

# An Evaluation of the Transformative Power of EU Enlargement and Neighbourhood Policies: The Cases of Turkey and Ukraine

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## Abstract

This article aims to compare transformative power of European Union (EU) through its enlargement policy and European Neighbourhood Policy (ENP). Their goals, instruments and influences on a candidate country (Turkey) and an eastern neighbour of the EU (Ukraine) are compared. Because of the membership perspective, Europeanization through the accession process is much more influential than Europeanization of neighbourhood of EU through ENP. There has been interplay of domestic and external factors which have influenced transformative power of EU on Turkey and Ukraine.

**Keywords:** *European Union (EU), European Neighbourhood Policy (ENP), EU Enlargement, Conditionality, Orange Revolution*

## Introduction

The concept of Europeanization has long been used in the course of the European integration process. Initially, Europeanization focused on the influence of European integration on European Union (EU) member states. Then the study of Europeanization started to deal with "Europeanization beyond Europe"; primarily referring to candidate countries, especially Central and Eastern European Countries (CEECs), and more recently to the EU's neighbourhood and even to other regions of the world such as Asia, Africa and Latin America.<sup>1</sup>

Europeanization means, in technical terms, the requirement to fulfil the Copenhagen criteria and adopt the EU *acquis* in order to become a member of the EU. Thus, Europeanization in candidate countries takes place

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<sup>1</sup> For further detail, see Frank Schimmelfennig, "Europeanization beyond Europe", *Living Reviews in European Governance* (Vol. 7, No.1, 2012).

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as a condition, rather than a consequence of EU membership<sup>2</sup>, so the main motivation for candidate countries to adopt the EU's rules is actually the prospect of membership. Current candidate countries of the EU include Turkey, Croatia, the Former Yugoslav Republic of Macedonia, Serbia, Montenegro and Iceland. The leaders of the member states of the EU and Croatia signed its Accession Treaty in December 2011. After ratification of this treaty, Croatia will become a member of the EU in 2013.

After the Eastern enlargement in 2004 and 2007, the EU lost its enthusiasm for continuing the enlargement process for several reasons. First, the two latest rounds of enlargement had already led to a debate on the capacity of EU institutions to continue making effective decisions. Secondly, the current crisis in the Eurozone brought to the fore the fact that states are now busy dealing with their own problems rather than planning to support millions of potential new migrants from candidate countries, or to provide structural adjustment funds to be spent outside the EU. As a result of these factors, the potential of any further enlargement created a sense of tiredness in the publics of EU member states, which can be referred to as "enlargement fatigue".<sup>3</sup> Thus, faced with an inappropriate timing for further enlargements, yet at the same time a lengthening queue of requests from governments in its neighbourhood, the EU has developed a network of agreements with these countries that stop short of offering full EU membership. This strategy is known as the European Neighbourhood Policy (ENP).<sup>4</sup> One of the main questions to be answered by this article is whether the ENP has been an effective instrument for creating change in the EU's periphery through extension of EU norms, particularly in Ukraine. The reason why this study has chosen Ukraine as a case study is that its size, geopolitical location on the fault line between two emerging geopolitical power blocs, and the constant tension it experiences between a European and an East Slavic choice, make it an important case for evaluating the viability and success of the ENP. The ENP can in fact be interpreted as a policy partly designed to manage the Ukrainian problem in the short term.<sup>5</sup>

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<sup>2</sup> Frank Schimmelfennig and Ulrich Sedelmeier, "Introduction: Conceptualizing the Europeanization of Central and Eastern Europe", in Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe* (Ithaca, NY: Cornell University Press, 2005).

<sup>3</sup> Amichai Magen, "The Shadow of Enlargement: Can the European Neighbourhood Policy Achieve Compliance?", *Columbia Journal of European Law* (Vol.12, No.2, 2006), p. 421.

<sup>4</sup> Boyka Stefanova, "The European Union as a Security Actor: Security Provision through Enlargement", *World Affairs* (Fall 2005).

<sup>5</sup> Ivaylo Gatev, "The EU's New Neighbourhood Policy Towards Ukraine, European Foreign Policy Conference", (LSE, 2004).

By analysing their different backgrounds, goals and instruments, this article aims to compare EU's transformative power in relation to two different external policies: enlargement policy and the ENP, in terms of their impact on two particular countries, Turkey and Ukraine. It compares the transformation processes of Turkey and Ukraine mainly in terms of democratization and human rights, by focusing on the EU's influence on the reform process in each country and the interplay of domestic and external factors which have affected the transformative power of the EU on Turkey and Ukraine. It is not wrong to say that the Europeanization process was, for a time, much stronger in Turkey due to its clear membership prospect with the granting of candidate status in 1999 and the start of the membership negotiations in 2005, in comparison with the ENP which does not offer the prospect of membership to the EU's partners. However, the transformative power of the EU in Turkey declined after the start of the negotiation process due to serious obstacles concerning Turkey's future membership. These will be analysed in detail in this article, along with the shortcomings of the ENP policy, particularly its inadequate impact on democratisation and stabilisation in Ukraine, which has meant that there crucial deficiencies remain in the fields of human rights, freedom of speech and market reforms, lack of transparency and high levels of corruption.

For this analysis, theories of "rationalist institutionalism" and "sociological institutionalism" will be used, with a specific focus on Schimmelfenig and Sedelmeier's<sup>6</sup> "external incentives" and "social learning models". The details of these theories will be given below.

### **Theoretical Background**

The major theoretical debate in international relations in the 1990s was between "rationalist institutionalism" and "sociological institutionalism". The former refers to interest-based and the latter refers to norm-based motives which may lead to compliance with EU rules. According to "rationalist institutionalism", the EU's impact on domestic change occurs through a "logic of consequences", whereas "sociological institutionalism" is based on a "logic of appropriateness".<sup>7</sup> The Europeanization models used by Schimmelfenig and Sedelmeier are attempts to elaborate on this distinction. Their model that corresponds to the "logic of consequences" is called the "external incentives model", which refers to Europeanization driven

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<sup>6</sup> Schimmelfenig and Sedelmeier, op.cit. in note 2.

<sup>7</sup> For further detail, see Tanja Börzel, "Europeanization: How the European Union Interacts with its Member States" in Simon Bulmer and Christian Lequesne (eds.), *Member States and the European Union* (Oxford: Oxford University Press, 2005), pp.45-69; Tanja Börzel and Thomas Risse, "Conceptualizing the Domestic Impact of Europe", in Kevin Featherstone and Claudio Radaelli (eds.), *The Politics of Europeanization* (Oxford: Oxford University Press, 2003), pp. 55-78.

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by the EU through rewards and sanctions. Their "external incentives model" is mostly based on "conditionality", meaning that the EU provides target governments with various incentives, such as financial aid, market access or institutional ties, if they follow EU demands. The credibility of this approach depends on the EU's consistent application of "conditionality" so that the target government remains certain that it will get the rewards if it fulfils the conditions. Thus, the influence of external incentives increases with the size of net benefits and the credibility of EU imposed conditionality. Schimmelfennig and Sedelmeier's model corresponding to the "logic of appropriateness" is called the "social learning model". According to this model, target states are persuaded to adopt EU rules by identifying with the EU, because they consider that these rules are legitimate and become convinced about their appropriateness.<sup>8</sup> Frequent contacts between the EU and target governments help this social learning process.

Another model of Schimmelfennig and Sedelmeier is "lesson-drawing model", which argues that states adopt rules of the EU, if they perceive them as solutions to their problems. According to the analyses of Schimmelfennig and Sedelmeier<sup>9</sup> the EU's influence in candidate countries has resulted primarily through application of the "external incentives model" rather than "social learning" or "lesson-drawing", with "democratic conditionality" being the EU's main strategy to push non-member states to comply with its human rights and democracy standards.<sup>10</sup> "Democratic conditionality" is successful when the target countries have a credible promise of eventual membership and when domestic costs for adopting democratic norms are low. Both EU conditionality and socialization processes can be directed at societal actors, such as political parties, interest groups or NGOs.

Domestic conditions are also very influential in Europeanization process of both candidate states and other neighbouring countries, such as the costs of compliance with EU criteria, the existence of veto players in the target country and the level of identification and resonance with the EU. However, the main factor remains the prospect of EU membership. When the EU cannot use its main carrot, the prospect of membership, in dealing with non-candidate third countries, the Europeanizing impact of socialization and domestic empowerment have been weak. At the same time, although EU

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<sup>8</sup> Schimmelfennig and Sedelmeier, op.cit. in note 2, pp. 11-18.

<sup>9</sup> Ibid., pp.11-18.

<sup>10</sup> Frank Schimmelfennig, Stefan Engart and Heiko Knobel, "Costs, Commitment and Compliance: The Impact of EU Democratic Conditionality on Latvia, Slovakia and Turkey", *Journal of Common Market Studies* (Vol. 41, No.3, June 2003), p. 495.

accession usually results in at least the formal and rhetorical adoption of EU rules, this is rarely reflected in actual implementation in a manner consistent with EU rules.<sup>11</sup>

In this article, the “external incentives” and “social learning” models are used to compare and analyse Europeanization in Turkey and Ukraine; one being a candidate country within the current enlargement process, and the other being a partner country in the ENP without membership prospects.

### **Europeanization through Conditionality: The Case of Turkey**

Enlargement, which has transformed several countries of Europe, such as Spain and especially Central and Eastern European Countries (CEECs), has been one of the most successful foreign policy instruments of the EU. Turkey is, unfortunately, the least popular and least wanted candidate country in EU history. Even Ukraine, which does not have any prospect of EU membership, is supported by 37% of EU citizens, which is more than the 30% level of support for Turkey.<sup>12</sup>

After the Helsinki Summit in 1999, when Turkey was given official candidate status by the EU, the credibility of EU conditionality was quite high, and Turkey’s early Europeanization process led to crucial reforms in the fields of democracy, human rights and minority rights. For example, between 2000 and 2004, Turkey adopted eight reform packages in order to meet the Copenhagen political criteria. Many provisions of the Constitution were changed, as well as changes in Turkey’s legal codes. This period also witnessed rising interaction between Turkey and EU member states, not only at governmental level but also between civil societies, academicians and students, which led, through “social learning” mechanisms, to the Europeanization of Turkey in various fields, including civil society, education and human rights.

As Noutcheva and Aydın-Düzgit<sup>13</sup> argue, a credible EU accession perspective and an adequate level of state capacity are both necessary but not sufficient conditions to explain differences in adopting rule of law standards in candidate countries. That is, substantive progress in the reform process is more likely when the EU’s incentives for reform are compatible with the domestic interests of the candidate country’s ruling elites. In this way, the EU has been able to have a transformative impact on candidate

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<sup>11</sup> Erola Elbasani (ed.), *EU Enlargement and Europeanization in the Western Balkans* (London: Routledge, 2012).

<sup>12</sup> Standard Eurobarometer 74, (European Commission, Brussels, Autumn 2010), p. 62.

<sup>13</sup> Gergana Noutcheva and Senem Aydın Düzgit, “Lost in Europeanisation? The Western Balkans and Turkey”, *West European Politics* (Vol. 35, No.1, 2012), pp. 59-62.

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countries by providing external legitimacy and material benefits to their ruling elites.<sup>14</sup>

The case of Turkey is interesting in that it shows that it is not only pro-EU, liberal reform coalitions that can use the EU to legitimize their political agenda.<sup>15</sup> In Turkey, the currently ruling Justice and Development Party (AKP) was established after the former Welfare Party was ousted from the government by a post-modern military coup in 1997 on grounds of anti-secular activities. When AKP first came to power after the 2002 general elections, it promoted the goal of EU membership and made crucial reforms to increase its legitimacy and widen its support towards the centre. Meanwhile, it tried to preserve its core conservative Islamist voter base through promising further religious freedoms and guaranteeing its survival vis-à-vis the secularist state establishment in the military and the judiciary.<sup>16</sup> Thus, the AKP government used the EU membership prospect to increase its legitimacy and to decrease the influence of the military in politics<sup>17</sup>, which supports the argument of Börzel and Risse<sup>18</sup>, who claim that EU demands have to be compatible with the political preferences of the political elites of the target country.

More recently, however, there has been a loss of momentum in the reform process in Turkey after the start of accession negotiations with the EU on 3 October 2005. There are several reasons for this, including both factors related with the EU and domestic factors. As Spendzharova and Vachudova<sup>19</sup> note, whether candidate and neighbourhood countries comply with EU policies depends on the "twin forces of EU and domestic incentives". Especially after 2007, due to the decreasing credibility of EU incentives and the increasing self-confidence of the Turkish governing elite, Turkey's reform process has become more selective. For example, those reforms which are compatible with the preferences of the governing elite have been realized, such as minority rights and asylum policy.<sup>20</sup>

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<sup>14</sup> Ibid., p.75.

<sup>15</sup> Tanja A. Börzel and Digdem Soyaltın, "Europeanization in Turkey. Stretching a Concept to its Limits?" *KFG Working Paper Series* (36), Kolleg-Forschergruppe, "The Transformative Power of Europe", (Freie Universität Berlin, 2012), pp. 6-7.

<sup>16</sup> Soli Özel, "After the Tsunami", *Journal of Democracy* (Vol.14, No.2, 2003).

<sup>17</sup> Noutcheva and Düzgit, op.cit. in note 13, pp. 69-70.

<sup>18</sup> Tanja A. Börzel and Thomas Risse, "When Europeanisation Meets Diffusion: Exploring New Territory", *West European Politics* (Vol.35, No.1, 2012), p.200.

<sup>19</sup> Aneta Spendzharova and Milada Anna Vachudova, "Catching Up? Consolidating Liberal Democracy in Bulgaria and Romania", *West European Politics* (Vol. 35, No.1, 2012).

<sup>20</sup> Börzel and Soyaltın, op.cit. in note 15, pp. 6-7.

The first external reason for the decrease in the momentum of Turkey's reform process is that, after the rejection of the EU's Constitutional Treaty in France and Netherlands, Turkey's membership has been increasingly debated in relation to the "absorption capacity" of the EU. Especially given the "enlargement fatigue" mentioned previously, it can be argued that, even if Turkey fulfils the Copenhagen criteria, it may not be enough to achieve EU membership. This prediction is supported by the reference made to the "absorption capacity" of the EU in the "Negotiating Framework for Turkey" adopted by the European Council in October 2005, which stated that "the Union's capacity to absorb Turkey, while maintaining the momentum of European integration is an important consideration in the general interest of both the Union and Turkey" (Clause 3, 2005). Moreover, the Framework Document also emphasized that accession negotiations with Turkey are an "open-ended process, the outcome of which can not be guaranteed" and "long transitional periods, specific arrangements or permanent safeguard clauses, clauses which are permanently available as a basis for safeguard measures, may be considered" (Clause 12, 2005) in areas such as freedom of movement of persons, structural policies or agriculture. Because of this emphasis on the open-ended characteristic of the negotiations and the possibility of permanent derogations, Turkey's membership prospects have become unclear; as a result, the impact of EU conditionality has decreased, which has in turn negatively influenced the reform process in Turkey.

The second external factor is the Cyprus issue, which has been one of the main challenges hindering Turkey's EU membership bid, even though resolving this issue is not included as one of the criteria for accession to the EU. For example, in June 2006, the former Commissioner for EU Enlargement even warned of a possible "train crash" with Turkey because of the Cyprus issue.<sup>21</sup> Until now, only one chapter (Science and Research) has been provisionally closed during the negotiation process. When the Additional Protocol was not ratified by Turkey, the EU Council froze opening eight chapters in December 2006. It was also decided that no chapter will be provisionally closed until Turkey fully applies the Additional Protocol, which entails opening its seaports and airspace to Greek Cyprus.<sup>22</sup>

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<sup>21</sup> *European Stability Initiative Report*, "A Very Special Relationship: Why Turkey's EU Accession Process will Continue" (Berlin-Istanbul, 11 November 2010), p.1.

In July 2005, Turkey signed the Additional Protocol, which would extend Customs Union between Turkey and the EU to new member states of the EU, including Cyprus. However, Turkey refused to open its ports to Greek Cypriot vessels, because it argued that the EU had not fulfilled its promises towards the Turkish Cypriot side after they accepted the Annan Plan in the 2004 referendum, which aimed at the unification of the island.

<sup>22</sup> *European Stability Initiative Report*, op.cit. in note 21, pp. 5-9.

Thirdly with changes in governments in France and Germany, Christian Democrat leaders who are against Turkey's full membership came to power. In 2005, Angela Merkel, the Chancellor of Germany, tried to include the option of "privileged partnership" in the Negotiation Framework between the EU and Turkey, but it was not accepted. Germany then acted on the principle of "*pacta sunt servanda*", so Merkel did not block continued negotiations between Turkey and the EU. The presidential elections in France in 2007 brought Nicolas Sarkozy to power, who was also against Turkey's full membership. During his election campaign, Sarkozy even argued that if he were elected, he would "launch a debate on Turkey's membership".<sup>23</sup> France also blocked four additional chapters during the negotiation process. These debates over "privileged partnership" raised doubts about the EU's openness and fairness towards Turkey, leading to questioning of the EU's credibility and an increased level of Euroscepticism in Turkey. Many Turkish people have thus started to think that the EU is discriminating against Turkey, especially when they compare the EU's tolerance of, and material assistance for the CEECs with its attitude towards Turkey. These ambiguous signals coming from the EU elites about Turkey's membership have impeded the efforts of pro-EU and pro-reform elements in Turkey.<sup>24</sup>

At the same time, several domestic factors have also caused the decrease in the momentum of the reform process in Turkey. The first one is the increasing self-confidence of the Turkish government. After first winning an absolute parliamentary majority in 2002, the AKP government increased its support in two consecutive general elections in 2007 and 2011, which led to an increase in the self-confidence of the governing elite. Moreover, because Turkey has experienced a relatively high level of economic growth compared to the serious economic recession seen in many EU member states, the Turkish government has started to feel less dependent on the EU. It started to perceive the reform process, not as a necessary measure to become a member of the EU, but rather as one to transform Turkey and increase the level of living standards of Turkish citizens regardless of Turkey's membership prospects. This has been emphasised regularly by the Turkish Prime Minister, Recep Tayyip Erdoğan, for example in his statement that "if they do not accept us, we will transform the Copenhagen criteria into the Ankara criteria and go on our way".<sup>25</sup> This led to an even more proactive and multi-dimensional approach in Turkish foreign policy, especially during

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<sup>23</sup> Accessed on 8 April 2012 , <http://www.turkishdailynews.com.tr/article.php?enewsid=72308>

<sup>24</sup> Ziya Öniş, "Diverse but Converging Paths to EU Membership: Poland and Turkey in Comparative Perspective", *East European Politics and Societies* (Vol.18, No.3, 2004), pp.485-495.

<sup>25</sup> Accessed on 11 May 2012, <http://www.abhaber.com/haber.php?id=15249>

the second term of the AKP government. Rhetorically, however, the aim of full EU membership still remains the primary goal of Turkish foreign policy.<sup>26</sup>

The relative weakness of the opposition in Turkey, the increasing self-confidence of the governing elite, and the decreasing attractiveness of the EU because of its Eurozone crisis have all led to a more selective reform process in Turkey. This means that the reform process has become dependent more on the interests and preferences of Turkey's governing elite than on fulfilling the expectations of the EU. For example, while the reform of civil-military relations has continued, primary and middle education systems have been transformed,<sup>27</sup> reform in the fields of freedom of speech and media have stalled.

The second domestic factor is related to the level of state capacity, which has a crucial influence on the initiation and sustainability of the democratic institutional changes which are required by the EU. After the capture of the Kurdish terrorist organisation Kurdistan Workers' Party (PKK) leader Öcalan in 1999, there was a decline in terrorist activities which created a favourable atmosphere for the reform process in Turkey. However, the resurgence of PKK terrorism in 2005, followed by an intensification in 2007, have negatively affected the capacity of the Turkish state, with the PKK posing a critical threat to the "statehood" and integrity of Turkey. Security concerns have therefore come to the fore again, rather than a focus on democratic reforms. When terrorist forces challenge the political authority of a regime and the unity of a country, they make some reforms for democratisation more politically costly.<sup>28</sup> As a result, the ruling elite has been increasingly reluctant to continue with EU triggered reforms of democratisation.

The third domestic factor is the loss of enthusiasm in Turkish civil society about the EU integration process. Turkish civil society was initially really active in its lobbying activities in Brussels, and pushed the Turkish government to make further reforms, especially up until the start of accession negotiations on 3 October 2005. However, due to the Turkish government's loss of enthusiasm for EU membership, the ambiguous signals from the EU about Turkey's membership prospects, Turkey's increasing self-confidence, and its multi-dimensional approach to Turkish foreign policy, many Turkish civil society organisations have started to refocus on projects

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<sup>26</sup> For further detail, see Selcen Öner, "Europeanization of Turkish Foreign Policy and Increasing Multidimensional Approach", *EurOrient*, "Turquie: La Nouvelle Politique Exterieur Turque Entre Le Mythe "Europeen" et la Nostalgie "Ottomane"" (The New Turkish Foreign Policy between the European Myth and the Ottoman Nostalgia") (No.35-36, 2011).

<sup>27</sup> Noutcheva and Aydın-Düzgit, op.cit. in note 13, p.70.

<sup>28</sup> Ibid., pp.69-75.

that ensure their financial survival or have become active in different parts of the world.

### **The Transformative Power of the EU in its Neighbourhood: The Deficiencies of the European Neighbourhood Policy (ENP)**

Especially after the enlargement waves in 2004 and 2007, the EU lost its enthusiasm for continuing the enlargement process for several reasons. Faced with an inappropriate timing for further enlargements, yet at the same time a lengthening queue of requests from governments in its neighbourhood, the EU developed a network of agreements with these countries. This strategy is known as the European Neighbourhood Policy (ENP).<sup>29</sup>

The Commission issued a Communication on 11 March 2003 which proposed that the EU should aim for a close partnership which aims to progressively integrate the countries concerned into the EU's internal market, offers them the possibility of participating in various EU programmes and incentives, identifies several issues as "*threats to mutual security*"<sup>30</sup>, and requests a joint response to these common challenges. There is an expectation that, intensive cooperation in different policy sectors will lead to the economic and political development needed to bring prosperity and stability to the EU's neighbourhood.<sup>31</sup> The key political documents for achieving the objectives of the ENP with specific countries are called Action Plans (AP). In the APs, the EU sets out the values and standards that each neighbour should adopt, with detailed objectives and priorities for action, whose fulfilment will bring the partner state closer to the EU.<sup>32</sup> However, there are several general problems regarding the ENP that prevent it from

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<sup>29</sup> Boyka Stefanova, "The European Union as a Security Actor: Security Provision through Enlargement", *World Affairs* (Fall 2005), pp.6-7.

<sup>30</sup> As such, the Commission detected the trans-border dimension of environmental and nuclear hazards, communicable diseases, illegal immigration, trafficking, organised crime, border management and terrorist networks.

<sup>31</sup> Although the initial discussion of the neighbourhood policy in the Council focused solely on Ukraine, Belarus and Moldova, the Commission, in its Communication, broadened the geographical scope of the policy to include the ten Southern Mediterranean states, mainly due to pressure from France, Spain and Italy. In its Strategy Paper of May 2004, the Commission further extended the ENP to three countries in the Southern Caucasus, i.e. Georgia, Armenia and Azerbaijan. Today, the ENP includes Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia, Palestinian Authority, Moldova, Ukraine, Belarus, Armenia, Azerbaijan and Georgia.

<sup>32</sup> Tina Freyburg, Sandra Lavenex, Frank Schimmelfennig, Tatiana Skripka and Anne Wetzels, "EU Promotion of Democratic Governance in the Neighbourhood", *Journal of European Public Policy* (Vol.16, No.6, 2009), pp.921-923.

becoming an effective instrument that helps the EU achieve its aim of norm promotion.

### **Problems with the ENP**

It has been found that, although the EU has been fairly successful in inducing these countries to adopt legislation in line with democratic governance provisions, these provisions have generally not been actually implemented.<sup>33</sup> There are five main problems within the ENP that make it an ineffective and inadequate tool to ensure implementation:

1. The main reason why the ENP is unable to promote democracy in partner countries is the *lack of EU membership incentive*. While the ENP was found to be sufficient for countries from the Mediterranean rim and the Middle East, it never matched the hopes and aspirations of countries like Ukraine and Moldova, which hoped for stronger inclusion in the institutions of the West. For these countries, the absence of any membership prospect weakens the EU's legitimacy and ability to induce its neighbours to accept its norms and values, while also weakening the power of politicians in neighbouring countries to justify making the necessary reforms by claiming that these are necessary to enjoy the fruits of European integration.

2. Following from the previous problem, it becomes necessary for a partner country to ask what the costs of aligning its legislation with the *acquis* are when there is no chance of EU membership. In the ENP, even the only possible reward, the prospect of access to the EU's market at some future time and to an unspecified extent, is overshadowed by growing anti-liberalism and neo-protectionism in the EU, as reflected by the French and Dutch rejections of the Constitutional Treaty in 2005, and the current financial crisis in the Eurozone.<sup>34</sup> In addition to this, the EU also lacks the will and capacity to commit massive financial resources to the neighbourhood, particularly considering again the financial burden of EU enlargement and the problems in the Eurozone.

3. Throughout the ENP, EU rules are very dominant, with the EU failing to give any meaningful say to its partners in setting the normative agenda; objectives and means are non-negotiable.<sup>35</sup>

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<sup>34</sup> Stefanava, *op.cit.* in note 29, p.231.

<sup>35</sup> J.W. Scott, "The EU and "Wider Europe": Toward an Alternative Geopolitics of Regional Co-operation?" , *Geopolitics* (No. 10, 2005), p.447.

4. The EU also faces the problem of building a neighbourhood with some degree of cohesiveness, as the ENP stretches over a very large geographical area and encompasses a wide diversity of countries.

5. The APs of the ENP are also problematic because asking partner countries to “approximate” to the EU’s values and standards and enabling them to participate in the EU’s internal market may not be an appropriate framework for countries struggling with basic economic reforms.

The five kinds of problems listed here suggest that the tools of the ENP may be inadequate if the task is to offer strong support for change. Non-material incentives and mechanisms of social learning, such as imitation, persuasion, or social influence, do not generally overcome domestic resistance to the adoption of democratic and human rights norms. Even material incentives below the threshold of EU membership, such as financial aid or association agreements, are too weak.<sup>36</sup> After the severe difficulties they faced in the 1990s, the EU’s new eastern neighbours might prefer clear institutional ties and mechanisms, along with the financial support that full membership would provide them. One particular example of the ENP’s lack of influence is Ukraine.

### **The Case of Ukraine**

As already mentioned, Ukraine has been chosen as a case study for this study because of its size, geopolitical location on the fault line between two emerging geopolitical power blocs, and constant tension it experiences between a European and an East Slavic choice. These characteristics make it an important case study for evaluating the viability and success of the EU’s neighbourhood policy. In addition, Ukraine went through an important revolution in 2004, the Orange Revolution, with one of its main goals being Westernisation of Ukraine and getting closer to the EU.

### **Historical Background to EU-Ukraine Relations**

The EU’s Partnership and Cooperation Agreement (PCA) with Ukraine was signed and ratified in 1998. Under the then leadership of Leonid Kuchma, however, Ukraine was experiencing serious economic and political problems. EU officials were frustrated by Ukraine’s failure to implement the

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<sup>36</sup> Frank Schimmelfennig and Ulrich Sedelmeier, “Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe”, *Journal of European Public Policy* (Vol.11, No.4, 2004), pp. 670-71.

PCA, by widespread corruption within the Ukrainian administration, and by cross-border organised crime.<sup>37</sup>

During the subsequent presidential election campaign, the question of Ukraine's Western orientation became more conspicuous. However, the non-violent mass protests during the Orange Revolution, the peaceful resolution of the crisis and the repeated elections appeared to remove the most important stumbling block from EU-Ukraine relations; i.e. the gap between Kiev's declared adherence to European values and the political reality in Ukraine. In the highly optimistic mood after the crisis, the victorious presidential candidate Yuschenko stated that he would make "winning admittance to the EU a top priority" and laid out a four-point plan for EU membership. There was real optimism also from the European side that, with Kuchma removed from power, democracy would have a chance in Ukraine. The EU's close engagement in the crisis, and its praise for the repeated elections, further raised Ukrainian expectations.<sup>38</sup>

For members of the Orange Movement, the possibility of EU membership in the longer run and associate membership in the medium-term had actually provided their motivation and, after 2004, represented the necessary anchor for Ukraine's new, fragile democracy. They believed that the EU simply could not decline Ukraine's membership aspirations after its demonstration of support for European values and its democratic transition through the Orange Revolution. This initially led to the ENP having a positive effect in Ukraine, with EU conditionality helping to change the country's internal political structure by providing an external reference point for domestic actors pursuing domestic reforms. That is, it was *membership aspirations* rather than access to the market that gave the EU the power to motivate Ukraine.<sup>39</sup>

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<sup>37</sup> Oleh Protsyk, "Political Institutions and Public Policies: The Effect of Institutional Choices on Legislative Decision-Making Practices in Ukraine and Russia" (2003), Accessed on 18 May 2012, <http://www.policy.hu/protsyk/FinalResearchpaperdraft.pdf>, p.438.

<sup>38</sup> Askold Krushelnycky, "Ukraine's Opposition Wins Vote, But Rival To Contest Results", *Radio Free Europe/Radio Liberty*, 27 December 2004, Accessed on 12 October 2011, <http://www.rferl.org/content/article/1056585.html>.

<sup>39</sup> Although it was obvious from the very start that the ENP was not about full membership, still there was an inherent ambiguity which drew on enlargement policy up to that time. While the ENP was introduced as "not an enlargement policy" by the External Relations Commissioner, it nevertheless resembled that policy in certain respects. This was reflected in the use of progress reports to monitor performance over reforms set out in the action plans, in the choice of specific political reforms, as well as in the rhetoric about underpinning post-Communist democratization, and generally in the strategic use of conditionality and socialization approaches. The ENP was for this reason described as variously "a diluted version of enlargement policy" or simply as "enlargement light" (Geoffrey Pridham, "Ukraine, the European Union and the Democracy Question", *Romanian Journal of European Affairs* (Vol.11, No.4, 2011), p.19).

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However, in its response to the Orange Revolution, the EU still carefully avoided either offering or excluding membership prospect, limiting itself to updating the AP through a relatively modest addendum.<sup>40</sup> It added ten points to its AP for Ukraine, with the aim of strengthening and enriching the relationship in terms that went substantially beyond what was originally on offer. However, although the updated AP allowed for significantly deepening EU-Ukraine integration, depending upon Kiev's reform progress, this outcome was actually a far cry from Ukraine's own aspirations.

In March 2007, negotiations for a New Enhanced Agreement (NEA), which later took the name of Agreement on Association, including the creation of a free trade area, began between the EU and Ukraine. Again, despite the wishes of Ukraine for a stronger wording on enlargement prospects, this agreement also seemed to be only a strengthened list of cooperation possibilities between Ukraine and the EU, and nowhere was potential EU membership mentioned. Ukraine was included in the "Eastern Partnership Initiative" established in 2009; however, while aiming at a "more ambitious partnership" with the eastern neighbours and promising to "go beyond ENP" by including more involvement of civil society, bilateral and multilateral arrangements and the possibility of association agreements including free trade, the association nevertheless replicated many of the ENP's features, including the continued exclusion of the prospect of EU membership.<sup>41</sup> In the Summit on 22 November 2010, the EU "acknowledged Ukraine's European aspirations and welcomed its European choice"; however, instead of mentioning the prospect of EU membership, it based future EU-Ukraine relations on the conclusion of the EU-Ukraine Association Agreement.<sup>42</sup>

Actually, opinions within the EU on how to respond to developments within Ukraine diverged. Member states such as Poland, Sweden, Slovakia, Hungary, Denmark, the Baltic States and the European Parliament (EP) vigorously promoted offering Ukraine the possibility of eventual EU membership. Specifically, the biggest push for offering the possibility of eventual membership occurred in the period between January and March 2005, after the inauguration of President Yuschenko and Kiev's increasing

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<sup>40</sup> Marius Vahl, "The Europeanisation of the Transnistrian Conflict", *CEPS Policy Brief* (No.73, May 2005).

<sup>41</sup> J. Boonstra and N. Shapovalova, "The EU's Eastern Partnership: One Year Backwards", Working Paper 99 (FRIDE, Madrid, May 2010), p.12.

<sup>42</sup> Council of the European Union, 14<sup>th</sup> EU-Ukraine Summit Joint Press Statement (22 November 2010).

alignment with EU foreign policy positions. However the rest of the member states and the European Commission supported the idea of a stronger relationship with Ukraine but not totally the idea of accession prospect; they were therefore against upgrading the language on Ukraine's membership prospects. Unfortunately, everyone had to be taken on board on this issue as either offering Ukraine the prospect of membership or upgrading EU-Ukraine relations through a new agreement would require a unanimous Council vote, which gave each member state a veto. The role of publicly discouraging Kiev's ambitions was mainly left to the Commission. For example, external Relations Commissioner Ferrero-Waldner (2004) early on rejected any demands for revising or renegotiating the AP with Ukraine.

The following section presents an analysis of the impact of this lack of EU membership prospects after the Orange Revolution on internal reforms in Ukraine.

### **The Problems in Reform Process in Ukraine after the "Orange Revolution"**

The ENP was far from successful in Ukraine, creating restrictions on the EU's scope for promoting democratic standards in Ukraine. Absence of membership prospects was surely a major factor governing relations with the EU, as regularly expressed by government leaders and officials in this period. For example, one official in the EU delegation in Kyiv, the Director of the EU Department in the Foreign Ministry, when asked whether the implementation of the AP was weakened by the lack of the possibility of membership, replied: "Absolutely, if you are in the accession process you have a big real incentive, because you have the membership perspective".<sup>43</sup>

During the half decade after the Orange Revolution, Ukraine had, under EU pressure, made a few real, and some formal changes favouring democratisation, but these hardly amounted to a significant deepening of democratic values in the country. By the summer of 2006, Yuschenko was widely seen both inside and outside Ukraine as a weak leader with no strategy who was unable to introduce a decisive break with the practices and political culture of the Kuchma era. The goodwill earned by the holding of free and fair elections in March 2006 was therefore lost, following the failure of the Orange coalition to win a parliamentary majority and form a government because of personal divisions. Specifically government crises and collapses caused some concerns, particularly regarding the domestic instability caused by the bitter antagonism that developed between the two

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<sup>43</sup> Geoffrey Pridham's interview with Pavlo Klimkin, Director of the EU Department, Ukrainian Ministry of Foreign Affairs, (Kiev, April 2008).

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Orange Revolution leaders, Yuschenko and Timoschenko. These were seen in Brussels as hindering or undermining reforms, which led to a cooling of EU attitudes towards Ukraine and a growing "Ukraine fatigue" in Brussels.

Moreover, economic growth had stalled, corruption allegations led to the dismissal of several officials, state institutions remained the tools of economic groups that hindered and obstructed any reforms that might threaten their power and prosperity.<sup>44</sup> The unsuccessful rule of Yushenko led to him being eliminated in the 2010 presidential elections, with Yanukovych becoming the new president.

All these problems were also acknowledged in the latest publication of the Progress Report of Ukraine regarding its implementation of the ENP Action Plan. Although the report found the conduct of presidential elections in January and February 2010 to be satisfactory, on the political and economic reforms it stated: "as regards the political domain, there are fewer positive signs, indicating that Ukraine has experienced a deterioration of respect for fundamental freedoms notably as regards the freedom of the media, freedom of assembly and democratic standards".<sup>45</sup>

After Yanukovych's victory the press in some Western European countries made references to Yanukovych's more amenable approach to Russia and his less Westernised approach compared with Yuschenko. Yanukovych's look towards European integration process did not necessarily concentrate on membership. His statements on European integration were also noted for their absence of the firm link with democratisation rhetoric that had characterised those of Yuschenko. The deeper meaning of this last difference became clearer once Yanukovych became President in 2010, after which various retrograde steps were taken with regard to democratic standards.

Yanukovych obviously did deliver short-term political stability, but he also revised electoral rules in favour of the ruling elite and consolidated power in his hands, which was seen as inconsistent with a country aspiring to EU membership. He also made threats concerning media freedom and journalists. In addition, the Ukrainian authorities increased the pressure on former Prime Minister Yulia Tymoshenko, already imprisoned for seven years

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<sup>44</sup> Kataryna Wolczuk, "Ukraine and its relations with the EU in the context of the European Neighbourhood Policy", *Chaillot Paper* (No.108, Paris: EU Institute for Strategic Studies, 2008), pp.189-191.

<sup>45</sup> European Commission, *Implementation of the European Neighbourhood Policy in 2010: Country Report on Ukraine* (Brussels, 25 May 2011), p. 3.

for corruption, by charging her with tax evasion in a second trial, along with former Interior Minister Yuri Lutsenko and former Environment Minister Heorhy Filipchuk, who were found guilty of abuse of office.<sup>46</sup> These developments dropped Ukraine to 79<sup>th</sup> place in 2011 from 67<sup>th</sup> in 2010 according to the Economist Intelligence Unit Democracy Index, entering into "partly free" category. In addition, the recently published report by Freedom House<sup>47</sup> on the state of democracy and human rights in Ukraine summarised the main international concerns:

"A number of actions and developments since Yanukovych became president suggest that the country is heading away from a democratic consolidation." Concentration of power, selective prosecutions of political opponents, a more intrusive Security Service, the absence of checks and balances and the politicisation of the judicial process are the main concerns observers cite.<sup>48</sup>

In addition, there were several indications of worsening life standards in Ukraine. From 2010 to 2011, Ukraine dropped seven places in both the World Bank's investment climate ranking and Forbes magazine's conditions for business index, the number of small and medium-sized enterprises (SMEs) decreased and poverty levels rose by up to 13.8%. The situation was further aggravated by increasingly high gas import prices and the freezing of an International Monetary Fund (IMF) lending programme. Pension, tax and education reforms even led to open protests by the affected sectors of society.

Relations with Russia also took a different turn in comparison with the period right after the Orange Revolution. Russia has used the full potential of the tools available to it to put Ukraine under pressure, urging Ukraine to withdraw from the European Energy Community in return for cheaper gas, which had been a key factor for Yanukovych's party in the 2012 election campaign. Ukraine, with 36% of its exports flowing to the Commonwealth of Independent States (CIS) is highly vulnerable to trade bans introduced by Russia, a weapon it has often used against other dissident CIS countries. These developments may even have led to Ukraine's decision to join the Customs Union, as well as further CIS integration projects, such as the Single Economic Space, currently starting its operations, and the Eurasian Union, whose launch is planned for 2015.

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<sup>46</sup> In early August 2011, the EU issued a firm warning about their arrest, stating that it was "a cause for concern about the state of rule in Ukraine. We [the EU] reiterate previous statements that we and other colleagues have made on the high standards we expect from a country aspiring to political association with the EU".

<sup>47</sup> Freedom House, "Sounding the Alarm: Protecting Democracy in Ukraine" (Washington, April 2011).

<sup>48</sup> *Ibid.*, pp.ii and 17.

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Russia's insistence on Ukraine's joining the Customs Union and its own single economic space, if agreed by Ukraine, will block further EU-Ukrainian integration, as it would be incompatible with the EU-Ukraine Deep and Comprehensive Free Trade Area (DCFTA) conditions introduced by the Association Agreement.

In light of the deteriorating situation concerning human rights and democracy in Ukraine, growing tendencies towards authoritarianism and Russia's hardening stance on relations with Ukraine, experts now dub Ukraine-EU relations as a "cold peace". These developments even endangered the planned Ukraine-EU summit of 19 December 2011. In the end, the Summit did take place, which was actually considered as a significantly positive development as the chief negotiators reached a common understanding on the full text of the *Association Agreement* to establish the future contractual basis of EU-Ukraine relations.<sup>49</sup> This includes both a political part, which regulates Ukraine-EU relations on the political level, and an economic part through the Deep and Comprehensive Free Trade Area. Although the text was finally "initialled" on 31 March 2012, due to significant concerns in a number of important areas, namely selective justice, the business climate and constitutional reform, experts say that the signing and unblocking the ratification of the Association Agreement will be subject to harsh monitoring by the EU, specifically regarding the Ukraine's parliamentary elections due in October 2012, which are the test for the Ukrainian state to prove its commitment to a democratic path and the rule of law.

The fact that the ENP, in its first three years of functioning, was unable either to transform state structures and policies, prepare Ukraine to derive benefits from closer integration with the EU, or even help stabilise Ukrainian domestic politics, proves the ENP's limited *transformative* effect in Ukraine. In contrast to the case with enlargement, not only is there is no prospect of membership but the actual rewards and specific conditions required for achieving these goals have not been clearly defined by the EU.

For the supporters of Ukraine's EU membership, specifically the eight new Central and Eastern European member states led by Poland, providing Ukraine with the prospect of EU membership is crucial for its successful democratisation. Yanukovich's return to power in the latest presidential elections in February 2010 triggered criticism from the group that, by not

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<sup>49</sup> Council of the European Union Press 513 18835/11, 2011.

offering Ukraine the prospect of membership, Europe has essentially "ignored" the Orange Revolution and let the country fall back into Russia's sphere. They argue that a positive change in Ukraine-EU relations is possible only if Ukraine embarks upon political reforms. However, as pointed out in this article, because even the strong desire for Westernisation during the Orange Movement was unable to win Ukraine the prospect of EU membership in the longer run, but only the "privileged partnership" schemes offered through the ENP and the Association Agreement, the motivation for further political reforms has unfortunately slowed down.

Various key reasons motivated the EU's refusal to place Ukraine in a more encouraging category. Three in particular were voiced soon after the Orange Revolution: the problem of "enlargement fatigue"; the desire to avoid the "Turkey syndrome" (meaning a much delayed and lengthy accession process causing frustration on both sides, as well as a concern about the country's size and its impact on the depth of European integration); and a wish not to upset Russia.

In addition, the ENP had already turned into the EU's main policy instrument for the Eastern and Southern neighbourhood from its first establishment as a tool directed towards Ukraine. Thus, offering Ukraine the prospect of membership at this point would have undermined the entire ENP framework by acknowledging that the ENP was insufficient and had failed even before launching the first APs. This decision would have encouraged Moldovan and Georgian aspirations, thereby causing exactly what the EU was seeking to stave off through the ENP, i.e. a rising tide of membership applications from its periphery.<sup>50</sup>

Thus, what has happened since the Orange Revolution has been the emergence of an increasing gulf between the stated and real ambitions of government leaders to eventually join the EU and the reluctance of EU policy makers to make any moves in that direction. In short, it can be said that EU policy towards Ukraine showed much more continuity than change. No radical departure was ever envisaged and the EU's continuing and firm insistence on excluding any membership prospect for Ukraine has been the clearest proof of this. New directions in the course of Ukraine's regime change after the Orange Revolution had no immediate or indeed powerful impact on the EU's policy towards that country.<sup>51</sup> Unfortunately, this reduced Ukraine's motivation to embark upon much needed reforms, and culminated

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<sup>50</sup> Mathias Roth, "EU-Ukraine Relations after the Orange Revolution: The Role of the New Member States", *Perspectives on European Politics and Society* (Vol. 8, No.4, December 2007), p. 518.

<sup>51</sup> Geoffrey Pridham, "Ukraine, the European Union and the Democracy Question", *Romanian Journal of European Affairs* (Vol.11, No.4, 2011), p. 26.

in Yanukovich's presidency, which led to further regression in the country's democratic characteristics.

### **Comparative Analysis between the Transformative Power of the EU in Turkey and Ukraine**

The transformative power of the EU to induce domestic institutional change in Turkey and Ukraine can be compared on the basis of several scope conditions elaborated by Börzel and Risse<sup>52</sup>: "power asymmetries", "regime type" (democracy versus autocracy), "domestic incentives for change" and "degrees of statehood" (consolidated versus limited).

Turkey's growing economic strength, and its crucial influence in its region in terms of foreign and security policy, have made its relations with the EU far less asymmetrical than Ukraine's, particularly in terms of economy and democracy.

The democratic character of a regime influences the willingness of state actors to promote domestic change as a response to the influence of the EU.<sup>53</sup> That is, the influence of the EU is less likely to lead to domestic change in countries with authoritarian regimes. This scope condition has a crucial influence especially with regards to EU demands for domestic reforms in the fields of human rights, the rule of law, democracy or the market economy because such demands may probably threaten the survival of authoritarian regimes and challenge dominant identity constructions. Thus, they are unlikely lead to institutional reforms, unless other conditions are met.<sup>54</sup> Thus, in terms of regime type, in spite of its democratic deficiencies, Turkey is in a much more favourable position compared to Ukraine as the latter still exhibits strong authoritarian tendencies that create a less favourable atmosphere for democratisation.

Both EU incentives and socialization and persuasion efforts only have a transformative domestic impact if they are aligned with domestic incentives, or the political preferences or survival strategies of the partner state's ruling elites. In this case, these ruling elites can use EU policies to increase their legitimacy, to realize their own political agenda and consolidate

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<sup>52</sup> Börzel and Risse, op.cit. in note 18 .

<sup>53</sup> Frank Schimmelfennig, Stefan Engert and Heiko Knobel, "The Impact of EU Political Conditionality" in Frank Schimmelfennig and Ulrich Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe*, (Ithaca, NY: Cornell University Press, 2005).

<sup>54</sup> Börzel and Soyaltın, op.cit. in note 15, p.11.

their power.<sup>55</sup> In the case of Turkey, EU demands for domestic change have had a considerable influence whenever EU policies have been compatible with the political preferences and survival strategies of Turkey's governing political elites.<sup>56</sup> For example, during its first period in government, AKP used EU incentives in order to increase its credibility and to widen its voter base. However, starting from its second term and particularly in its third term of government, with the increase in its own self-confidence, it became more selective in the reform process, preferring to realize only those reforms that might contribute to its political preferences. In the case of Ukraine, the EU incentives have been less compatible with the political preferences or survival strategies of its ruling elites, and Russia has also exerted a strong constraining influence on Ukraine's policy makers.

The legal adoption and implementation of EU rules by partner states also requires a certain level of state capacity. That is, in order to implement EU rules, they need to have sufficient administrative infrastructure to put EU laws into practice. At the same time, civil society also needs to have the capacity to push the government towards making reforms through exerting pressure on state actors.<sup>57</sup> In terms of state capacity, Turkey is in a much better position than Ukraine, particularly because Ukraine suffers from critical corruption problems. In both countries there is a need for judicial reform, and judicial freedom has to be established, while they both have problems in terms of freedom of speech and freedom of media. Turkey is also in a much more favourable position than Ukraine in terms of the influence of civil society on politics as Turkish civil society has been developing under the process of Europeanization since 1999. This is still true in spite of Turkish civil society's increasing focus on projects rather than pushing the government for further reforms.

## Conclusion

The EU has been facing several internal political and economic problems in the first decade of the 21<sup>st</sup> century, including rejection of the Constitutional Treaty in referendums in France and Netherlands in 2005, the crisis in Greece in particular and the crisis in the Eurozone in general. As a result, the attractiveness of the EU to neighbouring states has decreased, which reduced its transformative power on both candidate and neighbouring countries. This development has also been coupled with negative domestic factors in both candidate and especially neighbourhood countries, such as

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<sup>55</sup> Tanja A. Börzel and Yasemin Pamuk, "Pathologies of Europeanisation: Fighting Corruption in the Southern Caucasus", *West European Politics* (Vol.35, No.1, 2012).

<sup>56</sup> Börzel and Soyaltın, op.cit. in note 15, p.12.

<sup>57</sup> Börzel and Soyaltın, op.cit. in note 15, p.12.

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growing authoritarianism and high levels of corruption, which have led to a generally unfavourable atmosphere for Europeanization.

In particular, the ENP AP for Ukraine has failed to encourage Europeanization so far, as the country continues to suffer from serious internal political and economic problems and the plan does not offer Ukraine the prospect of EU membership. Thus, it can be said that the ENP incorporates major elements seen in rationalist forms, seeming to be the result of a process in which the EU was primarily concerned with itself and its own interests, rather than with the realities and socio-economic problems of its periphery. As a result, by failing to legitimise the EU's extension of its liberal democratic values, the ENP is unlikely to contribute consistently to the socio-economic development of the EU's neighbours. Instead, it remains as a tool for consolidating the overall security and stability of the regions surrounding the EU's core, in accordance with a rational institutionalist approach.

Ongoing negotiations with Turkey can also be explained in rationalist institutionalist terms, because both sides do not want to lose each other because of their mutual socio-economic benefits. The relationship is also in accordance with the commitments of the EU and the principle of "*pacta sunt servanda*". However, the slow momentum of the negotiation process with Turkey can be better explained in terms of sociological institutionalism because of hesitations about the compatibility of the culture and identity of Turkey and the EU. The final result of the negotiation process with Turkey will therefore depend on the political will of key EU member states, particularly those of Germany and France, but also on continued political and economic stability in Turkey, the momentum of its reform process, particularly the introduction of a new democratic constitution that reflects the consensus of all segments of Turkish society, and on changing international circumstances.

To conclude, when Turkey and Ukraine are compared in terms of the success of actual Europeanization, Turkey is in a more favourable condition during its transformation process, both with regards to EU-related factors and domestic factors. In terms of EU-related factors, the primary reason is that Turkey still has a membership prospect, despite various obstacles that have arisen during the negotiation process and the ambiguous signals from the EU. In terms of domestic factors, Turkey is also in a much more favourable condition compared to Ukraine. While both countries have deficiencies in terms of their level of democracy and human rights standards, particularly in terms of freedom of speech and media, and while further

judicial reform is needed in both countries, Turkey is in a much better position in these fields. Moreover, Ukraine has been facing serious corruption problems. Thus, in spite of continued deficiencies in its democracy and human right standards, Turkey is still more democratic than the authoritarian and opaque political regime of Ukraine, and also has a stronger state capacity for implementing EU mandated reforms.

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