wight 2006; 2007a; 2007b) which does not claim to find a generalisable “truth” but sets out to provide evidence for a given explanation of a causal process on the balance of probabilities. It has therefore been able to draw on the concept of path dependence as either material or ideational or both. The Helsinki decision initiated material changes in EU policy towards Turkey and encouraged pro EU actors there. It was

also ideational in that the emphasis placed on the Copenhagen criteria would serve to rhetorically entrap the member states at the Brussels European Council in 2004. It is surely ironic then that the very criteria which many member states believed would help to keep Turkey out of the EU eventually served to help Ankara claim its place within it.

Within this path dependence examples of self-reinforcing mechanisms and lock in can be seen. The bureaucratic snowball of institutionalization which developed between 1999 and 2002 was self-reinforcing as Turkey became increasingly bound into the process of accession agreements and annual progress reports on which decisions had to be made. The repeated recourse made to the Copenhagen criteria as the ultimate means of judging a candidate's suitability meant the EU was then "locked-in" to this process in 2004 when it may rather not have been.

The added value of this study, however, is also to introduce agency into the path dependent process. The agency of the UK FCO and some EU actors was possible because of previous decisions taken by the EU but also because it was making strategic use of the EU's norms. Ankara's advocates correctly presumed that Turkey's residual opponents would be reluctant to oppose the Turkish case in open forum if Ankara had made the requisite reforms. Thus by Brussels in 2004 EU decision making *vis a vis* Turkey was dependent on agency as well as structure and process. However the agency was possible because of the structure-process interaction which preceded it.

Furthermore the evidence shows that self-interested behaviour, such as that underpinning this agency, is possible within a normative context such as the EU. The UK's agency was based on the premise that the EU member states would feel bound by their previous rhetoric based with the EU "identity". In essence, the UK actors – and their counterparts within the Commission – were utilising the EU's norms to serve their own rational policy aims. As a result of the eclectic definition of HI in use here this is not a logical contradiction. Neither is it a case of stretching Historical Institutionalism to fit the empirical facts. It is, however, the

application of HI as an “approach” rather than a “theory” which aims to reflect empirical complexity rather than developing a theory for universal application. The ultimate conclusion of this section therefore is that Historical Institutionalism, as defined to allow space for structure and agency as well as process, has been an effective explanatory tool for these purposes because it has opened up temporal insights which have made the processes visible as well as the influences upon them. Additionally HI, as here defined, allows an eclectic approach and is able to account for change by incorporating agency as well as structure and process within itself. This could be said to be similar to the opportunity structures approach of McAdam *et al* (2001).

Indeed others have considered similar issues and argued that change is the result of the interaction of structure and agency (Hay 2002). This would be an interesting approach to this research puzzle; however it does not take process into account in such detail as Historical Institutionalism and therefore could not offer such a complex and comprehensive explanation of the research puzzle

4. Methodology

As seen in Chapter Two, the methodology used here has been an attempt to identify causal mechanisms through process-tracing (George and Bennett 2005: 206). As such it has not aimed to prove anything but instead to offer evidence for a given account of events through detailed examination of primary and secondary sources and as such “shares some of the basic features of historical explanation.” (George and Bennett 2005: 208). However, process tracing remains a methodology of political science and perhaps produces theoretically informed history but it does not set out to produce a narrative *per se*. It is aiming for political science which is based on more than just correlation. It seeks to determine the causal mechanism for a given outcome by producing an account of the processes involved. It is particularly useful in explaining deviant cases of which Turkey-EU accession is one. In this study it has been effective in providing evidence for the explanation of why several member

states would act in a way which was contrary to their own self-interest by agreeing to open accession negotiations with Turkey in 2004. Process tracing was a suitable method for the research puzzle here because, by definition, it can cope with the complexity of the puzzle and furthermore requires such complexity to be coherent within itself. For a process tracing account to be coherent it is necessary to amass large amounts of empirical evidence and for all intervening steps to have been explained according to the approach in hand.

However whilst the strengths of process tracing are its ability to deal with complexity within the realms of political “science” it is not without problems. Process tracing takes “lots of time” (Checkel 2005:18) and also requires “...enormous amounts of information...” (George and Bennett 2005, 223). This is certainly true and inevitably invokes anxiety in the researcher that they may not have enough information to sufficiently make their case and thus not be “scientific” enough. In this study this issue has been addressed by carrying out a large number of interviews and detailed documentary research. What actors concerned were saying privately and publicly on a given day has been studied on a micro level enabling a version of events to be pieced together which can explain the outcome on the balance of probability. As such it is primarily a study of the diplomacy involved and does not claim to be the whole story. For example an economic argument has not been addressed. Neither does it necessarily claim to be the only possible explanation. It is entirely possible that other processes and causal mechanisms were also in operation within the time frame. However it does claim that what is presented here is probably an accurate account.

The interviews were conducted over a period of time (18 months) which allowed for findings to emerge from initial interviews and then be tested through primary and secondary sources. Many of the salient claims in the thesis – such as the role of the UK and Germany – have been multi-sourced through several interviews and media reports. In this way I have built a strong multi-sourced case for the explanation of rhetorical entrapment to explain the outcome of the Brussels December 2004 European Council . Moreover it has been possible to incorporate the inherent complexity of the research puzzle within the method of process

tracing. In so doing, and by providing evidence for the complexity involved, it is possible to argue that a valid within case analysis has been made which does not seek to offer general laws of theory applicable to other cases but which “merely” seeks to provide a strong argument in favour of the causal mechanism proposed. In other words, process tracing has been suited to this research puzzle and to the theory of Historical Institutionalism as applied here. It is been a very happy match of research design and methodology.

5. Turkey-EU relations: 2004-2011 and beyond?

As of October 2011, the European Commission has just published its latest progress report on Turkey which praised the progress made but outlined that there were still concerns about “fundamental rights” including “freedom of expression”⁶⁷¹ within Turkey. Additionally the accession negotiations process with the EU has effectively stalled. Out of 33 chapters only 13 have been opened and only one has closed. Of the remaining 12, eight are frozen and no more can be officially closed until Turkey has accepted the Ankara Protocol. This has been the situation since the European Council decision of December 2006 requiring Turkey to fully implement the additional Protocol to the Association Agreement. This action was taken in response to Turkish refusal to allow freedom of movement to sea and air traffic registered in Greek Cyprus or for which had Greek Cyprus as its last port of call⁶⁷². Five years on, this issue is seriously hindering Ankara’s progress towards accession.

The issue of Cyprus continues to adversely affect the Turkish accession process with the EU. Moreover, it provides a reason for those member states who remain opposed to Turkish accession, now including France and Germany, to oppose the Turkish case and instead offer ideas such as “privileged partnership”. There is a significant danger that such stagnation will create a self -fulfilling prophecy. If Turkish public opinion detects continuing hostility to Ankara’s case, support for the EU will drop further. This will make it harder for the AKP government to continue to pass the reforms necessary for Turkey to meet the

⁶⁷¹ European Commission, *Turkey 2011 progress report*. 12.10.11 Page 7.

⁶⁷² Associated Press, December 15th 2006, *EU Slows Turkey's Membership Talks*.

Copenhagen criteria and the pace of reform will slow down. For those countries, such as France and Austria, who remain opposed to Turkish accession this is a positive outcome but for those, such as the UK, who are long standing and continuing supporters this is a geostrategic risk which the EU should not be taking. As the Independent Commission on Turkey, chaired by the former Finnish president Martti Ahtisaari, said in 2009, continuing failure to “manage” Turkey effectively, and to actually alienate Ankara further, would create tension and potential instability in the eastern Mediterranean, hinder the development of Berlin Plus arrangements within NATO and cut Turkey, an EU neighbour, further adrift⁶⁷³. For these reasons the Ahtisaari report suggested those EU member state leaders such as Nicholas Sarkozy and Angela Merkel should show some “responsibility”⁶⁷⁴ in their dealings with Ankara as to act in this way was not to act in the wider interests of the EU.

However the efforts of the UN Secretary General Ban Ki Moon and his special advisor, Alexander Downer, to solve the Cyprus issue have not worked so far. After several months of talks, both sides were told in 2010 that they were in “last chance saloon” and that continuing failure to reach any kind of common ground would be “goodnight nurse”⁶⁷⁵ and yet still no agreement has been reached. An agreement on Cyprus would provide a way through the deadlock for Turkish EU accession but still does not look likely and the spectre of formal partition of Cyprus is now on the horizon.⁶⁷⁶

The fact that the Turkish process ran into such difficulties in December 2006, only just over a year after accession negotiations began, merely highlights the original research puzzle examined in this thesis. If the process was so brittle why did the EU member states agree to open it at all? The lack of progress since 2004 certainly indicates that many member states had reservations even as they were agreeing to open accession negotiations. What this

⁶⁷³ EU Observer, September 7th 2009, *EU and Turkey in 'vicious circle,' experts say*.

⁶⁷⁴ Financial Times, September 7th 2009, *Brussels attacked on Turkish accession*.

⁶⁷⁵ Financial Times, November 7th 2010, *UN talks are 'last chance for solution' on Cyprus*.

⁶⁷⁶ The Times, November 8th 2010, *No ifs or buts, Turkey must be part of the EU; Cyprus is just an excuse for those who cannot stomach the accession of a Muslim country. See also Financial Times, November 26th 2010, UN chief says window for Cyprus deal 'closing'*.

thesis has done is to offer an explanation as to why progress was possible between 1999 and 2004 when it was not before and has not been since. The issues which hindered Turkey's case before 1999 – cultural differences, the Cyprus issue – have continued to be a hindrance even during the time period in hand. So why and how was progress possible? The answer lies in the combination of circumstances which meant that Turkey made unprecedented progress towards meeting the Copenhagen criteria. Ultimately this was expedited by the agency and advocacy of certain actors as already outlined. However because these problems of Turkey's cultural differences and troubled relationship with both Greece and Greek Cyprus were not actually solved, but merely managed effectively and overridden at that time, they have come back to haunt the process. Turkey's case is about to be overtaken by Croatia which opened accession negotiations at the same time and it remains to be seen whether Turkey will accede before Serbia which the Commission has just recommended should become a candidate⁶⁷⁷.

There are several ironies involved here. Firstly, it could be argued that the AKP was always less interested in actual democratic reform and EU membership than in the benefits, of religious freedom, which they could bring. Therefore it is possible that it has been convenient for the problem of Cyprus to hinder further reforms which may have been unpopular with its socially conservative support in the Anatolian hinterland. Secondly, it is convenient for the current French and German governments to have a Cypriot reason with which to object to the Turkish cause rather than having to say explicitly that they, and their public opinions, are reluctant to admit a Muslim country.

However there are currently significant structural changes occurring in the EU-Turkish accession firmament. The Greek debt crisis and the knock on effect to Greek Cyprus will undoubtedly reduce Greek and Cypriot bargaining power within the EU which could

⁶⁷⁷ See European Parliament press release REF. : 20111012IPR29014, December 10th 2011, *MEPs favour recommendation to give Serbia official EU candidate status and back new enlargement strategy.*

potentially help the Turkish case. At the same time however the Eurozone crisis may distract attention from further enlargement and remove enthusiasm for it. Also the Turkish AKP government has a third mandate, following the election of July 2011, and a relatively unscathed economy outside of the Eurozone. This renewed confidence in its foreign and economic policy approach, led by the Foreign Minister Ahmet Davutoglu, has led it to look to places other than Brussels for allegiance and may have dimmed Ankara's enthusiasm for pursuing its European aspiration with the previous vigour.

In final conclusion therefore it is my contention that the Turkish accession case took a significant step forward at the Helsinki European Council because of structural changes in the European security environment in the late 1990s which meant that the Turkish case had to be managed rather than ignored. The decision to offer candidacy however included Turkey within the EU's institutional framework and had the unintended consequence of encouraging actors within Turkey to begin to instigate internal reforms towards the meeting of the Copenhagen criteria. This, coupled with the continuing influence of the structural geostrategic factors, meant the Presidency conclusions of the Copenhagen European Council in 2002 made more concessions to the Turkish case than they otherwise may have done. They once again stressed the significance of the Copenhagen criteria and put the Commission in the role of arbiter in the Turkish case based on an assessment of how far it had gone towards meeting the Copenhagen criteria. Implicit within this approach was the presumption that if Turkey had met the criteria the EU would open accession talks with Ankara. This offered an opportunity for those actors within the EU to act instrumentally over the next two years. Thus it was that after 2002 the AKP government was helped to implement enough reform in Turkey to secure (albeit narrowly and with difficulty) this outcome. Member states with residual opposition either agreed because the leader was convinced of the geostrategic case (Jacques Chirac) or because normative concerns had been mitigated (Sweden, Netherlands) and/or it was unwilling to voice cultural concerns in an open forum (Greek Cyprus, Austria). In this way, Turkey's constitutional reform

programme “rhetorically entrapped” those member states within the EU into agreeing to open accession negotiations with it.

However in spite of this rhetorical entrapment at Brussels there has since a lingering anti Turkish sentiment in the European public sphere. The “yes” to Turkey at Brussels was actually much more of a “yes...but” as the EU included caveats that Turkey’s accession status could be cancelled if its human rights record deteriorated (which surely went without saying) and also that Turkish membership could be put to a referendum in member states if required. Such caveats were noted by the Turks at the time and along with the requirement to recognise Greek Cyprus as a state have remained contentious. Many within the EU have continued to advocate a privileged partnership for Turkey – rather than full membership – including the UMP government of Nicholas Sarkozy in France and the CDU coalition administration of Angela Merkel in Germany⁶⁷⁸. This stance has, in turn, served to demotivate, or give an excuse to, the AKP to slow down constitutional reforms. Simultaneously Turkey’s international reputation on dealing with press freedom⁶⁷⁹ and Kurdish insurgency⁶⁸⁰ has deteriorated and there has been no progress in solving the on-going stalemate over the Cyprus issue. This looks unlikely to improve in the near future or at least until after the Greek Cypriot term as European Council president for the second half of 2012, is over.

⁶⁷⁸ The Guardian, March 29th 2010, *Angela Merkel's Ankara visit tense after claims of hatred towards Turks*; The Financial Times, February 26th 2011, *Sarkozy receives cool welcome in Ankara*.

⁶⁷⁹ The Economist, March 10th 2011, *Turkey: A dangerous place to be a journalist*

⁶⁸⁰ The Economist, August 27th 2011, *Turkey and the Kurds: Giving war a chance*.

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⁶⁸² NB: Interviews were carried out under Chatham House rules. Some interviewees have worked in different places at different times. In this case they have been listed twice to protect identity.

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Appendix 1 - The “Lipponen Letter”⁶⁸³

Mr Prime Minister,

Today, the European Union has set out on a new course in its relations with the Republic of Turkey. I am very pleased to inform you officially of our unanimous decision to confer Turkey the status of candidate State, on the same footing as any other candidate.

When, in the European Union, we discussed the draft conclusions annexed to this letter, I said, without being challenged, that in Para. 12 of the conclusions there was no new criteria added to those of Copenhagen and that the reference to Para. 4 and 9a was not in relation to the criteria for accession but only to the political dialogue. The accession partnership will be drawn up on the basis of today's Council decisions.

In Para. 4 the date of 2004 is not a deadline for the settlement of disputes through the ICJ but the date at which the European Council will review the situation relating to any outstanding dispute.

Regarding Cyprus, a political settlement remains the aim of the EU. Concerning the accession of Cyprus, all relevant factors will be taken into account when the Council takes the decision.

In the light of this, I invite you with the other candidate States to our working lunch in Helsinki tomorrow.

Paavo Lipponen.

⁶⁸³ Taken from Hannay (2005: 115)

Appendix II – The “Who lost Turkey?” speech

Speech/99/151 – Gunther Verheugen - at the conference “*The Second Decade towards a New and Integrated Europe*”, Den Haag, 4 November 1999⁶⁸⁴.

Prime Minister, Excellencies, Ladies and Gentlemen,

I am very pleased and proud to speak to such a distinguished audience with so many familiar faces. Familiar faces, I am glad to say, from both the East and the West. The East and the West that are no longer separated by the Iron curtain. That curtain was symbolised by the Berlin Wall that fell, now almost exactly ten years ago.

This was an emotional experience.

We do not want to have walls in Europe anymore. Not between the countries of the West and the East, not inside countries, not between parts of a single city, not in a single street!

I was told that one of the most famous photographs in the Netherlands concerning the second World War shows a train. A train ready for deportation. The doors are almost closed. We see the face of a woman in despair. That woman was recently identified. She was a gypsy.

In Eastern Europe, the gypsies, the Roma people, are still numerous. Governments are doing what they can to combat their discrimination. This is why there should be no walls, not even in a single street.

Ladies and gentlemen, The Roma problem is but one of the problems that we are facing when we talk about the enlargement of the European Union.

Three weeks ago, the European Commission made some ambitious proposals for enlargement. Proposals that may have far-reaching consequences for the future of Europe. This Commission sees enlargement as one of its major political priorities.

Not only for its mandate of 5 years, but for the whole decade to come.

The whys and wherefores of enlargement have been set out quite often enough. I am going to use the word “historic” once only: this is a historic opportunity, a historic challenge and a historic responsibility.

Our proposals are targeted to a number of objectives:

- We want to strengthen the enlargement process's credibility and send a clear signal to the candidate countries that they are welcome.
- We want an enlargement strategy which projects the idea of a larger Europe, while being realistic enough not to jeopardise what has already been achieved.

⁶⁸⁴ Known commonly as the “Who lost Turkey” speech.

- We want to reconcile the conflicting demands of speed and quality by making the Union ready for enlargement by 2002, by extending and accelerating negotiations, and at the same time building in safeguards so that we will only take in countries that clearly meet all the accession criteria.
- For the Commission, these proposals are also a signal about the way it sees its own role in driving and shaping the enlargement process, thus responding to the high expectations.

We have put a package on the table of more than 1000 pages. I should underline that President Prodi took a great personal interest and provided his full support.

A large number of pages of this package are devoted to reports on the progress with the preparations for membership by the candidates. They go into great detail. Nothing has been glossed over or left out. These are not school reports, but a factual basis for taking political decisions.

In these reports, we concentrate on preparatory measures that have been completed. From this, a mixed picture arises: some candidates progress well, in others the pace is sometimes slackening.

A full picture would, however, have to include the great number of projects still at the political decision-making or implementation stage. If you look at what is in the pipeline, a more encouraging picture emerges. Nevertheless, one cannot escape the impression that the difficulties have often been underestimated and that much remains to be done.

We must, however, bear in mind that the candidate countries have resolutely set out on what is going to be a long haul. The central and eastern European countries in particular, which are in the throes of unprecedented change, have started down the hardest road.

The key issue of the package is a strategy paper, the "composite paper" paving the way for our recommendations to the Helsinki European Council.

The questions that we are addressing are the following:

- What strategy are we going to propose for the future enlargement negotiations?
- With which other countries should negotiations begin?
- Should a date be fixed for the first accessions?
- What line should we take on transition periods?
- What should be Turkey's future status in the enlargement process?
- What is the enlargement process's longer-term impact on the shape of Europe?

The strategic recommendations are based on the assumption that we need a strong political signal in Helsinki. This is what the Member States want too. Like us, they have learned a fundamental lesson from the Kosovo crisis.

Peace and stability across Europe are not yet a matter of fact: they must be maintained in some areas and achieved in others. This is a situation where the Commission has chosen to act as initiator and guardian. It is a matter of using and enhancing political momentum.

Enlargement is the most effective means we have of upholding our shared values across Europe.

I will not pretend that enlargement to the East is completely without risk. The window of opportunity could easily slam shut again. All that is needed is for public opinion in the candidate countries to give way to frustration or public opinion in the Member States to decide that the risks of enlargement outweigh the opportunities.

This imposes two courses of action:

- First, we have to bring the candidates into line with the Union as quickly as possible.
- Second, we must stick to the political, economic and institutional accession criteria defined by the European Council in Copenhagen in 1993. Accession is only for those who are properly prepared and fully able to observe and implement the rules applying to any Member State.

We have analysed two options for continuing or opening negotiations: a defensive strategy and an offensive strategy.

Having weighed up the advantages and disadvantages, we have chosen for an offensive strategy.

What does this mean?

First, we recommend maintaining our present course with the candidate countries already in negotiations.

The six front runners - Poland, Hungary, the Czech Republic, Slovenia, Estonia and Cyprus - are still more or less neck and neck. But gaps are likely to open up as we enter the toughest chapters of the negotiations. The problems that are appearing, such as for agriculture, differ from case to case. So this needs to be addressed.

Secondly, the Commission proposes that negotiations should now be opened with all other candidate countries that meet the political criteria.

This means opening negotiations with all other candidates with the exception of Turkey.

The six countries of the second group - Latvia, Lithuania, Slovakia, Bulgaria, Romania and Malta – present a mixed picture in terms of preparations. They are not running neck and neck, and the negotiating strategy should reflect this fact.

Let me be quite clear here: the Commission is proposing a change of strategy on political grounds. If we further subdivide the second group or put them on a back burner, we risk losing some countries along the way by depriving their reforms of a tangible, credible objective. Because the political consequences of this cannot be measured, no risk should be taken.

Yet, we also have to uphold the credibility of our own criteria, the Copenhagen criteria.

This is why we are imposing conditions in two cases:

The opening of negotiations with Bulgaria should be subject to our obtaining, before the end of the year, a binding political commitment that the country will decommission, within an acceptable time-scale, reactor units 1 to 4 of the Kozloduy nuclear power plant. These units cannot be modernised and present a danger like other old Soviet style reactors in Eastern Europe. We also need further confirmation of significant progress with economic reforms.

In the case of Romania, the opening of negotiations should be subject to the condition that the government honours its pledges to improve conditions in orphanages by the end of the year. We also expect Romania to take appropriate macroeconomic measures. During my visit to Romania last week, I have been able to obtain some encouraging assurances from President Constantinescu and Prime Minister Vasile.

I am confident that on this basis the European Council in Helsinki will decide on the opening of negotiations with the six further candidates, which could then be launched early in the next year.

Opening negotiations with six candidate countries that still differ in their state of preparations demands that the negotiating process be clearly differentiated from the very outset. This clear differentiation is central to what the Commission is proposing.

It means introducing a series of new elements into the negotiating processes.

For instance, negotiations on a particular area should be opened on a country-by-country basis, taking account of each country's state of preparation. Negotiations should proceed on the basis of merit, not on the basis of compassion. That is why the monitoring of the preparations by the candidates will be intensified.

In practice, this approach would mean that the Union would open negotiations next year with all members of the second group on at least a minimum number of areas. For countries that are more advanced than others, the number of areas addressed could be somewhat higher, similar to that of last year for the first group.

The history of the European Union has shown that setting target dates can generate a dynamic of its own. I only need to recall the date of 1969 set for the completion of the customs union among the six founding countries, the 1992 project for the completion of the internal market or the 1999 deadline for the start of the euro.

The question of target dates for the next enlargement of the Union has also been posed, not least by the candidate countries themselves.

This is where speed and quality need to be reconciled. The target date for the euro was so effective because there was no guarantee that a Member State could participate. The only guarantee was that others would participate.

Although there was perhaps an exception for the country that I happen to know well...

But the key factor was: participation was granted to those Member States that were ready, that fulfilled the criteria.

After careful verification and many discussions, the Commission therefore proposes to name a target date for the Union to take the first decisions on accession.

That date should be the year 2002.

It is the date from which we have foreseen to make available financial resources for acceding States.

It is also the date at which the institutional reforms required for the forthcoming enlargement round need to have been adopted and ratified.

Finally, 2002 is a date by which we believe that negotiations with the most advanced candidates could be concluded.

I should add, however, that the date of the decision on accessions is not the same as that of actual accession in view of the ratification procedures. On this basis, the objective of completing the first batch of accessions during the lifetime of this Commission and this European Parliament is perfectly feasible.

At the same time, we should not fool ourselves. There are enormous challenges waiting for the candidate countries. I already referred to agriculture, but there is also the environment, infrastructure or social policy.

In this context, the Union has always made it clear that, for the candidates, there can be no permanent derogations to the achievements that we: six, nine, ten, twelve and now fifteen Member States have realised over a period of more than 40 years.

This is where the issue of transition periods arises. With transition periods it is like with compliments: one should not overdo them.

For instance, it goes without saying that any transition periods accorded to the candidate countries must not interfere with the working of the internal market. On the other hand, it is obvious, as President Prodi has also repeatedly underlined, that the Union will have to grant transition periods if the first accessions are to take place within the lifetime of this Commission.

The Commission therefore proposes, also in this field, a differentiated approach.

Where the single market is concerned, we should limit the number and duration of transition periods, subjecting them to the condition that the acceding countries move quickly to adopt the outstanding rules.

In other areas, however, where considerable investment is required such as infrastructure and the environment, it is likely that we will have to accept longer transition periods in some cases. Even then, the candidate countries must give clear undertakings concerning their alignment on EU norms and make provision for the requisite investment.

Let me finally say a word about Turkey.

We all know that this country does not fulfil the political criteria laid down in Copenhagen. The issues are well-known: human rights, the Kurdish problem, the role of the armed forces, which remains enshrined in the Constitution, Cyprus and outstanding bilateral issues with Greece. There is some progress, for instance in the general bilateral relations with Greece, but not much.

At the same time there are the geopolitical and strategic arguments that make it imperative to support Turkey's affiliation with Europe, bring about democratic change in Turkey, encourage it to change its position on Cyprus and put its relations with Greece on a sound footing.

I have said in the European Parliament that, were there no history to the Union's relations with Turkey, we could consider a completely different strategy. We could, for example, form a highly developed association with Turkey, creating a model for dealings with other near neighbours, e.g. Russia, Ukraine or North Africa.

History, however, precludes this option. If we deprive Turkey of the prospect of accession, we will be held responsible for everything that goes wrong in the country.

Then the question might become: "who lost Turkey"?

I think we can all agree that we want a stable, Europe-oriented Turkey. We want a Turkey where democracy and the rule of law comply with European standards, which protects human rights and minorities and enjoys relaxed relations with its neighbours. We should give ourselves a chance of achieving this objective.

That is why the Commission proposes to change tack.

Turkey should now be considered as a candidate. In any event, negotiations with Turkey cannot and will not be opened as long as it does not meet the political criteria, as with any other candidate country.

We have proposed a number of practical steps that can be taken to build a platform for reforms. In this way, Turkey is no longer put aside. It will also be a test of credibility. It will reveal whether Turkey can deliver on the promises made in Prime Minister Ecevit's letter to Chancellor Schröder.

But I repeat: there can be no question of opening negotiations until Turkey has completed the reforms needed to satisfy the Copenhagen political criteria.

Excellencies, ladies and gentlemen,

We have behind us a decade of change that nobody would have dreamt of only 15 years ago.

In the European Union, we moved from 10 to 15 Member States. We had three far-reaching changes to the Treaty of Rome. The euro emerged. We are acting on jobs, economic reforms, liberty, security and justice.

Outside, we saw the end of the divisions created in Jalta and Potsdam, the failure of communism and centrally planned economies.

This reminds us that we should not be shy in front of the next decade. Rather should we be ambitious. Ambitious in bringing the people of Europe together in peace, prosperity and security. I hope you can share this ambition with me.

Thank you for your attention.

Appendix III - Helsinki EU Council, December 1999, Presidency conclusions

Section 9:

(a) The European Council welcomes the launch of the talks aiming at a comprehensive settlement of the Cyprus problem on 3 December in New York and expresses its strong support for the UN Secretary-General's efforts to bring the process to a successful conclusion.

(b) The European Council underlines that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this the Council will take account of all relevant factors.

Section 12:

The European Council welcomes recent positive developments in Turkey as noted in the Commission's progress report, as well as its intention to continue its reforms towards complying with the Copenhagen criteria. Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. Building on the existing European strategy, Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms. This will include enhanced political dialogue, with emphasis on progressing towards fulfilling the political criteria for accession with particular reference to the issue of human rights, as well as on the issues referred to in paragraphs 4 and 9(a). Turkey will also have the opportunity to participate in Community programmes and agencies and in meetings between candidate States and the Union in the context of the accession process. An accession partnership will be drawn up on the basis of previous European Council conclusions while containing priorities on which accession preparations must concentrate in the light of the political and economic criteria and the obligations of a Member State, combined with a national programme for the adoption of the *acquis*. Appropriate monitoring mechanisms will be established. With a view to intensifying the harmonisation of Turkey's legislation and practice with the *acquis*, the Commission is invited to prepare a process of analytical examination of the *acquis*. The European Council asks the Commission to present a single framework for coordinating all sources of European Union financial assistance for pre-accession.

Appendix IV - Copenhagen EU Council, December 2002, Presidency conclusions

Section 18:

The European Council recalls its decision in 1999 in Helsinki that Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. It strongly welcomes the important steps taken by Turkey towards meeting the Copenhagen criteria, in particular through the recent legislative packages and the subsequent implementation measures which cover a large number of key priorities specified in the Accession Partnership. The Union acknowledges the determination of the new Turkish government to take further steps on the path of reform and urges in particular the government to address swiftly all remaining shortcomings in the field of the political criteria, not only with regard to legislation but also in particular with regard to implementation. The Union recalls that, according to the political criteria decided in Copenhagen in 1993, membership requires that a candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.

Section 19:

The Union encourages Turkey to pursue energetically its reform process. If the European Council in December 2004, on the basis of a report and a recommendation from the Commission, decides that Turkey fulfils the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay.

Appendix V – Brussels EU Council, December 2004, Presidency conclusions

Section 17:

The European Council recalled its previous conclusions regarding Turkey, in which, at Helsinki, it agreed that Turkey was a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States and, subsequently, concluded that, if it were to decide at its December 2004 meeting, on the basis of a report and recommendation from the Commission, that Turkey fulfils the Copenhagen political criteria, the European Union will open accession negotiations with Turkey without delay.

Section 22:

The European Council welcomed the adoption of the six pieces of legislation identified by the Commission. It decided that, in the light of the above and of the Commission report and recommendation, Turkey sufficiently fulfils the Copenhagen political criteria to open accession negotiations provided that it brings into force these specific pieces of legislation. It invited the Commission to present to the Council a proposal for a framework for negotiations with Turkey, on the basis set out in paragraph 23. It requested the Council to agree on that framework with a view to opening negotiations on 3 October 2005.