

Positive Conditionality, Negative Results? The Failure of EU Conditionality in Turkey

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EU membership conditionality is considered to be one of the most effective tools at the EU's disposal for promoting democracy, stability and rule of law in the EU's neighbourhood. The success of conditionality was exemplified by the 2004 enlargement round, when ten Central and Eastern European countries (CEECs) successfully joined the EU. The EU further enlarged in 2007, when Bulgaria and Romania joined the Union, and in 2013, when the EU welcomed Croatia. After that, the EU was planning to expand even further, to include Turkey and the whole of the Western Balkans.

However, what once seemed to be a promising enterprise given the successful track record of EU conditionality, is now marred by troubling developments. Not only has the progress been generally slower in more recent candidates, in some countries the raylets of democracy gave way to an authoritarian turn. The most drastic case of backsliding in the immediate European periphery is Turkey, which moved in the Freedom House rating from a stable partly free (3.0) in 2012 to an alarming not free (5.5) in 2018. A similar trend, though not (yet) of the same proportion, is evident across the Western Balkans [3]. But what is even more worrying, and prompting to question the efficacy of EU conditionality, is signs of backsliding within the European Union itself, most notably in Hungary and Poland [4] - both from the "successful" 2004 enlargement round.

Now that the authoritarian trend within and outside the EU is manifest to the extent that it can no longer be ignored, a number of questions arise. What can the EU do to counteract backsliding? What has it been doing? Has it been enough? The question that the EU is not likely to escape is whether the Union had not been too lenient on smaller, but already noticeable instances of disrespect towards democracy and the rule of law for too long [2]. Another question, and perhaps an even deeper one, is whether the EU could do any differently, with the tools available.

EU accession conditionality heavily relies upon the idea of positive incentives in the form of prospective membership. The prospect of membership provided enough incentives for the CEECs, with carrots, rather than sticks, proving to be sufficient to incentivise pro-democratic change. However, as ample evidence now shows, one cannot expect carrots to always be juicy enough [1]. With no sticks at hand and the 2004 enlargement round being largely successful, the EU had little experience and practical tools to deal with backsliding and severe breaches against the European principles when it took upon itself much trickier candidates.

Looking closely at Turkey – the "trickiest" candidate with the longest history of the accession process and the most dramatic backsliding – this paper addresses the following questions: Within its positive conditionality framework, how has the EU been addressing the problem of candidates' backsliding? Has it been successful in counteracting the authoritarian trends? Can it be successful with the tools available? Despite potentially important consequences for the process of EU enlargement and its influence on the candidate countries, the questions failed to receive much academic attention. To address those questions in a novel fashion, the paper

examines the EU's reactions to democratic backsliding and deterioration in human rights in Turkey from 2010, when the first episodes of noncompliance became evident, to 2018-2019, when the accession negotiations came to a de facto hold.

The findings suggest that the EU utilised a range of measures to counteract democratic deterioration, proceeding from lighter to heavier measures as the situation in Turkey continued to aggravate. The measures applied are consistent with a positive conditionality approach and range from noticing and condemning instances of noncompliance in annual progress reports and through public statements of EU officials to cutting pre-compliance financial assistance and discussing the possibility of suspending negotiations. However, it remains questionable whether the measures employed by the EU were proportionately matched to the situation at the time they were employed. A two year delay in officially exposing backsliding and the hesitancy to upgrade the countermeasures suggest that the responses were belated. The measures that could have worked at earlier stages of democratic backsliding failed to have much effect when autocratic reversal was in full force. In other words, even though there turns out to be a number of measures that have or could have theoretically been employed by the EU, the “take or leave it” approach of positive conditionality still proved to be powerless in the face of democratic backsliding once a certain level of autocratic consolidation was achieved.

Overall, the paper concludes that positive conditionality by itself is limitedly equipped to effectively counteract the consolidation of authoritarianism. For Turkey, the situation was also aggravated by the lack of expertise on the part of the EU, which previously had no experience in dealing with democratic backsliding in candidate countries. Additionally, there were instances of conditionality being applied inconsistently, compromising its credibility. Combined, the problems resulted in ineffectiveness of measures taken to counteract democratic deterioration in Turkey.

Источники и литература

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