VALUES AND NORMS IN EUROPEAN FOREIGN POLICY: THE PROMOTION OF HUMAN RIGHTS AND DEMOCRACY IN THE PALESTINIAN TERRITORIES AND TURKEY

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ABSTRACT

This paper aims to demonstrate that the European Union (EU)'s value-based policies suffer from discrepancy in the Palestinian Territories and Turkey, due to the fact that, especially after the end of the Cold War, the security concerns have gained importance in foreign policy-making. In this study, therefore, I assert that the constructivist and realist theories, together, present a broader perspective, which allows us to grasp the international dynamics influencing human rights and democratization policies of Europe in the Mediterranean and the Middle East. To elaborate on this argument, the main emphasis will be put on the discursive analysis of the European documents, treaties, agreements and the leading actors' speeches from the European institutions, and additionally the policy actions conducted by the EU, which happened to contradict with the professed values.

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INTRODUCTION

The different essence of the European Union (EU)'s international presence has been at the core of the debates on European foreign policy, especially following the end of the World War II. Since the 1970s, the EU as a 'normative model' in world politics with a strong commitment to values, norms and beliefs has been the proclaimed argument that was shared by the scholars[1]. Therefore, the 'soft power' identification emanating from the EU's 'unique' ideational dimension of its external identity has been the dominant claim, and the constructivist assumptions have been utilized to elucidate on this approach. However, recently, the realist scholars have criticized this oversimplified theorizing about the EU's international actorness. It was argued that the neglect of 'power politics rationalism' in the explanation of the EU's external actions would create a gap in policy analysis, owing to the fact that the material concerns also play an important role in policy-making, even if the promotion of human rights and democracy in third countries is concerned[2].

Fitting into this debate, this study deals with the notion of 'material interest' and more specifically the emerging security concerns in the region of Mediterranean and the Middle East, which challenges the centrality of ideational policies in the EU's international actorness. The main question, thus, will be whether the EU has remained completely dedicated to its value-driven policies pursued in its immediate neighborhood. To answer this question, it will be demonstrated that in the post-Cold War era, the emergence of new strategic interests and security doctrines has had an impact on the normative understandings. There have been cases where the security-driven preferences have been prioritized over the prevailing policies of promotion of democracy and respect for human rights. With respect to this, in this study, it

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[1] See F. Duchêne, "Europe's Role in World Peace," in Europe Tomorrow: Sixteen European Look Ahead, eds. R. Mayne (London: Fontana, 1972), 37-47; R. Whitman, *From Civilian Power to Superpower? The International Identity of the European Union* (Basingstoke: Macmillan, 1998); I. Manners, "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies 40*, no.2, 235-58.
[2] See Richard Youngs, "Normative Dynamics and Strategic Interests in the EU's External Identity," *Journal of Common Market Studies 42*, no.2, 2004, 416-35.

will be argued that both constructivist and realist assumptions are essential to fully capture the picture in the Mediterranean and the Middle East with the aim of broadly assessing the EU's political and economic presence in the region.

To elaborate on this argument, the EU's strategic approach in the Palestinian Territories and Turkey will be the area of scrutiny. So far, there has been a limited discussion about the EU's value-based policies towards specific countries located in the Mediterranean and the Middle East. In particular, the current situation in this significant region needs to be explored further, in accordance with the argument that there exist a contradiction between power-interest and ideational dynamics in European policies. Also, taking into consideration that Turkey has been a very special case for the EU (due to its closeness both to Europe and the Middle East, and currently the ongoing negotiations for the EU membership), the EU's human rights and democratization policies towards Turkey emerged as a crucial area of research, which better reflects the discrepancy existing in the aforementioned policies. In this research, therefore, the main emphasis will be put on the inconsistency of European ideational policies in strategic regions with high political instability, the threat of national and international terrorism and rising radical Islam.

After providing a comprehensive overview of the ongoing debate on the conceptualization of the EU's international identity, the first chapter will dwell upon the existing literature about the normative power Europe and the critiques on the value-driven policy discourse in European foreign policy. The major contribution to the study on the instrumentality of the EU's ideational strategies will be provided especially in the case studies (the second and third chapters), where the very recent situation in Turkey and Palestine will be scrutinized in the light of European external actions (and inactions) as a response to violations of human rights and democratic principles in these countries.

The fact that I gave preferentiality to the cases of Turkey and Palestine within the extensive region of the Middle East and North Africa entails clarification. As it will also be particularly examined in the first chapter of this study, enhancing the rule of law, and buttressing democracy and respect for human rights have emerged as the main foreign policy stance concerning every third country that the EU is dealing with. Prior to the collapse of the communist regimes in Eastern and Central Europe, however, the main phenomenon the EU focused on was fostering the Western European unification, rather than politically and actively getting involved in environs of the European Community (EC). Subsequent to this period, during the 1990s and the first decade of the twenty first century, democracy-promotion agenda of the Union happened to be reshaped as a consequence of new considerations on the Eastern enlargement.

Today, we are witnessing a much more different set of circumstances, since the international milieu is in the process of alteration following the 9/11 attacks, and the international actors' strategic positions have consequently been reformulated in this new era. Considering the threat posed by the Islamic and non-democratic Middle Eastern and North African countries by reason of being the recent origin countries of international terrorism and radical-Islamism, the EU's new objective has been formed on the fact that guaranteeing stability and security around Europe would be the primary concern. Out of this has arisen a direct challenge against the value-oriented policies in the EU's external relations including priority of promoting human rights and democracy, specifically with countries where terrorism triggers internal and external insecurity, and the mounting Islamic political power bothers the European states.

In this picture, the EU's relations with, and strategy towards Turkey and Palestine, in particular during last two decades, present the opportunity to study on two models with similar religious and security dynamics, but with different levels of association. While in the

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case of Turkey, the fact of being a candidate neighbor state has accelerated the process of reform in legal and political framework as a consequence of its commitment to complying with the Copenhagen criteria and the European *acquis*. Therefore, especially during the last decade, it can be claimed that the EU's impact on -and maybe even its adherence to- the democratization of Turkish authoritarian state structure, and the prevention of human rights violations has augmented. When it comes to the case of Palestine, its relations with the EU is still on the partnership level, yet the continuing Arab-Israeli conflict makes the Palestinian case significant for the EU's regional policies, and it generates a predicament, as well. That is to say, the coexistence of European strategies on combating terrorism and promoting human rights and democracy blurs the picture. Consequently, the cases of Turkey and Palestine have been intentionally chosen in this research, owing to their controversial situation.

To examine the inconsistency in European foreign policy towards Turkey and the Palestinian Authorities, the priority given to values and norms –particularly the concepts of 'human rights', 'democracy', and 'the rule of law'- in European foreign policy agenda, and in the documents and speeches pertaining to its relations with Turkey and Palestine will be scrutinized. Additionally, in order to demonstrate the EU's foreign policy actions contradictory to its agenda, its level of involvement in the human rights and democratization reforms in the said countries will be pointed out.

CHAPTER 1: LITERATURE REVIEW

In the theoretical analysis on the EU's normative identity and the external actions initiated by the EU, there appear two main approaches. On the one hand, the sociological approach which argues "the very nature of the EU's interests depends crucially on actor's identities and social roles". On the other hand, the rationalist approach maintains that the European foreign policy "follows particular (material) goals such as stability, security or welfare."[3] In this regard, it is hard to claim that one approach completely clarifies both the ideational and strategic dynamics in the EU's foreign policy-making process. It is a fact that the EU has its own special character in world politics that can be distinguished from the other international actors. However, some also should not ignore the changing nature of the security challenges against Europe deriving from the internal and external factors, and the EU's rational response to them. Accordingly, the EU will inevitably come up with the interest-based strategies exercised together with the value-oriented policies. Yet, it is also important to emphasize that in the cases where these two contradicts, undermining the ideational policies for the sake of economic or political interests of the Union has been the possible outcome.

In the light of this framework, in this chapter a comprehensive literature review will be provided which has been categorized under the two different theoretical understandings: The constructivist value-based approach and the realist power/interest-based approach.

1.1 The Constructivist Approach

1.1.1 The Constructivist Explanation of the EU's Normative Identity

In the investigation of the EU's external identity, the 'post-positivist' and social constructivist explanations have gained a broader acceptance in the literature[4]. In the

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[3] Ulrich Sedelmeier, "Collective Identity," in *Contemporary Foreign Policy*, eds. W. Carlsnaes, H. Sjursen & B. White (London: Sage, 2004).125.

[4] See R. Whitman, *From Civilian Power to Superpower? The International Identity of the European Union* (Basingstoke: Macmillan, 1998); B. White, "The European Challenge to Foreign Policy Analysis," European

constructivist perspective, the main theory is constituted on the assumption that ideas, values and beliefs shape the meaning of capabilities, power and accordingly, the content of interests[5]. From this perspective, it has been articulated that the 'unique' normative identity of the European Union (EU) has been established on basically the values and norms of democracy and respect for human rights, and, in the course of time, it has been a commitment that is shared by every member state.

Within this theoretical framework, the scholars have commonly endured the intensifying debate on the character of the EU's international identity since the 1970s, when Duchêne first introduced the term "civilian power"[6] into the literature. Indeed, the second half of the twentieth century was not a coincidental period to commence debating on military and civilian forms of international actorness. Subsequent to two world wars, during the Cold War period, the international system and world politics had gone into a new era with the growing significance of humanitarian values, human rights and democratic principles. Consequently, this systemic alteration drew out the normative claim that political change in international order is evident, and this process will ultimately bring out new tools in foreign policy. In this context, the EU has, without doubt, proved itself as a 'soft power' due to its significantly distinctive foreign policy approach which distinguish it from the actors who posses a strategic understanding with the use of enhanced military capabilities[7]. Within this military-civilian power assessment, some scholars also maintained that being a 'soft power' was not necessarily an impediment to develop into a 'superpower'. Johan Galtung articulated that the

European Community (EC – the European Union (EU) at present) began the process of evolving into a superpower, but as a nonmilitary actor[8].

As Manners utters, this constructed identity has been reflected on the foreign policy of the EU, or even, as he claims, it has been the fundamental basis of the Union's 'international actorness'[9]. In this context, Sedelmeier, who argues, "Norms are collective expectations about proper behavior for a given identity"; best expresses the connection between the ideational dynamics within the EU and its foreign policy outcomes. Thus, the link between identity and policy is a product of the norms that form our political and social behaviors. In relation to this, it has been argued that, within the Euro-polity, the legitimate foreign policy incentives or practices are decided by the collective identities and 'self-images' that are products of common values and principles[10].

To elaborate on the ideational and social constructivist explanations, it is important to point out the leading foreign policy discourse within the EU. According to Manners, the role of the EU, which means 'the role of normative power', might be understood in a fully different way, by reflecting on the power of ideas and norms instead of focusing on 'the empirical force' in world politics[11]. To illustrate this normative role that the EU has undertaken in world politics, it is of significance to initially scrutinize the 'symbolic manifestations of the EU's international identity'. In Europe, particularly the articles that have been adopted in the EU treaties, and the public statements and speeches of the leading actors on the institutional level let us to examine the attempts for establishing and gradually strengthening the normative and value-based international role of the EU in its relations with

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[8] Johan Galtung, *Europe in the Making* (New York: Crane Russak, 1989).
[9] Ian Manners, "Normative Power Europe: A Contradiction in Terms?" *Journal of Common Market Studies 40*, no.2, 235-58.
[10] Sedelmeier, 128.
[11] Manners, 238.

the rest of the world[12]. In the next section, therefore, the ideational claim in European foreign policy will be scrutinized.

1.1.2 Discursive Analysis

There are several EU documents, publications, the Commission communications, recommendations and speeches, in which the commitment to values, norms and beliefs in European foreign policy has been constantly pronounced. In the following part, thus, the main emphasis will be briefly put on the fundamental treaties and the speeches of leading actors.

Initially, starting from the Union's decision-making body in foreign affairs, the Council of the European Union has very strongly underlined the adherence to values and principles in its common foreign and security policy, which can be illustrated by the general content of the signed Treaties. It is asserted, with regard to the EU human rights policy, that:

> The European Union, as foreseen in all the Treaties since the Treaty of Rome, is based upon and defined by universal principles of liberty and democracy, respect for the rule of law, human rights and fundamental freedoms. Adherence to these principles constitutes the foundation and basic prerequisite for peace, security and prosperity and the EU is fully committed to promote them in its common foreign and security policy[13]

Moreover, as the fundamental sources, the European Convention on Human Rights and Fundamental Freedoms (ECHR) and the Universal Declaration of Human Rights (UDHR) provided the norms and principles, on which the EU's own 'catalogue of norms' has been constructed, and its external relations have been shaped[14]. These norms were constitutionalized by their inclusion in the treaties that have been adopted throughout the EU process. As it is stated in the Article 6, Article 11 of the Treaty of European Union (TEU) and the Article 234 (ex 177) of the TEC, the consolidation of democracy, rule of law, and respect

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[12] Ian Manners, "The Symbolic Manifestation of the EU's Normative Role in World Politics," in *The European Union's Roles in International Politics: Concepts and Analysis,* ed. Ole Elgström and Michael Smith (Great Britain: Routledge, 2006), 81.
[13] The Council of the European Union, EU Human Rights Policy, available from <http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=822&lang=en>, (27 May 2007).
[14] Manners, "Normative Power Europe: A Contradiction in Terms?", 241.

for human rights and fundamental freedoms have been the foundational elements of the EU's foreign and development policy objectives[15].

The Constitution for Europe (which is also termed the Constitutional Treaty), which was rejected in referendum on ratification, is also to be a document that involves statements about the principles and values of the Union. According to Manners, the constitution is an 'elite-driven' legal and political entity, which reflects the normative international identity of the Union as a continuity of the 1973 Copenhagen declaration and the Treaty of the European Union that was signed in 1992[16]. Also Sedelmeier maintains, "A major step forward in the construction of the EU's international role is represented by the Constitutional Treaty, which represents an explicit statement of such a role."[17]

Particularly, the articles of I-2 and I-3 of the Constitution for Europe express, in detail, the normative elements, which constitute the international identity and objectives of the EU:

> Article I-2. The Union's values
> The Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minority groups. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity, and the principle of equality between women and men prevail.
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> Article I-3. The Union's objectives
> In its relations with the wider world, the Union shall uphold and promote its values and interests. It shall contribute to peace, security, sustainable development of the earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and protection of human rights and in particular children's rights, as well as to strict observance and development of international law, including respect for the principles of the United Nations Charter[18]

In the article I-3, the promotion of values and interests is explicitly stated as the main goal of the Union. Thus, combining the two articles demonstrates that these values are composed of democracy, human rights, liberty, equality and rule of law, and the primary goal

[15] EUROPA, Draft Charter of the Fundamental Rights of the European Union, available from http://www.europarl.europa.eu/charter/civil/pdf/con75_en.p,df, (27 May 2007).
[16] Manners, "Normative Power Europe: A Contradiction in Terms?", 241.
[17] Sedelmeier, 140.
[18] EUROPA, The Founding Principles of the Union, available from http://europa.eu/scadplus/constitution/objectives_en.htm, (27 May 2007).

of the EU in its external relations should be the promotion of these value-based interests, among which –it can be claimed that- democratization and the respect for human rights come first.

Not only the adopted articles, but also the speeches of the leaders representing foreign policy and external relations of the EU provide the same discursive pattern. To exemplify, Javier Solana, the EU High Representative for the Common Foreign and Security Policy, has constantly declared in his speeches and written statements that the EU is far more than an economic giant and a free trade area. Especially analyzing his statements in the time period after the 9/11 terrorist attacks, the normative discourse concerning the value-driven external identity of the EU clearly appears as the predominant element. As he stated in the UN Commission of the Human Rights in 2002:

> Ours is a Union of values. These values are essential conditions for membership, and a compass that helps guide our external relations. We are committed to the principles of liberty, democracy, respect for universal and indivisible human rights, fundamental freedoms and the rule of law[19].

In addition to the Solana's statements, related to the EU's human rights and democratization policy, speeches by Chris Patten during his time as the Commissioner for External Relations between 1999 and 2004 allow us to have an idea about the predominant existence of the human rights and democratization as leading factors in the identification of the EU's external actions. In the sessions of the Parliament, the Commission or the UN Human Rights Commission, he has constantly stressed on the importance of the common values and principles that the European societies possess in the establishment of a responsible foreign policy towards the other countries out of Europe that suffer from the lack of respect for human dignity and democratic political structure[20].

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[19] Javier Solana, 58th Session of the UN Commission on Human Rights, Geneva, 18 March- 26 April 2002, available from http://ue.eu.int/ueDocs/cms_Data/docs/pressdata/EN/discours/69896.pdf (27 May 2007).
[20] EUROPA, The EU's Human Rights and Democratisation Policy: Speeches, available from <http://ec.europa.eu/comm/external_relations/human_rights/speech.htm (27 May 2007).

Consequently, one of the core objectives of the EU in world politics has been portrayed as the rule of law, the respect for human rights and the democratization with social and political reforms, and this objective has been uttered in any opportunity by the institutions of the EU. Due to these established values embedded in European foreign policy, the more liberal and constructivist analysis has brought about the explanation that the EU's actorness is 'unique' in the sense that it provides an alternative to exercising hard-core military force to permanently influence and transform external affairs. Moreover, in this approach, it was expressed that the civilian essence of the 'Global Europe' is something intentionally chosen and indeed has been politically constructed since 1970s.

1.2 The Realist Approach

1.2.1 The Realist Literature on the EU's Normative Identity

Different from the constructivist approach, the realist assumption has focused on the centrality of power politics and interests in foreign policy-making. From one predominantly realist aspect, some have claimed that the EU is inevitably constrained to follow the path of economic and social involvement in foreign affairs, in other words to use 'soft power' as a means of integrating into world politics, since it does not have necessary military and decision-making capabilities as a community. It was even maintained that the Europeans come from Venus –different from the Americans who come from Mars-, which makes them inherently soft as an international power[21].

During the post-Cold War period, the realist perspective in the assessment of the EU's external actorness has increased its validity. It is due to the fact that the period after the end of the Cold War has brought out new threats and challenges towards the internal and external security of the EU, and therefore new dynamics that shape the Union's foreign policy.

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[21] Robert Kagan, *Of Paradise and Power: America and Europe in the New World Order*, (New York: Knopf, 2003).

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Correspondingly, after the fifth enlargement took place in 2004, mass migration from the under-developed neighbor countries has become a significant security concern especially for Western European countries. Additionally, the economic incentives pertaining to the enhancement of the free-trade area and the concerns on the rising energy demand in the European countries have turned out to be the other crucial factors shaping the EU's strategic external policies, especially towards the Mediterranean and the Middle Eastern countries. With a view to strengthen the strategic side of the EU foreign policy in order to adapt to new international dynamics, the EU has gained an interest-based and strategic logic in its external policies.

In this context, the realist critique on the constructivist and idealist notions has emphasized three main weaknesses. First, one of the main arguments raised by the realist scholars has been the "reductionist" and "explicitly normative"[22] perspective attached to value-based explanations, which undermine the systemic-level analysis. That is to say, with the assumption that European external actions are totally derived from internal values and norms, the constructivist theory limits its own scope of analysis, since the explanatory elements are set merely at national or regional level. Second, it was maintained that the power politics and interests are undermined in normative power discourse. Hedley Bull, in the same line, argued for a "contradiction in terms" and added that; "the power of influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they did not control"[23]. The third point has been the perception that being a normative is a "good thing". As a critique of this

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[22] Adrian Hyde-Price, "Normative Power Europe: a realist critique," *Journal of European Public Policy 13*, no.2 March 2006, 217.

[23] Hedley Bull, "Civilian Power Europe: A Contradiction in Terms?," *Journal of Common Market Studies 21*, no.2, 151.

understanding, Adrian Hyde-Price indicated that such a presumption precludes the critical analysis of existing policy assessments[24].

As regards the contribution of the realist and neo-realist (structural realist) theories to the field of analysis, it was stressed that realist approach provides "both an analysis of the domestic dimensions of interest-articulation and decision-making as well as systemic influences"[25]. In addition to this, offering an analytical tool to emphasize on the real politics and material interests, has been one of the most significant advantages of the realist theorizing.

As, in the previous section, I elaborated on the discursive analysis to demonstrate the constructed civilian essence of the external identity of the EU, in this section, to illustrate on the credibility of the realist explanations, it necessitates dwelling upon the European foreign policy practices in critical neighbor areas where the European member states pursue human rights and democratization policies. With respect to this, in the following section, the accentuated importance of the escalating instrumentality embedded in ideational dimension in European foreign policy will be pointed out, by concisely providing a review of the literature focused on this case.

1.2.2 The Instrumentality Attached to Value-Oriented Policies

"The European policy failed fully to adhere to the logic of its own philosophy."[26] With these words, Richard Youngs sheds a light on the "disingenuous" approach of the Union in its strategic policies involving the commitment to the democracy and human rights promotion. According to Youngs, remarkably, since the September 11 attacks, "the degree of instrumentality attached to human rights strategy increased"; and this brought out the distinction between the value-driven external actions with the aim of spreading human rights

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[24] Hyde-Price, 218.
[25] Ibid, 219.
[26] Richard Youngs, "The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?," in The *European Union and Democracy Promotion: The Case of North Africa*, ed. Richard Gillespie and Richard Youngs, (Great Britain: Frank Class Publishers, 2002), 41.

and democracy, and the interest-based initiatives implemented in the name of democracy and human rights promotion[27]. Hence, this criticism brought up the question whether it is realistic to prioritize human rights and democracy in the context of policy discourse. Some scholars claimed that "Expecting human rights and democracy to appear always, or regularly, at the top of the EU's foreign policy priorities is unrealistic"[28], since the "ethical dimension" [29] in foreign policy has not always been perceived and referred to as the preferential option. Even though the EU does not explicitly state 'ethical dimension' as a way of conducting foreign and security policy, in its relations especially with non-democratic or semi-democratic countries, the respect for human rights and democratic principles has been the main policy goal. However, as Smith claims, in some cases it is difficult to say that the EU shares the same approach towards each of these developing countries related to the support and encouragement for further development in democratization process.

> The EU is guilty of inconsistency, since third countries are treated differently, even though their human rights (and democratic) records are similar[30]

Considering this inconsistency, Annette Jünemann has pronounced "the securitization of international terrorism" after the September 11 as the major determining factor that has shaped security concerns and, accordingly, external policies emphasizing the durable stability by promoting democracy in the MEDA region[31]. To Jünemann, enhancing democratic values and respect for human rights in the complete region of North Africa and the Middle East was the "innovative approach" launched by the European powers to be able to deal with the new security threat emanated from this environment. As a consequence, this strategic shift created

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[27] Richard Youngs, "Normative Dynamics and Strategic Interests in the EU's External Identity," *Journal of Common Market Studies 42*, no.2 (2004), 421.

[28] Karen Smith, The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective?, European Foreign Affairs Review, 3.

[29] Karen Smith, "The EU, Human Rights and Relations with Third Countries: 'Foreign Policy' with an Ethical Dimension?," in *Ethics and Foreign Policy*, ed. Smith and Lights, (Cambridge: Cambridge University Press, 2001), 185.

[30] Ibid., 198.

[31] Annette Jünemann, "Security-Building in the Mediterranean After September 11," in *Euro-Mediterranean relations After September 11- International, Regional and Domestic Dynamics*, eds. Annette Jünemann, (London: Frank Cass, 2004), 5.

an inconsistent regional policy. From the same perspective, Richard Youngs enunciated that, owing to the menace of political change provoking instability, the EU member states maintained their vigilant and hesitant standpoint notwithstanding the political conditionality clauses and their adherence to promoting democracy in bi-lateral and multi-lateral relations with third countries[32].

Thus, it might be argued that, in the existing literature, the critiques on the human rights and democratization policies of the EU have adressed to the newly emerging interest-based strategies and security concerns. This analysis, indeed, is grounded on the fact that the restrictive explanatory power of the constructivist approach needs to be supported by the power/interest based rationalism, to be able to evaluate the overall picture regarding the EU's relations with its immediate neighborhood.

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[32] Richard Youngs, "The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?," in The *European Union and Democracy Promotion: The Case of North Africa*, ed. Richard Gillespie and Richard Youngs, (Great Britain: Frank Class Publishers, 2002), 55.

CHAPTER 2: THE EU AND THE PALESTINIAN TERRITORIES

In this chapter, the main objective will be to demonstrate the inconsistency between the EU ideational policies and its actual political actions in its relations with the Palestinian Authority (PA) since the period when the EU commenced to strengthen its cooperation with the close neighbors, following the 1995 Barcelona Declaration.

Below, in the first section, background information about the continuing democratic reform process and its limited outcomes pertaining to human rights violations will be underlined. In the second part, the emphasis will be put on the EU-Palestine relations and the commonly indicated and prioritized elements of the rule of law, democratic principles and respect for human rights will be pointed out in discursive analysis. Ultimately, after the scrutiny of inconsistency in EU foreign policy toward Palestine, the strategic reasons behind the reluctant attitude of the EU will be the point of analysis.

2.1 Human Rights and Democracy in Palestinian Territories

With regard to the unresolved conflict in Israeli and Palestinian territories, the manifest claim of the EU has been to bring peace into the region by promoting democratic principles and financially supporting the authorities to proceed the reform programs. Accordingly, the need to initiate democratic reform in the Palestinian Territories has been repeatedly pronounced. In this context, since the leadership of Yasser Arafat, there has been a relative progress in Palestine in terms of introducing free fair elections, revising the Basic Law in the light of interim agreements, and pronouncing commitment to the rule of law.

Concerning the Palestinian public institutions and administrative body, there has emerged a significant pressure on Palestinian Authority from domestic and international groups to systematically advance the related institutions. Consequently, in June 2002, the Palestinian Authority initiated a comprehensive program on reform. "The adoption and entry

into force of the Basic Law, and legislation on the independence of the judiciary"[33] happened to be the most crucial improvements that took place. Furthermore, one year after the initiation of reform program, in 2003, the first Prime Minister of the Palestinian Authority, Mahmoud Abbas, made a statement emphasizing the further commitments to "establish rule of law, to halt incitement, to respect human rights and to prepare for free and democratic elections"[34].

In 2003, the representatives of the members of the Task Force (an initiative launched to monitor reforms) evaluated the reform process in Palestine, and came up with the conclusion that "the establishment of the office of a Palestinian Prime Minister" and the relatively more stable period under the government of Prime Minister Mahmoud Abbas boosted the progress on political and economic reform[35]. Besides this, however, maybe the most promising progress took place when the right to self-government was presented. The free and fair elections, the second of which held recently in 2006, have been seen as the biggest step on the way of democratization in the Palestinian Territories.

However, when one look at the time period from the beginning of the intifada in September 2000 and to present, it might be observed that apart from the progress in the democratic structure with the introduction of fair and free elections, the ongoing terror and insecure conditions have not been diminished at any level. The Human Rights Watch organization recently reported that since 2000, whilst approximately three thousand Palestinians have been killed in the West Bank and Gaza, the Palestinians has also killed more than nine hundred Israelis (it is crucial to note that the most of the killings targeted civilians)[36]. Obviously, this terrorized environment has generated a significant impediment to guaranteeing necessary political and institutional conditions for democracy and the rule of

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[33] Commission Staff Working Paper, European Neighborhood Policy, Country Report: Palestinian Authority of the West Bank and Gaza Strip, Brussels 12.5.2004, SEC(2004) 565, COM(2004)373 final, p.8.
[34] Ibid, 9.
[35] Statement of the Quartet Task Force on Palestinian Reform, Rome, December 11, 2003, [database-online available from http://www.eurunion.org/news/press/2003/PalestineRefQuartStmnt11Dec2003.htm (27 May 2007).
[36] Human Rights Watch, Human Rights Overview, Israel/Occupied Palestinian Territories, available from http://hrw.org/english/docs/2006/01/18/isrlpa12224.htm, (27 May 2007).

law. Nevertheless, this does not necessarily mean that the enduring human rights violations and the neglect of democratic principles have merely derived from insecure and extraordinary situation in the Palestinian Territories.

Palestinian Authority governments, neither under the presidency of Arafat nor currently with Hamas in the power, have barely provided justice and public security, which are indicated as the essential elements of self-government. As Stephen P. Marks pointed out regarding the application of international human rights standards in Palestinian Territories, there is an undeniable potential civil society in Palestine, which urges for a "self-government based upon the rule of law and a regime protective of human rights"[37]. From the recent record, though, it appears that there is still a grave gap that can be filled by implementing the settled principles in the Interim Agreement.

Thus, from this analysis, it also appears that free elections can only be the first step on the way of democratization. Notwithstanding the provisions in the Palestinian legislation highlighting "the protection of human rights and basic civil liberties", the lack of any reference to international conventions allows shortfalls in the commitment to International Human Rights standards. As it is critically stated, the violations reported by human rights organizations are great in number, and the reports of torture and ill treatment instances have also drawn attention, especially since most of these violations have been exercised by security services under the control of the Palestinian Authority[38].

In the 2006 Report of the Amnesty International, it was pointed out that the concerns on human rights violations still exist under the problematic areas of "lawlessness and impunity, abductions, death penalty, illegal detentions, torture and ill-treatment, and violence against women". Last year, in the field of death penalty, the Palestinian Authorities was condemned,

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[37] Stephen P. Marks, Domestic application of International Human Rights Standards: Critical Justice and Public Security Under Palestinian Self-Government, in Human Rights, Self-Determination and Political Change in the Occupied Palestinian Territories, eds. Stephen Bowen, (Hague: Kluwer Law Int., 1997), 197

[38] Commission Staff Working Paper, European Neighborhood Policy, Country Report: Palestinian Authority of the West Bank and Gaza Strip, Brussels 12.5.2004, SEC(2004) 565, COM(2004)373 final, p.10.

as the President Mahmoud Abbas approved the execution of four prisoners[39]. Moreover, people working in civil society faced with the "politically-motivated violence" and "lethal force", which had also been exercised by state security forces[40]. Finally, system of justice in the Palestinian Territories still suffers from political pressure and the lack of commitment to international fair trial standards, which leads to unfair court decisions and even the destruction of court records in some cases.[41]

2.2 The EU-Palestine Relations: An Overview

2.2.1 Brief Historical Background

Since the beginning of the 1990s the EU had pronounced its willingness for a Mediterranean partnership, which was resulted with the initiation of the Barcelona Process. Strengthening the relations between the EU and Mediterranean countries has been the main objective of the process. The Barcelona Declaration was adopted in November 1995 between the member states of the EU and 12 south Mediterranean countries[42]. Subsequently, they launched the Euro-Mediterranean Partnership (EMP), which is composed of the Political and Security Partnership, the Economic and Financial Partnership and the Partnership in Social, Cultural and Human Affairs. The determined goal declared in the Barcelona Declaration has been "to turn the Mediterranean basin into an area of dialogue, exchange and co-operation granting peace, stability and prosperity"[43].

Furthermore, in March 2003, the European Neighborhood Policy (ENP) was launched by the Commission, by which it was aimed at improving the relations with the countries of

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[39] Amnesty International, Report 2006, Middle East and authorize Palestinian Territories, available from *http://web.amnesty.org/report2006/pse-summary-eng*, last accessed 27 May 2007.

[40] World Report 2003, Israel, the Occupied West Bank and Gaza Strip, and Palestinian Authority Territories, available from http://www.hrw.org/wr2k3/mideast5.html, last accessed 27 May 2007.

[41] Ibid.

[42] Morocco, Algeria, Tunisia, Egypt, Israel, Gaza/West Bank, Jordan, Lebanon, Syria, Malta, Cyprus, and Turkey

[43] EUROPA, The Euro-Mediterranean Partnership http://ec.europa.eu/comm/external_relations/euromed/bd.htm

Southern Mediterranean that are not possible candidate countries for the EU membership[44].
As it is stated in the Council Conclusions of 2003, the European Neighborhood Policy (ENP)
has also underlined the values of liberty, respect for human rights, democracy and
fundamental freedoms that might be diffused throughout its neighbors.

Subsequent to Israel-PLO Oslo Peace accords and the founding of the Palestinian
Authority in 1996, the Interim Association Agreement on Trade and Co-operation was signed
between two parties (the EC and the PLO) in 1997, as a part of the Barcelona Declaration. It
was stated by the Commission that the main objective of the Agreement was to "establish the
conditions for increased liberalization of trade and to provide an appropriate framework for a
comprehensive dialogue between the EU and the PA"[45].

However, the relations between the EU and PA have gone beyond a comprehensive
dialogue, as the EU has been the chief donor for the Palestine's reform project and the
humanitarian aid. Because of the big amount of international aid flowing into the Palestinian
Territories, to monitor the reforms taking place and the money spent for these reforms, the
Task Force on Palestinian Reform was launched in 2002, and the EU was one of the founders
of this initiative[46].

2.2.2 Normative Discourse: Respect for Human Rights and Democratic Principles

In this part, the EU's discursive commitment to human rights and democracy promotion
will be briefly scrutinized with respect to its relations with the Palestinian Authority. In this
context, concerning the Euro-Mediterranean Partnership, the fundamental agreement signed
between the EU and Palestine has been the Interim Association Agreement, and the Article 2
of this specific agreement states that:

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[44] Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, Palestinian Authority, Lebanon and Syria
[45] The European Commission, EU Policy towards Palestinians, available from
http://www.delwbg.cec.eu.int/en/eu_and_palestine/overview.htm (27 May 2007).
[46] It was composed of the representatives of the Quartet (US,EU,Russia and The UN Secretary General),
Norway, Japan, Canada, the World Bank and the International Monetary Fund.

Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect of democratic principles and fundamental human rights as set out in the universal declaration on human rights, which guides their internal and international policy and constitutes an essential element of this Agreement[47].

The Interim Partnership Agreement signed between the EU and the Palestinian Authority also contains a conditionality clause. That is to say, the democratic conditionality exists in the agreement as an "essential element clause" which clarifies that the rights and principles indicated in the agreement should be respected by parties involved[48]. Thus, it can be argued that in the assessment of European foreign policy, the primary element might be the level of showing consideration on human rights violations and disregard of democratic principles (or democratic reform process, as in the case of Palestine).

In addition to the official statements and treaties, also the official speeches of EU foreign policy representatives have reflected the ideational policies of the EU in the region. Pursuant to the Palestinian elections took place in 2006, Benita Ferrero-Waldner, EU Commissioner for External Relations and Neighborhood Policy, stated that "democracy (…) brings with it a responsibility to respect the rule of law, to end violence and to commit to peace by peaceful means through negotiations with Israel", and she added that "this will include a commitment to the principles that underpin EU-Palestinian agreements, notably the EU-PA Neighborhood Policy Joint Action Plan and the Interim Association Agreement which bind the Palestinian Authority to the fundamental principles of peace and democracy, respect for the rule of law and human rights[49].

It would also be noted that the Commission, in general, has regularly addressed to values and norms that are embedded in EU foreign relations, particularly pertaining to the Israeli-Palestinian conflict. The Communications from the Commission have repeatedly put

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[47] EUROPA, Interim Association Agreement on Trade and Cooperation, available from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:21997A0716(01):EN:HTML (27 May 2007).
[48] Laura Feliu, "Human Rights and the Barcelona Process," in *The Barcelona Process and Euro-Mediterranean Issues from Stuttgart to Marseilles*, eds. F. Attina and S. Stavridis, (Milan: Giuffre, 2001), 67-95.
[49] The European Union, Preliminary EU Reaction to Palestinian Elections, January 26, 2006, available from http://www.eurunion.org/News/press/2006/2006008.htm, (27 May 2007).

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emphasis on human rights standards and the ideational strategic approach that the EU possesses:

> There is an urgent need to place compliance with universal human rights standards and humanitarian law by all parties involved in the Israeli/Palestinian conflict as a central factor in the efforts to put the Middle East peace process back on track. This will require a special effort by the EU and the setting up of an appropriate strategy[50].

The importance of normative values and the promotion of these norms and values, therefore, maintained its centrality and priority in foreign policy formation and the establishment of political and economic cooperation with Palestinian Territories.

2.3. Inconsistency in policy: Would the EU have done more in respect of Human Rights and Democracy?

2.3.1 Until 2004: The Arafat period

As a result of 1996 presidential elections in Palestinian Territories, Yasser Arafat became the president, and stayed in power until his death in 2004. Arafat had been a reliable partner for the EU. Most importantly, the issue of human rights was raised in the political agenda of Palestine in his time, when Arafat went to Brussels to sign the Interim Trade and Cooperation Agreement in 1997. Therefore, he had been a leader who was much more open to cooperate and compromise. However, in spite of his commitment to human rights and democratic principles overtly pronounced in his speeches, he had also been firmly criticized due to his authoritarian and highly centralized control over public institutions and security services, which caused severe violations. In other words, during his presidency, the control that President Arafat exercises over the cases that are addressed by security agencies in Palestine became a concern due to the inability to make any criticism of his authority.

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[50] Communication from the Commission to the Council and the European Parliament: Reinvigorating EU actions on Human Rights and democratization with Mediterranean partner Brussels, 21.05.2003, COM(2003) 294 final

Here, the question that requires more attention is that whether the EU could put enough emphasis on this repressive way of providing stability in Palestine, without any hesitation to pointing out existing human rights violations. At this point, it is hard to claim that the EU completely remained true to its human rights policy in Palestine. In 1997, a Legislative Council member, Haidar Abd al-Shafi, underlined the continuing violations of fundamental rights and the responsibility of the international community, while significantly emphasizing the insufficient exercise of pressure on illegal actions of the Palestinian Authority during the period of Arafat:

> In my opinion, there is no excuse for the illegal actions of the authority. Of course, it is under pressure from Israel and the U.S. to crack down on terrorists and, in the process; it is cracking down on everybody. It is a case of moral laxity on the part of those conferring money. They could at least exercise pressure to see that things are done better. The violations are no longer a secret. But they are more interested in seeing that the process goes on rather than raising questions and problems[51].

Thus, it is possible to claim that the EU had not preferred to interrupt the established order and relations by pushing the Palestinian Authority to revise its human rights record since preserving stability was to be the EU's predominant strategy in the conflict environment. In the European Institutions' published documents, it is possible to observe the strongly emphasized intention of guaranteeing security and stability in the region by sustaining financial assistance and promoting democratic values. It was written, in the 2004 Commission's Country Report on the Palestinian Territories, that:

> The Union is determined to further develop partnerships with its neighbors to mutual benefit, promoting security as well as stability and prosperity. The EU's external borders will not become new dividing lines but the focus of enhanced co-operation[52].

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[51] Human Rights Watch interview, Gaza City, July 29, 1996 (quoted from "Palestinian Self-Rule Areas: Human Rights Under the Palestinian Authority," http://www.hrw.org/reports/1997/palestina/ September 1997 Vol. 9 No. 10 (E))

[52] Commission Staff Working Paper, European Neighborhood Policy, Country Report: Palestinian Authority of the West Bank and Gaza Strip, Brussels 12.5.2004, SEC(2004) 565, COM(2004)373 final, 1.

There is another example which is more explicit in the sense that the "stability, security and prosperity" are presented as the main concerns behind the financial assistance provided to the Palestinians. On the European Parliament's website, for the question of "Why does the EU provide financial assistance to the Palestinians?", the answer is given:

> EU assistance serves to promote stability, security and prosperity, whether this is through the provision of humanitarian aid to Palestinian refugees or whether through the promotion of vital Palestinian institution-building efforts, internal reform and economic recovery, which will bolster the Palestinian Authority as a negotiating partner for Israel and the viability of the future Palestinian State[53].

In the same line, during the presidency of Arafat, according to Richard Youngs, the EU's prior intention had been to strengthen central authority and establish a strong police force in Palestinian Territories. A crucial policy outcome of this interest-based approach happened to be one of the first CFSP joint actions aiming at bolstering Arafat's security apparatus, and the EU monetary aid was spent for the same goal. However, at the same time, the strengthened police force turned into a "source of considerable repression"[54], and became responsible from the violations such as torture or ill-treatment in detention centers. It was even claimed that the money that was being spent for the NGOs in the 1980s, transferred to the executive branch of the Palestinian Authority, and "in particular Arafat's personal standing"[55].

Apart from the interest in maintaining the strong central power, also the role of Arafat as a moderate leader in the region had been very important for the EU, for the reason that the absence of a powerful leader could generate chaos and even worsen the conflict with Israel. Therefore, the EU's tendency to maintain cooperation with Arafat could be one of the leading causes of undermining some cases of human rights violations. In the literature on human

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[53] EUROPA, *Why Does the EU Provide Financial Assistance to the Palestinians?* [Database on-line]; available from http://ec.europa.eu/external_relations/mepp/faq/index.htm#3 (27 May 2007).

[54] Richard Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies* (New York: Oxford University Press, 2001), 87.

[55] Ibid., 88.

rights policies, it was also written that there might be instances where the human rights policy may be at odds with the aim of preserving friendly relations with third country governments, particularly when the said government has a bad reputation in human rights issues[56]. Hence, the EU's restricted political engagement in human rights issues in the period of Arafat can also be explained from this perspective.

Therefore, it was the EU's inactions in the case of Palestine which weakened its own value-based policies aiming at promoting democracy in the Mediterranean region. Bearing in mind that the EU has established effective policy instruments in the promotion of democracy in the third countries, it might be anticipated that for the sufficient implementation of policies, the inflexible use of the policy instruments must be indispensable. Democracy-related conditionality, trade relations, financial aid to reward and support democratic reforms are the most important instruments that the EU has employed under the EMP and the ENP. Particularly, under the EMP the principle of negative conditionality was the main element, and in the Barcelona Process, the agreements contained a clause, in which it was stated: "An agreement may be suspended if the respective Mediterranean partner violated respect for human rights"[57]. The fact is that this principle was never put into practice before the sanction on the Hamas-led Palestinian government. Therefore, negative conditionality remained as a non-preferential instrument for a long time. However, if the EU really wanted to be a stimulating power in the democratic transformation, it could more strongly challenge the human rights violations and drawbacks in reforms. And by challenging, it could implement the negative conditionality, in the cases where the authorities of the partner country violated the basic norms and values declared in the mutual agreements.

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[56] Peter R. Baehr, *The Role of Human Rights in Foreign Policy* (London: Macmillan Press, 1996), 25.
[57] Michelle Pace, "The European Neighborhood Policy: A statement about the EU's identity," *Friedrich Ebert Stiftung*; available from www.fes.de/fesb/polf/Pace.pdf (27 May 2007).

2.3.2 Since 2006: HAMAS (Islamic Resistance Movement) is in power

Following the death of Yasser Arafat in November 2004, the second national elections was held in January 2005, and Mahmoud Abbas, with the majority of the votes, became the new president. Awaiting the postponed 2006 Legislative Council elections, the human rights record remained poor notwithstanding the dropping off in the number of casualties due to February ceasefire[58]. In April 2006, in the second nation-wide elections, Hamas came into power as the new Palestinian Authority government, which has created an international crisis due to Hamas' hostile political stand toward Israel and most importantly the terrorist activities conducted by Hamas in Israeli territories.

In April 2006, the European Commission decided to temporarily suspend financial aid to the Palestinian Authority government, due to the fact that Hamas, whose name is involved in the EU's list of terrorist organizations, came into power[59]. It was articulated by Benita Ferrero-Waldner, European Commissioner for External Relations and European Neighborhood policy, that the suspension of monetary aid was something precautionary and not permanent:

> The election victory of Hamas in January presented the EU with an entirely new situation. (...) The Commission's action is a precautionary measure taken to ensure that no Community funds pass into the hands of Hamas. We have taken it pending the possible evolution of the Palestinian Authority position and a definitive decision by the Council on relations with the Palestinian Authority. (...) My services have already held a meeting with the office of Mahmoud Abbas to discuss implementing some of these projects through the Office of the President[60].

Later on, the international community –in specific the Quartet (the US, the UN, the EU and Russia)- called Hamas to comply with the three conditions that was set out, which were

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[58] Human Rights Watch, *Human Rights Overview: Israel/Occupied Palestinian Territories (OPT)*; available from http://hrw.org/english/docs/2006/01/18/isrlpa12224.htm (27 May 2007).
[59] The European Voice, Blow to Palestinian Funding, 18 May 2006, vol.12, no.14; available from http://www.europeanvoice.com/search.asp?search=allarticles&txt=palestin (27 May 2007).
[60] The European Parliament Plenary, *Suspension of Aid to the Palestinian Authority Government*, Brussels, 26 April 2006; available from http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/260&format=HTML&aged=0&language=EN&guiLanguage=en (27 May 2007).

basically "the recognition of Israel, an end to violence, and acceptance of past PA agreements" [61].

The initial point that was criticized about this policy of sticks implemented by the EU (and by the international community which includes the EU) was to be the lack of any reference to democratic principles and the reform that was already on the process. In the three conditions that were set out, it was mostly targeted to guarantee the preservation of peaceful approach that had existed before Hamas. Although these three conditions reflected the main concerns about the peace process, considering the day to day practices of violations and disrespect of the rule of law in Palestinian Territories, it does not seem credible to bring peace without securing fundamental rights and democratic principles which have been the significant elements of the current peace process as well. A demand for the fulfillment of the fundamental principles, therefore, could be added in order to comply with the agreements already signed which hold the EU responsible for respecting and protecting democratic principles and human rights.

Another critique that can be raised about the EU's response to the Hamas' victory might be the fact that Hamas came into power through democratic and legitimate ways, in fact, as a consequence of the exercise of free elections that have been openly supported by the EU. This would create a problem, since promoting democracy might necessitate respecting the consequences of democratic political structure and public choice. As it was maintained by Youngs:

> The EU must not understand "supporting reform" to mean favoring moderate figures seen as "our allies". The point is to support democratic process, not overtly give preference to those deemed "helpful moderates" [62].

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[61] The New York Times, *Hamas Offers to End Rule if Aid Resumes,* November 10, 2006, available from http://www.ngowatch.org/articles.php?id=536 (27 May 2007).

[62] Richard Youngs, *The European Union and Palestine: A New Engagement* (Open Democracy, 2007); available from http://www.opendemocracy.net/xml/xhtml/articles/4485.html (27 May 2007).

It is evident that Hamas is a terrorist group that has political claims, which obviously threatens the peace process, not only the one in Palestine but also the one dispersed in whole Arab-Israeli region. Thus, the economic sanctions that were implemented appeared to be politically correct since terrorism and radical Islamism have posed the most critical challenge to regional stability. However, it is also important to see that politically excluding Hamas and also suspending democratic reform process would not be the best strategy to pursue in the region, and this would contradict with the primary objective of the Union, which is to promote democracy and human rights in Mediterranean.

In the beginning, the victory of Hamas in the elections, thus, created a predicament for the EU. However, as a final decision, the EU had the preference to apply negative conditionality to give the message that it is intolerable to have diplomatic or political relations with Hamas. The main factor caused this decision was that the EU has shared the same concerns with the US in terms of rising terrorism in the Middle East after the 9/11. Following the September 11, 2001, the enhancement of the law enforcement cooperation against terrorism between the EU and the US was an outcome of this common interest. Therefore, although disrespecting the democratic results of the election gave the impression that the EU and the US applying double standards, the material interests in the region prevailed. However, it could also be argued that the victory of Hamas represented the Palestinian's reaction against the ongoing occupation, and economically and diplomatically punishing this reaction would boost the anti-Western standpoint in the Territories.

2.4 An obstacle to consistent Mediterranean policy: Security threat

Apart from the strong emphasis on the process of establishing a democratic Palestinian state that is respectful of human rights and rule of law in the official publications and

speeches within the EU, the European member states' prevailing geo-strategic interest in the region has brought about different political outcomes. As Stephan Stetter asserts, in Palestinian Territories, "[The EU's] policies often speak another language", and the ultimate incentive has remained as maintaining the strong Palestinian leadership, which is in favor of nonviolent diplomatic means and willing to generate stability in its relations with Israel[63]. This is, in fact, closely related to the argument that since the September 11th, the European states have given a greater importance to stability in the region owing to the fear of growing Islamic fundamentalism. From this perspective, it becomes clear that the centralization of Arafat's power had been an explicit strategic advantage for the EU, which, to some extent, could end up with the Union's tolerance toward democratic shortfalls and violations of human rights emanated from the authoritarian leadership. Moreover, in the same line, Richard Youngs illustrates that:

> Decentralization of Arafat's power was clearly seen to be a potential risk to the peace process. With the risk of Hamas doing well, the EU raised little objection to the postponement of local of elections in Palestine[64].

In fact, "the risk of Hamas doing well" has appeared recently, and this brought out a strategic change in European foreign policy. As mentioned before, besides economic sanctions, also the exclusion of Hamas from diplomatic relations and political dialogue might be a crucial step which would lead to the fostering of chaos and anti-Western tendencies among the Palestinian people. At first sight, this dramatic shift in European policy, therefore, seems to contradict with its pronounced interest of maintaining stability in its neighborhood. Yet, taking into account that Hamas has been perceived as one of the leading terrorist groups in the Mediterranean and the Middle East, the transcendent interest has changed into combating with terrorism.

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[63] Stephan Stetter, "Democratization without Democracy?- The Assistance of the European Union for Democratization Processes in Palestine," in *Euro-Mediterranean Relations After September 11- International, Regional and Domestic Dynamics*, ed. Annette Jünemann (London: Frank Class, 2004), 154.
[64] Richard Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies*, 73.

From the same perspective, the flexible nature of the European foreign policy toward Palestine lessened the EU's normative power and credibility in the case of Israeli-Palestinian conflict, and the democratic reform process in the Palestinian Territories. Indeed, when we examine the existent political dynamics in Palestinian case, it turns out that the actual complexity of the situation demonstrates that prioritizing the values, norms and principles as the driving force and objective of European foreign policy creates strategic flaws and deadlocks for the EU. It is important to note that the EU is pursuing to get involved in the Israeli-Palestinian conflict with more than one single incentive, and therefore more than one single strategy. On the one hand, it takes role as a third party aiming at resolving the conflict, and at the same time, providing the biggest amount of the humanitarian aid. On the other hand, it urges to bring peace and stability in the region with regard to its regional security strategy, since the signs of anti-Western Islamist movements appear as a serious challenge against the EU's security, and its foreign policy objective to cooperate with Israeli and Palestinian authorities and maintain its presence in the region. Therefore, this duality in strategy inevitably brings about contradictions and inconsistencies in European foreign policy toward the region.

CHAPTER 3: THE EU AND TURKEY

Turkey's relations with Europe have existed since the very beginning of the establishment of the EC. However, Europe's political engagement with Turkey is a quite recent phenomenon. Therefore, in this chapter, I will be dealing mainly with the last two decades; especially with the new period began with the accession process of Turkey. To provide a brief historical background, in the December 1999 Helsinki European Council, the EU accession process began in Turkey as a candidate country. Following this decision, in the December 2002 Copenhagen European Council, it was indicated that if Turkey fulfils the Copenhagen criteria, the accession negotiations might commence. As a consequence of reforms that were undertaken by the AKP (Party for Justice and Progress) government, in 2004, the Council decided to open accession negotiations with Turkey, and the following year the negotiations officially started. All these steps towards the EU membership distinguished Turkey's position from the other countries that are the members of the Euro-Mediterranean Partnership. Thus, the candidacy status that Turkey gained intensified (or, at least, should intensify) the EU's impact on and adherence to the democratic reforms and promotion of human rights in Turkey.

In this context, in this last chapter, the EU's policies towards Turkey will be the focus of analysis. It will be argued that, in the case of Turkey, there have been instances that the EU has been constrained by relative security concerns deriving from the regional instability and rising radical Islam after the 9/11, which caused the insufficient implementation of human rights policies and the democracy promotion objectives in Turkish case.

This chapter has been divided into four parts. The first part will examine the up-to-date developments in the area of human rights and democratization in Turkey. The main emphasis will be put on the period after the acceptance of Turkey's candidacy for the EU membership. The aim of the second part will be to demonstrate the EU's commitment to guarantee the

respect for, and promotion of human rights, democratic principles and the rule of law in its relations with Turkey especially during the integration process. The following section will focus on the cases where the EU member states failed to implement these value-based policies, and elaborate on the possible explanations. Finally, in the last part, the main question addressed will be that 'what the EU should do to further the consolidation of liberal democracy in Turkey, and to accurately pursue its human rights policies in the region?'

3.1 Democratic Reforms and the Human Rights Record

In this first section, the assessment of democratic reforms and human rights record in Turkey will take place, with the aim of illustrating that Turkey needs to show more effort to improve current situation.

From the time when the first reform package adopted in 2001, Turkey has been going through a period of political and legal adjustments to the Copenhagen criteria and the European *acquis*. It has been a crucial and accelerated transformation era in Turkey's recent past due to the fact that for the very first time reforms have impinged on critical issues, especially on the cultural rights of minorities, the freedom of expression and the military's role in politics. These sensitive areas, in fact, have been left out of consideration for a long time after the 1980 coup, and during the predominant existence of authoritarian state structure in the following years.

Since 2001, Turkey has witnessed a period of remarkable and expeditious progress in the fields of human rights and democratization. The nine packages of reform have been initiated and there is still to do on the way of EU membership. The first major constitutional reform was set out in October 2001 with the purpose of "strengthening guarantees in the field of human rights and fundamental freedoms and restricting the grounds for capital punishment". In the same year, a new Civil Code was introduced and, pursuant to this, the

three new packages were prepared to abolish death penalty and to lift the state of emergency in the South-eastern part of Turkey in the year 2002.

In the field of freedom of expression, there have been changes made to the Turkish Penal Code. The Article 159 was amended, which removed the part that put the expression of opinion with the "intention of insulting public institutions" under criminal section. Additionally, under the Article 312 and Anti-Terror Law, the parliament voted for the eradication of some restrictions on freedom of expression, press, broadcasting and association. Moreover, in the areas of broadcasting and education, the new legislation brought about the right to education and broadcasting in languages other than Turkish, which has been a vastly crucial step not just for protecting cultural rights of minorities living in Turkey, but also for questioning the Kurdish issue which has been one of the most critical impediment to further democratization.

However, with regard to the protection of human rights and specifically the enhancement of minority rights, as previously mentioned, there is still a long way to go, in spite of the related reforms that have been adopted already. In terms of implementations of the provisions that have been introduced in the legislation, it is hard to say that Turkey has made a significant progress. In Human Rights reports, Turkey is still being criticized due to the enduring exercise of torture and ill-treatment in security offices and police stations. And unfortunately, there still exists a lack of sensitivity towards these violations, which is mostly justified by security concerns; therefore they continue existing with impunity. . In its 2005 Report involving the human rights issues and ongoing reforms in Turkey, the Amnesty International indicated that notwithstanding the legal reforms, it is still observed that there is the continuation of torture and ill-treatment by security forces and violations of the freedom

of demonstration. It was concluded that "implementation of (the) reforms is patchy and broad restrictions on the exercise of fundamental rights remain in law"[65].

Furthermore, pertaining to the inadequate exercise of cultural rights introduced in reform packages, the European Commission strongly cautioned Turkey to improve its current record on the infringement of minorities' cultural rights -in particular concerning Kurdish population-:

> No local broadcasting in Kurdish has yet been authorized, Kurdish language courses have closed down and politicians continue to be convicted for using the Kurdish language in certain contexts. Turkey continues to adopt a restrictive approach to minorities and cultural rights[66].

Besides cultural and minority rights, in the field of freedom of expression, anti-democratic and restricting Articles 118, 216 and 301 of the Turkish Penal Code still remain as an obstacle to free media and academia. As stated in the 2006 European Parliament Report on Turkey, the cases of the journalist Hrant Dink (who was assassinated in January 2007), the journalist Murat Belge, the human rights activist Eren Keskin[67] and the journalist Perihan Mağden[68] internationally drew attention in 2006[69]. Additionally, concerning the matter of the adopted Anti-Terror Law, Turkey contradicts with the advice of U.N. Human Rights Council Special Rapporteur on Terrorism, and constrains the fundamental rights and freedoms[70]. Furthermore, considering the role of the army in Turkish society, it was mentioned, "clear-cut constitutional separation of civil and military political and institutional roles is a condition that has to be fulfilled"[71]

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[65] Amnesty International, *Report 2005: Turkey*, [database on-line]; available from http://web.amnesty.org/report2005/tur-summary-eng (27 May 2007).
[66] The European Commission, *Communication from the Commission - 2005 enlargement strategy paper*, COM (2005) 561 final.
[67] Murat Belge and Eren Keskin were sentenced for "discouraging the people from military"
[68] Who is prosecuted under the Article 118, since she noted that conscientious objection is a human right.
[69] The European Parliament, *The European Parliament Report on Turkey's Progress towards Accession*, 2006, p.4.
[70] Ibid, 5.
[71] Ibid, 10.

Consequently, analyzing the current situation in Turkey demonstrates that it is possible to argue that Turkey has not fully met the Copenhagen political criteria, yet. Evidently, the reforms have remained incomplete and there exist significant flaws in the implementation of the legal reforms. Therefore, the slowdown in democratic reforms began to threaten the whole process.

3.2 The Normative Discourse: Respect for Human Rights and Democratic Principles

In this section, the EU's commitment on the promotion of democracy and human rights will be made evident in its political relations with Turkey. While scrutinizing the human rights and democracy discourse in speeches, published communications and official documents, it will be categorized in two distinctive periods as before and after 1999.

Considering the period before 1999, it becomes clear that, even prior to the candidacy of Turkey, the EU had been reporting on the human rights violations and anti-democratic tendencies, and in the 1990s, it was, more than ever, putting emphasis on the presence of army in politics and the neglect of minority rights. The increasing concern on Turkey's democratic reform process has been explained by the fact that, subsequent to the end of the Cold War, together with the altered international environment, Turkey's role in European security agenda had notably changed. For the last two decades, owing to the policy incentive to provide stability within the ring of the Middle Eastern and Mediterranean countries that border the new enlarged EU, and the emergence of fundamentalist Islam, Turkey has been deemed as a geo-strategic partner and a part of the democratization project focusing on the EU's immediate neighborhood. In this sense, it was constantly acknowledged by the Commission that Turkey has to ameliorate its human rights record and anti-democratic practices, which tells us that it was the EU's interest to keep Turkey by the side of the West as a democratic country. It was in 1998, just before the beginning of Turkey's candidacy status,

the Commission published the Regular Report on Turkey, in which the major shortcomings in democratic reforms firmly criticized:

> On the political side, the evaluation highlights certain anomalies in the functioning of the public authorities, persistent human rights violations and major shortcomings in the treatment of minorities. The lack of civilian control of the army gives cause for concern. This is reflected by the major role played by the army in political life through the national Security Council. A civil, non-military solution must be found to the situation in southeast Turkey, particularly since many of the violations of civil and political rights observed in the country are connected in one way or another with this issue. The Commission acknowledges the Turkish government's commitment to combat human rights violations in the country but this has not so far had any significant effect in practice. The process of democratic reform on which Turkey embarked in 1995 must continue[72].

Subsequent to the beginning of the accession process, the reference to human rights issues intensified in the reports due to the political conditionality clause in accession agreements. In 2003, the Council set out some principles and priorities concerning the accession of Turkey, in which the main priority given to the Copenhagen criteria and *acquis communautaire*. In fact, it happened to be the same political and economic conditions that have been applied to every candidate country for the EU membership. It was stated that: "Turkey is a candidate state destined to join the Union on the basis of the same criteria as applied to other candidate states."[73] Additionally, it was addressed, in the Copenhagen European Council of December 2002, that:

> The Union recalls that, according to the political criteria decided in Copenhagen in 1993, membership requires that a candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities[74].

Therefore, the first element stressed in the document was the necessity of achieving "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for

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[72] The European Commission, *The Regular Report on Turkey*, 1998.
[73] Presidency Conclusions, European Council Meeting in Helsinki (10-11 December 1999).
[74] The European Commission, *Regular Report on Turkey's Progress Toward Accession*, 2003, p.6.

and protection of minorities", which has been pointed out as the fundamental principle that a candidate country should adopt in order to comply with the EU legal and political structure[75].

In another document published under the enlargement project, the enlargement strategy paper, the Commission set out the significance of the enlargement process in terms of bringing democracy, human rights and the rule of law to the peripheries of the Union:

> It is vitally important for the EU to ensure a carefully managed enlargement process that extends peace, stability, prosperity, democracy, human rights and the rule of law across Europe[76].

Besides the declared emphasis on human rights and democratic principles in the documents related to the whole enlargement process, the specific recommendations for the human rights issues in Turkey have taken a large place in the Commission's agenda. In respect of the slow-down of democratic reforms after the opening of negotiations, the Commission and the Parliament constantly warned Turkey to pay much more attention to the shortcomings in its compliance with the political criteria. In the 2005 strategy report, it was written that:

> Although human rights violations are diminishing, they continue to occur and there is an urgent need both to implement legislation already in force and, with respect to certain areas, to take further legislative initiatives. Significant further efforts are required as regards fundamental freedoms and human rights, particularly freedom of expression, women's rights, religious freedoms, trade union rights, cultural rights and the further strengthening of the fight against torture and ill-treatment[77]

Following the 2005 report, in the 2006 European Parliament Report on Turkey, regarding the EU's responsibility in Turkey's democratic reform process, it was underlined that "in case of a serious and persistent breach to the principles of democracy, respect for human rights and fundamental freedoms, the rule of law and principles of international law,

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[75] The European Council, *The Council decision of 19 May 2003 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with Turkey*, 2003, (398/EC).
[76] The European Commission. *Communication from the Commission - 2005 enlargement strategy paper*, COM (2005) 561 final.
[77] The European Commission, Communication from the Commission - 2005 enlargement strategy paper, COM (2005) 561 final.

the Commission could recommend the suspension of negotiations to the Council"[78]. In the same report, Turkey was explicitly cautioned due to its diminishing commitment to democratic reforms on the legal framework and to the effective implementation of these reforms. Importantly, the leading points that was highlighted in the Report were briefly:

- Amendment of the notorious article 301 of its penal code which has allowed authors to be prosecuted for "expressing non-violent opinion" after they were accused of insulting Turkishness;
- Offering full protection for religious minorities;
- Fully reforming the judiciary to guarantee its independence and impartiality, and
- Ending the military's involvement in civil society[79]

Clearly, the EU integration process gives priority to the compliance with the European values and democratic standards. Political conditionality that is included in accession agreements puts pressure on the candidate countries to meet political criteria, and on the EU to assure the commitment to these principles and supervise the course of progress.

3.3 The Inconsistency and Ambiguity of the European Democratization and Human Rights Policies towards Turkey

In the case of Turkey, there are two important factors that have caused insufficient European human rights and democracy promotion policies. First, the security concerns that have mounted due to changing international milieu after 2001 allowed the EU member states to act reluctantly. Second, the lack of a common voice within the EU regarding the Turkey's place and role in the European project – which has been a consequence of diverging national interests – has raised the ambiguity, which reduced the speed of reforms. While the former factor is directly related to the main argument presented in this study, which is that, to some extent, material interests determine the policy outcomes; the latter has an indirect connection with the material interests. In fact, the relevance of the second factor to the introduced

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[78] The European Parliament. *The European Parliament Report on Turkey's Progress towards Accession*, 2006.
[79] The Guardian, *European Report Criticizes Turkey Human Rights Record*, November 8 2006.

problematic in this study, is to be the fact that the diverging national policy stances towards Turkey mostly derives from the rational assessment of specific interests, which significantly undermines normative dynamics in EU's external representation.

3.3.1 The Inconsistency

As it was stated above, the first factor has been the perceived security and political interests of the EU. In this context, before the accession, the EU was also reluctant to directly play a role in the prevention of human rights violations in Turkey. During the 1990s, the International human rights organizations indicated their concerns about the poor human rights record of Turkey and they explicitly accused the European Union member states to be silent and ineffective as influential international actors and the members of the UN. It was even maintained that "for years the EU has refused to take action on Turkey in the United Nations Commission on Human Rights", and "perceived security and political interests are preventing concrete action at the Commission"[80]. The European Commission was also accused not to propose "sufficient concrete initiative to combat human rights violations, in spite of its recognition of the seriousness of the situation"[81]. And, with regard to the European Parliament, even if the rising power of the Parliament in the institutional decision making structure after the 1980s enhanced its involvement in human rights issues[82], its influence on the formation of foreign policies towards the third countries has remained very feeble.

Not only in organization reports, but also in the human rights literature, scholars drew attention to the EU's insufficient political engagement in Turkish case. Peter Baehr, in his

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[80] Amnesty International, EU Member States: a silent witnesses to Turkey's human rights record, 5 March 1997, available from http://web.amnesty.org/library/Index/ENGEUR440151997?open&of=ENG-326 (27 May 2007).
[81] Ibid.
[82] The Parliament has enjoyed its assent power after the 1987 Single European Act. In 1987 and 1988, it rejected to assent to financial protocols with Turkey on the grounds of human rights violations. (Referred from Karen Smith, The EU, Human Rights and Relations with Third Countries: 'Foreign Policy' with an Ethical Dimension?, in Ethics and Foreign Policy, eds. K. Smith and M. Light, Cambridge: Cambridge University Press, 2001).186.

book written on the role of human rights in foreign policy, criticized the EU and its prevailing security interests which undermines human rights violations:

> (…) Conflicts may develop between human rights and other foreign policy aims which could lead to a difficult process of weighing. Turkey is a case in point. Although for many years gross human rights violations have been taking place in Turkey, as witnessed by the reports of human rights organizations, western governments have on the whole been reluctant to put more than perfunctory pressure on the Turkish government to change that situation… It seems rather obvious that in the case of 'staunch NATO ally' Turkey, security interests have prevailed over human rights considerations[83].

Even though, since the 1990s, the political dynamics in world politics have been changing, the importance of security interests still prevails. As it is concerned that the EU's regional policies aim at security and stability in its neighborhood, Turkey has been a unique case, which has distinguished Turkey's accession process from the previous ones. Different than the Eastern enlargement countries, being a Muslim country located between the Union and the authoritarian Middle Eastern countries have made Turkey both a liability and an asset for the EU's internal and external security. Therefore, for the case of Turkey, the integration project turned into an intricate matter, in which some security concerns have also played an important role.

The strategic status of Turkey for the European countries is not something hidden. The security perspective in the EU's interest in Turkey's political dynamics has been clearly articulated in leading persons' speeches and published documents within the EU. As an example, in the 2004 speech of Romano Prodi, the former President of the European Commission, one of the underscored topics was to be the Turkey's contribution to the security and stability of Europe:

> (…) I would like to recall Turkey's important role in contributing to the security and stability of Europe during the cold war. This recognition partly explains our strong interest in Turkey developing into a prosperous and stable democracy based on rule of law and values which we all share…

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[83] Baehr, 28-29.

Not only Europe's internal stability, but also attaining indirect control over the Middle Eastern political environment has appeared as another contribution that the European states has been expecting from Turkey to achieve in the region. From this perspective, Prodi also added that:

> Turkey is endowed with unique characteristics among European countries: the combination of a secular, democratic state with a prevalently Moslem population. I am convinced that Turkey can bring a unique contribution to peace and regional stability at the beginning of this new century.[84].

The EU's vision of combining the attempts to stabilize the periphery and to exercise the mainstream democracy promotion policies has continued to be addressed under the enlargement project. Here, the point that requires consideration is that, in public speeches, the objectives of 'peace' and 'security' have mostly had priority over the 'democracy' claims. To illustrate, recently, in relation with Turkey's inclusion in Europe, Olli Rehn, the Member of the European Commission responsible for Enlargement, pointed out that:

> I trust that neither Turkey nor the European Union will lose sight of the key strategic value of the whole project; that is, peace, security, democracy and prosperity in Europe, from Helsinki to Lisbon, from Lisbon to Istanbul, and beyond[85].

Ultimately, it can be said that, for last two decades, the EU both approached Turkey as a security partner and professed the promotion of human rights and democratic principles in its relations with Turkey, which, in some cases, has led the ideational policies to be overlooked.

3.3.2 The Ambiguity

The second factor has derived from the intergovernmental structure of the EU decision-making body. There is this credibility gap within the EU arises from the lack of a common voice in European foreign policy especially with regards to the issues that clash with member

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[84] Romano Prodi, The Turkish Grand National Assembly, Ankara, 14 January 2004.
[85] Olli Rehn, Turkey's accession process to the EU, Lecture at Helsinki University Helsinki, 27 November, available from
http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/747&format=HTML&aged=1&language=EN&guiLanguage=ener 2006 (27 May 2007).

states' national interests. This heterogeneity of national political positions, indeed, leads to discrepancy in the EU's approach toward Turkey since some European states put national interests in the first place, which in fact takes precedence over promoting democratization and eliminating serious human rights violations occurring in Turkey. That is to say, even though it is guaranteed by the Commission that Turkey will be treated as another candidate country, the political dynamics within the Union prove that Turkey has been a much more complex case for the European states.

The divergence in the Member States' political approach, in fact, is the consequence of different policy assessments regarding the inclusion of Turkey within the EU. Some Member States discountenance the view that Turkey can be absorbed within the EU. This hesitation toward Turkey's membership would be explained by several economic, political and cultural concerns that the majority of the European people have been sharing. However, it is also evident that one of the most important factors has been the security threat that Turkey has been directly or indirectly posing to the European powers.

In this respect, some of the Member States' policy stance in the case of Turkey is noticeably getting discouraging. The former French President Giscard D'Estang's claims about the EU's Christian identity, The German Prime Minister Angela Merkel's suggestions on the 'privileged partnership' as an alternative to Turkey's membership, and finally the French president-elect Sarkozy's uncompromising position regarding the Turkey's European Union bid, raise the question whether Turkey is treated fairly, or concerns on mass immigration, predominantly Muslim population and the territorial proximity to the Middle East bring about an interest-based approach.

Thus, unfortunately, the ambiguity in the EU's strategy (which can also be debated whether there is any strategically constructed policy concerning Turkey's membership) creates uncertainty and unpredictability, which also jeopardizes its impact on Turkey's reform

process. Clearly, the candidacy path for Turkey is full of challenges, which diminishes the enthusiasm and reliance on the European membership among the people, and most importantly makes things far more difficult for pro-Europeans and the supporters of democratic regime. In this context, following the 'e-coup'[86] that Turkey has recently experienced, even it was argued in international media that; "Were the prospects of EU membership obviously brighter, the army would not have intervened as brutally"[87]. Therefore, it is important to note that the EU can have a credible influence on Turkey's democratic reform process only if it presents an open, reliable and coherent strategy toward Turkey.

At this point, it is also required to elaborate on the necessity of a 'coherent strategy'; since it is connection with the efficiency of human rights and democratization policies would seem blurred. With respect to this, it is crucial to understand that the democratization process in Turkey has been very dependent on external forces and in particular on the EU after the acceptance of Turkey's candidacy status. That is to say, not only Turkey, but also the EU has committed itself to this reform process by the aforementioned articles in the treaties that it adopted. Therefore, due to incertitude about the further steps, the EU frustrates the initiatives launched in Turkey on the way of democratization, which conflicts with its policy discourse.

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[86] The Turkish army published a declaration on internet against the Abdullah Gül's presidency subsequent to the presidential election in May 2007.
[87] The Economist, *The Battle for Turkey's Soul*, (3 May 2007) [database online]; available from http://www.economist.com/opinion/displaystory.cfm?story_id=9116747 (27 May 2007).

CONCLUSION

The primary aim of this study was to analyze the EU's value-based policies towards the Mediterranean and the Middle East regions. From this analysis, it was intended to articulate that the existing security concerns might generate inconsistency in the implementation of these policies in the strategically significant regions. In the light of this examination, it was argued that both rationalist and constructivist approaches are required to broadly scrutinize the policy incentives and strategic dynamics that have been shaped by the changing security environment and perspectives throughout the last decade. In this context, the question of whether the EU is evolving into a military power or maintaining its civilian identity was not the point of analysis. The chief objective was to scrutinize the compatibility between the normative foreign policy discourse and policy outcomes in critical regions on which the EU has strategic priorities. In this sense, Turkey and Palestine were selected as the case studies to illustrate on this main argument.

In the first chapter, the existing literature on the constructivist explanations of the normative identity of Europe and the realist critique of the constructivist assumptions was elaborated. While doing so, to go into detail about the human rights and democratization policies within the EU, the normative discourse in the European context and the academic approach criticizing the incoherent human rights policies were also included in the literature review. Here, the constructivist claim, which is that the Union's foreign policy objectives are constructed on the basis of values, norms, beliefs and ideas; and the realist claim, which emphasizes the policy objectives that need to be explained in the light of rational/material interests and power perceptions, were briefly discussed. Ultimately, it was indicated that both theories provide powerful explanations for this area of research.

Subsequently, in the case of Palestine, after demonstrating that the violations of human rights and drawbacks in the democratization process continue existing, it was maintained that

there is an unsatisfactory poor record of human rights, which would be under consideration of the international community. In connection with this, the EU's policies aiming at the promotion of human rights, democratic principles and the rule of law in the Palestinian Territories were assessed with the purpose of addressing the hesitant and conflicting attitude of the Union. The most important finding was that there have been cases where the EU has given priority to its foreign policy goal of providing stability and security in its neighborhood, which inevitably diminished its commitment to ideational policies in Palestine.

In the last chapter, the European foreign policy towards Turkey was investigated. Turkey was distinguished from the case of Palestine in the sense that the strength of association between Turkey and the EU has been higher. Thus, related to this, the commitment to embedding the European values and norms has been more apparent on the Turkish side. However, as in the case of Palestine, there is much left to do in Turkey regarding the poor human rights record and anti-democratic tendencies. In the light of this situation, the emphasis was on the importance of the EU's influence on the democratization process in Turkey, and accordingly, the challenging status of policies aiming at stability and security in the region, which has diminished this influence. Closely related to the security concerns, another factor that generates inconsistency in European human rights and democracy promotion policies was stated as that the prevailing national interests of some Member States lead to the neglect of further steps that might be taken to advance the process of democratization in Turkey.

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