

## Keys to a Locked-up Accession Process

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### Strategic Considerations for Georgia's EU Membership Ambitions Based on the Enlargement Policy's Concealed Evolutions

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#### Introduction

While Georgia has never been ambiguous about its objective to become a full member of the European Union, its position in this regard today lacks certain essential elements that pushed other countries towards the EU in the past, to their success or their demise. Georgia could not catch the enthusiastic bandwagon of the fifth wave of enlargement, which granted membership to a dozen other Central and Eastern European countries. It does not benefit from the central geographic position within Europe which places the Balkan countries as natural potential EU Member States. Finally, it was not yet offered by the European Council any clear and express promise nor prospect of future membership. Pushing to make the best out of the Eastern Partnership in the construction of their European path, Georgia, along with Ukraine and Moldova, actually navigates in open waters. The orbit of a too massive Turkey above the European Union led to the engulfment of the liberal Enlargement Policy of the 1990's, Atlantis of transparency, objectivity and supranational decision-making. Today, the most ambitious neighbor states which wish to follow the accession path have to find their own way on these remains, and face closed gates, open opposition and possibility of discrimination.

This policy paper aims at disclosing the most recent evolutions of the EU Enlargement Policy, and in particular, the modifications that occurred after the fifth wave of enlargement and that are related to the candidacy of Turkey. In link with the prospect of Turkey's accession, the policy was indeed the object of spectacular constriction and nationalization; a lock-up that had notable negative effects on the country's Europeanization process. Basing itself on an analysis of this phenomenon, the objective of this paper is to draw the attention of the Georgian government on the critical yet somewhat unapparent developments of the EU Enlargement Policy. If the country has not yet accessed the status of candidate and is thus not concerned by the practical effects of some developments evoked in this paper, it is our understanding that these changes should be understood as manifestations of a more general evolution of the European approach to enlargement, and in this regard should already be given specific consideration by the Georgian state. Taking these elements into account as well as the reality of both Georgian and European contexts, this paper suggests practical recommendations for the elaboration of accession strategies.

#### Subtle Revolution of the EU Enlargement Policy

At the EU-Western Balkans summit of May 2018 in Sofia, French president Emmanuel Macron described the EU Enlargement process as “a mechanism that in a way no longer has rules and keeps moving toward more enlargement”.<sup>1</sup> The definition is not unbiased, and is meant to keep the European

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<sup>1</sup> Andrew Gray, 'Macron Pours Cold Water on Balkan EU Membership Hopes', Politico, 5.17.2018. Available at: <https://www.politico.eu/article/emmanuel-macron-pours-cold-water-balkans-eu-membership-enlargement/>.

public opinion into thinking of enlargement as an uncontrollable slide, an unstoppable war-machine we all are embarked on without the means to derail it. For Mr. Macron, who based his presidential campaign on strong pro-European arguments, the recourse to a rhetoric implying national powerlessness against a supranational process reveals the political risks linked to supporting enlargement. Qualifying the process as a ruleless and irresistible mechanism, however, is a fantasy (mainly shared by French presidents), especially given its most recent evolutions.

In fact, enlargement in the European Union used to be a rather unregulated event. Originally, each occurrence would take place according to diverse terms, under opaque negotiations, following undetermined benchmarks and values, and disregarding democratic acknowledgement from pre-existing Member States. At the beginning of the 1990s, the accession process evolved from a ‘state-driven procedure’<sup>2</sup> into one governed by the principle of conditionality. The end of the Cold War and the dismantlement of the Eastern bloc changed the stakes behind European integration; in particular, concerns related to the CEECs lagging-behind situation were addressed by the 1993 Copenhagen European Council, which made the fulfillment of political and economic criteria by candidate countries a *sine qua non* condition to the formal start of the accession negotiations.<sup>3</sup> In addition, the enlargement process was heavily transformed into an elaborate and systematized procedure made of transparency and conditionality: the ‘chapter system’ monitored by progress reports, a way to both enhance competition between candidate states and reassure the public opinion over their improvements.

The introduction of the Copenhagen criteria and of the chapter system, and their undeniable success illustrated by the accession of ten new Member States in 2004, largely contributed to grant EU Enlargement Policy an image of an equal, fair, administrative and somewhat automatic and inescapable process. An image that, as suggested by Mr. Macron’s declaration, still persists. Ironically, it is precisely right after the fifth round of enlargement that the policy initiated its transformation towards less and less liberalism. Within a couple of years indeed, the enlargement agenda was transferred from Eastern and Central European countries to Turkey and the Western Balkans, states which represented new, bigger challenges in terms of integration. Furthermore, this period also concurred with the 2005 French and Dutch referenda and the refusal of their population to allow the ratification of the Constitution for Europe. Not only did these results represent a major setback for the construction of the European project, but they also pushed France and the Netherlands to take their public opinion more into account when dealing with European questions, including the sensitive one of enlargement.<sup>4</sup> This context led to a dual phenomenon: constriction and nationalization of the European enlargement policy.

### *Constriction of EU Enlargement Policy*

Because the European Union was suddenly confronted to a real lack of unanimity on the question of enlargement, the European Commission came up, in the Enlargement Strategy for 2006-2007, with a ‘renewed consensus on enlargement’. The consensus was meant to accord Member States over a new *raison d’être* for enlargement, and was based on four main principles.

- Consolidating the existing commitments towards the countries engaged in the process.
- Applying fair and rigorous conditionality.
- Intensifying communication with the public on enlargement.

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<sup>2</sup> Christopher Hillion, *EU Enlargement*, in: Paul Craig and Gráinne de Búrca (eds), *The Evolution of EU Law*, second edition, Oxford University Press, Oxford, 2011, p. 188.

<sup>3</sup> European Council, *Presidency conclusions*, Copenhagen, 21-22.6.1993.

<sup>4</sup> Sandra Lavenex and Frank Schimmelfennig, ‘Relations with the Wider Europe’, *Journal of Common Market Studies*, Vol. 45, Annual Review, 2007, p. 144.

- Basing every future enlargement on the European Union's 'integration capacity'.

At first glance, these guidelines appear like a real attempt to keep Member States focused on enlargement and preserve their political will to carry on with the applications of candidate countries. In reality, the agreement reveals a fundamental evolution in the Member States' approach to the policy in general. All of these principles can indeed be interpreted in two opposite directions. 'Consolidation' is a subtle antonym of 'innovation'; former Commissioner for Enlargement Olli Rehn insisted on the responsibility of the candidate country, and clarified that its achievements are actually the main drivers of the process.<sup>5</sup> The renewed consensus on enlargement is about making sure that the EU respects its own engagements; without the obligation of making new ones. The application of a more 'rigorous' conditionality goes in this sense as well, and puts more pressure on candidates. The promise of communication with the public discloses the political risks linked to supporting enlargement. Finally, the mention of integration capacity sounds like a safeguard foreshadowing the upcoming loss of credibility of the principle of conditionality: we'll enlarge if we can. In general, the renewed consensus revealed a rise of circumspection regarding enlargement, as if we were reaching the limits of what the public opinion was willing to accept. Since 2006, the wording of EU documents is more cautious in this regard.<sup>6</sup> This goes hand in hand with the evolution of the institutions' approach to the accession process, becoming one in which it is up to the negotiating countries to justify, through a model reformist behavior translating an unambiguous and smooth effort of joining the Union, the existence of the EU enlargement policy. Intention must come from them first, and the Union remains in a position of expectant and observant, waiting for progress and holding the power to suspend the negotiations if it does not come.<sup>7</sup> Higher expectations, fewer concessions: that is the consensus on an enlargement that the Member States do not want anymore.

### *Nationalization of EU Enlargement Policy*

Following this compression movement, several Member States tried to get their hands on the policy in general. While it was heavily implied that the spectrum of Turkey's accession was the main driver for the careful tone of the renewed consensus and for enlargement fatigue in general, it is even more obvious regarding the 'nationalization' of the policy. Many European politicians have indeed openly exposed their opposition to Turkey's EU membership. Commissioner Frits Bolkenstein notably feared the 'Islamisation of the EU' and observed that if a Turkish entrance occurred, 'the liberation of Vienna in 1683 would have been in vain'.<sup>8</sup> In its path towards Europe, Turkey has faced intense hostility, to a level never experienced by any other prospective Member State.<sup>9</sup> In a 2011 study, Gerhards and Hans highlighted this phenomenon; their findings tend to show that some of the main factors which stimulated this aversion are related to a poor vision of immigration (which the public opinion considers as an unwanted consequence of Turkey's membership) and the general perception of cultural differences as a threat.<sup>10</sup> Under the pressure of part of their electorate, several heads of states pushed to weaken the supranational leadership and to reinforce the one of Member States in the field of enlargement.

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<sup>5</sup> Olli Rehn, 'Deepening and Widening: the False Dichotomy', public lecture at the Hellenic Foundation for European and Foreign Policy, Speech/06/163, Athens, 9.3.2006.

<sup>6</sup> Deniz Devrim and Evelina Schulz, 'Enlargement Fatigue in the European Union: From Enlargement to Many Unions', Working Paper, *Real Instituto Elcano*, 10.3.2009, p. 7.

<sup>7</sup> European Commission, Communication from the Commission to the European Parliament and the Council, *Enlargement Strategy and Main Challenges 2006-2007*, 8.11.2006, p. 22.

<sup>8</sup> Natalie Martin, *Security and the Turkey-EU Accession Process: Norms, Reforms and the Cyprus Issue*, Palgrave Macmillan, Basingstoke, 2015, p. 102.

<sup>9</sup> Jürgen Gerhards and Silke Hans, 'Why Not Turkey? Attitudes Towards Turkish Membership in the EU Among Citizens in 27 European Countries', in: *Journal of Common Market Studies*, Vol. 49, No 4, 2011, p. 748.

<sup>10</sup> *Ibid*, p. 760.

This resulted in specific modifications of the negotiation phase. The accession process was added the requirement to satisfy benchmarks before opening or closing a chapter. The judgement on whether these benchmarks are met is given to both the Commission and the Council (that is to say: Member States) acting unanimously.<sup>11</sup> It is worth mentioning that the negotiations became, by nature, open-ended, and do not represent a commitment to making a candidate reach EU Membership.<sup>12</sup> This is a new characteristic which goes against the original spirit of enlargement: the fifth round was indeed repeatedly qualified, by the European institutions, to be an ‘irrevocable’ process.<sup>13</sup> In case of accession, the negotiation framework foresees for the first time the possibility to establish adjustments to membership in the form of ‘long transitional periods, derogations, specific arrangements or permanent safeguard clauses’, to be applied specifically in the most controversial areas of Turkey’s EU membership candidacy, such as ‘freedom of movement of persons, structural policies or agriculture’.<sup>14</sup> Finally, the most notorious evidence of the importance taken by the Member States in the final decision of EU membership is the establishment of referendum mechanisms over the ratification of accession agreements. This is an idea which was strongly supported in Austria and introduced in France. The French constitution was amended in 2005 to add article 88-5, which organizes such requirement.<sup>15</sup> This ‘referendum lock’ was however partially broken by another amendment in 2008, stating that a majority of 3/5 of the Parliament can adopt the law in place of a referendum.<sup>16</sup>

In the European Union, passions over the Turkish case has shown the extent to which Member States can go in order to influence and block the enlargement process. Nicolas Sarkozy and Angela Merkel have notably tried to alter the process by suggesting alternative to Turkey’s EU membership, in particular the concept of ‘privileged partnership’ which has never been fully detailed. But the ‘nationalization’ of the policy took a more pronounced turn in 2006 when the EU decided to freeze several chapters of the negotiations with Turkey. If it became clear this year that the normalization of Turkey’s relations with Cyprus became connected to the accession conditionality, it is principally because individual Member States strongly insisted on it and used this argument to block the process. It is the French government which marked the outbreak of the hostilities, when it attempted to make this recognition a *sine qua non* condition to even start the negotiations.<sup>17</sup> In January 2006, Austria took over the presidency of the Council and, supported by Member States such as Denmark and Finland, ‘made it clear that Turkey had until the end of the year to recognize Cyprus within the EU framework’.<sup>18</sup> Since this ultimatum led to no development, eight chapters were unilaterally blocked in December 2006. In 2007, two more chapters would be frozen (and unfrozen in 2013) by France, and six more by the Republic of Cyprus in 2009, which has promised to oppose the restart of the negotiations as long as there would not be progress in its relations with Turkey. Even if the blocks had a formal cause, they do highlight the power owned by Member States taken individually in the accession process, as well as the important consequences that their lack of political will to integrate another state can have. In the Turkish case, the voice of one single state was enough to involve the others or to speak their mind for them. Nicolas Sarkozy, for instance, ‘was useful for others who were disinclined but less effusive in stating

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<sup>11</sup> European Commission, *Negotiation Framework for Turkey: Principles governing the negotiations*, Luxembourg, 3.10.2005, para 21.

<sup>12</sup> *Ibid*, para 2.

<sup>13</sup> Kirstyn Inglis, ‘Pre-accession and Lessons in Accession Treaty Practice’, in: Haluk Kabaalioglu, Andrea Ott and Allan Tatham (eds), *EU and Turkey: Bridging the Differences*, Economic Development Foundation, Istanbul, Publication No 250, 2011, p. 9.

<sup>14</sup> European Commission, *Negotiations Framework for Turkey, op. cit.*, para 12.

<sup>15</sup> Loi constitutionnelle n° 2005-204 du 1<sup>er</sup> mars 2005 modifiant le titre XV de la Constitution, article 2.

<sup>16</sup> Loi constitutionnelle n° 2008-724 du 23 juillet 2008 de modernisation des institutions de la Ve République, article 44.

<sup>17</sup> Senem Aydin-Düzgüt and Nathalie Tocci, *Turkey and the European Union*, Palgrave, Basingstoke, 2015, p. 33.

<sup>18</sup> Natalie Martin, *op. cit.*, pp. 122-123.

it'.<sup>19</sup> All these elements demonstrate the significance of the preferences of Member States in the dynamics of enlargement. These preferences have also encouraged Member States to take position on other sensitive topics regarding Turkey's internal affairs or foreign policy, and to attempt to link them to the negotiation process. It was for example the case of the recognition by Turkey of the Armenian genocide. The question has been a real debate within the European Parliament, where some voices attempted to make it a precondition to Turkey's accession. If a provision going in this direction has been rejected by the Parliament in 2006, the institution has itself recognized in 1987 that the event took place and reiterated in 2015 for the centenary of the tragedy, using the occasion to invite Turkey to 'respect and realise fully the obligations which it has undertaken to the protection of cultural heritage'.<sup>20</sup>

## New Era of the EU Enlargement Policy: Discrimination and Absence of Enlargement Narrative

The main teaching of this analysis is that since the fifth wave of enlargement, the policy has been deeply modified and does not display today the same characteristics it used to have. The renewed consensus was the tip of the iceberg of enlargement fatigue, and the illustration of a complete shift in the public debate. From showing a welcoming stance towards new members, the Union suddenly adopted a position of explicit hesitation, advancing that it is not reasonable to enlarge *ad infinitum*. The failure of the adoption of the European Constitution illustrates the doubts, in the mid-2000s, expressed by citizens towards the federal ambitions of the European project. A first explanation for the step back of EU enlargement policy comes from this identity crisis, which still lives on today.

The possibility to see Turkey enter the Union and the violent opposition of part of the European population to it is the main factor that led to a constriction and a nationalization of enlargement policy. While all the above mentioned amendments to the process and actions taken by Member States were solely meant to Turkey, their consequences apply to every other candidate. The procedure, in all of its phases, is now much more complicated and demanding than it has ever been in the past. It is now based on a dysfunctional principle of conditionality, which demands perfection from candidates without guaranteeing fair treatment nor rewards according to their achievements. The process is also much more likely to be influenced or plainly blocked by a single Member State, on the basis of the political pressure felt by its government. For this reason, enlargement is not the fair and transparent policy it used to be, and candidate states are under the threat of discrimination and arbitrary conducts.

In general, the constriction and nationalization movements resulting from the evolution of the policy are probably symptomatic of a wider issue: a **lack of enlargement narrative**. Every previous round of enlargement had a rationale, acknowledged by the public opinion, which acted as a ramp towards full completion. The affiliation of a candidate to Western Europe was often enough, and in the case of the CEECs, the fall of the Berlin Wall and these countries' return to their European roots served as a necessary momentum to accession. The decisive event that followed the 2004 enlargement is thus the almost complete disappearance of enlargement narrative, which no candidate state managed to recreate.

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<sup>19</sup> Steve Wood, 'Turkey-EU Relations: Practitioner Views and Political Time, *Journal of Contemporary European Studies*, Vol. 24, No 1, 2016, p. 28.

<sup>20</sup> European Parliament, *Resolution of 15 April 2015 on the centenary of the Armenian Genocide*, 15.4.2015, para 7.

If the door of enlargement is still seemingly unlocked, Member States have their hand on the handle on the other side. And this situation is prone to have negative effects, both on a candidate country's European ambitions and on its process of Europeanization. It is precisely what happened to Turkey, which experienced these evolutions with frustration and discouragement. The reaction of the political elites to the unilateral mechanisms of the EU accession process (adoption of Turkish documents with delays) illustrates Turkey's different response to the procedure compared to the one of the CEECs.<sup>21</sup> Turkish politicians notably had problems with the reinforcement of conditionality, which they find 'ambivalent, if not discriminatory',<sup>22</sup> and often complained that 'the EU is moving the goalposts or creating new conditions'.<sup>23</sup>

The nationalization of enlargement policy and the Member States' express manifestations of their preferences also has a negative impact on the public in Turkey. The election of Nicolas Sarkozy, who was vocally opposed to Turkey's accession and who was quite vehement about it during his campaign, 'had a detrimental effect on Turkish public opinion about the EU'.<sup>24</sup> The privileged partnership rhetoric, which was intended to reject Turkey's membership without upsetting the country, did have perverse effects on the Turks. 'They refused quite hard, because they knew it meant "anything but membership". [...] It created a negative impact on the public opinion, because it meant "we don't want you."'<sup>25</sup>

The developments of enlargement policy, by provoking a feeling of unfairness among the Turkish population and political elites, strongly and decisively reinforced skepticism and indifference towards the prospect of EU membership, leading to the EU losing an important part of its leverage on Turkey and its situation as the major reference point in public debates and reforms. These evolutions were interpreted as a treatment specific to Turkey; the European Union 'came to be seen as less of a transformative power, and enthusiasm for the reform process declined rapidly'.<sup>26</sup> The freezing of the chapters and the European insistence on concepts that were understood to be anti-Turkey (enlargement fatigue, integration capacity, privileged partnership) contributed to weakening the Turks' enthusiasm.<sup>27</sup> Those related to the 'nationalization' of Enlargement Policy in particular contributed to undermine EU conditionality and along with it the credibility of the idea that the accession process is a fair and objective procedure. Conditionality is the most important and preferred tool of the EU to perform its transformative power. But 'if the credibility of accession is diminished, compliance with EU demands is negatively affected'.<sup>28</sup> In Turkey, while these developments strongly undermined the EU's ability to

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<sup>21</sup> Antoaneta Dimitrova, 'Speeding up or Slowing down? Lessons from the Last Enlargement on the Dynamics of Enlargement-Driven Reform', in: Gamze Avci and Ali Carkoglu (eds), *Turkey and the EU: Accession and Reform*, Routledge, New York, 2013, p. 21.

<sup>22</sup> Seçkin Baris Gülmez, 'Explaining the rise of Euroscepticism in the Turkish political elite', in: Firat Cengiz and Lars Hoffmann (eds), *Turkey and the European Union: facing new challenges and opportunities*, Routledge, Abingdon, 2014, p. 102.

<sup>23</sup> Antoaneta Dimitrova, *op. cit.*, p. 23.

<sup>24</sup> Natalie Martin, *op. cit.*, p. 123.

<sup>25</sup> Interview with Mr. Haluk Nuray, permanent representative of IKV in Brussels, 19.4.2017, in: Victor Le Grix, *The 18<sup>th</sup> March 2016 EU-Turkey Statement within the Framework of Turkey's EU Accession Process*, Master's thesis, College of Europe in Natolin, May 2017.

<sup>26</sup> Nilgün Arisan-Eralp and Atila Eralp, 'What Went Wrong in the Turkey-EU Relationship', in: Kerem Öktem, Ayşe Kadioglu, Mehmet Karli (eds), *Another Empire? A Decade of Turkey's Foreign Policy Under the Justice and Development Party*, Istanbul Bilgi Üniversitesi Yayınları, Istanbul, 2012, p. 175.

<sup>27</sup> Özge Yaka, *op. cit.*, p. 154.

<sup>28</sup> Antoaneta Dimitrova, *op. cit.*, p. 22.

provide the ‘carrot of membership’, the cost of complying with the *acquis* increased as EU demands were escalating.<sup>29</sup>

## Evolution of EU Enlargement Policy: Application to Georgia and Recommendations

Before attempting to offer strategic recommendations to the government of Georgia based on the evolution of EU Enlargement Policy exposed above, it is important to differentiate the Georgian case from the Turkish one. Several arguments expose why the effects of these development would probably not be felt as intensely by Georgia.

- The first and most obvious difference concerns respective governments and foreign policies. While EU membership used to be the main objective of the Erdogan government when Turkey received its candidate status, the matter quickly disappeared from the national political agenda. As Turkey progressively exposed its goal to become a regional leader, EU membership evolved from being the dream of a whole country to a mere option. Consequently, the pace of EU-led reforms has completely stopped, and even started backsliding in the field of fundamental rights. On the contrary, Georgia’s foreign policy is clearly and invariably directed towards Euro-Atlantic integration.
- Cultural assimilation to Europe is different in both countries. Bridge between Europe and Asia, Turkey has never denied the duality of its roots, and this may have led to a certain identity crisis when facing rejection by the European Union. If the CEECs had little problems to satisfy the EU’s conditionality, it is because there was a strong political will, on both sides, to complete the process. If the same did not happen in Turkey, it is because the Turks saw it as a change of identity. ‘They were scared of losing their identity because they never saw themselves as a part of the European identity. While for the [CEECs], it was turning back to their original identity.’<sup>30</sup> In this sense, Georgia, similarly to the countries of Central and Eastern Europe, has a much stronger assimilation to the European cultural identity than Turkey.
- The integration of Georgia does not represent the same challenges for the European Union as the one of Turkey. Open opposition to the country’s accession was mainly motivated by two considerations. First, its population (around 80 million), which would have heavy repercussions on intra-EU immigration, on integration capacity and on the functioning of the EU institutions. Second, and more importantly, Turkey is a Muslim country, and hostility mostly came from Member States with a substantial anti-Muslim electorate (France, Austria...). With a small (3.7 million) and mostly Christian Orthodox population, Georgia would most likely never face a similar intensity of opposition.
- Finally, an important reason for the critics received by Turkey and for the freezing of several chapters of the negotiations – major manifestation of the ‘nationalization’ of the policy – were provoked by an ongoing territorial conflict between the candidate country and the Republic of Cyprus. It is worth mentioning that Georgia is not involved in any kind of conflict with a Member State of the European Union.

Despite these dissimilarities, the developments evoked in this paper are relevant to Georgia, and should be acknowledged by all the stakeholders involved in its ambitions of accession:

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<sup>29</sup> Paul Kubicek, ‘The European Union and political reform in Turkey: moving beyond conditionality’, in: Firat Cengiz and Lars Hoffmann (eds), *Turkey and the European Union: facing new challenges and opportunities*, Routledge, Abingdon, 2014, p. 199.

<sup>30</sup> Haluk Nuray, *op. cit.*

- Enlargement fatigue is still relevant. In some Western European countries, past and future enlargement waves are used as anti-EU arguments, and debates over the widening and deepening of the European Union are still ongoing. The recent declarations of Mr. Macron illustrate this hesitation: “what we’ve seen over the past 15 years is a path that has weakened Europe every time we think of enlarging it. [...] I am not in favor of moving toward enlargement before having all the necessary certainty and before having made a real reform to allow a deepening and better functioning of the European Union.”<sup>31</sup>
- While the belonging of Georgia to Europe is undeniable to its inhabitants, the matter is not evident from the point of view of the European Union, and its application might encounter hostility based on various, often questionable arguments: Georgia is ‘far’ and isolated from the rest of the EU; it is not geographically located in Europe; it is yet another underdeveloped country attaching itself to the EU; its accession will degrade EU-Russia relations; etc.

### Strategic Recommendations for Georgia

- In general, the government of Georgia should **always take into account the transformation of the EU Enlargement Policy demonstrated above in the making of strategies and roadmaps towards accession**. We have seen while examining the Turkish case that disappointment over the realization that enlargement is not a fair and equal process can lead to frustration and be a factor of progressive abandonment of EU-led reforms. Whether in its quest towards candidate status or during potential negotiations, Georgia must keep in mind that complying with every single EU requirement might not be enough, and that some individual Member States are likely to go out of their way to block the process. In this vein, any accession strategy must go beyond simple compliance with the *acquis*, and go hand-in-hand with seduction, relational, and narrative-building efforts.
- What is clear from this first conclusion is that **Georgia must set itself free from the typical EU-applicant relationship**. The country is often praised for its transformative reforms and gained the reputation of ‘good student’ of the Eastern Partnership. While it is undeniable that this is proof of excellent behavior for a state with strong accession ambitions, solely basing its hopes on being the good student might be insufficient. The current shape of the accession process was built in the perspective of the fifth wave of enlargement. Founded on progress reports and on a thorough application of the principle of conditionality, the process nonetheless coincides with a period when there was a strong political will, within the EU, to proceed with enlargement. This will acted as a momentum that pushed a dozen countries through the doors of membership, whether the *acquis* was perfectly assimilated or not. The current climate around enlargement questions drastically changes these circumstances for Georgia and for any other country with European ambitions. In this regard, the fact that the European Neighborhood Policy is based on the same tools as the ones of the Enlargement Policy is probably misleading. If it does give a hint on the potential pre-accession nature of its transformative process, it conceals the fact that **the efforts of these countries to even reach the candidate status, let alone accession, will have to be much greater than those achieved by countries of the Eastern European enlargement**. In terms of development, Georgia should aim higher than mere EU conditionality to have instead the EU average as a target, and break free of the ‘golden carrot’ logic which can be a cause of slowdown and frustration. We recommend in particular to Georgia to focus on two general areas.

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<sup>31</sup> Andrew Gray, *op. cit.*

- Reaching an **outstanding level in the field of the ‘political criterion’: democracy, rule of law, human rights**. Most important part of the negotiation process and heart of European values, the political criterion is the main opening to the European family, especially at a time when its respect is challenged by several Member States (Poland, Hungary). Furthermore, it is an essential anchorage point for the opponents to enlargement. Hostility towards Turkey and resistance to its accession, even if based on anti-Islamism, was justified by the country’s disastrous situation in these areas. For other applicants, such as Georgia, any imperfection, even minor, might be used by opposing Member States in a way that conceals their national preferences.
  - Encouraging **progress and innovation in areas considered as ‘hot topics’ in the European Union, in particular sustainable development and protection of the environment**. The main issue with the model ‘EU-applicant’ relationship that was created and systematized in the context of the Eastern European enlargement is that it strengthens the impression that new Member States ‘attach’ themselves to the EU, receive its benefits and have nothing to offer in exchange other than the promise of self-development. In the present anti-enlargement climate, it seems clear that **future successful accessions should be based on a completely different power relationship**. It is the reason why the door is only half-open to the Balkans and Turkey; and it is also why it was fully open to Iceland when the country briefly applied to EU membership in the wake of the 2008 financial crisis. The prospect of immediate benefits for the Union is a decisive factor, and innovation in areas where the EU and public opinion call for progress, along with economic development, might embody this perspective.
- Georgia should envisage **fostering stronger bilateral links with the Member States that are likely to be the most influential in future prospects of enlargement, in particular France and Germany**. With the ‘nationalization’ of the enlargement process, the supranational dimension of the policy is becoming less and less relevant, and the weight taken by individual Member States can no longer be ignored. French politicians, in particular, do not hesitate to reassure their electorate with anti-enlargement promises and open opposition to new accessions at European level, encouraging other states to follow their lead. Georgia would highly benefit from developing its relations with these influential Member States, with a view of promoting their image of developed, progressive and deeply European country.
    - At a governmental level, to discourage negative public declarations of European politicians towards Georgia.
    - But most importantly, on an ‘extra-governmental’ level. Gains from fruitful inter-governmental relations might get annulled by political rotation. More sustainable benefits would be achievable through other means, such as intercultural and people-to-people exchanges. Developing tourism in Georgia from targeted Member States (with notably the creation of new direct flight lines) is an obvious solution, but not the only one. Reinforcing bilateral cooperation in specific fields, such as social, youth, culture and sports, could have durable bridge-building effects.
  - Finally, a particular attention should be given to opportunities to **encourage the construction of a new enlargement narrative**. It is very unlikely that a political will to enlarge would come from the European ambitions of Georgia alone, and a regional effort will make more sense in this regard. Along with Georgia, Ukraine and Moldova are the countries of the Eastern Partnership that are making the most transformative efforts in view of a potential accession. If the European Union is still reluctant to proceed with a ‘multi-speed’ Eastern Partnership featuring two distinct groups (by fear of discouraging Belarus, but especially Armenia and

Azerbaijan), Georgia, Ukraine and Moldova should still envisage every possibility of collaboration. In the area of *acquis* compliance, but also in domains that could lead to intense cooperation with the European Union, such as security and natural resources diversification. The more these partnerships will be put into place, the more enlargement will seem evident.

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