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**THE EUROPEAN UNION ENLARGEMENT CRITERIA:
THE PROMINENCE OF THE PRINCIPLE OF
GOOD NEIGHBOURLINESS**

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İYİ KOMŞULUK İLİŞKİLERİ İLKESİ*

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Abstract

The European Union (EU) has always been an integration open to new members from the very beginning and there have been always some criteria that have to be met by the accession countries. As the EU has evolved in time, the enlargement conditions of the Union have also changed. The eastern enlargement of the Union, which transformed a great number of post-Soviet countries into the EU members in the early 2000s, played a vital role in the current design of the EU enlargement process and criteria. The vast majority of the EU enlargement criteria were codified and formalised in this enlargement. This paper aims to elaborate on the principle of good neighbourliness as an EU enlargement criteria. The relative importance of this principle in the EU enlargement has raised in recent years. By taking lessons from the unresolved Cyprus dispute, the EU has been trying to refrain from importing new bilateral disputes while opening its doors to new members. Since once the finalisation of the accession process, these unresolved bilateral problems turn into an internal problem for the EU. Therefore, by making the solution of these problems an enlargement criteria, the EU has been paying effort to contribute to the solution of bilateral problems before the achievement of EU membership ideal. The study examines the subject under three main parts. The first part aims to provide an account about the incremental formation and current state of the EU enlargement criteria. The second part focuses on the principle of good neighbourliness relations and its adaptation as an EU enlargement criteria. The last part considers the ongoing enlargements of the Union, which is covering Western Balkan countries and Turkey by considering the effect of the good neighbourliness principle in these accession processes.

Keywords: European Union Enlargement, Enlargement Criteria, Principle of Good Neighbourliness, Western Balkans, Turkey

Öz

Avrupa Birliği (AB) en başından itibaren yeni üye kabul etmeye açık bir bütünleşme olmuştur ve AB'ye katılmak isteyen ülkelerin karşılımları gereken birtakım kriterler her zaman söz konusu olmuştur. AB zaman içinde geliştikçe Birliğin genişleme koşulları da değişmiştir. 2000'lerin başında gerçekleşen ve çok sayıda eski Sovyet ülkesini AB üyesi haline dönüştüren doğu genişlemesi, günümüz AB genişleme politikası ve kriterlerinin ortaya çıkmasında önemli bir rol oynamıştır. AB genişleme kriterlerinin büyük bir çoğunluğu söz konusu genişleme kapsamında yazılı hale gelmiş ve resmîyet kazanmıştır. Bu çalışmada AB genişleme kriterlerinden iyi komşuluk ilişkisi ilkesi üzerinde durulacaktır. Çözümeyen Kıbrıs sorunundan alınan dersler AB'nin yeni üye ülkelere kapılarını açarken ilave ikili sorunlar ithal etmekten uzak durmaya çalışmasını kaçınılmaz hale getirmiştir. Çünkü katılım sürecinin tamamlanmasının ardından çözümeyen bu sorunlar AB'nin içsel sorunu haline dönüşmektedir. Bu nedenle, ülkeler arasındaki karşılıklı sorunların çözümü AB üyelik kriterlerinden biri olarak tanımlanarak Birlik, üyelik öncesi dönemde söz konusu sorunların ortadan kaldırılmasına katkıda bulunmak üzere çaba sarf eder hale gelmiştir. Çalışma bağlamında konu, üç başlık altında ele alınmaktadır. İlk bölümde AB üyelik kriterlerinin gelişimi ve mevcut durumu açıklanmıştır. İkinci bölümde iyi komşuluk ilişkisi ilkesi tanımlanarak AB üyelik kriterlerine eklenmesi üzerinde durulmuştur. Çalışmanın son bölümünde ise devam etmekte olan Batı Balkanlar ve Türkiye genişlemeleri iyi komşuluk ilkesi çerçevesinde ele alınarak bu ilkenin söz konusu genişlemelere olan etkisi tespit edilmeye çalışılmıştır.

Anahtar Kelimeler: Avrupa Birliği Genişlemesi, Genişleme Kriterleri, İyi Komşuluk İlişkisi İlkesi, Batı Balkanlar, Türkiye

Introduction

The enlargement has been on the agenda of the EU throughout a large part of its history and has become one of the forces playing a very significant role in the formation of the current EU. The enlargement policy has been evolved in time in line with the changing nature of the EU and the accession countries. However, the enlargement has been always a kind of an asymmetrical relationship between the EU and its member states on the one hand and the accession country on the other hand. That is, the accession countries have had a very limited control over the accession process. One of the factors that produce this asymmetrical relationship in the enlargement process is the existence of the enlargement criteria. The EU has always had some membership criteria on the basis of which the preparations of the accession countries for the EU membership are evaluated. Accordingly, the membership criteria can be considered as one of the most decisive ele-

ments of the EU enlargement process.

As the enlargement policy changes with each enlargement attempt of the EU, the membership criteria of the Union have also evolved. The codification of the EU membership criteria during the Copenhagen Summit of 1993 can be considered as one of the decisive moments in this process of change. With the introduction of the Copenhagen Criteria, the EU has had a systematic list of membership criteria that would be applicable for all the accession countries in addition to those criteria that had been already defined in the EU Treaties.

The Copenhagen Criteria can't be considered as the only set of criteria that an accession country is obliged to meet before achieving membership. There are also others that the accession countries have to meet to be a member of the EU. The principle of good neighbourliness, which has gained a prominent role in the enlargement process in recent years, comes first among the several other

membership criteria of the EU and it will be the main concern of this study. The differentiation approach, which is based on the regatta principle introduced in the Helsinki Summit of 1999, ensured the evaluation of the candidate countries solely on the basis of their own performance to meet the EU membership criteria rather than a group-based evaluation (Böhmelt and Freyburg, 2015: 601). This differentiation can also be seen as a factor enabling the frequent use of the principle of the good neighbourly relations in the enlargement policy in the succeeding periods, especially within the framework of the on-going enlargement processes including the Western Balkans and Turkey. The study will primarily focus on the development of the EU enlargement conditions in the historical process; secondly the principle of good neighbourliness will be elaborated and then the application of the good neighbourliness principle in case of the Western Balkans and Turkey will be examined. The study will stress that the frequent use of the principle of good neighbourliness in the enlargement process in recent years can be thought as an evidence showing the unwillingness of the EU to open its doors to new members. The EU has been also making use of the principle of good neighbourliness in order to delay the on-going enlargement processes.

1. EU Enlargement Conditions

EU membership criteria as a part of a general system called conditionality have a considerable place in the functioning of the EU enlargement policy. In this scope, the accession countries have to meet several criteria in order to be awarded with a progress in the enlargement process till the achievement of the membership objective. The performance of the accession countries in meeting the membership criteria is measured through the annual progress reports prepared by the European Commission separately for each accession country. The EU member states give their

decisions regarding the accession countries on the basis of the evaluations and recommendations provided by the European Commission in the mentioned progress reports. If an accession country falls a short of meeting these criteria, the pace of its accession slows down as well as the financial assistance given to the country can be blocked. With the common words used in the literature, in such a case, the accession country gets fewer carrots and face more sticks of the enlargement process.

The enlargement process of the EU is defined in the Article 49 of the European Union Treaty. The mentioned article states that:

“Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national parliaments shall be notified of this application. The applicant state shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.”

Since the enlargement was defined in a limited sense in the article above, it isn't possible to grasp all the details related to the EU enlargement process by solely concentrating on the EU treaties. Not only the EU enlargement, but also the EU enlargement criteria, that are needed to be met by the accession countries, are also defined with a minor approach in the article. The only enlargement criteria that are defined clearly in this article are being a European state, and having respect to and dedication to promote the values identified in the Article 2 of the Treaty. The referred Article 2 puts forth that “the Union is founded on the values of respect for human

dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.”

With the end of Cold War, the EU faced with a high demand for enlargement coming from a large number of post-Soviet countries. This forced the EU to respond the demands of these countries after the conclusion of the Maastricht Treaty. As a result, the enlargement issue became the primary issue at the agenda of the Copenhagen Summit of 1993. In this meeting, the EU provided membership perspective to the central and eastern European countries by defining some guiding rules for the most challenging enlargement in the EU history, especially due to the nature of these countries. The central and eastern European countries were under the Soviet influence throughout the Cold War, so they had to achieve a great economic, social and political transformation for the achievement of the EU membership.

The eastern enlargement of the EU was unique in many respects. For the first time in its history, the EU opened its doors to a group of ten countries at the same time. As it is known, the previous enlargements included three countries at most. The codification of the EU enlargement criteria under a list called Copenhagen Criteria and the application of conditionality system constituted one of the issues that made this enlargement innovative (Veebel, 2011: 3). This also made the management of this enlargement on the basis of new rules and tools necessary. Hence, in addition to membership criteria, the tools such as “accession partnership”, “pre-accession assistance”, “progress reports”, “twinning”, “opening of the EU programmes and agencies to candidate countries” were also launched in this period. With the Copenhagen Criteria, it was aimed to transform pre-accession process into a transparent and competitive environment for all the candidate countries (Veebel, 2011: 20).

Although the criteria and the men-

tioned enlargement tools were originally designed for the post-Soviet countries seeking for EU membership with the end of Cold War, they became one of the central tenets of the enlargement process afterwards. That is, it is not possible to ignore these criteria and tools for any country aspiring to be an EU member. However, the famous Copenhagen Criteria have not been discovered at the Copenhagen European Council Summit of 1993 all of a sudden. The issues related to the political criteria, especially the importance of democratic structures and respect for human rights, had been already considered within the scope of previous enlargement rounds. For example, the membership of Greece, Spain and Portugal was also seen as a process of democratization (Marktler, 2006: 345). That is, with the Copenhagen Council the membership criteria that had existed for a long time were explicitly set forth and codified. They can be listed as follow (European Council, 2003):

✓ Political Criteria: Only the countries having achieved the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities can be an EU member.

✓ Economic Criteria: Only the countries having had a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union can turn into an EU member.

✓ Adopting *Acquis Communautaire* of the EU: The countries having the capacity to meet the obligations of the membership including the ones related to political, economic and monetary union can be an EU member.

✓ Absorption Capacity: The EU should keep the momentum of integration process while opening its doors to new members.

While the first three criteria listed above demand an effort and dedication by the accession countries, it is the EU side that has to pay effort in order to meet the fourth one. Therefore, the last one has been mostly ex-

cluded from the list of criteria and the Copenhagen Criteria is mostly depicted as a list of criteria defining the homework of the accession countries. The absorption capacity criterion is visited more frequently in the enlargement process, especially when the unwillingness of the EU for a new accession is high. Additionally, there is a hierarchy among the criteria listed above. While the fulfilment of all the criteria is necessary for the achievement of the EU membership, the fulfilment of the political criteria is a precondition for achieving a progress among the different phases of the accession process. For example, before a decision related to giving a candidate status to an accession country or starting accession negotiations with a candidate country, it is mostly expected from the accession countries to make reforms in order to raise its harmony with the political criteria.

In the Madrid European Council of 1995, the EU membership criteria were further improved with the incorporation of the adjustment of administrative structures in the accession countries into the already-existing criteria. In the conclusions of the Council, it was mentioned that the candidate country should build a strong administrative structure to ensure the functioning of the EU policies in the relevant country smoothly after the accession (European Council, 1995).

At Luxemburg European Council of 1997, the Copenhagen Criteria were revisited by the EU leaders. It was agreed that the adoption of the EU *acquis communautaire* by the candidate country is not enough. As a result, the candidate countries were invited to pay sufficient effort to ensure the implementation of the adopted EU *acquis communautaire* before the accession (European Council, 1997). That is, an accession country has to prove its implementation capacity to apply EU law and programs, even before guaranteeing being an EU member.

2. The Principle of Good Neighbourliness

The principle of good neighbourliness is one of the essential elements of the weak EU foreign policy. Despite the late involvement of the EU to the political issues after the end of Cold War with the power delegations in 1992 Maastricht Treaty, it should not be forgotten that the EU had been originally constructed on a bilateral conflict between Germany and France. As it is well known, one of the reasons behind the formation of the EU integration process was to put an end to the enmity between Germany and France. The EU project showed a very good performance in transforming this historical enmity into a friendship. Currently, the good neighbourliness principle has an undeniable role in the EU's relations with the outside world well beyond of the accession process. For example, new generation association agreements signed with the eastern neighbours have also included references to this principle.

The principle of good neighbourliness is not an original EU invention. The United Nations (UN) Charter also has this principle and the UN has been paying effort to ensure the dominance of this principle among the relations between states for more than 50 years by promoting the peaceful resolution of the disputes. In addition, there is also the UN Declaration of Friendly Relations adopted in 1970 at the 25th anniversary of the organization (United Nations, 1970). That is, the principle is an international law principle (Marciacq, 2014). However, the principle gained a new function in the EU context with its integration to the EU foreign policy under construction. To put it differently, the principle means more in the EU context than the classical good neighbourliness promoted by the UN globally aiming to ensure the mutual respect of sovereignty and borders among the states in the international community (Kochonev, 2015: 2).

Similar to many other EU enlargement criteria, the principle of good neighbourliness also officially puts forth an accession criterion for the central and eastern European countries aiming to be a member of the EU after the disintegration of the Soviet Union. The objective was not to import conflicts into the EU, since many of these countries had minority groups and border issues that could cause tensions with the neighbouring countries (Uilenreef, 2010: 9). The promotion of good neighbourly relations became a part of the EU accession process with the pre-accession strategy adopted in the 1994 Essen Summit (European Council, 1994). Its existence in the enlargement process gained formality in 1999 with Helsinki Summit (European Council, 1999). In this scope, the EU has been also pushing the accession countries to develop the bilateral relations among themselves, as well as their relations with the EU member states. That is, any country willing for being an EU member state should pay effort for the peaceful solution of its bilateral disputes with its neighbouring countries. However, the principle gained further importance in the EU accession preparations of the Western Balkan countries. Achieving cooperation and good neighbourliness has become a standard accession criterion for all the Western Balkan countries. Turkey was also affected by this changing importance of the principle in the accession process. Currently, there is no discussion about the fundamental role of the principle in the EU accession process.

It is also expected from the accession countries to align their foreign policy with the EU. In this scope, there are EU documents stressing that the accession countries' foreign policies towards third countries and their positions in the international organizations should be harmonious with the EU standing (Negotiating Framework for Turkey, 2005). Since it is a great challenge for the EU member states to adopt a unified position in the foreign policy issues, this criterion is also a

very demanding one for the accession countries. Moreover, fight against the proliferation of weapons of mass destruction and their delivery is also a criterion applicable for all the accession countries. The EU has been demanding from all candidates to pay real effort on this issue. These two conditions can be considered within the scope of the principle of good neighbourliness, because both conditions serve to the strengthening of the good neighbourly relations.

Rodin makes a twofold division of the bilateral disputes in the enlargement process as the vertical and horizontal disputes. According to this division, while the bilateral disputes involving a member state and a candidate country as its parties are classified as vertical disputes, the bilateral disputes involving only candidate countries are grouped as horizontal disputes. It was also indicated that the involvement of the EU is more likely for the former group of bilateral disputes due to the decision making power of the member states during the enlargement process. In other words, any decisions related to the enlargement process necessitates a unanimity among the EU member states. Besides, the former disputes are seen as more hierarchical in comparison to the latter because of the relative powerful position of the member states in the enlargement process than the candidate countries (Rodin, 2012: 156). The member states are more likely to use their power in the enlargement process more assertively recently in comparison to the past. That means the use of membership powers in the enlargement related decisions has turned into a common practice in recent years (Basheska and Kochenov, 2015: 6). This tendency is labelled by Hillion as the creeping nationalization of the EU enlargement policy (Hillion, 2010). When the both sides of a conflict have an equal gain or interest in solving their tension, the EU's chance for being a successful facilitator increases (Uilenreef, 2010: 30). Therefore, the EU's leverage for applying the principle of good neighbourly relations is the highest in

case of the conflicts solely involving the accession countries. The membership carrot constitutes the basis of the EU's leverage in this process. Moreover, the EU's capacity to influence actors by using the principle of good neighbourliness increases in cases when it is the only outside actor pressing for a solution. If there is the involvement of other outside actors such as the UN or any other third country, the effect of the EU on this issue stays limited.

Despite all the EU accession criteria defined, the accession to the EU has been still a political process. With the integration of the good neighbourly relations to the process, the political aspect of the process further strengthened. This criterion created a legitimate ground for those EU member states in search for a gain in the enlargement process by making use of the bilateral disputes. The EU in general or the European Commission acting as the guardian of the EU Treaties should pay effort in order to prevent the misuse of the good neighbourliness principle in the enlargement process by some EU member states and candidate countries in a way to make their hands stronger in the disputes with the other parties. This is very vital for keeping the credibility of EU accession process and showing respect to the internationally recognized principle of equality of states (Basheska, 2014: 101).

3. Western Balkans and Turkey

In the ongoing enlargement processes covering Western Balkans and Turkey, the EU has been using a stricter system of conditionality in comparison to previous enlargement rounds. That is, when the balance between sticks and carrots in the enlargement process within the scope of the current enlargement processes is considered; it can be argued that the sticks are more demanding and pressing, while the carrots are less attractive and certain (Anastasakis and Bechev, 2002: 4). As much as the economic and political fragilities of the

Western Balkans and Turkey, the EU-related issues such as economic crisis and enlargement fatigue have also played a vital role in the dominance of this new rationale in the enlargement process.

3.1. Western Balkans

Western Balkan region witnessed a bloody war shed in 1990s. The Bosnian and Kosovo cases led the culmination of the world's attention on the region. The infant EU foreign policy was severely criticized due to its weaknesses in stopping the violence in its close neighbourhood (Dinan, 2008: 315-316). In the post conflict setting, there was a severe need for achieving a normalization in the relations among the Western Balkan countries. The prospect of the EU membership has been quite successful in controlling the conflict potential of the Western Balkan countries and achieving normalizations in their relations. Briefly, the EU has a great legacy in the maintenance of peace in the region.

There are seven countries in the Western Balkans, namely Albania, Bosnia Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Kosovo, Montenegro and Serbia. Therefore, the EU policies targeting the region have aimed to structure the relations of the EU with these seven countries. The primary tool that has been used by the EU for the region has been the enlargement policy since the formalization of the policy during the Thessaloniki European Council in 2003. Since Croatia achieved EU membership in July 2013, it will not be covered in this paper, which is solely focused on the ongoing enlargement processes of the EU. In terms of the progress achieved by the Western Balkan countries on their way to the EU, Montenegro and Serbia can be labelled as the forerunners, because both countries have been negotiating with the EU for membership. Albania and Former Yugoslav Republic of Macedonia are candidates. Kosovo and Bosnia Herzegovina are still potential candidates.

EU's regional approach towards the Western Balkans was launched in 1997 and the stabilization and association process was formalised in 1999. Stabilization and association agreements concluded with all the countries in the Western Balkans with the signature of last agreement with Kosovo in October 2015. This is a significant achievement for the implementation of stabilization and association process that has been designed to achieve a post-conflict transformation in the region before the accession of these countries to the EU. The issues arising from the implementation process of the stabilization and association agreements and conditions stemming from the international peace agreements and political deals such as United Nations Resolutions, the Dayton, Ohrid and Belgrade Agreements played a vital role in the design of the EU membership criteria for the Western Balkans. That is, both regional and country-specific factors, especially the need for reconciliation, reconstruction and reform have been taken into account by the EU in defining its approach towards the Western Balkans (Anastasakis and Bechev, 2002: 8).

The most important criterion for the Western Balkan countries in their journey of EU accession is to be committed to the good neighbourly relations and to achieve a regional cooperation. Accordingly, all the stabilization and association agreements signed with the Western Balkan countries have terms which foresee the conclusion of conventions with other countries in the Western Balkans signed stabilisation and association agreement with the EU in a short period, such as two years. In the agreements, the conclusion of these conventions was openly stressed as a condition for further development of the relations between the accession country and the EU (Stabilization and Association Agreement between the European Communities and their Member States and the Republic of Albania, 2014: Art. 4 and 13).

In addition to the regional cooperation, Western Balkan countries are also invit-

ed to improve their bilateral relations with all the accession countries, currently it's solely Turkey. As it was mentioned before, it has been expected from the Western Balkan countries to conclude special trade agreements with Turkey that are harmonious with the customs union relations between the EU and Turkey (Stabilization and Association Agreement between the European Communities and their Member States and Republic of Montenegro, 2007: Art. 17). In addition, full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) is also defined as a criterion for all the countries in the region. There is a reference to this criterion in all the association agreements (Stabilization and Association Agreement between the European Communities and their Member States and Republic of Montenegro, 2007: Art. 4).

Albania

The country has acting as the protector of the Albanian minorities in the neighbouring countries. This has the potential of harming its relations with the neighbouring countries. However, the country has no deep-rooted dispute with its neighbours.

Bosnia Herzegovina

The conflict that once caused the dissolution of Yugoslavia has been still alive in the Bosnian context even after 22 years from the signing of the Dayton Agreement. Hence, the full application of the Dayton Peace Agreement, which concluded the military conflict in Bosnia Herzegovina, has been the most important criterion for the country from the very beginning of its relations with the EU. Currently, the EU has been giving the signals of the fact that the full implementation of the mentioned agreement is not enough for achieving the political criteria for the EU membership. The EU's expectations for an action from Bosnia Herzegovina in order to do the necessity of the Sejdić-Finci ruling of the European Court of Justice is a clear evidence of this tendency. In this scope, the country should make necessary legal regula-

tions to enable the standing of the citizens except the three constituent peoples of the country as candidates for the Presidency and the House of Peoples of the Parliamentary Assembly, primarily through a change in its constitution, in order to make a progress in the EU accession process (European Commission, 2016a). The expectations of the EU from this country are also closely related with the principle of the good neighbourliness, because the ruling power has been shared among the three constituent groups namely Bosnians, Serbians and Croats. Hence, any dispute among the constituent groups of the Bosnian state has tendency to affect the relations of the country with Serbia and Croatia.

Former Yugoslav Republic of Macedonia (FYRM)

A stabilization and association agreement was signed between the EU and FYRM in 2001. However, the country has not been able to achieve to experience a significant progress in its accession process up to now. The accession negotiations between the EU and FYRM have not been able to start yet, despite the persistent opinions of the European Commission to the EU member states for opening negotiations with the country since 2009. Among the many other factors causing problems in the relation between parties, the principle of good neighbourliness has also a very undeniable role due to the long-established disputes of the country with an EU member state, namely Greece.

Greece has been using the advantages of its membership very well in imposing its visions related to the FYRM on the other EU member states. As a result, despite the bilateral nature of the crisis between these two countries stemming from the name issue and other national symbols, the EU has been mostly acting as if it is merely the FYRM's responsibility to find a solution to the problem urgently to have good neighbourly relations with Greece (European Commission, 2016b).

On the other hand, Greece and FYRM concluded an Interim Accord in 1995 under the aegis of the UN. The primary objective of this accord was to ensure the normalization in the relations between parties. The accord foresaw that none of the parties shall question or undermine the territorial integrity of the other party (Interim Accord between Greece and the Former Yugoslav Republic of Macedonia, 1995). The parties gained some advantages from the accord in return for some concessions. For example, FYRM acquired the recognition from Greece at the international level and escaped from punitive embargo. In return for this gain, it changed its flag including the Sun or Star of Vergina which was objected by Greece as a symbol of ancient Macedonian dynasty and it made some revision in its constitution in a way to erase articles that could be perceived as a hostile attitude by the Greek side (Tziampiris, 2012: 155). The bilateral problems with Greece have been still the most challenging accession criterion for the country.

Greece has not only blocking the EU accession of the FYRM, it has also blocking its NATO membership. In response to Greece, FYRM government has been also performing activities that will cause the hardening of the Greek position, such as the on-going urban project in Skopje aiming to reconstruct city centre as the ancient kingdom of Macedon or the renaming of the Skopje and Ohrid airports as the Alexander the Great and Saint Paul airports respectively in 2006. Briefly, both sides of the dispute have been acting against the Interim Accord.

In addition to Greece, FYRM has also problems with Bulgaria due to the common roots of the languages both countries have been using. Bulgarians have claiming that the Macedonian language is a derivative of the Bulgarian language. Besides, FYRM-Serbia relations have also some problematic aspects as the latter does not recognize the autonomy

of the former's church (Marciaq, 2014).

The full implementation of the conditions set in the Ohrid Framework Agreement was defined a criterion for the FYRM from the very beginning in its relations with the EU. The agreement was concluded in 2001 after the inter-ethnic conflict in the country. The European Commission mentioned its concerns about the revision of the Agreement for achieving harmony among different ethnic groups in the country (European Commission, 2016b). Similar with the Bosnian case, the inter-ethnic dynamics within the FYRM may influence its relations with the neighbouring countries.

Kosovo

One of the most important criteria for Kosovo on its way to the EU is to normalize its relations with Serbia. The EU has been expecting from the country to show an open commitment for improving its relations with Serbia. This normalization will have a fundamental role in the European futures of both countries. Up until now, Kosovo has showed a high level of willingness for improving its dialogue with Serbia and the countries have managed to cooperate and conclude cooperation agreements in many areas, such as energy, telecoms, custom collection (European Commission, 2016c).

Montenegro

When the official documents published for Montenegro by the EU are considered, any special criterion related to the principle of good neighbourliness for this country has not been detected. This should have an undeniable role in the smooth development of the relations between the country and the EU. Thanks to this, Montenegro achieved a fast improvement in its accession process in comparison to the other countries in the region. As a result, it is more likely that Montenegro will be the second Western Balkan country after Croatia that will achieve the EU membership.

Serbia

After Kosovo declared its independ-

ence, Serbia not only rejected this independence, but also withdrew its ambassadors from the countries recognizing this independence (Zafar, 2012: 75). The recognition of Kosovo is not officially defined as an EU accession condition for Serbia. However, as mentioned before with the lessons taken from the Cyprus dispute, the EU has showing greater concern on refraining from importing new conflicts (Zafar, 2012: 79). Yet, the EU has also expecting from Serbia to normalize its relations with Kosovo.¹ In other words, the establishment of dialogue with Kosovo and achieving some results in this dialogue process are also vital in the EU accession process of this country (Economides and Lindsay, 2015: 1034). Additionally, like Kosovo, the EU has been also content with the efforts taken by Serbia so far to improve its relations with Kosovo (European Commission, 2016d).

3.2. Turkey

Before the adoption of the principle of good neighbourly relations as a formal part of the EU enlargement criteria, EU had already given the signals of this principle in the opinion document prepared by the European Commission in 1989 after the membership application of Turkey. The document stated that:

“Examination of the political aspects of the accession of Turkey could be incomplete if it did not consider the negative effects of the disputes between Turkey and one member state of the Community and also the situation in Cyprus.” (European Commission, 1989).

Good neighbourly relations is also a significant criterion for Turkey like the Western Balkan countries. By making references to the solution of border disputes between Turkey and its neighbours, especially the continental shelf disputes with Greece, in line with the peaceful settlement of disputes as it is foreseen in the UN Charter; to the full support

¹ In order not to make a repetition this part was kept short. Kosovo part can be reread.

to the solution of Cyprus issue under the auspices of the UN and the implementation of the Additional Protocol extending customs union to new members, including Greek Cyprus, without making any discrimination among EU members; the EU has making clear what it demands from Turkey by stressing good neighbourly relations (Negotiating Framework for Turkey, 2005). Without having the same level of insistence in case of Cyprus issue or Greece, the EU has been also pushing Turkey to normalize its relations with Armenia especially by demanding the ratification 2009 Protocol and it also criticizes Turkish position in face of the actions taken related to 1915 Events (European Commission, 2016e).

A new dimension has added to the on-going and unresolved conflicts between Turkey and Greece in mid-2016. An allegedly religious group, penetrated to the state bureaucracy for a long time, tried to get the control of Turkish state in July 2016 and they failed. After this failed coup attempt, a process aiming to punish to the responsible has started in Turkey. This process has been extensively problematized by the EU institutions and some member states, including Greece. The issue become more complicated, when the Greek authorities accepted the asylum applications of the eight coup plotters fled to Greece after the failure of the coup (Tziampiris, 2016). The issue has the potential of leading further bilateral problems between these two countries in the near future. The low profile crisis witnessed between the parties at the 21st anniversary of the Imia Crisis can be thought as an example.

Among the several bilateral disputes having the capacity to influence the development of the Turkey-EU relations, the ones that are related to Cyprus issue have a different place. As it is known, the dispute has gained a new dimension with the crisis which arose after the founding of the hydrocarbon resources around the island. After the Turkish

reaction in order to defend the rights of Turkish Cypriots on these resources, EU invited Turkey to show respect to the sovereign rights of an EU member state. Despite the current positive atmosphere and steps taken by the Turkish and Greek leaders in the island for a peaceful solution, the negotiations are carried out on a fragile basis that has potential to ruin even with a small adverse action of the parties. On the other hand, Turkey also made the process complicated by establishing a direct link between the opening of Turkish air zone and ports to Greek Cyprus with the lifting of isolations imposed on the Turkish Cyprus. That is, at least in the near future, it seems less probable for Turkey to escape from Cyprus obstacle in its EU path.

Turkey's accession to the EU involves many challenges for the EU, as well as many opportunities. Therefore, the EU side has not been applying a heavy pressure on Turkey by relying on the principle of the good neighbourly relations. After the de facto freeze in the Turkey-EU negotiation process since 2006, Turkey has been less willing for the EU membership ideal in recent years. On the other hand, migrant crisis has forced the EU side to reconsider its attitudes towards Turkey, since the EU had trouble in limiting the number of illegal migrants coming to the EU countries without getting the support of Turkey.

Conclusion

Since the eastern enlargement, the EU has a very-well established enlargement criteria in order to judge the performance of the would-be-members properly. The principle of good neighbourly relations can be considered as one among a long list of EU accession criteria, whose prominence has raised in recent years. As the EU enlargement process has started to be ruled in accordance with the differentiation principle, the relative importance of the principle of good neighbourliness has increased in the process. In this new enlargement setting, some EU member states

such as Greece have gained more opportunities in ensuring the involvement of the EU to the bilateral disputes on the basis of the principle of good neighbourliness. As it is seen in this paper, the EU member states have a great tendency to use this principle in case of the on-going enlargement processes covering the Western Balkans and Turkey. Therefore, for the successful conclusion of the enlargement process with the eventual membership of an accession country, the willingness of the EU member states is as vital as the accession country's performance in satisfying the entire EU enlargement criteria. Besides, the hardening of the conditions especially with the heavy use of the principle of good neighbourliness is also an indicator proving the unwillingness of the EU and its member states for the current enlargement processes. However, the misuse of this principle and the delays experienced during the accession can have an adverse effect on the credibility of enlargement process by transforming the enlargement process into a very difficult ideal to achieve for the accession countries.

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