

THE ROLE OF EUROPEANIZATION ON THE ESTABLISHMENT OF
THE FUTURE TURKISH BORDER GUARD IN TURKEY

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THE ROLE OF EUROPEANIZATION ON THE ESTABLISHMENT OF
THE FUTURE TURKISH BORDER GUARD IN TURKEY

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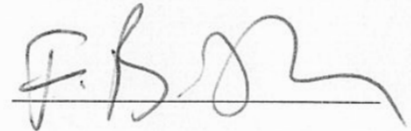
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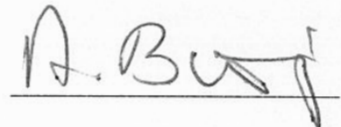
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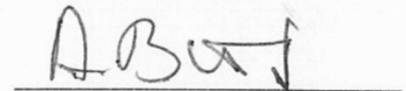
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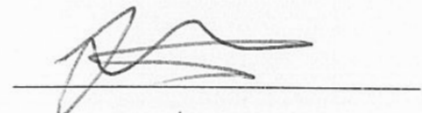
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ABSTRACT

THE ROLE OF EUROPEANIZATION ON THE ESTABLISHMENT OF THE FUTURE TURKISH BORDER GUARD

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This thesis analyzes the role of Europeanization on the establishment of the new, civilian, and professional organization for border guard in Turkey. Even though there is substantial amount of literature concerning the role of Europeanization on different issue areas, a little research has been designed to analyze its effect on integrated border management within the context of Turkey's prospective membership. After historical analysis of irregular migration fact in Turkey and the establishment of Integrated Border Management System (IBM) in the line with Turkey-EU relations on the issue, I utilize a content analysis of Progress Reports, Accession Partnership Documents, Turkish National Action Plans, Twinning Projects, three supplementary interviews with policy experts, and total of 32 new articles published in six national newspapers, which contains different political views: Cumhuriyet, Zaman, Hurriyet, Radikal, Milliyet and Sabah to assess the visibility and presence of the border management and illegal migration issues. Then, I examined the results in the light of the three models of Europeanization, which are the external incentives, social learning, and lesson-drawing. Results suggest that all the three models of Europeanization have certain explaining power over the establishment of the new a organization for border management in Turkey.

Key Words: Irregular migration, Integrated Border Management, Europeanization, Turkey-EU relations

ÖZET

TÜRKİYE'DE SINIR KOLLUK KUVVETİ BİRİMİNİN KURULMASINDA

AVRUPALILASMANIN ETKİLERİ

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Bu çalışma Türkiye'de yeni, sivil ve profesyonel bir sınır yönetimi kolluk birimi kurulmasında Avrupalılaştırmanın etkisini analiz etmektedir. Avrupalılaştırmanın çeşitli alanlardaki etkisi üzerine dair gelişen bir literatür olmakla birlikte, bugüne dek çok az çalışma entegre sınır yönetimi üzerindeki rolünü Türkiye'nin muhtemel üyeliği bağlamında ele almıştır. Bu çalışmada ilk olarak tarihsel anlamda Türkiye'de düzensiz göç gerçeği ve entegre sınır yönetimine geçişi Türkiye-AB ilişkisi çerçevesinde inceledim ve İlerleme Raporları, Katılım Ortaklığı Belgeleri, Ulusal Eylem Planları, Eşleştirme Projeleri, ilgili kişilerle röportaj ve farklı görüşlere sahip altı ulusal gazeteden (Cumhuriyet, Zaman, Hurriyet, Radikal, Milliyet, Sabah) toplamda 32 makeleyi analiz ettim. Daha sonra, bu sonuçları Avrupalılaştırmanın üç modeli (the external incentives, the social learning, and the lesson-drawing) ışığında inceledim. Son olarak, araştırmanın sonuçlarına göre, bu üç model de Türkiye'de yeni bir sınır yönetimi kolluk biriminin kurulmasında faktörleri açıklamada etkili olmaktadır.

Anahtar Kelimeler: Düzensiz göç, Entegre sınır yönetimi, Avrupalılaştırma, Türkiye-AB ilişkileri

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1. INTRODUCTION

The starting point of this research is based generally on the question that: What triggers the recent reforms on regulating irregular migration and border management, specifically the establishment of a new organization for border control in Turkey? On the basis of this consideration, the aim of the paper is specifically to explain: Why at the end of 2010 the Turkish government proposed the draft law on the establishment of a civilian border security institution under the head of Ministry of Interior? At the very beginning, the important thing is to make the distinction between rationalism and constructivism in International Relations (IR) theory and between rational choice institutionalism and sociological institutionalism in Comparative Politics. March and Olsen (1989), distinguish between a logic of consequence and a logic of appropriateness. The former assumes strategic, instrumentally rational choice actors who seek to maximize their own power and welfare. However according to the latter one, internalized identities, values, and norms motivate the actors. Parallel to the intimate relation between the division between logics and Europeanization process, this paper asks two research questions: R1: What is the EU effect on the establishment of a new border guard in Turkey?; R2: What are the domestic effects of Europeanization on the establishment of a new border guard in Turkey?

To answer these questions, this study first aims to develop a dimension on the examination of the division among the three models of Europeanization and identifies its reflection on the establishment of a new border guard in Turkey. These models are: the external incentive model, the social learning model, and

the lesson-drawing model (Schimmelfenning & Sedelmeier, 2005). Under the frame of the research questions and division among the models of Europeanization this paper proposes three hypotheses: H1: In the light of the external incentives model, expected benefits from the EU may be effective in the recent reforms on the establishment of a new organization for border management in Turkey; H2: In the light of the social learning model, appropriateness of EU rules on border management might direct the Turkish government to make reforms on the establishment of a new organization for border control; H3: In the light of the lesson-drawing model, the perception that EU rules on border management will solve domestic policy problems may be the driving force of the recent reforms on the establishment of a new organization for border management in Turkey.

These regulative ideas should be as constitutive because of the fact that globalization has led to the emergence of new risks and threats. Like in many other areas, it has made the perception of threat as transnational. Within the trans-boundary nature of threats, dealing with them requires a coordinated and cooperative approach because the effectiveness of national policy instruments has decreased. Thus fighting the new security threats necessitates linkages with multilateral institutions. The European Union (EU) is one of the most capable institutions to respond these international threats.

Especially after the 1999 Amsterdam Treaty and removal of internal borders, protection of the external borders has become a very important issue. The EU's recent enlargement processes have also triggered the concerns of the Member States over the security of external borders. This is because; an

effective border control means the prevention of irregular migrants who wish to reach European countries.

In this sense, Turkey is a very important country because of its unique geographical position and political situation; Turkey has been a country of migration. For centuries, migrants have been using Turkey as a transit way to reach European countries illegally. This situation puts Turkey a strategic position among the EU Member States. European officials have frequently emphasized the development of an effective border management in Turkey as a necessity of complying with the EU *acquis*.

Integrated Border Management (IBM) is a part of European security system. It is a system covering all aspects of border policy. The EU has emphasized the importance of developing an integrated border control in the chapter 24 of the *acquis* as a pre-condition for Turkey to be a member. Parallel to this, the theory of EU conditionality and the process of Europeanization refer to the special context of Turkey-EU relations on the development of a new border control agency. This issue is important to study. This is because;

‘Good functioning border management has two significant functions: one is smooth and efficient flow of goods and passengers and second is maintaining border security. Therefore, border management has significant impact and implications for a variety of sectors varying from commerce to public order and to national security. National border management system in Turkey needs to be reconsidered and redeveloped in line with the needs of the national context and taking into account best comparative models. The challenge is to combine varying cross-sector training and development needs and priorities, and deliver a training system that accommodates Border Police needs in addition to those of Government Ministries and third party agencies involved in border management functions. The object-learning model looks like the most

promising approach to cover the needs of the cross-sector training' (Training of Border Police)¹.

Although the Ministry of Interior (MOI) is responsible for the overall supervision competence, the following bodies are carrying out the current border management in Turkey: the General Directorate of Security, MOI performs the duties related to the entry and exit of the persons at border gates; the Undersecretariat of Customs performs the duties related to the entry and exit of goods at border gates; the Gendarmerie General Command performs the duties related to border (between border gates) surveillance of 125 km part of the Iran border and all of 384 km Iraq border (%17); the Land Forces General Command performs the duties related to border surveillance at other land borders (%83); and the Coast Guard Command performs the surveillance duties at maritime borders (between the border gates). The General Directorate of Security is responsible mainly for checking and managing entry and exit of foreigners and Turkish nationals. The Turkish Police in charge of border gates management are composed of: central organisation (department of aliens); and border organisation (under the authority of governors). In addition, as designated in the relevant legislation, the police in charge at the border gates (passport police) perform the following duties, such as: exit and entry procedures including registration, checking visa and travel documents, determining forgery on travel documents and taking such steps as inadmissibility and initiation of judicial proceedings, deportation procedures, receiving asylum applications, taking necessary security measures, prevention

¹ TR080213 Twinning Project: Training of Border Police, 24-Justice, Freedom and Security.

and investigation of human smuggling and general law enforcement duties. There is coordination and cooperation among the aforementioned authorities. Head of Civilian Administration (Governor or his designated Deputy) in the provinces organizes such cooperation through regular meetings and dissemination of information (Agenda item 13: External Borders)².

However, promoting cooperation and coordination among these various authorities is not easy and adequate enough to develop a functioning border control. In this regard, 2003 Strategy Paper for the Protection of External Borders in Turkey has aimed to change the existing situation. The Turkish authorities draw up the Strategy Paper in the light of EU experts' suggestions for the Protection of External Borders in Turkey, emphasizes that in line with the EU *acquis*, a single authority should perform all tasks at land and maritime borders and border gates to combat trafficking and illegal crossing and the security of the border gates; passenger entry and exit, passport checks and prevention of forgery, removal and deportation procedures; and security of the borders and physical measures. Auspices of the MOI should set this new organization for all border protection duties in Turkey that specially trained professional law enforcement duties perform. The Strategy Paper also states that, due to its geographical location, the control of border crossing is specifically important. The east and southeast borders are mountainous and the Eastern neighbouring countries have unstable political regimes. Thus, changing the existing border protection system and setting up a new unit would cause great financial burden so it would be useful for Turkey to

² Country Session 13-15 February 2006.
<http://www.abgs.gov.tr> in, accessed in 27.01.2012

gradually put in place a border police system with the financial assistance from the EU. The Action Plan on IBM in Turkey identifies requirements for legislative alignments, institutional reforms, staffing and training and the deployment of further equipment and infrastructure to ensure reinforced protection at the borders to attain best practices level to the extent possible. The IBM strategy envisages the establishment of a new civilian and professional border control institution under the single authority of MOI so as to develop an efficient and well-functioning border management in Turkey.

On the basis of these considerations, the research questions of this paper are important to ask because illegal migration contributes to four particular areas.

First, studying irregular migration and border management issues are significant within the European studies. This is because, Turkey's accession is one of the most controversial and debatable issues on the agenda of the EU and Turkey is one of the most important transit country for illegal migrants to the EU. Many third country nationals from the Middle East and Asia try to travel through Turkey in an attempt to reach Europe. There are frequent reports of regular migrants that Turkish forces apprehend or news of boats full of illegal migrants trying to reach Greece, Italy or France. Thus, Turkey is significant for the member governments of the EU in terms of combating illegal migration. However, the literature of decisive factors that shape the recent reforms on border management in Turkey is relatively scarce. Furthermore, especially since the removal of internal borders, the EU has become as a unitary territory that bound with a common external border and this contributes to a sense of belonging and common feelings, which make a division between

'inside' and 'outside' (Buzan & Diez, 1999). For this reason, Europeans consider illegal migrants as a threat not only to nation security but also to their common identity.

Secondly, irregular migration is an important fact in Turkey. On the one hand, regulating illegal migration is a part of complying with the EU demands. On the other hand, since Turkey has lately become a destination county for irregular migrants, the issue has gained importance for internal reasons, too. Besides the economic burden that irregular migrants cause, there is also a connection between illegal migration and other forms of activity as human smuggling and drug trafficking, which are threatening Turkish security and law and order in a more direct manner. However, the on-going situation in Turkey is not sufficient enough to prevent irregular migration. Inadequate police funds, lack of resources and cooperation among border forces make it difficult to fight against illegal migrants and related crimes. In this sense, irregular migration has importance internally and an efficient border control is the only way to cope with it.

Thirdly, irregular migration as a whole is also a significant issue in political science studies. This is because: political, economic, and social integration of migrants has always been a major concern hence the issue affects countries in many ways. Migrants do not only cause economic burdens to host states, but they also contribute to security and identity related concerns.

Lastly, studying irregular migration is significant in a humanitarian point of view, too. Illegal migrants mostly travel in very bad conditions and as many

incidents demonstrate that some of these travels ended up with deaths. In this regard, an improved and well-functioning border control might also be helpful to protect illegal migrants from disasters and save many lives.

On the basis of the significance of the illegal migration issue and the models of Europeanization, this paper proposes that the external incentives and social learning models explain the EU effect whereas the lesson-drawing model explains the domestic factors of policy change on border management in Turkey. This is because, a possible future membership to the EU, which is one of the arguments of the external incentives model, motivates the policymakers to adopt EU rules to the domestic context in Turkey. In addition, according to the social learning model, the appropriateness of EU rule on border management persuades the Turkish government to make policy change. Besides, dissatisfaction with the existing status quo also motivates policymakers to comply with EU demands with is the main argument of the lesson-drawing model.

Moreover, the external incentive model and rationalist cost-benefit calculations with a 'logic of consequences' (Schimmelfenning & Sedelmeier, 2002) explain the importance of the prospective reward of EU membership or visa liberalization for Turkish citizens and the aim to comply with EU demands to achieve these rewards. In addition, a well functioning border control would reduce illegal migration and hence decrease the burden of any future readmission agreement (Burgin, 2011). In this regard, size and speed of rewards are stimulating factors.

Apart from these, the costs of establishing a new border agency appear to be high and European funds cover only some part of them. It necessitates structural developments, changes and technical equipment. Indeed, adopting the IBM strategy of the EU is one of the requirements of EU membership, but the incentive to comply with the *acquis* on this issue now, seems to be low, because Turkey's EU membership is still controversial. Hence, it lacks credibility and there is no guarantee of the reward of EU membership or visa liberalization even if Turkey would fulfil the requirement. However, reforms on border management still continue.

This is because; the new salience of migration issues on the domestic agenda has contributed to the reforms of border management in Turkey. Illegal migration is a very significant issue not only for the EU and also for Turkish government. This is because; the issue has economic, political, and social repercussions. In addition, it has relations with transborder-crimes as human smuggling or drug trafficking. In line with this, besides being a transit country for irregular migrants, Turkey has also become a destination country during recent years. Relatively economic developments and political stability among its neighbours, illegal migrants have begun to choose Turkey as their target country. For this reason, an effective border control is necessary so as to fight against illegal migration and related crimes.

Furthermore, there is a growing awareness among the Turkish officials that reforms are part of improving the living conditions of citizens and enhance the country's position in the international arena. There is a rise of progressive forces that considering reforms not only as means to achieve EU membership

but also considering them as beneficial for Turkey. This is because; the existing situation is not efficient enough to cope with illegal migrants. There are many border forces to operate but there is no coordination among them. Establishing a new border control agency under a single authority will promote easy response and cooperation with related institutions to fight against irregular migration. Moreover, border management is an important issue in Turkey for not only fighting against illegal migration but also different kinds of smuggling and terrorism. Thus, borders are directly related with the development of economic, social, and cultural relations internationally that necessitates cooperation and thrust. In this context, establishment of a new professional non-military border security under a single authority will support the intra-agency cooperation and coordination that will strength the security of Turkey's borders, which is 'the main argument of policy makers'³ to legitimize the policy change on border management issue in Turkey.

In addition, besides the pressure coming from the EU, the United Nations High Commissioner for Refugees (UNHCR) has also contributes to the developments regard to migration issue in Turkey as a whole. This is because, the EU came on to the scene at a time when a pragmatic shift has been occurring among Turkish bureaucrats, which is the primary product of the long and patient engagement of the UNHCR in Turkey (Kirisci, 2011).

Moreover, Twinning projects and cooperation with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) on the border

³ Quotations from newspaper articles and private interviews are in chapter 3.

management issue support the socialization process in Turkey with EU-centred epistemic communities and increase the likelihood of compliance by legitimizing the rule adoption process.

In such a context, this study asserts that: besides the external incentives model alternative models of Europeanization as lesson-drawing and social learning models with both a logic of appropriateness and consequences are also helpful to examine the on-going developments and reforms on the border management issue. According to the social learning model, the likelihood of rule adoption increases if the rules are legitimate enough and there is domestic resonance. According to the lesson-drawing model, a government adopts EU rules if there is policy dissatisfaction with existing situation and policy change will solve domestic policy problems effectively. Transferability of these new rules is also important at this point.

In this context, to analyse the hypotheses, the paper proceeds in five steps: firstly, it reviews the literature on the theory of EU conditionality within the special context of Turkey-EU relations. Secondly, it continues with the explanation of the research method. Then, it gives information about the Draft Law on the General Directorate of Border Guard in Turkey. After that, parallel to Schimmelfenning and Sedelmeier's (2005) three models of Europeanization, the study analyses both the EU effect and the domestic factors of Europeanization in the engagement of Turkish government on the establishment of a professional non-military border guard under the Ministry of Interior (MOI).

To test the hypotheses, this study uses qualitative research method with historical analysis. The case study is based on Progress Reports, Accession Partnership Documents, Turkish National Action Plans, Twinning Projects, total of 32 articles from six national newspapers (newspapers of different political orientation: Hurriyet, Zaman, Cumhuriyet, Sabah, Milliyet, Radikal), and also on supplementary interviews with policy experts.

The result of the analyses demonstrates that all the three models of Europeanization have certain explaining power over the recent reforms on the establishment of a new organization for border management in Turkey. In other words, both the EU and domestic reasons are effective on the issue with both the logic of consequences and the logic of appropriateness. This paper claims that the EU incentive is the triggering factor but the Turkish government continues its reforms on border management because of domestic necessities.

By doing so this study aims to advance the existing literature by providing an empirically detailed account of how and through which channels

Europeanization occurs and how domestic concerns affect certain matters, specifically the border management issue. The reason for studying the

Europeanization of irregular migration and mainly the border management policies per se in the Turkish context contributes to the related literature on migration and Europeanization in two ways: first, the existing literature on

Europeanization and migration that analyses the impact of the EU on migration policies and politics of member and candidate states, focuses more on asylum politics and relatively less on other types of migration such as irregular migration that is in general a lack on policy studies. Secondly, illegal migration

and Europeanization follow exclusive paths in the scholarly literature on Turkey. The researches mostly cover immigration policies as a whole rather than focusing mainly on irregular migration. Moreover, many scholars argue that domestic and external factors are interrelated. However, most Europeanization studies about Turkey focus on the democratic consolidation and not so much on policy reforms, especially not in the rather new field of the IBM. This study hence aims to fill the gap in the border management issue within the literature on Europeanization process in Turkey.

2. EXPLAINING COMPLIANCE WITH THE EU DEMANDS:

EUROPEANIZATION

In recent years, scholars have discovered the significance of EU policies and institutions on political processes and structures in the member states and non-European countries in the EU's external relations as a new field of

research area commonly refers to as Europeanization (Radaelli, 2000; Cowles et al., 2001; Lavanex and Ucarer, 2004). Developments have taken place with regard to the EU's external effects. Some scholars define Europeanization in the narrow sense as the impact of European integration at the national level of the member states (Knill and Lehmkuhl, 2002), whereas some others extend its dynamics to states other than EU member states in so far as they refer to a process of change in national institutional and policy practices and attribute it to European integration (Hix and Goetz, 2000).

In this regard, this study divides Europeanization literature in three sections: conditions for, extent and nature of EU's impact; Europeanization of candidate states; and Europeanization and explanatory models of rule adoption.

2.1. Conditions for, extent and nature of the EU's impact:

Studies of the Europeanization of candidate countries primarily focus on the EU's impact on the domestic policies in the candidates. In this context, the key questions are: to what extent and under what conditions do non-member states adopt EU rules? (Schimmelfenning & Sedelmeier, 2005: 8). These guiding questions all head us towards one main point that: under what conditions is the EU's influence effective? Or in other words: what factors explain variation in the EU's influence across countries and issue areas?

There are different answers to these questions:

First, the use of conditionality may be a prominent strategy of the EU to influence candidate countries. It is the use of conditional positive incentives (visa exemption or ultimately EU membership) as reward for states, which

adopt certain rules that the EU specifies or conditional negative incentives that threaten candidates by not giving any reward. In other words, using conditionality as carrots and sticks.

Second, the EU may also use persuasion and socialization of elites to affect domestic change. These are part of alternative strategies that explain the Europeanization process (Schimmelfenning *et al.*, 2003).

Third, some studies focus primarily on the domestic level and ask which factors mediate the EU's influence. They examine the domestic reasons that support or oppose to Europeanization process (Schimmelfenning *et al.*, 2003; Schimmelfenning & Sedelmeier, 2005; Sedelmeier, 2006).

Fourth, the channels through that the EU exercises its influence. These channels might be intergovernmental and societal those have importance for the EU's impact on domestic policies of the target states. Through the intergovernmental channel, the EU directly effect governments and policy-makers in candidate countries. In the societal channel, the EU has indirect influence and it achieves this through the pressures of domestic groups on their governments (Vachudova, 2005; cited in Sedelmeier, 2006).

Finally, some studies consider explicitly that if changes on domestic policies in the non-member state meet the EU demands then there would be no need to be a link with EU conditionality. This change is voluntary rather than being the result of EU pressure or regardless of possible EU rewards. Domestic policy failures might be result of this and it is an alternative explanation for the adoption of EU rules (Schimmelfenning and Sedelmeier, 2005).

Moreover, the external effects of EU policies occur in a diverse manner and include both formal obligations and informal dynamics. Drawing on Dolowitz and Marshall's definition of policy transfer:

"The EU' external impact is a process in which policy makers use knowledge about policies, administrative arrangements, institutions etc. in one time and/or place in the development of policies, administrative arrangements and institutions in another time and/or space" (1996: 334).

There is a distinction between the transfer of general principles guiding the exercise of a policy, norms, specific policy instruments, policy programs, procedures, and institutional transfer involving, for instance the creation of specialized administrative agencies dealing with asylum and immigration (Dolowitz and Marsh, 2000). In this regard, Lavanex and Ucarer (2004: 420) argue that the content of externalization of policies differs with regard to scope and specificity. Another important point of the effects of EU policies on third countries is whether these effects occur voluntarily or result from series of factors that compel adaptation or change. Thus there is a distinction between 'obligated/ coerced' and 'voluntary' transfer. Obligated transfer operates vertically and often results in a top-down and binding process on those adapting to the external policy environments' (Lavanex and Ucarer 2004: 420). However, adaptation is result from voluntary transfer that is likely to be horizontal and bottom-up.

"Regardless of the differences in the decision-making process, however, policy transfer is likely to take place along a continuum that runs from fully voluntary adaptation to direct imposition and coercion and include a variety of modes such as policy diffusion (Majone, 1991: True and Mintrom, 2001), policy convergence (Bennet, 1991), policy learning and lesson drawing" (Dolowitz and Marsh, 1996, 2000; cited in Lavanex and Ucarer 2004: 420).

The policy transfer and diffusion of innovation literature are helpful to understand the points of learning activity. Innovators can act as policy entrepreneurs that are able to sell their innovations by demanding compliance of third countries through existing linkages. In addition, policy failure or dissatisfaction with existing policies in one country can result in government's deliberate effort to seek out, evaluate, and ultimately implement suitable innovations. Besides, proximity is an important factor that: the closer a country is to locus of innovation, the more likely it is to adapt to the innovation. If the issue in question is transborder in nature then likelihood will be strong (Hoberg, 1991; cited in Lavanex and Ucarer, 2004).

2.2. Europeanization of Candidate States:

The Europeanization of candidate countries has recently emerged as a new separate research area. The study of Europeanization has long been contributed to analyses of the member states of the EU. Even so, what the literature usually considers as Europeanization does not contribute to the member states. There is a considerable debate about how to define Europeanization (Borzel, 2005; Borzel and Risse 2003, 2007; Cowles *et al.*, 2001; Falkner, 2003; Featherstone and Radaelli, 2003; Radaelli, 2003; cited in Sedelmeier, 2006). The existing literature usually uses the term as the influence of the EU or domestic impact of the EU on the policies of member states and especially of candidate countries. However, the EU itself or domestic factors may drive the compliance of these countries with the *acquis*. In the first one, the EU conditionality that is the external incentive of EU membership triggers the reforms. In the second case, domestic actors support

domestic change regard to the fact that reform projects fit in with the EU demands and are an anchor for reform (Tocci, 2005). In sum, Europeanization does matter (Balkir & Soyaltin, 2009).

Moreover, the recent scholarly interest on the Europeanization of applicant states have contributed a lot to the emergence of this field as a distinctive, fairly coherent and increasingly sophisticated research area (Andonova 2003; Dimitrova 2004; Grabbe 2001, 2006; Hughes *et al.* 2004; Jacoby 2004; Linden 2002; Pridham 2002; Schimmelfenning *et al.* 2006; Schimmelfenning & Sedelmeier 2005; Sedelmeier 2006; Smith 1998; Vachudova 2005). These developments suggest that there is a sub-field of research on the process of Europeanization in candidate countries. Factors that constitute the more recent cases of candidates, Europeanization are not only distinctive to the particular socio-economic characteristics of the post-communist countries, but also to the EU's attempts to transfer its rules to non-members prior to accession. In this sense, conditionality underpins this process by mainly the top-down rule transfer rather than two-way nature of it within the significant power asymmetry between the EU and the targets of Europeanization.

However, scholarly interest is not sufficient enough on the Europeanization of border management issue and Turkey-EU relations on this regard. Generally studies on the Turkey-EU relations point that the EU incentive has lost its transformative power. This is because; the membership of Turkey is not clear and still controversial in some EU member states (Burgin, 2011). This uncertainty of Turkish membership has inevitably increased the political cost of

rule adoption (Kirisci, 2007a; 2007b; 2009), which leads to a slow down or deadlock (Ugur, 2010) of the accession talks.

As a consequence of this mistrust about the credibility of EU rewards, elites have become more critical about the EU accession process and public opinion has changed in the same way (Schimmelfenning & Sedelmeier, 2005). For instance on the migration issue, some scholars claim that the EU has just uses Turkey as a buffer zone, a dumping ground for irregular migrants (Kirisci, 2008; Ozcurumez & Senses, 2011). Moreover, developing relations with other regions also increase the importance of making allies with other neighbours rather than only relying on the European ones. Shortly, there is a fact that being a member of the EU has lost its importance compared to previous years (Onis & Yilmaz, 2009).

However, some scholars assert that: besides the ongoing strategic and economic relations with Turkey's Eastern neighbours, this situation should not affect the Turkey-EU relations (Duzgit & Tocci, 2009). For instance, Keyman (2009) points that without having a strong tie with the EU; Turkey's strategic and political position in the region may become weaker.

In line with these considerations, the burgeoning literature on Europeanization process in Turkey mostly focuses on democratization (Bac, 1998, 2000, 2005; Kubicek, 2005; Onis, 2003, 2004; Oguzlu, 2004; Rumford, 2001; Schimmelfenning *et al.*, 2003). In addition, the existing literature on migration and Europeanization, which analyses the impact of the EU on migration policies and politics of candidate states, focuses generally on international

migration (Icduygu, 2010), asylum politics (Kirisci, 2003; 2007) or the readmission issue (Burgin, 2011) in Turkey. The scholarly interest on irregular migration in Turkey is relatively less (Kirisci, 2003; Lavenex & Ucarer, 2004) and especially on the border management issue it is quite new in the literature. In this sense, this study aims to fill this gap by making a detailed research on the recent reforms in border management in Turkey.

2.3. Europeanization and Explanatory Models of Rule Adoption in the Candidate States:

Starting from the distinction between the two logics, there are three models of Europeanization (Schimmelfenning & Sedelmeier, 2005: 8-25)⁴. These are: the external incentives model, the social learning model, and the lesson-drawing model.

2.3.1. The External Incentives Model:

The first mechanism is the external incentives model that combines EU conditionality with rationalist explanations and a logic of consequences. It is an actor centred rationalist bargaining model. According to this model, if the benefits of membership are higher than the adoption costs then the candidate country will be willing to meet with the EU *acquis*. In this regard, the most important thing is the credibility of EU membership because, the candidate countries want to guarantee to receive the promised rewards after complying with the EU demands.

⁴ This part of the study mainly refers to Schimmelfenning and Sedelmeier 's book of The Europeanization of Central and Eastern Europe from 2005.

According to the external incentives model, the EU sets the condition of adoption of its rules that the candidate states have to fulfil so as to receive rewards from the EU. In this context, the EU offers two kinds of rewards to non-member countries: first, assistance and second, institutional ties. For instance, the EU's most important assistance program for the Central and Eastern European Countries (CEECs) is the Assistance for Restructuring Their Economies, so called PHARE, which offered technical and financial assistance for the transition to market economies and more specifically support their preparations for EU accession. In addition, institutional ties as reward may range from trade and cooperation agreements over association agreements to full membership. These institutional ties provide candidate states market access to the EU with an aim to gain more from trade and investment and increasing participation to EU decision making in the end (Schimmelfenning & Sedelmeier, 2005: 10-11).

In this model, the EU uses conditionality as a strategy of 'reactive reinforcement' or 'reinforcement by reward' (Schimmelfenning *et al.*, 2000). In this strategy, the EU gives reward if the target government complies with the *acquis* and withholds the reward if the government fails to comply with the EU demands. Moreover, the EU might intervene either coercively by putting extra costs (reinforcement by punishment), or supportively by giving more benefits (reinforcement by support) to affect the behaviour of target government. If a candidate fails to comply with the EU demands then it simply denies assistance, association, or membership. On the one hand, reinforcement by reward thus avoids target governments receiving EU assistance without not

adapting EU rules and just remaining needy. On the other hand, unlike reinforcement by punishment, this strategy accomplished little on changing the minds and behaviours of target governments, which come to the conclusion that the domestic costs of rule adoption exceeds the benefits of EU rewards and that EU sanctions are not going beyond withholding these rewards. However, the EU usually pursues a strategy of reinforcement by reward.

In addition, domestic status quo is the starting point of the bargaining process between the EU and candidate states. This status quo is the domestic equilibrium that is the current distribution of preferences and bargaining power in domestic politics and the relationship between international and domestic actors. In this regard, EU conditionality upsets this domestic equilibrium by giving additional incentives to target governments for compliance with the *acquis*. EU may use conditionality in different ways:

- 1) Intergovernmental bargaining: In this way conditionality may work directly. In this case, target governments will be more willing to comply with the EU demands if the domestic adoption costs and the opportunity costs of discarding the rules of other international actors do not exceed the promised EU rewards.
- 2) Effects of domestic actors: In this way conditionality may work indirectly. In this case, domestic actors will be more willing to comply with the EU demands if adopting these rules solves certain policy problems to the advantage of these domestic actors or increases their influence in their domestic political systems. In this existing domestic equilibrium, domestic actors do not have enough power to impose

their preferred rules and conditionality then changes the domestic opportunity structure in favour of these domestic actors.

However, intergovernmental bargaining produces a top-down rule transfer whereas, power of domestic actors a more bottom-up. Target government has to balance the pressure coming from the EU, domestic politics, and other international actors. In this sense, the external incentives model generally uses the strategy of reinforcement by reward, which means: target governments adopt EU rules if the benefits of EU rewards are more than the domestic adoption costs (Schimmelfenning e& Sedelmeier, 2005).

There are four steps that the cost-benefit calculations of target governments depend on: the determinacy of condition, the size and speed of rewards, the credibility of threats and promises, and size of adoption costs.

1) Determinacy of Conditions:

The external incentives model generally suggests that target governments do not comply with the *acquis* if the EU does not set its rules as conditions of EU rewards. Moreover, the EU sets the determinacy of the conditions.

Determinacy means both the clarity and formality of a rule and it motivates the target governments to comply with the EU demands. Determinacy of rules becomes higher with the clarity of behavioural implications of a rule and the legality of its status. For instance, Dimitrova (2002) points the lack of rule clarity as one of the main inhibiting factors in the impact of the EU in the CEECs.

Determinacy of conditions is important in two respects. Firstly, it has informational value. It guides the target governments to make necessary reforms to get the EU rewards. For instance, the EU puts forward the readmission agreements in relations with Turkey to give possible visa exemption in the future. Secondly, determinacy of rules enhances the credibility of conditionality. It deters the target governments from avoiding the adoption of rules or manipulating them to their advantage. However, determinacy also binds the EU. This is because, the EU will not be able to claim unjustly that the target government does not fulfil and to withhold the reward if a condition is determinate. On the basis of these considerations, Schimmelfenning and Sedelmeier (2005: 13) formulate that: the likelihood of rule adoption increases, if the EU sets the rules as conditions for rewards and the more determinate they are.

2) Size and Speed of Rewards:

The size and speed of the conditional rewards have another importance under a strategy of reinforcement by reward. For example, candidate states would be more willing to comply with the EU demands, if the EU promises enlargement rather than association or assistance.

Furthermore, if the temporal distance to the payment of rewards is close, then the incentive to comply with the EU rules will be higher. Besides, candidate governments become more likely to adopt the EU rules when the day of EU enlargement decision-making gets closer. In this sense, the EU membership is as the ultimate award, whereas trade and cooperation agreements, association agreements, pre-accession support, and inclusion in accession

negotiations are as intermediary rewards. The Commission's Opinions and Progress Reports on the process of reforms in candidate states provide information for the EU to give reward or withdraw benefits. Schimmelfenning and Sedelmeier (2005: 13) shortly formulate these considerations: the likelihood of rule adoption increases with the size and speed of rewards.

3) Credibility of Conditionality:

The third set of factor is the credibility of conditions, which means that the EU is able to threaten the target government to withhold rewards in case of non-compliance or promise to deliver rewards in case of rule adoption. On the basis of this, rule adoption requires superior bargaining power (that makes threats credible), and the target states have to be certain about the conditional payments (that makes promises credible). There are other factors that relate to bargaining power and certainty.

The first one is the capabilities and costs of the target government employing conditionality. On the one hand, the EU has to be able to withdraw the rewards and be less interested in giving them. The target government should know that the EU rewards are not unconditional. In general, this condition is present in the EU enlargements and interdependence is highly asymmetrical in favour of the EU as in EU-CEECs or EU-Turkey relations. On the other hand, the EU has to be able to pay the promised rewards. The target government should not be doubtful about eventual payment of the rewards. For instance, the recent Eastern enlargement involved substantial costs to the expected benefits of most member states. In this regard, assistance and association have been more credible rewards than the ultimate reward: accession.

Furthermore, on the one hand, the credibility of conditional rewards increases in line with the opening of accession negotiations, which means opening them implies a willingness to conclude them and this motivates the target governments to comply with the EU demands. On the other hand, this situation may also lower the motivations of the target governments because it decreases the credibility of threats (Dimitrova, 2002).

Secondly, credibility also depends on the consistency of the EU's allocation of rewards. When the EU directs conditionality to other political, strategic, or economic considerations, the candidate state may hope to receive rewards without complying with the *acquis*. For instance, the EU included Slovakia, Latvia, and Lithuania into accession negotiations to reward these countries for their developments to meet the membership criteria and this increased the credibility of the EU. By comparison, inclusion of Romania and Bulgaria for their support of North Atlantic Treaty Organization (NATO) action in Kosovo decreased the credibility of the EU (Schimmelfenning and Sedelmeier, 2005).

Thirdly, there must be no or minor cross-conditionality, which make the EU conditionality ineffective when the target government has relations with other sources that bring more benefits with lower adoption costs. In the bargaining theory, the target government should have no credible alternative to EU integration. Conversely, there might be parallel conditionality that other international actors, as NATO, offer rewards in return to adoption of same demands or to fulfilment of EU criteria (additive conditionality). Both situations enhance the EU conditionality (Schimmelfenning and Sedelmeier, 2005).

Fourth, asymmetries of information are also important factors that reduce the effectiveness of EU conditionality. On the basis of this, when the EU is not able to monitor the target state or the target government is able to conceal its compliance, and then the credibility of EU conditionality decreases. For instance, so as to monitor the CEECs more effectively, the Commission invented new instruments as questionnaires, extensive screening, and progress reports.

In this regard, Schimmelfenning and Sedelmeier (2005: 16) formulate a general credibility hypothesis and claim that:

“The likelihood of rule adoption increases with the credibility of conditional threats and promises. (1) the credibility of threats increases and the credibility of promises decreases as the benefits of rewarding or the costs of withholding the reward decrease; (2) credibility decreases with cross-conditionality and increases with parallel or additive conditionality; and (3) credibility decreases with information asymmetries in favour of the target government”.

4) Veto Players and Adoption Costs:

According to the external incentives model, the size of domestic adoption costs and its distribution among domestic actors are important factors that direct the target governments to comply with the EU demands. There are always domestic rule adoption costs that have various sources such as: the form of opportunity costs of alternative benefits coming from adoption of rules other than EU rules. Secondly, it may take the form of welfare or power costs for private and public actors. In this regard, complying with the EU demands may depend on the preferences of the government and of other domestic

actors as veto players. On the basis of this reasoning, veto players are able to increase the domestic costs of rule adoption by making a significant change more difficult. The EU conditionality may also be influential in domestic politics by providing the electorate and interest groups with the necessary information to vote for reform-friendly parties. Schimmelfenning and Sedelmeier (2005: 17) formulate this as:

“the likelihood of rule adoption decreases with the number of veto players incurring net adoption costs (opportunity costs, welfare, and power costs) from compliance”.

2.3.2. The Social Learning Model:

The second model is the social learning model, which combines EU conditionality with constructivist institutionalism and a logic of appropriateness (Checkel, 2001). According to this alternative model, if the government of candidate country assures of the legitimacy of the demands then it will comply with the EU *acquis*. In addition, adoption of the EU rules based on the target government’s demands for rule adoption in terms of the collective identity, values, and norms. On the basis of this reasoning, Schimmelfenning and Sedelmeier (2005: 18) assert that: “a government adopts EU rules if the appropriateness of EU rules persuades it”.

Besides, there may be a relation between the social learning and external incentives models. This is because; the EU might be able to persuade the target governments, societal groups, and organizations of the appropriateness of its rules. In addition, there are also related factors that affect the persuasive power of the EU. These are: legitimacy, identity, and resonance.

1) Legitimacy:

Legitimacy is about the quality of rules and the process that the EU establishes and transfers them to the target governments. This legitimacy makes the target governments respect to the rules of the EU. Determinacy is an important factor in line with the legitimacy of rules. This is because; the EU must at least have rules for a given issue area. Besides, the Member States must have generally accept and apply the rules coherently to be role models to non-member states. Moreover, if a rule is more tied to the constitutive values and norms of the community, means a legitimate rule-making process, then this rule becomes more legitimate.

Because of the fact that candidate states do not usually participate in the EU's rule-making process, any EU rule become a kind of external imposition. For this reason, the way that the EU transfers its rules to candidate states has gained significance. For instance, when the EU simply demands the compliance with the *acquis*, then the legitimacy problem increases. However, when the EU engages in the process and gives importance to the concerns and special needs of the target governments in the interpretation and application of EU rules and relates its demands to general international principles and standards, then the legitimacy problem decreases in line with the perception of imposition. For instance, readmission agreements, which the EU imposes upon Turkey, are grounds for concern as the Turkish government fears that Turkey will become a dumping ground for irregular migrants apprehended in Turkey and the EU aims to make Turkey as a buffer zone. These concerns increase the legitimacy problem of readmission agreements

on Turkish side. The EU accession process may then bring legitimacy problems within itself. Thus, the target governments are accepting the EU *acquis* in a one-way process. Membership negotiations only consider the target governments' adoption and enforcement of the EU rules (Schimmelfenning and Sedelmeier, 2005).

Therefore, if there are no alternative and conflicting rules in the international environment that undermine the EU rules, this increases the legitimacy of them. Besides, if the EU rules are in line with the rules in the international environment, then this supports the rule adoption in the target governments. Moreover, if the density of relation between the EU and the target government is higher than that between the target state and other international actors, the EU rules may be more persuasive even in an international rule contestation (Checkel, 2001). On the basis of these considerations, Schimmelfenning and Sedelmeier (2005: 19) claim that:

“ The likelihood of rule adoption increases as the legitimacy of the rules increases. (1) Legitimacy increases with the clarity of rules, their adherence to a rule hierarchy based on the constitutive values and norms of the community, their degree of acceptance and the legitimacy of the rule-making procedures; (2) decreases if there are special rules for non-member states or all member states do not accept and apply them; (3) increases with the deliberative quality of the process of rule transfer; and (4) increases with international rule consensus”.

2) Identity:

According to this factor, the target governments will be more willing to comply with the EU demands, if they regard members of the EU as a desired group and want to be a part of his group's collective identity, values, and norms (Checkel, 2001). In other words, candidate states should feel to belong to this

aspiration group. In this regard, Schimmelfenning and Sedelmeier (2005: 19) hypothesis that: "The likelihood of rule adoption increases with the identification of the target government and society with the community that has established the rules".

3) Resonance:

According to this factor, domestic factors may facilitate or inhibit persuasion by using resonance. On the one hand, acceptance and adoption of new and external rules increases in line with the absence of domestic rules or a serious policy failure (Checkel, 2001). For instance, Turkish government legitimizes the developments on the establishment of a new border control agency by pointing the insufficiency of existing border management to prevent illegal migration. Compliance also increases parallel to the beliefs that regard EU rules as good policy and to harmony between existing or traditional domestic rules and the EU rules and legal culture. On the other hand, conflicting domestic political culture and rules that have consensual domestic legitimacy, make rule adoption more complicated. On the basis of this reasoning, Schimmelfenning and Sedelmeier (2005: 20) hypothesis that: 'The likelihood of rule adoption increases with domestic resonance'.

Shortly, according to the social learning model, legitimacy of rules and procedures, identification, and domestic rule resonance increase the likelihood of compliance with EU demands.

2.3.3. The Lesson-Drawing Model:

Candidate states may also comply with the EU *acquis* without persuasion of the EU. This occurs as a particular type of policy transfer when the target governments use the EU rules in the development of rules in their domestic political systems. This policy transfer differs from voluntary and coercive forms of rule transfer. The lesson-drawing is the ideal type of voluntary transfer and is a response to domestic dissatisfaction with the existing status quo.

According to this model, target governments transfer the EU rules in the internal context because they believe that these rules may also operate effectively in the domestic politics. The general point is that policymakers engage in a process of learning from abroad because of the domestic dissatisfaction with the existing political situation. This understanding has both a rationalist and a more sociological variant. According to the rationalist version, this learning is a simple learning characterized by a change in means but not in ends whereas; in the sociological variant this learning includes a modification of underlying aims. However, the key difference from other two models is that the effects of the EU are not the only factors in the decision to comply with the EU demands.

Lesson-drawing model implies that the target governments transfer the EU rules in line with the adoption to the domestic context. In this regard, there are four factors of lesson-drawing: 1) copying, means direct and complete transfer of the EU rules; 2) emulation, means adoption with adjustment to different circumstances or transfer of ideas; 3) inspiration, means another program

inspiring policy change; 4) combination, means combining policies from different places (Schimmelfenning and Sedelmeier, 2005: 20-1).

For instance, particular cases of rule adoption in the CEECs are a combination of domestic choice and EU-induced rule adoption. There may be dissatisfaction with the existing domestic context in a target state. In this case, candidate states import EU rules voluntarily as the result of perceived domestic utility of these rules rather than weighting of EU rewards over adjustment costs. On the basis of this reasoning, Schimmelfenning and Sedelmeier (2005: 22) hypothesize that: "A government adopts EU rules if it expects these rules to solve domestic policy problems effectively".

There are conditions, in which the target state draws lessons from EU rules: the government has to search for rules abroad; direct its search at the political system of the EU; and evaluate EU rules as suitable for its domestic context. These conditions are in line with four factors: policy dissatisfaction, EU-centred epistemic communities, rule transferability, and veto players.

1) Policy Dissatisfaction:

According to the lesson-drawing model, policy failure and domestic dissatisfaction with the status quo are the main factors that make a government search for policy models abroad. Changes in the policy environment or in political values may lead to policy failure or dissatisfaction as in most public policies in the CEECs after 1989. This situation might direct the governments to search for new rules within a process of complex learning that is able to change the belief system of policymakers and thus leads to changes in

policy paradigms. Schimmelfenning and Sedelmeier (2005: 22) hypothesis this policy dissatisfaction as:

“The likelihood of rule adoption increases as the perception that domestic rules are working satisfactorily decreases. In this sense, policymakers’ dissatisfaction with domestic rules increases as the threat of domestic sanctions for maintaining the status quo increases, and dissatisfaction increases as policy failure discredits the ideas underpinning policy”.

2) EU-Centred Epistemic Communities:

Candidate states have to direct their search to the EU or member states to draw lessons from EU rules. In this sense, familiarity with other political systems is an advantage to policymakers. Geographical proximity and professional contacts across institutional and geographical boundaries are important factors that foster familiarity.

In this regard, epistemic communities are significant source of ideas that involve lesson-drawing especially in policy areas, which necessitate technical expertise and special knowledge. Effects of epistemic communities on policymakers depend on domestic institutional status quo that mediates policy impact of new ideas. On the basis of this considerations, Schimmelfenning and Sedelmeier (2005: 23) hypothesis that:

“The likelihood of rule adoption increases the more that public policymakers have institutionalized relationship with epistemic communities that promote EU rules and the more that domestic structures are conducive to the influence of new ideas. The influence of epistemic communities increases as uncertainty about cause and effect relationships in a certain policy area among policymakers and with the consensus among the experts involved increases, and influence increases as the institutionalization of expert advice in the policy process and the receptiveness of domestic structures to new ideas increase”.

3) Transferability of Rules:

Success of the new rules in solving policy challenges similar to those at home is the key condition for a state to draw a positive lesson from scanning these rules. In addition, candidate states have to be sure that these rules will work successfully after transfer into domestic politics. The harmonization will be higher if the conditions that affect how these rules work. These conditions may be the suitability of necessary institutions and the equivalence of resources between governments. For instance, policymakers expected problems in transferability of these rules in the case of the CEECs because of legacies of socialism that led to divergent socioeconomic and institutional developments. In addition to their technical coherence, candidate states also have to accept EU rules politically. Besides the fact that adoption of these rules aims to correct domestic dissatisfaction, they may still negatively affect certain societal groups. However, lesson-drawing model starts from a domestic disequilibrium in which the balance of domestic forces supports a change in the status quo. For this reason, domestic actors that opposed to rule changes are less politically significant. Notwithstanding, domestic veto players might still oppose to particular rules, target governments hence should calculate the opportunity costs between different rule changes.

Moreover, transferability of EU rules does not only depend on material resources, and material costs of adopting these rules do not only provoke domestic veto players. In this context, a more sociological view emphasizes that the EU rules and the ideas, which underpin these rules, have to be in coherence with the terms of the domestic political discourse as the concept of resonance in the social learning model. A network of associations, which relate

common political ideas, familiar concepts, key issues, and collective historical experiences to each other and that give most political terms their collective meaning, structure the national political discourses. On the basis of this reasoning, Schimmelfenning and Sedelmeier (2005: 24) hypothesis that:

“The likelihood of rule adoption increases with the rule’s success in solving similar policy challenges in the EU and the transferability of this success. 1) Transferability increases with the similarity or substitutability of the institutional, administrative, and financial resources required for their implementation; 2) transferability increases with the compatibility of rules vis-à-vis the national political discourse; and 3) transferability decreases with the number of veto players incurring net adoption costs”.

In this sense, the Lesson-drawing can follow both a logic of appropriateness or consequences. According to this model, non-member states are most likely to adopt EU rules when there is policy dissatisfaction with the existing policy status quo. In other words, domestic needs result in domestic reforms and changes in the internal paradigms and identities.

In sum, the three models of Europeanization formulate the adoption of EU *acquis* on variety of issue areas in the candidate states. Schimmelfenning and Sedelmeier (2005) hypothesis the three models of Europeanization in their book on the Europeanization of the CEECs and other scholars have started to use these models in their own studies (Burgin, 2011). This study will also refer to these models to explain the recent reforms on the establishment of a new organization for border management in Turkey.

3. RESEARCH METHOD AND MEASURES OF ANALYSIS

All the three models of Europeanization in comparative case studies cover a wide variety of issue areas. As some scholars emphasize that these models do not have to compete with each other all the time; they might also be complementary (Jupille, Caporaso & Checkel, 2003). Schimmelfenning and Sedelmeier (2005) point that on the one hand, as an ideal case of EU influence, if the EU offers credible and sizeable external incentives for the adoption of rules that will end up with high legitimacy and high lesson-drawing appeal. In addition, veto players are relevant in all models. However, conditions differ. For instance, according to the external incentives model, if the conditions are favourable there might be a high likelihood of rule adoption even in the absence of legitimacy, identity, and resonance. Similarly, high and credible external incentives might be effective in the absence of policy dissatisfaction or in the EU-centred epistemic communities that the lesson-drawing model emphasizes. On the other hand, alternative models would expect rule adoption in the absence of conditionality and of credible and sizeable benefits. In this context, the scope of conditions in candidate country is one the most important determining factors that makes the country to comply with the EU *acquis*.

Starting from the three models of Europeanization, there are both external and domestic reasons, which might affect the on going developments in Turkey's border management strategy. This directs us to two question, these are:

R1: What is the EU effect on the establishment of a new border guard in Turkey?

R2: What are the domestic effects of Europeanization on the establishment of a new border guard in Turkey?

Based on these research questions and in line with the three models of Europeanization, this study constructs three hypotheses as follows:

H1: In the light of the external incentives model, expected benefits from the EU may be effective in the recent reforms on the establishment of a new organization for border management in Turkey.

H2: In the light of the social learning model, appropriateness of EU rules on border management might direct the Turkish government to make reforms on the establishment of a new organization for border control.

H3: In the light of the lesson-drawing model, the perception that EU rules on border management will solve domestic policy problems may be the driving force of the recent reforms on the establishment of a new organization for border management in Turkey.

Parallel to the hypotheses, this study identifies the dependent and independent variables are as follows:

- **Dependent Variable:** The dependent variable is 'Recent reforms on the establishment of a new, civilian and professional border management in Turkey'.

- **Independent Variables:** The independent variables, offered by the three Europeanization mechanisms, are ‘ Determinacy of conditions, size and speed of rewards, credibility of conditionality, veto players and adoption costs (factors of the external incentives model); legitimacy of rules and process, identity, resonance (factors of the social learning model); policy dissatisfaction, EU-centred epistemic communities, and transferability of rules (factors of the lesson-drawing model).

The existing literature does not provide answers to these questions and mostly head towards the reasons of recent democratization process in Turkey as a candidate country. Thus, this study aims to fill this gap.

To achieve its aim and test the hypotheses this thesis uses qualitative research design with single case study. The content analysis is relying on the structured historical analysis of the Accession Partnership Documents, Progress Reports, National Action Plans, newspapers, interviews with policy makers, publications of related institutions and public statements of bureaucrats. Before going into the analysis of EU effect and domestic effects of Europeanization on the establishment of a new organization for border management in Turkey, next part will detail the Draft Law on Organization for Directorate general for Border Management in Turkey to elaborate the recent developments on the issue.

4. THE DRAFT LAW ON THE FUTURE GENERAL DIRECTORATE FOR BORDER GUARD (GDBG) IN TURKEY

Under the obligations of the EU *acquis* and Turkey's endeavors on border management issue since 2002, MOI drafted the Law on the future General Directorate for Border Guard (GDBG) at the end of 2010. Based on the National Action Plan this draft law regulates the establishment of a GDBG within the Ministry of Internal Affairs competent for the fulfillment of all duties related to the IBM of the EU, in particular border control and border surveillance. The GDBG will be a civilian law enforcement agency that border guard officials staff with the status of police officers, as well as by civil servants and public employees. As a proposal, the GDBG could be organized in central, territorial and local units, for this purpose the Hungarian experts have provided a concrete example (Newsletter, 16-22 August 2010).⁵ The draft law aims to regulate the border management incorporating EU best practices in border control and border surveillance in Turkey.

However, the draft law also led to some 'debates between the military and government'.⁶ This is because; some military personnel foresee that transferring authority to a civilian control will not be enough to protect borders and will diminish the strength of the military so the power of Turkey.

⁵ http://syb.icisleri.gov.tr/default_B0.aspx?id=443, accessed in 09.11.2011

⁶ Bugun Gazetesi, "Sinirlar Sivillere Devredilecek", Borders Will be Transferred to Civilians, 27.09.2011

<http://www.bugun.com.tr/haber-detay/167402-sinirlar-sivillere-devredilecek-haberi.aspx>, accessed in 02.04.2012

Zaman Gazetesi, "Askerden Yeni Sinir Muhafaza Teskilatina Ilginc Cikis"; Military Opposition to the New Border Guards, 05.03.2011.

<http://zaman.com.tr/haber.do?haberno=1102671&title=askerden-yeni-sinir-muhafaza-teskilatina-ilginc-cikis-hakk%E2ri-daglarini-korumaya-kim-talipse-devredelim>, accessed in 06.04.2012

Besides these debates, the Turkish government has purposefully announced that it will start training police officers recruited for the special border guard, which will be responsible for protecting Turkey's extensive land and sea borders. Turkish Minister of the Interior Besir Atalay stated that:

"The government would establish a Vocational School of Higher Institution on Border Management in Ankara province so as to train special police forces for border control"⁷.

The ministry is already training 14,000 male and 700 female in police academies across the country. The interior and education ministers set up jointly the special school for border patrol. They anticipated that about 70,000 people would receive education and training at this educational institution by 2014. Most students will come from security agencies, including the police and the military. The school will employ foreign security experts to provide special training to students at this school.

The most important point is that civilians, rather than military or police officers, will lead the newly established border agency. The role, which the land forces commander under the command of the chief of General Staff and the Gendermarie under the authority of the Interior Ministry currently perform, will pass to the new agency. These forces will transfer some part of the military personnel to the new border patrol agency, while civilians will remain in key position.

Moreover, some units operating under the authority of police forces will also shift to the border patrol agency after they go through a one-year education

⁷ Today's Zaman, "Gov't Takes Step to Establish Special Border Patrol Agency, 07.11.2010. <http://www.todayszaman.com/news-226566-govt-takes-steps-to-establish-special-border-patrol-agency.html>, accessed in 26.01.2012

and training program for border control. Some of the powers of the Coast Guard Command acting under the Ministry of the Interior will shift to this agency, too.

The GDBD will operate under the Ministry of the Interior and will have equipment as weapons and the latest technology. Border police will be responsible for monitoring all customs gates in Turkey.

The changes will also render almost 35,000 conscripts currently assigned to protect an area of 2,949 square kilometers near borders. Policy makers will transfer these forces to areas where Turkish military has an urgent need for manpower.

In Sedat Gunec's article⁸ from Zaman, this agency will mainly aim to:

- Protecting land and seas borders from all illegal activities and providing their security
- Providing necessary technical security equipments at border zones
- Providing public security and order at border gates
- Managing human and vehicular trafficking
- Controlling entries and exits, passport or relevant travel document

⁸ "Sinirlarda Radikal Degisiklik", Radical Changes at Borders, 04.02.2011. <http://zaman.com.tr/haber.do?haberno=1088917&title=sinirlarda-radikal-degisiklik&haberSayfa=0>, accessed in 29.01.2012

- Preventing forgery
- Precluding violations at borders and violations against the border law
- Combating against illegal crossing, irregular migration, human smuggling and all other trans border crimes
- Managing deportation process
- Managing all issues related with the entrance of foreigners
- Establishing centers for illegal migrants to host and send them back to their home countries or other third countries

To achieve this aim, MOI will take over the responsibility under the integrated border management project. The Ministry of Interior has been carrying out the project since 2002. Within this framework there will be civilian professionals under the roof of MOI. The Prime Minister Erdogan approved the National Action Plan from 2006. According to this plan: MOI will be the only institution that responsible for border security but of course there will be communication and sharing with General Command of Gendarmerie and Land Forces Commander. Turkish Armed Forces will help MOI under protocols. In this regard, "the new border patrol agency will serve as border police and have the necessary arms but this does not mean that there will be a new big power similar to an army"⁹.

⁹ *ibid.*

Turkish Minister of the Interior Besir Atalay mentioned the establishment of integrated border management similar to Member States of the EU. He claimed that: “we will establish a 50,000 member organization separate from the police and borders will be its only expertise”. Mainly, IBM aims to switch the duty of protection of borders from military to a civilian authority. It is based on Hungarian model of border security to protect the borders of Turkey sharing with Iran, Iraq, Syria, Greece, Bulgaria, Georgia, and Armenia.

Today, the Draft Legislation for the future General Directorate for Border Guard is waiting in the Turkish Cabinet to be sent to the Parliament. In the light of these developments, if everything goes planned, the new organization for border management will begin to undertake the protection of Turkey’s land borders in addition to providing security services in international seaports and customs points in accordance with the 3rd National Program from 2008 (Koktas, 2011: 21-4). After 5-10 years of the Legislation come into force, military will transfer its authority to the new organization for border security. The target is the withdrawal of the Turkish Land Forces and Gendarmerie from shared borders with Greece and Bulgaria in five years, and shared borders with Syria, Armenia, Azerbaijan, and Georgia in ten years.¹⁰ The Cabinet Ministers will decide the time of withdrawal of military from shared borders with Iraq and Persia. In addition, the Directorate General of Security will complete the delegation of authority in four years. At the same time, border management section in the police department will graduate its first students.

¹⁰ Radikal Gazetesi, “Sinirlarda Radikal Degisiklik”, Radical Changes at Borders, 04.02.2011. <http://zaman.com.tr/haber.do?haberno=1088917&title=sinirlarda-radikal-degisiklik&haberSayfa=0>, accessed in 29.01.2012

2001 Progress Report, as many others, pointed that there is a need to take a number of actions to strengthen border management, in particular to prevent and deter illegal border crossing and Turkey has to pay more attention to the establishment of a civilian border guard (European Commission, 2001: 82). In this regard, National Programme from 24 July 2003, foreseen the continuation of the alignment with the EU *acquis* on border management by adopting and implementing the best practices on the fight against illegal migration as well as strengthening technical and administrative capacities of agencies and institutions responsible for the control of the borders including the Gendarmerie General Command and the Coast Guard Command in line with the best practices of the EU Member States prior to the fulfillment of the legislative, administrative and infra-structural needs for the establishment of a non-military and professional border guard institution in the long term (National Programme, 2003; chapter 24).¹¹

On the basis of these considerations, Strategy Paper for the Protection of the External Borders, 2003, which the coordination of the MOI and related institutions agreed, foresees that, Ministry of Interior will constitute a non-military, and professional border security unit. This unit will be responsible for the protection of borders and entry points, smuggling and illegal crossing, passport control, deportations, all entrances and exits etc. In sum, the Draft Law is quite related with the demands of the EU on the issue.

¹¹ 2003 NPAA,
<http://www.abgs.gov.tr/index.php?p=196&l=2>, accessed in 03.02.2012

The next two sections will analyze the EU effect and domestic effects of Europeanization on the recent reforms on the establishment of a new organization for border management in Turkey.

5. EUROPEAN UNION EFFECT ON THE ESTABLISHMENT OF A NEW ORGANIZATION FOR BORDER MANAGEMENT IN TURKEY

The process of Europeanizing border policies in the candidate countries involves the transfer of EU legislation, institutional models, and working practices that together constitute a very complex process due to the fact that the various measures related to borders and internal security are scattered across different parts of the EU's agenda for the candidate countries. The candidates have to taken on the whole of the Schengen *acquis* that needs to harmonization with EU law and undertaking a range of measures to build the institutions and policies to implement.

This chapter deals with the EU effect in line with the interaction of both the logic of consequences and the logic of appropriateness to explain the reasons of recent reforms on the establishment of a new organization for border management in Turkey.

5.1. Border Management and the External Incentives Model:

There are four sets of factors that the cost-benefit balance of this model depends on: the determinacy of conditions, size and speed of rewards, credibility of conditionality, and veto players and adoption costs.

5.1.1. Determinacy of Conditions:

The determinacy hypothesis formulates that the likelihood of rule adoption increases with the determinacy of rules as conditions for rewards. This means that the target governments should know exactly what they have to do to get

the rewards. By this way, determinacy also enhances the credibility of conditionality because the target countries cannot manipulate or avoid adopting the EU rules.

On the basis of this reasoning, the EU *acquis* on border management, which is the 24th chapter on 'justice, freedom & security', is quite determinate. This is because; border management is a very vital and significant issue in the EU. Especially the Schengen Agreement of 1985, the Single European Act (SEA) of 1986 aimed to achieve an actual common market and this paved the way for the Maastricht Treaty (Treaty on European Union-TEU) of 1992 that reinforced the expansion of federalist European institutions within the member states (Apap & Tchorbadjiyska, 2004; Castles & Miller 2010; Convey & Kupiszewski, 1995). The removal of internal borders inevitably made the migration issue and management of external border control more important and even vital.

These developments constituted the formation of a common EU migration, and the Integrated Border Management (IBM) model of the EU, which mainly is a system covering all aspects of border policy. The system spreads over four complementary tiers which include operational measures in and with third countries; operational border security cooperation with neighbouring third countries; border checks and border surveillance at the external borders and border security related measures within the Member States.

The summary of the principle of the IBM of the EU as:

“National and international coordination and cooperation among all the relevant authorities and agencies involved in border security and trade facilitation to establish effective, efficient and integrated border management systems, so as to reach the objective of open, but well controlled and secure borders”.

In a globalized world, efficient border management and real border security are vital for both individual countries and for the EU itself. Thus, the EU commits to work with all countries to achieve the core objectives of IBM.

The IBM of the EU has been an important tool for the security of the EU. This is because; asylum seekers and illegal migration have always constituted a variety of security challenges for European states. These challenges are mostly related to massive fluctuations of migrants and the limited effectiveness of receiving states to control such flows. The significance of the issue comes from the fact that, migration is not only related with the security concerns (Adamson, 2006; Ceccorulli, 2010; Collyer, 2006; Georgios, 2007; Leonard, 2010; O’Neill, 2006), but also with economic (Freeman, 1986; Georg, 2009; Hatton & Williamson, 2009; Popoviciu, 2011; Trager, 2005), human rights (Boguzs, 2004; Lopez, 2010; Mcsherry & Kneebone, 2008; Pirjola, 2009), and identity related issues (Alexseev, 2011; Benmayor & Skotnes, 1994; Fraser, 2003; Wuver, 1993). Particularly since the 9/11 terrorists attacks, the pre-existing European security agenda vis-à-vis asylum seekers and illegal migrants in Europe has reinforced (Bigo, 1994; Castles & Miller, 2010: 207; Guild, 2003; Huysman, 2000; Kirisci, 2005, Zielonka, 2002) and supported the idea that there is a necessity for closer cooperation among the EU Member States and their neighbours on border control issues particularly.

The latest Eurobarometer 68¹² data from 2008, which covers a migration part, demonstrates that %74 percentage of Europeans support for a common migration policy. In this respect, a well functioning ‘border management’ has always been the first priority for the EU to prevent irregular migration, and protect both the external and internal securities of the Member States. The Eurobarometer Qualitative Study¹³ from 2006 also demonstrates that the vast majority of respondents support the reinforcement of extra-community border controls in Europe to regulate irregular.

In this respect, the EU pays special attention on Turkey. This is because; over the last few years, Turkey has emerged as the most preferred transit country for irregular migrants to reach the EU. Turkey is the primary transit route for illegal migrants from the Eastern countries especially from Afghanistan. In addition over recent years, migrants from the North Africa have also begun to choose this route to reach the Western countries (Zaman Gazetesi, 08. 02. 2011)¹⁴. There are frequent media reports of ships originating from Turkey with full of illegal immigrants landing on the coast of Greece, Italy or France. Sometimes, there have been human tragedies when these ships run a ground or sink¹⁵.

¹² Eurobarometer 68 Public Opinion in the European Union, May 2008.

¹³ Eurobarometer The European Citizens and the Future of Europe Qualitative Study in the 25 Member States, May 2006.

¹⁴ “AB’ye kaçak girişlerde ana rote Türkiye”, Turkey is the main road for illegal entries to the EU, 08.02.2011.
<http://www.zaman.com.tr/haber.do?haberno=1090823&keyfield=6B61C3A7616B2067C3B6C3A7>, accessed in 26.11. 2011

¹⁵ Zaman Gazetesi, “Göçmen Teknesinde 25 ceset bulundu”, 25 dead bodies found in an illegal migrants ship, 01.08.2011.
<http://www.zaman.com.tr/haber.do?haberno=1164314&keyfield=6B61C3A7616B2067C3B6C3A7>, accessed in 24.12.2011

According to the latest data from Ministry of Foreign Affairs¹⁶ in Table 1, security forces arrested 560.807 illegal migrants between 2000 and 2007.

Table 1: Irregular Migrants Apprehended in Turkey

Year	Apprehended Irregular Migrants	Apprehended Human Smugglers
2000	94,514	850
2001	92,365	1,155
2002	82,825	1,157
2003	56,219	937
2004	61,228	957
2005	57,428	834
2006	51,983	951
2007	64,290	1,242
Total	560,807	8,083

Source: IOM Migration in Turkey: A Country Profile, 2008.

These numbers and facts put Turkey in a striking position for the EU and increases importance of cooperation on border management with Turkey. For this reason, the EU *acquis* on border management is quite determinate. In this regard, the Accession Partnership Documents (APDs) and Progress Reports clearly state the necessary reforms that Turkish government has to make. For instance, AP Document from 2001 pointed the reinforcement of border management and preparations for the implementation of the Schengen Agreement, and modernization of public administration (ABGS, 2001).¹⁷ The document identified the following short-term priorities as:

“Improving the capacity of public administration to adopt, to implement and to manage the *acquis* in particular through training and appropriate coordination

¹⁶ <http://www.mfa.gov.tr/MFA/ForeignPolicy/MainIssues/TurkeyOnIllegalMigration/>, accessed in 14.02.2012

¹⁷ 2001 Accession Partnership Document, http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm, accessed in 18.02.2012

between ministries, including the development of effective border control to prevent illegal immigration and illegal trafficking in human beings and drugs". Moreover, AP Document from 2003 emphasized the significance of complying with the *acquis* to preclude the irregular migration by an effective border management and advanced public agency in short term; and adoption of best practices of the Schengen Convention in the long run (APDs, 2003).¹⁸The document pointed the importance of reinforcement of the fight against illegal migration, negotiate and conclude a readmission agreement with the European Community as soon as possible. In addition, it foresees to improve the capacity of public administration to develop an effective border management, including the detection of forged and falsified documents, in line with the *acquis* and best practices in the European countries to prevent and illegal migration.

In addition, the AP document from 2004 emphasized the importance of continuing the efforts to implement the National Action Plan on Migration and Asylum, combating illegal migration and concluding urgently a readmission agreement with the EU. Besides, adopting and beginning the implementation of the National Action Plan on Border Management, in particular through taking steps to establish a professional non-military border guard and through de-mining of borders are other short-term priorities. Besides, AP Document from 2006 also pointed the significance of continuing the efforts to implement the National Action Plan on Asylum and Migration (including through the adoption of a roadmap), and implement the National Action Plan on integrated

¹⁸ 2003 Accession Partnership Document, http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm, accessed in 03.02.2012

border management through the definition of a precise road map with an aim to establish the new border law enforcement authority and increasing capacity to combat illegal migration in line with international standards.

Moreover, Progress Report from 2008 put emphasis on the work on drawing up a National Plan to implement the IBM of the EU strategy that the government adopted in 2003. It also mentioned the developments as regards the external borders and Schengen Treaty and pointed the need to enhance training and professionalism of border staff, in particular view of the deployment of conscripts. Risk analysis has to be further developed as matter of priority. Procedures for checking vehicles and goods need review.

Infrastructure at some border crossing points needs considerable upgrading. Second line equipment is also missing or underdeveloped, as well as first line document of checking equipment. Surveillance equipment at border crossing points and along the green borders need adaptation to Turkey's specific circumstances.

Furthermore, Progress Reports from 2007, 2009, and 2011 pointed the limited progress on external borders and Schengen and the need to take a number of actions to strengthen border management, in particular to prevent and deter illegal border crossing and mentioned the fact that 'Turkey has to pay more attention to the establishment of a civilian border control' (European Commission)¹⁹.

¹⁹ http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm, accessed in 03.02.2012

5.1.2. Credibility of Conditionality:

The credibility of EU conditionality means that Turkey will receive the promised rewards after meeting the EU's demands. Superior bargaining power, resulting from asymmetrical interdependence in favour of the EU, is a precondition for the ability of the EU to withhold rewards if the candidates have not met its conditions (Sedelmeier, 2006: 12). Particularly, Turkey is a very unique case in this regard. This is because, although the EU had given Turkey a general membership perspective in the Ankara Agreement of 1964 and had never explicitly withdrawn its commitment, the credibility of the EU promise is still doubtful.

The EU's promise of membership after the Helsinki Summit in 1999 has become an important catalyst for reforms in Turkey (Onis, 2003), but it is not clear enough and there is still doubt about the future Turkish membership. This is because, firstly, the sheer length of the probationary period is not clear as Turkey would never meet the accession criteria and complete the whole chapters. Secondly, besides questioning the ability of Turkey to meet the membership conditions, some European leaders, as President of France Nicolas Sarkozy and Chancellor of Germany Angela Merkel, also object Turkey's general status as a European country for cultural, historical, religious and even geographic reasons.

In addition, according to Gerhards and Hans's latest analysis from 2011, a clear majority of citizens in the 27 EU Member States reject the idea of Turkey joining the EU. Four factors work rather well to explain this rejection: the

economic benefit of Turkish accession, cultural differences, political ideology, and general attitudes towards the EU.

This situation also directs the arguments over the EU that the member states want to create a fortress Europe (Albrecht, 2002; Geddes, 1999) or a Christian club (Bac, 1998; McLaren, 2000).

Moreover, under the recent foreign policy paradigm, the 'zero problem policy' Turkey has improved its relations with its neighbours that had problems in the past, such as Iran and Syria. There is a raising opinion that these new strategic policies and economic opportunities may direct Turkey moving away from its Western orientation towards the Middle-East and the Muslim World. However, there is not any clear evidence that the strengthening ties with Eastern region are incompatible with the country's EU ambitions (Duzgit & Tocci, 2009). Besides, it is quite obvious that Turkey's significance as a regional player would be weaker than it is currently if Turkey is not anchored with the EU (Keyman, 2009). However, a less clear membership perspective has not always lowered the influence of the EU (Trauner, 2009) but there is a fact that "EU membership plays at least a less crucial role for the AKP government compared with previous years" (Onis & Yilmaz, 2009; cited in Burgin 2011: 5).

Being a member of the EU in the future is 'still' an important catalysis for the Turkey to adopt the *acquis* on border management. Besides the uncertainty over Turkey's accession process, especially the opening of accession talks in

2005 has triggered the recent developments and reforms particularly on the border management issue.

The Turkish government took the first step in 2002 under the framework of the EU *acquis* to establish a non-military professional border control and delegation of authority to the single hand of Ministry of Interior²⁰. The ‘European leaders’²¹ have frequently emphasized the importance of the issue in the Progress Reports. During their ‘visits in Turkey’²² they have called attention to the necessary reforms specifically on the establishment of a non-military border security.

Furthermore, in Development and Implementation Bureau for Border Management and International Organization for Migration (IOM)’s joint project of ‘the Road Map to the IBM in Turkey Under the Frame of Membership Criteria to the EU’, Administrator of the Bureau Adnan Ozdemir pointed that: “Developments on border management in Turkey will help to strengthen the relations with the EU”²³.

In spite of the low credibility of the EU’s arguments, Turkey has still made huge effort to comply with the EU’s demands regarding IBM strategy of the EU. This is because, the expected benefits have overcome the disincentive to comply with this particular policy area, where there has been inconsistency of

²⁰ “Sinirlar Icislerine”, Transferring border control to the MOI, 04.02.2011.

<http://hurarsiv.hurriyet.com.tr/goster/ShowNew.aspx?id=4358029>, accessed in 20.06.2011

²¹ “AB’den Anlasmalari Sonuclandirin Cagrisi” Call from the EU for the completion of agreements, 30.10.2009. <http://www.cumhuriyet.com.tr/?hn=91130>, accessed in 23.12.2011

²² “AB’den Kacak Goc Ziyareti”, Illegal Migration Visit from the EU, 04.10.2009. <http://www.cumhuriyet.com.tr/?hn=92052>, accessed in 23.12.2011

²³ Cooperation on Border Management among Turkey-Bulgaria-Greece, October 2011, http://syb.icisleri.gov.tr/default_B0.aspx?content=435, accessed in 11.02.2012

EU conditionality policy, and the vague promise of size, speed and certainty of rewards. In addition, Turkish government has realized the sensitivity of the border management issue in the domestic politics of member states. Member States may actually prevent a country from joining if it is not able control irregular migration through its borders with non-EU countries (OECD, 2001). Namely, member states might deny the membership of Turkey if it does not guard its external borders effectively.

In regard to these considerations, border management issue has recently become more important in Turkey. So as to analyse the visibility and salience of the issue in the news, this study collected the respective articles about irregular migration and border management issue from the websites of six national newspapers, which contains different political views: Cumhuriyet, "www.cumhuriyet.com.tr" (3 articles); Hurriyet, "www.hurriyet.com.tr" (4 articles); Zaman, "www.zaman.com.tr" (13 articles); Radikal, "www.radikal.com.tr" (2 articles); Sabah "www.sabah.com.tr" (8 articles); and Milliyet "www.milliyet.com.tr" (2 articles). The articles include search words as border security, and security and illegal migration. The archives of the websites of these papers are free to all online users and articles date between 2002 and 2011. In this sense, 32 articles in 10 years demonstrate the fact that salience of border management issue has been relatively low. The frequency of the total of 32 articles is among the years: 2009, 2010 and 2011 (see Annex.1 for some of those articles on the border management issue). This comes up with a result that, the issue has gained importance lately and most concrete attempts on the establishment of a new border guard and IBM

strategy and irregular migration issues as a whole have been among 2009-2010 and 2011 years. These articles mostly about the calls from the EU on border management and responses from Turkey. The European leaders has frequently emphasized that Turkey has to make concrete steps to promote its illegal migration policy and develop its border control. This demonstrates the fact that, the EU itself is an important aspect on the developments of establishing a civilian land and sea border security in Turkey and complying with the EU *acquis* on this issue. Parallel to this, many ministers and bureaucrats quoted the on-going works on illegal migration and the establishment of a civilian border management in Turkey at the 25th meeting of the Reforms Monitoring Group (RMG) from March 2012.

5.1.3. Size and Speed of Rewards:

The size and speed of the conditional rewards are other sources of variation under a strategy of reinforcement by reward. Accordingly, the promise of membership is the most powerful catalyst for the target government to comply with the EU demands.

Since the Helsinki European Council decision declared Turkey as a candidate country in December 1999, there has been a massive process of political transformation in Turkey. This ended up with the European Council's decision in October 2004 that Turkey had met the Copenhagen political criteria sufficiently. Thereon the Commission recommended to the Council to start negotiations with Turkey without delay.

A new stage started in relations between Turkey and the EU in October 2005. Despite considerable public opinion against Turkish membership, the EU succeeded in adopting a Negotiation Framework for Turkey in October 2005. Subsequently, a process of screening Turkish legislation in the area of 35 chapters began. However, the Commission has opened and closed only one chapter so far. Many reasons lead to this situation. For instance, Cyprus and Greece blocked the opening of a second chapter. Turkey responded to this by not opening harbours and airports to Cypriot vessels this ended up with the December 2007 summit of the European Council's decision to suspend negotiations on eight chapters. Later on, the Finnish Presidency had aspired to open four chapters to negotiations but this failed by the time Germany took over the Presidency of the EU. Today the European Commission have opened 13 chapters but closed only one of them (Science & Research)²⁴. This of course, lowers the speed of expected benefits from the EU, but the Turkish government still keen on reforms on the establishment of a civilian border control. This is because; despite of the slow progress, Turkish policy makers expect to be a member in future. Minister for EU Affairs and Chief Negotiator Egemen Bagis stated in one of his speeches that:

"Turkey had been waiting to gain the candidacy status for forty years; any difficulties would never make Turkey to discard membership to the EU. It is a national case that Turkey has been preparing for"²⁵.

Furthermore, the Mayor of Ankara Melih Gokcek stated in the protocol of

'Ankara is getting ready to the EU' that, 'Turkish government had been making

²⁴ For details see the below link:

http://ec.europa.eu/enlargement/candidate-countries/turkey/eu_turkey_relations_en.htm, accessed in 15.04.2012

²⁵ *ibid.*

everything in its power to make Turkey a member of the EU²⁶. This demonstrates the fact that policymakers still consider membership to the EU as a reward to comply with EU demands.

5.1.4. Veto Players and Adoption Costs:

According to the external incentives model, veto players and adoption costs decreases the likelihood of rule adoption. These factors are important on the establishment of a non-military border security in Turkey because implementation of the rules on border management requires mutual recognition of qualifications, which involves complex bureaucratic procedures, expensive financial implementation, and political controversies in the domestic context for security reasons.

Firstly, introducing a civilian border control administration is a high priority for the EU whereas such a transformation challenges how Turkey conceptualizes border security and administers it in line with concerns over national security. This is because; some policy makers consider border security mechanisms as a part of counter-terrorism plans (Ozcurumez & Senses: 2011). Furthermore, the military has traditionally received high rates of approval within Turkish society and it is the most trusted institution on security related issues. In this sense, EU demands on the issue are considered as challenges to the powerful position of the military. For instance, establishing a civilian border control will diminish the military control over borders of Turkey. For this reason there are some concerns and oppositions from the military against the IBM strategy.

²⁶ *ibid.*

Land Forces Command Brigadier General Levent Özkaya denoted in one of the IBM coordination meetings that the prescribed non-military agency would not be enough to protect mountainous land borders. Turkish Coast Guard Commander Izzet Artunc also claimed that delegating to authority to a civilian agency would diminish the power of Turkey especially against the neighbour Greece that has a very strong coastal security. Moreover, he added that the Coast Guard Command has an important position in Turkey's security and taking the patterns from Romania and Finland in this regard is not suitable (Zaman, 05.03.2011)²⁷. Thus, political adoption costs have remained relatively high on this issue because of the fact that some military officials regard border security in Turkey as mean of fighting against terrorist attacks. However, these veto players are not outnumbered enough to hinder the reforms on the border management issue and there are also supportive voices in the military side. For instance, the General Commander of Gendarmerie Bekir Kalyoncu stated that: "the EU has its own rules and we have to follow them".²⁸

Secondly, complying with the EU *acquis* on border management and adopting the IBM strategy in Turkey require tremendous economic adoption costs. The on-going reforms on border management necessitate huge sum of money to make. These adoption costs also affect the likelihood of compliance with the EU demands. For instance, the Action Plan on IBM- Phase 1, which covers the

²⁷ "Askerden Yeni Sinir Muhafaza Teskilatina Ilginc Cikis", Opposition from the Military to the New Border Guard, 05.03.2011.
<http://zaman.com.tr/haber.do?haberno=1102671&title=askerden-yeni-sinir-muhafaza-teskilatina-iliginc-cikis-hakk%E2ri-daglarini-korumaya-kim-talipse-devredelim>, accessed in 06.04.2012

²⁸ "Sinirlar Icislerine", Boder Control to the MOI, 04.05.2006.
<http://hurarsiv.hurriyet.com.tr/goster/ShowNew.aspx?id=4358029>, accessed in 13.02.2012

establishment of the future border guard, aims to improve and reinforce legal, institutional, and technical capacity of Turkey to comply with the IBM strategy of the EU. This comprehensive project necessitates total of 10.963.000 EURO and European funds covers 9.834.750 EURO of it. So as to complete the project Turkey has to put 1.128.250 EURO²⁹. Similarly, the Action Plan on IBM-Phase 2 necessitates a total of 21.880.000 EURO and Turkey has to cover 6.920.000 EURO of it. Besides, the MOI has already trained 14,000 male and 700 female in police academies across the country and it aims to train 70.000 people in the near future, which will also necessitate a big budget supply. These numbers demonstrate the burden of related projects to the Turkish government and there will be many more necessary reforms. However, economic adoption costs do not exceed the expected benefits from the developments on border management in terms of both complying with the EU demands and fighting against illegal migration in Turkey.

²⁹ http://syb.icisleri.gov.tr/default_B0.aspx?id=443, accessed in 24.03.2012

5.2. Border Management and the Social Learning Model:

There are several groups of factors that impinge upon the persuasive power of the EU. These are: legitimacy, identity, and resonance.

5.2.1. Legitimacy of Rules and Process:

According to the social learning model the legitimacy of the EU demands increases the likelihood of rule adoption in target states. On the basis of this consideration, establishment of a civilian border control is in accordance with the model. This is because; the EU clarifies the related rules and their adherence to a rule hierarchy based on the constitutive values and norms of the community. European Commission frequently points the importance of chapter 24 and the border management issue is quite salient specifically in its Progress Reports. Besides the clarity of necessary implementations, on the border control issue, there are not any special rules that the EU imposes upon non-member states and all member states applied the same rules (OECD, 2001). Furthermore, there are no alternative or conflicting rules in the international environment, which functioning better, and this situation increases adoption of the rules on border management.

However, there are some problems in the functioning of IBM strategy of the EU. For instance, according to the Centre for the Study of Democracy conducted survey from 2011, 230 respondents from different European countries as Bulgaria, Finland, France, Germany, Italy, Greece, Lithuania, Netherlands, Poland, Slovenia, Spain and United Kingdom were very cautious about sharing information on border management because of fears that

discussing problems in cooperation might hurt institutional or national prestige in some way. The respondents were asked about the challenges to cooperate in four critical operational areas: exchange of information; joint operations; joint mobile units and sharing equipment and infrastructure. Overall, there was a reluctance to recognise and analyse problems that might throw negative light on their respective institution or country (Centre for the Study of Democracy, 2011: 85-93).

The most readily admitted challenges to the sharing and exchange of information were the legal obstacles related to privacy, data protection and confidentiality of trade information. Generally, border agencies can do little to amend fundamental democratic legislation on private data protection (Centre for the Study of Democracy, 2011: 85-93).

On the one hand, technical incompatibility and lack of finance were two other significant obstacles to sharing and exchanging information. In the area of financial planning and cost sharing, there seems to be little cooperation, due to the rigid financial relationships between institutions belonging different ministries. On the other hand, a small number of respondents identified the other obstacles to cooperation, which were joint operations, joint mobile units and sharing of equipment and infrastructure (Centre for the Study of Democracy, 2011: 85-93).

Overall, interviews revealed that officers of the border agencies are more likely to look for ad hoc solutions to the operational problems that they encounter in their everyday work.

Besides operational challenges, there were other obstacles as the institutional cultures and their roles in preventing information or undermine formal forms of cooperation. This is because; border agencies in the EU member states usually have very different institutional histories such as Civil Guard Corps in Spain; Gendarmerie Maritime in France; or Coast Guard in Greece. Border Guard and the Law Enforcement Authority in most countries belong to the Ministry of the Interior and their organizational cultures are close to the Police. However, in certain Member states, border guard is historically linked to the Defence Ministry. In the majority of countries, while the military hierarchical structure is no longer applicable, the Police have retained some form of military culture. These two cultures, civil and military, present challenges to communication and cooperation in border management as in Turkey. For instance, the setting up of joint units of border control failed at the beginning because the two agencies could not agree on who would lead the units. This situation made the decision-making process more rigid because even the urgent decisions took long time to take. In addition, interviews from the French Gendarmerie and the Spanish Civil Guard, and the Bulgarian and Polish Border Guards allude to similar cultural incompatibility (Centre for the Study of Democracy, 2011: 85-93).

This survey data and pointed challenges reveal that there are many other countries, which have been facing challenges to adopt EU rules on border management as Turkey. Thus, there is a fact that the IBM strategy of EU has some deficits in it and there are difficulties in transformation processes of some member states.

Furthermore, these on-going oppositions against Turkey also decrease the likelihood of persuasion and socialization processes. This is because; both elites and public opinion have become more critical and doubtful with the EU accession process and this inevitably lowers the openness to persuasion of the benefits of the EU promoted rules and demands (Burgin, 2011). In this regard, Kirisci (2008) also adds that the uncertainty over the Turkey's EU membership leads to mistrust, lowers the legitimacy of the EU demands, and undermines the motivation to cooperate with the EU over irregular migration. In this regard, Turkish policy makers fear that the EU sees Turkey as a buffer zone and wants to use it as a dumping ground for irregular migrants. For instance, Coleman (2009) claims that Turkish government does not consider the EU demands on readmission agreements as legitimate.

These situations of course may lower the legitimacy of EU demands and decreases the likelihood of rule adoption on border management, but Turkey has still continued to develop its strategy on the issue, especially on the establishment of a civilian organization for border control.

5.2.2. Identity:

According to identity hypothesis, the target governments become more willing to comply with the EU demands if they identify within the European community.

In this sense, the Kemalist elites have always emphasized their European identity and conceive themselves as western and regard the West as their primary 'in-group' in international relations (Kubicek, 1999: 159). Despite the

on-going problems with the EU, the policymakers still identify themselves with West and think that being a member of the EU will be worthy. For instance, Minister for EU Affairs and Chief Negotiator Egemen Bagis pointed that; “they are trying to demonstrate the European identity of Turkey with reference to its cinema, dance and music” (09.04.2011).³⁰ In one of his speeches, he also claimed that:

“Nobody has the right to question the European identity of Turkey. This is because; related to the Customs Union Agreement, Turkish citizens living in European countries and active relations with international organizations Turkey has already took its position in European institutions. Today, Turkey has in its most democratic, modern, and prosperous days, hence it is European more than ever. Besides, its European identity, Turkey is also a Eurasian county, which shelter many cultures in peace and this puts Turkey is a very significant position among members of the EU”.

In the same speech, he also added that:

“All candidate countries accomplished negotiations process, and Turkey will not be an exception. There have been some mistakes that lead to slow down, but since 2004 Turkey has been determinate enough to be a member of the EU” (09.04.2009).³¹

Project Worker Adem Akman from Development and Implementation Bureau for Border Management Legislation and Administration points that:

“Integrated border management strategy parallel to relations with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) will foster coordination and cooperation on the international arena”(Phone Interview, 02.05.2012).

This may also endorse the European identity of Turkey.

However, there are also some counter arguments on the European identity of Turkey mainly with regard to the incumbent Justice and Development Party

³⁰ <http://egemenbagis.com/tr/gazeteler>, accessed in 05.03.2012

³¹ *ibid.*

(AKP). Turkey has recently improved its relations with its neighbours under the 'zero problem policy' as this article briefly mentioned in page 57. This situation may put forward the Eastern identity of Turkey but does not necessarily interrupt the relations with the EU.

In addition, McLaren's survey analysis from 2000 reveals the Turkish elite perspective on Turkey's eventual membership to the EU. Respondents composed of ministers (foreign ministry), journalists from Turkish newspapers (Sabah, Hurriyet, Cumhuriyet, Radikal), and academics. According to the survey data, around 200 respondents claimed that religion (16%) and ethnic identity/culture (9%) are significant reasons for Turkey's non-admittance to the EU among nine other perceived reasons: opposition of Greece (2%), economic problems (20%), social structural problems (8%), demography/population size (13%), issues of free movement (6%), human rights/lack of democratization (8%), political problems/political instability (10%), timing/failure to apply when Greece did, or east European countries getting the advantage now (4%), and other (5%). The results also demonstrate the fact that identity is not an ignorable factor in Turkey-EU relations.

On the one hand, although the AKP had strong Islamist roots, it presented itself as a centre-right conservative party with moderate leaning and an underlying commitment to secularism (Onis, 2003). On the other hand, there is a notion that Islam and democracy do not go together (Gungor, 2004: 35 cited in Muhlenhoff, 2011). There is also a suspicion that the democratization of Turkey is not sustainable because Turkey is the only democratic country in its Muslim region. For these reasons, some people fear that the AKP might have

a hidden agenda of Islamizing Turkey (Jung, 2008: 118), and so using EU membership for their own advantage to take more support from voters. In addition, after 2003 elections the AKP government was working more willingly to develop relations with the EU, whereas there has been a slow down after 2007 elections and the party has started to cooperate with the EU according to its choice of time and preferences (Birgun.net, 2010)³². This change also supports the perceptions on an axis shift in European values of the party (ATAUM, 2011).

However, despite the uncertainty towards the AKP's real aim, there is also a fact that the party has demonstrated a high degree of commitment to the goal of full EU membership much more than any political party in Turkish political history.

Furthermore, opening of accession negotiations in 2005 has been helpful to make headway in terms of convincing Turkish authorities and citizens to comply with the EU demands. In addition, a less clear membership perspective has not always lead to less influence of the EU (Trauner, 2009) but "EU membership plays at least a less crucial role of the AKP government compared with previous years" (Onis & Yilmaz, 2009; cited in Burgin 2011: 5).

5.2.3. Resonance:

³² "AKP Hukümetinin Dis Politikasi ve Eksen Kayması Uzerine", External Policy of AKP and Axis Shift, 28.06.2010.
http://www.birgun.net/forum_index.php?news_code=1277726200&year=2010&month=06&day=28, accessed in 11.05.2012

In addition, the social learning perspective points effects of domestic factors under the term of resonance. According to this, the likelihood of rule adoption increases with domestic resonance.

According to the existing situation in Turkey, Ministry of Interior is responsible for border management in Turkey. It performs this duty with its province and district governors. However, these civilian administrators have no direct power over border units of Land Forces and Turkish Coast Guard Commands.

Concerning with border management in Turkey:

- Turkish National Police responsible for human entries and exists at border gates
- Ministry of Customs and Trade for goods and vehicles
- General Command of Gendarmerie for land borders with Iraq and Hakkari region of Iran (127 km.)
- Land Forces Command responsible for the rest of land borders of Turkey (National Action Plan, 2006: 13-14).

Apart from these, Ministry of Agriculture and Rural Affairs has been responsible for the phytosanitary and veterinary inspection at border gates. Ministry of Health has carried out the tasks about human health issues at land borders while Directorate General of Health for Border and Coastal Areas at sea borders.

According to the 2nd article of the Passport Law No 5682 of 15 July 1950, both Turkish and foreign nationals have to submit a passport or formal valid

documents so as to enter or exit Turkey. In order to carry out the tasks on customs and other things, police officers have to fulfill the entry and exit procedures. With a view to this provision, Turkish National Policy performs the authority of controlling entries and exits at border gates.

Undersecretariat of Customs is responsible for regulating the entry and exit of goods according to general provisions of the Custom Law No 4458 of 18 June 2009. Considering Land Borders Protection Law No 3496 of 10 November 1988, Land Forces Command has the responsibility to protect and secure land borders. Within the scope of this law, Gendarmerie General Command is responsible for the borders sharing with Iraq and 125km part of borders sharing with Iran. Besides being a military force educationally, Gendarmerie General Command bounds to MOI. These security forces have the necessary equipment such as thermal cameras, radars, communication devices, detecting elements, and aircrafts etc. (National Action Plan 2006: 32-34).

With reference to the Sea Border Security Law No 2692 of 9 July 1982, Coast Guard Command has the authority to secure and protect the all coasts, harbors, bays, and internal waters: the Bosphorus and Marmara Sea. Turkish Coast Guard Command is a law enforcement agency and it had bounded to Gendarmarie General Command until 1985 and now it bounds to MOI. This security force has no duty over the sea border gates.

Ministry of Interior has the authority to secure airports. It has been carrying out this task through police, gendarme, private security organizations and other related public and private institutions.

Eventually, there is more than one institution that responsible for the security of border gates, protection of land and sea borders, and passport controls. Beside the fact that there are coordination and communication among these institutions and organizations partially, there is a need to extend its scope with respect to IBM strategy of the EU. In addition, the on-going intra-agency and international cooperation and activities are not enough to reach a successful border management in Turkey.

On the basis of the existing situation, there is a big misfit between the existing border management in Turkey and IBM strategy of the EU. Multiheaded and military border control causes this situation and lowers the likelihood of rule adoption. In this regard, Project Worker Adem Akman from Development and Implementation Bureau for Border Management Legislation and Administrative capacity claims that:

“There are some reasonable reservations especially from the military, parallel to the link between Turkish borders and terrorism. However, it does not cause unsolvable problems. This is because; transition period to a civilian border management will be step by step. New organization will start and gain experience on Western borders then pass thorough the Eastern borders of Turkey where terrorist threat is high. There is a slow down in the reform process on this issue because of the on-going problems and chaos in some neighbour states as Syria and Iraq. However, we are still working on projects, and I believe process will speed up soon when priorities of government change” (Phone interview, 02.05 2012).

Moreover, the Turkish government are not pleased by the status quo, too. This is because; the existing border control is not efficient enough to prevent illegal migration and related criminal activities. Akman points that:

“There are several institutions on borders. Military hierarchy hinders coordination and easy cooperation. This situation slows down running of the mechanism to prevent illegal migration and smuggling. In this sense, our

newest project, Action Plan Phase 2 Twinning Project, aims to establish a centre for common risk analysis under coordination institution, where related institutions will be able to send necessary information and gather them in one place ” (Phone Interview, 02.05.2012).

In this sense, insufficiency of existing rules to fight against problems make policymakers open to accept and adopt new external rules. Besides, the government expects that necessary reforms will be beneficial for the country and so promote the living conditions of citizens. Thus, the principles on which EU demands are based, correspond to beliefs of good policy. Of course, military border control in the existing situation is a conflicting domestic practice that enjoys high and consensual domestic legitimacy and considered as symbol of the national political culture for a long time, but the expected benefits from the reforms surpass this adoption cost on border management and balance the likelihood of rule adoption with domestic resonance.

6. DOMESTIC EFFECTS OF EUROPEANIZATION ON THE RECENT REFORMS ON THE ESTABLISHMENT OF A NEW ORGANIZATION FOR BORDER MANAGEMENT IN TURKEY

Europeanization is a process of rule adoption and can certainly involve calculation of material interest, but can also involve changes in the logic of behaviour that driven by the absorption of EU norms, attitudes, and ways of thinking. These changes of behaviour follow both a constructivist logic of appropriateness and a rationalist logic of consequences, that in the case of the establishment of a new border control in Turkey.

This chapter deals with the domestic effects of Europeanization process so as to explain the reasons of rule adoption on the establishment of a new organization for border management in Turkey. There are many possible reasons that motivate Turkey to comply with the EU *acquis* on the issue: Turkey's significant geographic position, illegal migration: related problems and criminal activities, economic growth in Turkey, relationship between Turkey and the United Nations High Commissioner for Refugees, policy dissatisfaction, EU-centred epistemic communities, and transferability of rules. Together with the lesson-drawing model, these factors help to explain the domestic effect on Europeanization on the establishment of a civilian border management in Turkey.

6.1. Turkey's significant geographic position:

Throughout history, diverse forms of legal/illegal migratory movements and refugee flows have affected Turkey. Because of its geographical position and

political situation, Turkey has been a country of migration for centuries. Thus, migratory flows towards Turkey are not a new phenomenon and immigration has existed since the early years of the Republic. Nevertheless,

“The migratory practices of these early periods followed a course substantially different from the migratory practices of recent times, both in nature and scale” (Icduygu & Yukseker, 2010: 634).

Mostly ethnic Turks and Muslims were the main sources of international migratory movements towards Turkey during the process of nation-state building. However, in recent years Turkey has seen flows of migrant groups of diverse ethnic and religious backgrounds and national origins that are migrating for many different reasons. These on-going migratory flows towards Turkey and persons ‘aliens’ have altered Turkey’s position in the international migration system in Europe. The ‘migrant receiving country’ position of Turkey is now supplementing the former ‘migrant sending country’ (also continues due to family reunification and the flow of asylum seekers) position. More recently Turkey has also become a transit country; a transit zone for migrants seeking to reach third countries. International migratory movements to Turkey have now included transit migrants, irregular workers, asylum seekers, and refugees (Kirisci, 2002; Icduygu, 2003,2006; Icduygu & Yukseker, 2010; Kaytaz, 2006; Papandopoulou-Kourkoula, 2008). Moreover, legal migration of professionals and retirees are also taking place in these recent flows.

Besides, today Turkey has been a transit country for both legal and illegal migrants. There are two main factors that direct migrants towards Turkey: First, the latest disturbances and conflicts in the neighbouring regions have made people escape from oppression with the hope of obtaining safer and

better living standards in Turkey. Secondly Turkey's geographical position has given way to migrants who want to reach Northern and Western countries, mainly those in the territory of the EU. This is because, countries that subject to oppression regimes and being at the crossroads of the North, the South, the East and the West surrounded Turkey (Ozcan, 2005).

Furthermore, Turkey has long been a country of emigration based on labour migration to Western European countries since the early 1960s. However, "this label no longer accurately captures Turkey's international migration experience. Generally Turkey is not a target country for these migrants" (Icduygu & Yukseker 2010: 634). As a result of intense migratory movements over the last two decades, Turkey has now also been a 'country of immigration' (Icduygu, 2003, 2006; Icduygu & Kirisci, 2009, Icduygu & Yukseker, 2010) Roughly, all of the migrants that security forces captured in Turkey try to reach to Western European countries.

The intensity of the globalisation process has been contributing to Turkey's transformation into a migrant receiving and transit country as in other strategic areas in the world. Therefore, Turkey's international migration system is an integral part of the European migratory system and has become a rather complex one that involves transit migrants, asylum seekers, and refugees. In a sense, there are several international migratory systems in Turkey: regular and irregular migration between the Commonwealth of Independent States (CIS) and Turkey; circular labour migration from CIS countries; and flows of transit migrants, asylum seekers, and refugees from Iraq and Iran en route to Western Europe and North America.

Some of these migratory movements are of course related to Turkey's geographical proximity, yet there are also other important reasons. For instance, political issues and security concerns arising in neighbouring countries, as in Iran and Iraq, drive people to Turkey as well. Additionally, together with the economic collapse in the country of origin (e.g. the poorer republics of the CIS) and a cultural affinity with Turkey as in the case of Turkish-speaking or Muslim groups from the CIS can be the main reasons behind the migrants' choice of Turkey. Thus, some migrants see Turkey as their main destination country whereas others consider it only as a temporary station on their way to final destinations to the North and West. Turkey's position as a transit route partly derives from its geographical location at the crossroads of Asia, Europe, and Africa but this transit position has political meanings. In the wake of the EU expansion, Turkey has come to constitute both sea and land border of the EU in the southeast. Turkey's relatively loose migration regime, the difficulty of controlling its rugged land borders with Iran and Iraq in the East, the record of illegal border-crossings both in the East and the Southeast across from Syria all put Turkey a prime location for a transit route to the well protected borders of the EU (Icduygu & Yukseker, 2011).

Due to the geographical and strategic position of Turkey, the physical structure of its Eastern and South-eastern borders and the existence of unstable political regimes in these regions, the control of border crossing is very important for the overall security of Turkey. The changing of the existing border protection system through the establishment of a new organization within the administrative structure requires a significant material burden.

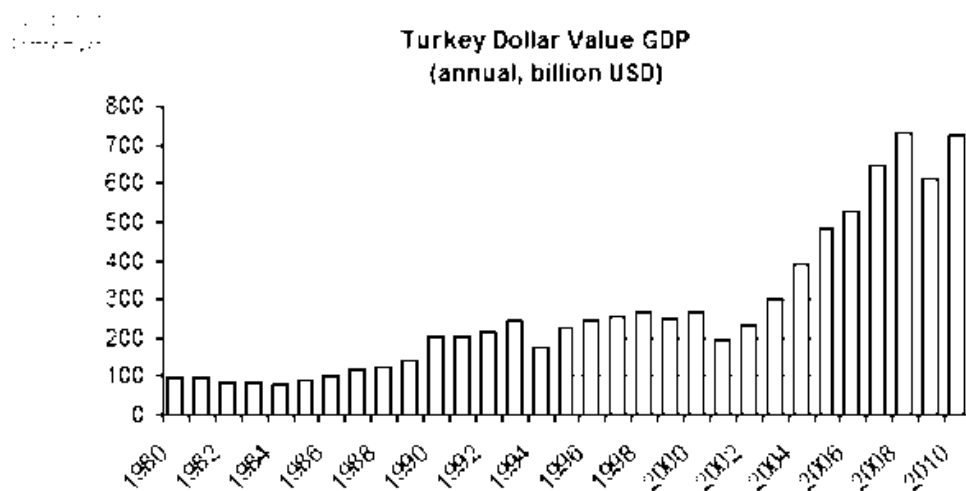
Besides bureaucratic and political burdens, establishing a civilian and specialized organization under a single authority requires huge economic costs and the EU's fund can only meet some part of it (European Union External Action, Country Strategy Papers 2007-2013). However, Turkish government is still working on necessary changes. So as to address the noted problems, it would be useful to gradually change over to a border police system.

6.2. Economic Growth in Turkey:

Turkey's geographical location between immigrant-producing areas and Europe and its relatively large economy in the region make it an attractive country for illegal migrants. For a long time, Turkey had been a country of transit migration. However, over the last decade or so the nature of this migration has changed significantly and Turkey has also become a destination country for irregular migrants especially who come to work in Turkey. This is because, according to the rates of change in the socio-economic indicators of the past 20 years, Turkey has been developing in terms of modernization steps, such as: the increase in gross national product (GNP) per capita from 1200 dollars in the 1980s to 60000 dollars in the 2000s. Moreover, another indicator is the Turkish economy has grown at a rate of 6-9 per cent in recent years (Icduygu, 2010: 63).

The Gross Domestic Product (GDP) in Turkey expanded in the fourth quarter of 2011 over previous quarter. Historically from 1998 to 2010, Turkey's average quarterly GDP Growth was 0.95% reaching an historical high of 6.60

% in June 2009. Turkey has become a rapidly developing country and the largest national economy in Central and Eastern Europe. Turkey's dynamic economy is a complex mix of modern industry and commerce along with a traditional agriculture sector that still accounts for about 30% of employment. In this regard, 'table 2' from the International Monetary Fund (IMF) source, reveals the economic growth per capita real GDP in Turkey among the years between 1980 and 2010.



Source: IMF WEC, 2010 IMF estimate

Table

2: Turkey Dollar Value GDP³³

Besides the economic developments that make Turkey a target country to immigrate, Turkey allows nationals of Armenia, Azerbaijan, Georgia, Iran, Moldova, Ukraine, Russia, and the central Asian republics come to Turkey quite freely without visas or with visas that they can easily obtain at airports and other entry points. Some of these nationals overstay their visas and illegally work as household help, sex workers and labourers, especially on construction sites or in the tourism sector (Icduygu, 2005; Kirisci, 2007). It is

³³ turkeyeconomy.blogspot.com, accessed in 05.05.2012

very difficult to estimate the exact number of these irregular migrants but security forces apprehended more than 80,000 illegal workers only in 2002 (Icduygu, 2005: 31). For the reason that Turkey itself has become a target country especially for illegal workers, an efficient border control is vital to fight against this flow of people. In this regard, MIO Deputy Secretary Zekeriya Sarlak pointed in one of his speeches that:

“Being a neighbour to European countries and long borders aggravate the flow of irregular migrants in Turkey. Moreover, economic growth, stability and democratization attempts make Turkey as a target country for illegal migrants. For this reasons, Turkey has to reconstruct a coherent and disciplined migration policy and especially border management in coordination with other countries, international institutions and NGOs” (Cumhuriyet, 17 February 2011)³⁴.

6.3. Illegal Migration: Related Problems and Criminal Activities:

“The globalisation of economic activities and technological advances have increased the mobility of people in varying forms, ranging from the migration of documented labour to illegal flow of labour including illegal migrant smuggling and trafficking” (Eriş 2009: 97).

Studies reveal the fact that, illegal migrants mostly feel compelled to leave their homes and choose a clandestine route because of unemployment, the risk of hunger, and economic crisis. Apart from that, there are other complementing reasons as well that direct people illegal ways: including political conflict, ethnic persecution or the fear of death (Kyle & Koslowski 2001).

Human smuggling is also related to irregular migration. People need to seek the assistance of smugglers who can move them to developed countries

³⁴ “Turkiye’de Sinir ve Goc Yonetimi Arastirmalari”, Researches on Border and Migration Management in Turkey, 17.02.2011.
<http://www.cumhuriyet.com.tr/?kn=7&hn=217696>, accessed in 08.11.2011

through the use of clandestine routes and illegal and methods when legal means are unavailable. The smuggling of human beings may be considered a high-gain activity and a multi-billion dollar business worldwide with a growing number of criminal networks. In addition, human smuggling and organised crime are very much intertwined (Narli 2003). For instance, the smugglers are often part of larger organized crime networks involved in drug trafficking and illegal arms trade. Moreover, the inhumane ways that illegal migrants have to choose and disaster news afterwards put the issue as a part of human rights.

Moreover, in economic terms, irregular migration is also related with economic stability and development of the Member States. It covers important challenges as high unemployment in major receiving countries whereas may also open up opportunities such as the reduction of the predicted long-term gap in labour supply in Europe due to demographic ageing, and the contribution to the improved financial sustainability of the pension systems of the receiving countries (Kriehner & Maitre, 2008; Zimmerman, 1995).

In addition, some of these illegal immigrants also become involved in criminal activities. This is because; integration of these migrants in the society and everyday life may not be an easy process. Thus, government officials have always put special attention to fight against illegal migration because of the connection between irregular migration and other forms of activity that threaten country's security, order, and law in a more direct manner. On the basis of these considerations, Project Worker Adem Akman asserts that:

“Borders are important in two manners: national security and border control. A professional team will be more helpful to fight against irregular migration and

related criminal activities, particularly smuggling” (Phone Interview, 02.05.2012).

6.4. Relationship Between Turkey and the United Nations High

Commissioner for Refugees:

Unlike the EU, the United Nations is a better-rooted actor in Turkey. Mainly, the United Nations High Commissioner for Refugees (UNHCR) has had a long-standing presence in Turkey. This increases its credibility in its relations with Turkey and supports the socialization of the Turkish policy makers with international actors, namely epistemic communities. Beside the fact that the most concrete developments on border management have occurred recently, improvements on migration have been proceeding in a relation with the UNHCR since before the EU actually engaged Turkey as a candidate country for membership. The UNHCR has been supporting a number of reforms especially on asylum, refugee law and human rights. In this regard, Kirisci (2011) claims that besides the effects of Europeanization, UNHCR also contributes to the developments regard to migration issue in Turkey as a whole. This is because, the EU came on to the scene at a time when a pragmatic shift has been occurring among Turkish bureaucrats, which is the primary product of the long and patient engagement of the UNHCR in Turkey. Besides the developments parallel to Chapter 24, the UNHCR has also helped to develop a common language between Turkish officials and their EU counterparts.

In this sense, External Affairs Officer Metin Corabatir from UNHCR points that:

“Especially since 2000 Turkey’s political and economic position in the international arena have gained importance. Relations with the EU have not

reached the desirable level yet, but, structure of civil society has developed and taboos have begun to remove together with reforms. Management of migration as a concept has emerged in 2008 parallel to the relations with the EU, however UNHCR has been conducting relations with Turkey on the migration issue more than fifty years. The UNHCR has been helping to develop a common language, a functioning working environment, acknowledgement of international regime on migration issue, and espousing it internally, of course partly. On the one hand with regard to the reforms on the migration issue, the EU plays an important role. If there were no partnership with the EU, developments would stay in a daily fluctuating level without a road map. On the other hand, even if there were no external effect of the EU, Turkey would still be making reforms because of internal necessities. In this context of negotiations with the EU, UNHCR has supported to form of an informed public opinion and internalization of the issue”(phone interview, 31.03.2012).

Corabatir adds on the border management issue that:

“Establishment of new professional civilian border forces will be beneficial for border security. In this regard, differentiation of migration from terrorism will be helpful to assure the opponents of this development. This is because, internal annoyances lead to terrorism related problems that only political platform may solve” (phone interview, 31.03.2012).

6.5. Dissatisfaction with the Domestic Policies:

According to the policy dissatisfaction hypothesis, target governments become more willing to adopt EU rules, if there is a perception that domestic rules are not working.

Tocci (2005: 79) points that “domestic change occurred and is occurring not simply because the outside imposes it, but also because it interacts with domestic developments on the inside”. In other words, there is a rise of progressive forces, which do not consider the reforms only as a way to achieve EU membership, but also as being beneficial for the country.

In this context, there are two mechanism that contribute to the on-going reforms in developing the IBM strategy in Turkey: First, the growing awareness

that establishing a new border agency is important to cope with the new migration challenges that necessitate co-operation with the EU. This is because; there are illegal entries from all quarters of Turkish towns such as Edirne, Hakkari, Hatay, Mardin, Sirnak, and Van (Sabah Gazetesi, 26.10.2010)³⁵. Second, consideration of the border management reforms as a precondition for visa liberalization decreases the domestic opposition against these developments (Burgin, 2011: 5-6). Thus, Turkish government officials frame the reforms on border management are beneficial for the country because of domestic reasons. For instance, in the IBM Kick-off Meeting from 2010³⁶, Minister for EU Affairs and Chief Negotiator Egemen Bagis claimed that:

“While we are trying to meet EU requirements, we are also trying to improve our own conditions as in all subjects in the EU negotiation process. Border management is a very important matter for Turkey. We are having problems concerning border security and border gates apart from the relations with EU. This is because, coordination is missing among different units at borders and the process is multiheaded. Thus, meeting the requirements of chapter 24 concerning Schengen *Acquis* will give us the chance to solve our domestic problems”.

At the same meeting, project leader Adnan Ozdemir also added that: “the development of an IBM system in Turkey to provide a strong border security is a vital necessity both for Turkey and relations with the EU”.

In this regard, Minister of Interior Idris Naim Sahin also claims that:

“establishment of a civilian border control institution and IBM strategy will

³⁵ “Turkiye’ye Dort Bir Yandan Kacak Girsi Var”, Illegal Entries from All Qarters of Turkey, 26.10.2010.
http://www.sabah.com.tr/Gundem/2010/10/26/turkiyeye_dort_bir_yandan_kacak_giris_var
accessed in 31 March 2012

³⁶ http://syb.icisleri.gov.tr/default_B0.aspx?content=174, accessed in 09.01.2012

promote the internal security of Turkish land and sea borders” (Milliyet, 26.11.2011)³⁷.

In addition, Project Worker Selami Akgul from the Development and Implementation Bureau for Border Management Legislation and Administrative Capacity also states that:

“Being a member of the EU is an important stimulating force indeed but the main reason of reforms on border management issue is the fact that they are beneficial for Turkey. In the existing situation, there are 15 institutions at borders and it is not easy to promote coordination among them” (Phone interview, 02.04.2012).

Project Worker Adem Akman also points the influence of the European Union during the candidacy process. He claims that:

“Guidance of the EU, of course, triggered the establishment of a new civilian border control in 2002. However, domestic reasons have supported the continuation and development of these reforms”(Phone Interview, 02.05.2012).

In addition, Selami Akgul points on the national security concerns that:

“We will not start to replace military personnel from Eastern borders of Turkey because of the terrorist threat in there. Moreover, there will always be coordination with military until the first professional border guards graduate. Then, there will be a transition to a completely civilian border control. For this reason, worrying about the changes is not necessary” (phone interview, 02.04.2012).

In this regard, there is a misunderstanding and confusion about the division between national defence and border security. National defence is the military protection against the existing and possible enemies whereas, border control is the struggle against illegal migration and border related crimes. In line with this, border security is a part of internal security and so a professional

³⁷ “Sinir Guvenligi Bolumu Kuruldu”, Border Control Institution Is Established, 26.10.2011. <http://gundem.milliyet.com.tr/sinir-guvenligi-bolumu-kuruldu/gundem/gundemdetay/26.10.2011/1455279/default.htm>, accessed in 30.09.2011

institution, which is responsible for internal security, should carry out border management. This institution is the Turkish Ministry of Interior (Developments on the IBM in Turkey 2002-2012, Development and Implementation Bureau for Border Management Legislation and Administrative Capacity).

Minister of the Interior Idris Naim Sahin gave a speech during the closing ceremony of the Action Plan on IBM-Phase 1 Twinning Project³⁸ and claimed that:

“Membership process to the EU has always been a government priority in Turkey. However, complying with the EU demands is not the only reason of economic, social or political reforms. This is because; we are working on these reforms for internal development and providing our citizens better and modern living standards. In this regard, we have covered important political reforms especially during our term with an aim to make our country more respectable, powerful and reliable in the world. Border management is an important issue in Turkey for not only coping with illegal migration but also fighting against smuggling and other forms of border related crimes. Thus, borders are directly related with the development of economic, social, and cultural relations internally that necessitates cooperation and thrust. In this context, establishment of a new professional non-military border security under a single authority will support the intra-agency cooperation and coordination that will strength the security of our borders”(Ankara, 25.10.2011).

In this regard, the supporters of the reform process in Turkey are able to use the EU context to justify, and increase the legitimacy of these reforms and their own positions (Tocci, 2005).

In this sense, Turkey has made substantial attempts to harmonize with the EU *acquis* in different field of irregular migration but the extend and pace of that harmonization depends on domestic priorities (Ozcurumez & Senses, 2011). Especially on the border management issue Turkish government is willing to

³⁸ http://syb.icisleri.gov.tr/default_B0.aspx?content=174, accessed in 09.01.2011

comply with the EU *acquis* with domestic ways of framing and implementing policies or identifying policy priorities based on national interests.

6.6. EU-Centred Epistemic Communities:

According to the epistemic community hypothesis, institutionalized relationships between public policy makers and epistemic communities increase the likelihood of rule adoption.

On the basis of this reasoning, the relationship with EU agencies and EU related projects increases the Turkish government willingness to comply with the EU demands on the border management issue. For instance, twinning projects is one of the principal tools of institution building assistance and they are contributing to socialization and development of expert communities.

European Commission launched Twinning in 1998 as an initiative in the context of the preparation for enlargement of the European Union. It is an instrument for the targeted administrative co-operation to assist the pro tempore Candidate Countries to strengthen their administrative and judicial capacity to implement EU legislation as future Member States of the EU. Since 2003, twinning has been available to some of the Newly Independent States of Eastern Europe and to countries of the Mediterranean region in line with the emergence of the European Neighborhood Policy (ENP), which aims to foster the political and economic reform processes, promote closer economic integration, legal and technical approximation and sustainable development.

Twinning mainly aims to help beneficiary countries in the development of modern and efficient administrations, with the structures, human resources

and management skills that needed to implement the *acquis* communautaire. Twinning provides the framework for administrations and semi-public organizations in the beneficiary countries (BC) to work with their counterparts within the EU. Together they develop and implement a targeted project aimed at supporting the transposition, enforcement and implementation of a specific part of EU *acquis* (ABGS, Twinning).³⁹ The main principle of the Twinning projects is the jointly agreed policy objectives deriving from the joint EU-BC agenda, i.e. combating the EU policy orientations (as set out in the European Commission Progress Reports and/or other policy documents) and the Beneficiary Administrator's efforts for reform (as set out in strategic documents in relevant BC authorities) (European Commission Twinning Manual, 2012).⁴⁰

The Commission sets up projects by relying on the co-operation and administrative experience of Member States. The BC countries expect that the Commission mobilize experts from government, local authorities and other public sector organizations. In this sense, at least one full-time Member State expert goes to work in a beneficiary country administration: they are called Resident Twinning Advisers (RTAs) and are accredited by the European Commission. Projects can also include a number of other actions, usually run by relevant public bodies, including workshops, training sessions, expert missions and counseling partnership (European Commission Twinning Manual, 2012).

³⁹ <http://www.abgs.gov.tr/index.php?p=204&l=2>, accessed in 23.10.2011

⁴⁰ http://ec.europa.eu/europeaid/where/neighbourhood/overview/twinning_en.htm, accessed in 13.05.2012

The decisions to call on the Twinning expertise implies that the BC administration is in need for public sector expertise to achieve the mandatory results, which could not be obtained through traditional private sector technical assistance. In itself this choice reflects a cost-benefit analysis in the broad sense. The most important feature of the Twinning is that the beneficiary administrations are able to make their decisions on the choice of the Member State partner (European Commission Twinning Manual, 2012). For instance, the Turkish government chose to take Hungarian model on the establishment of future General Directorate for Border Guard and decided to work with Hungary, UK, and the Netherlands on the issue. This significance on the functioning of the Twinning is just the opposition of pressure of rule adoption that coming from the EU and is a good socialization way for the candidate states.

In this context, beside many other topics, Turkey has been carrying out twinning projects on the border management issue, too. The Action Plan on Integrated Border Management-Phase 1 started in Ankara on 16 January 2010 with a purpose to provide a comparative analysis of Turkey-EU *Acquis* and best practices on the establishment and institutional structure of a border security detachment preparation plan. The first week in the workshop detailed discussions with the representatives from the five main organizations involved in border control and border security: Land Forces, Gendarmerie, National Police, Customs and the Coast Guard.

The Development and Implementation Bureau for Border Management Legislation and Administrative Capacity launched the Phase1 Twinning Project

on IBM at 03.06.2010. In the Project Kick-off Meeting in Ankara, project leaders mentioned the work has been going on in Turkey at various levels to establish an efficient IBM system, to fulfillment of which, the Action Plan on IBM-Phase 1. The main objective of this project again, together with the contracted partners, is to establish the legislative and organizational structure of IBM according to the EU good practices (Newsletter, 16.06.2010: 4).⁴¹

During the meetings, EU experts on IBM assisted the Turkish partner in preparing the first Draft Law of what could be as the Law on the establishment of the Turkish Border Guard in the future. Based on the National Action Plan this draft law regulates the establishment of a General Directorate of Border Guard (GDBG) within the Ministry of Internal Affairs competent for the fulfillment of all duties as regard to IBM, in particular border control and border surveillance. This GDBD will be a civilian law enforcement agency that border guard officials staff with the status of police officers, as well as by civil servants and public employees. This draft law identifies the main purposes of border management are: to ensure the safety of people, property and environment, to prevent illegal migration, to prevent and detect criminal offences and to combat smuggling amongst other things. As part of the IBM concept, this draft law also contains a chapter on cooperation with other agencies, which will develop in line with consideration to the EU Guidelines for Western Balkans. A main chapter of the draft law regulates the transitional period as a key element, which needs further development and well planning. It foresees

⁴¹ Newsletter, Action Plan on IBM, TR 07 IB JH 04, Republic of Turkey Development and Implementation Bureau for Border Management Legislation and Administrative Capacity, http://syb.icisleri.gov.tr/default_B0.aspx?content=174, accessed in 03. 09.2011

timing for the transfer of competences as well as personnel from other institutions to the GDBG according to the National Action Plan. This draft law also foresees that the Land Forces and the Gendarmerie will continue to perform their duties on border surveillance until the completion of the border transfer of duties and personnel (Newsletter, 26.08.2010: 2-4).⁴²

Border Management Office in Ankara held the 1st Steering Committee of the Twinning Project on Action Plan on IBM at the date of 14th September 2010. The local team prepared the first draft of Act on the Border Guard before the arrival of the experts. The draft based on the adaptation of other countries' legislations combined with some of the Turkish border related regulations. Together they made a review of the legal background for planned Turkish Model of IBM (Newsletter, 15.10.2010: 1-2).⁴³

Later on, Turkish officials made study visits to Sweden between October 25-27, 2010 and to Poland between November 22-25, 2010 with the participation of related institutions including the MOI, Ministry of Transport, General Directorate of Customs Enforcement, Police, Land Forces, Coast Guard, Gendarmerie, Maritime Undersecretariat and the IBM project office. These visits aimed to study of different EU models on IBM systems and they have been fruitful especially for observing the cooperation of various IBM organizations on location and gathering information about their daily practices at various levels of organizational structure (Newsletter, 15.12.2010: 1-4).⁴⁴

⁴² ibid.

⁴³ ibid.

⁴⁴ ibid.

Turkish experts also visited Hungary, the United Kingdom and the Netherlands to gain experience in the best practice of IBM models of Schengen Area, the best practice of Schengen airports and seaports, and the technology and equipment for surveillance and control. The main aim of this visits were the establishment of the independent, professional Turkish Border Guard Organization, which is in conformity with the EU & Schengen requirements. In the IBM Task Force Meeting in 17-21 January 2011, native and foreign experts aimed to provide background information and suggestions to establish the Turkish integrated and common risk analysis model and the national coordination center. The Common Integrated Risk Analysis Model (CIRAM) and the Hungarian Experience, according to the concept of the European Border Surveillance System (EUROSUR) and the best practices as presented by the Schengen Catalogue were the bases of this work (Newsletter, 15.02.2011: 1-3).⁴⁵

Border Management Office held the 3rd Steering Committee of the Twinning Project on Action Plan on IBM on 3rd March 2011 in Ankara. It pointed the harmonization process of the issues related with border management with international best practice. This is vitally important for not only fighting against cross border crime, human trafficking, illegal migration and smuggling but also for the associated economic areas of agriculture, transport and human health (Newsletter, 15.03.2011: 1-2).⁴⁶

⁴⁵ ibid.

⁴⁶ ibid.

From 14th to 25th of February, two EU experts from Hungary conducted an intensive research exercise under Project Activity 7.1 on the adaptation and implementation of Schengen Catalogue on Turkish IBM. This activity aimed at adaptation of Schengen Catalogue is based on findings, experts' experiences and knowledge, interviews, presentations, consultations and workshops. The Project Activity 6.2 determined the topics to design the Train Package for Multi-Agency Training for Turkish Border Management and Proposed Border Security Detachment. The most important ones are as follows:

- Inter-service cooperation at the borders, the IBM system and IBM participants, Alien policing at the borders,
- Sea border surveillance
- False travel documents (FADO) system and criminal investigation and other activities,
- EU and Schengen databases such as SIS, EURODAC, PHYTOREK, TRACE, EUROFIT, VIS, etc.
- E-learning,
- IBM leader training,
- Border security activities at extraordinary situations,
- Principles, requirements, and practical implementation of border surveillance and border checks,

- General principles of establishment subordination and functioning a border control organization or IBM system (Newsletter, 15.05.2011: 2-3).⁴⁷

The Border Management Office held the 4th Steering Committee of the Twinning Project on Action Plan on IBM. Delegators made some remarks by telling that the project had reached a certain level of maturity. The main purpose of the 7.2 Activity to prepare and elaborate the Schengen Action Plan was to prepare basic documents, which would describe the actions in different IBM fields to start harmonization with the EU requirements for the Schengen implementation. The main objectives of this activity were to compile the draft of Turkish Schengen Action Plan and Implementation Plan on Turkish Schengen Action Plan.

Activity 6.4 Training for Trainers aimed to provide training for trainers by giving an overview of the concept of IBM. Similarly Activity 6.5 Delivery of Training for Inter-Agency and Inter-Service staff involved in Turkish Border Control and surveillance aimed to train the participants of different institutions of Turkish IBM (Newsletter, 15.07.2011: 2-4).⁴⁸ Overall Objectives of this twinning project is to achieve the EU strategic goal of open and secure borders by developing and strengthening in-service training system of Turkish Police working in the field of securing borders in alignment with the EU's IBM policy. The project purposes to improve the in-service training capacity of the Turkish National police working at border gates and further development of IBM best practices

⁴⁷ *ibid.*

⁴⁸ *ibid.*

in line with the EU's IBM policies and strategies (TR080213 Twinning Project on Training of Border Police).

Besides the positive effects of the twinning projects, relations with the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) is also significant to make domestic structures conducive to the influence of new ideas related to the border management in Turkey. In 2005, the EU established FRONTEX with an aim to enhance external border security by coordinating the operational cooperation of EU Member States, Schengen Associated Countries and other partners.

FRONTEX is a community body having legal personality and operational and budgetary autonomy. Its Management Board defined strategic guidelines for FRONTEX, which consists of operational heads of national services responsible for border guard management or their representatives as well as representatives of the Commission (Council Regulation No 2007/2004). The activities of FRONTEX are based on the EU policy for IBM. It undertakes to do:

“Coordination of operational cooperation between Member States in the field of management of external borders; assistance to Member States in the training of national border guards, including the establishment of common training standards; carrying out risk analyses; following up the development of research relevant for the control and surveillance of external borders; assistance to Member States in circumstances requiring increased technical and operational assistance at external borders; providing Member States with the necessary support in organising joint return operations⁴⁹”.

In other words, it coordinates the operational collaboration on external border control within the EU (Peers 2007: 142-44).

⁴⁹ http://www.frontex.europa.eu/more_about_frontex/, accessed in 07.03.2012

FRONTEX also coordinates with third countries in order to prevent irregular migration to the EU. These third countries may be transit or source countries on migration, and may share borders with the Member States or not as Albania, Macedonia, Nigeria and Turkey. For instance, due to the illegal migration flows, “good border cooperation with neighboring countries is essential in Turkey.

In this regard, Turkey has shown efforts with a view to conclude a working arrangement with FRONTEX” (European Commission, 2009: 75). Negotiations on this working agreement with FRONTEX have progressed but still not finish with a view to enhancing operational cooperation at Turkey’s borders with the EU, to prevent irregular migration and to combat cross-border crime.

According to the Progress Report from 2011 border management in line with the *acquis* and relations with FRONTEX has still necessitated further efforts (European Commission 2011: 92-3).⁵⁰

6.7. Transferability of Rules:

The key condition for the target state to draw a positive lesson from scanning rules in operation elsewhere is the rule’s success in solving similar policy challenges in the EU and the transferability of this success.

On the basis of these considerations, the dissatisfaction with the existing status quo on border management in Turkey directs the policymakers to comply with the EU demands. The Turkish government expects that these reforms will solve domestic policy problems effectively and prevent illegal

⁵⁰ http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm, accessed in 14.02.2012

migration. This is because; the rules' success in solving similar policy challenges in the member states (Mitsilegas, 2002) and the transferability of this success to the Turkish context motivates policymakers to make necessary reforms (Strategy Paper, COM 2011).⁵¹ For instance, IBM Strategy in Turkey is mainly based on the same implementation in Hungary (Sabah Gazetesi, 28.08.2010)⁵². In this sense, the Twinning Project on Integrated Border Management (TR 07 IB JH 04) is based on the harmonization of important measures with international best practices. In this regard, a EU team of experts from Hungary, Slovenia, and the United Kingdom conducted an intensive research exercise activity under Project Activity 3.2 on the identification of alternative models for Turkish IBM. Moreover, cooperation efforts and bilateral actions with the European institutions and agencies, particularly FRONTEX, also facilitate the transferability of rules and rule adoption on border management.

⁵¹ http://eeas.europa.eu/sp/index_en.htm, accessed in 25.02.2012

⁵² "Sinirlara Macaristan Modeli Koruma"; Hungarian Type of Border Control, 28.08.2010. http://www.sabah.com.tr/Gundem/2010/08/28/sinirlara_macaristan_modeli_koruma# accessed in 08.06.2011

7. CONCLUSION

“Borders conventionally define geographic boundaries of political entities or legal jurisdictions, such as governments, states or sub-national administrative divisions”(Fluri & Buchanan 2007:5). Above all, borders are vital to cope with irregular migration and related criminal activities particularly in Turkey because of its strategic geographic position. In this regard, border management is a significant issue for the Turkish government parallel to the relations with the EU during candidacy process.

This is because: Turkey is the most used transit route for irregular migrants to reach European countries. For this reason, the European leaders frequently emphasize the importance of an efficient border control in Turkey and support the development of integrated border management system. Therefore, border management issue is also important for domestic reasons because Turkey has recently become a destination country for illegal migrants. This situation affects economic, political and cultural stability of the country.

On the basis of these considerations, this study has discussed the reasons of transformation and recent reforms on the establishment of a new organization for border management in the case of Turkey. Firstly, it has reviewed the impact of Europeanization by answering two questions: R1) What is the EU effect on the establishment of a new guard in Turkey?; and R2) What are the domestic effects of Europeanization on the establishment of a new border guard in Turkey?

Based on these research questions and the three models of Europeanization, this analysis has constructed three hypotheses as follows: H1: In the light of the external incentives model, expected benefits from the EU may be effective in the recent reforms on the establishment of a new organization for border management in Turkey. H2: In the light of the social learning model, appropriateness of EU rules on border management might direct the Turkish government to make reforms on the establishment of a new organization for border control. H3: In the light of the lesson-drawing model, the perception that EU rules on border management will solve domestic policy problems may be the driving force of the recent reforms on the establishment of a new organization for border management in Turkey.

In this context, the dependent variable has been: 'Recent reforms on the establishment of a new, civilian and professional border management in Turkey'. The independent variables have been: 'Determinacy of conditions, size and speed of rewards, credibility of conditionality, veto players and adoption costs (factors of the external incentives model); legitimacy of rules and process, identity, resonance (factors of the social learning model); policy dissatisfaction, EU-centred epistemic communities, and transferability of rules (factors of the lesson-drawing model).

The existing literature has not provided answers to the research questions and mainly headed towards the reasons of recent democratization process in Turkey as a candidate country. This study has aimed to fill this gap and advancing the existing literature by providing an empirically detailed account of

how and through which channels Europeanization occurs and how domestic concerns affect certain matters.

Case study has been based on the content analysis method, which investigates both the frequency of data about the recent developments in Turkey's border management system and also various interpretations of this issue either in positive or negative terms. In this regard, this study has provided a deeper content analysis to examine whether related data highlight certain aspects of reasons of these recent reforms by framing them either in domestic and international terms.

To achieve its aim, this study has analyzed the Progress Reports, Accession Partnership Documents, Turkish National Action Plans, total of 32 articles from six national newspapers (newspapers of different political orientation: Hurriyet, Zaman, Cumhuriyet, Sabah, Milliyet, Radikal), and also on supplementary interviews with policy experts in the light of the three models of Europeanization.

There have been two main parts in the study that based on the division between the EU effect and the domestic effects of Europeanization on the issue. According to the first one, both the external incentives and the social learning models are dominant to explain the EU effect on the establishment of a new organization for border management in Turkey whereas, according to the latter one, the lesson-drawing model is dominant to explain the domestic effects of Europeanization process on the issue.

Firstly, parallel to the factors of the external incentives model, the EU *acquis* on border management, which is the 24th chapter on 'justice, freedom & security', is quite determinate. This is because; border management is a very vital and significant issue in the EU. The EU clarifies its demands on border management by the Accession Partnership Documents and Progress Reports.

Secondly, conditionality of promises is not credible because there are severe doubts and reservations in the European side on Turkish membership to the EU. However, Turkish policy makers has still continued the necessary reforms on border management and many public statements have pointed the belief that Turkey will get the promised reward in the future.

Analysis of articles from different newspapers has also suggested that border management issue in Turkey has become salient lately and the Turkish government has still been willing to comply with the EU demands on the issue.

Thirdly, despite of the slow progress, public statements of Turkish policy makers has revealed the perception that Turkey will get the membership as the ultimate reward if it complies with the EU *acquis*.

Lastly, political adoption costs have remained relatively high on this issue because of the fact that some military officials have regarded border security in Turkey as means protection against terrorist attacks. However, these veto players have not outnumbered enough to hinder the reforms on the border management issue. In addition, economic adoption cost has also been quite high on the border management issue and European funds have covered

some part of it. However, Turkey has continued to make reforms on the border management issue because expected benefits are higher than the costs.

In addition to the first part, the factors of the social learning model have also been helpful to explain the international effects of Europeanization process on the issue. Firstly, the EU clarifies the related rules and their adherence to a rule hierarchy based on the constitutive values and norms of the community on the establishment of a civilian border control. In addition, all members of the EU have accepted the same rules on the issue and there have not been special or different rules for non-member states. Secondly, public statements have pointed that Turkish policy makers have identified themselves with the European identity and this have increased the likelihood of complying with the EU *acquis* and so rule adoption on the border management issue. Thirdly, despite of the misfit between the existing situation in border control and the EU demands on the issue, the Turkish government has been open to accept and adopt EU rules because of the beliefs of good policy.

Apart from these, this study has identified seven factors with reference to the lesson-drawing model so as to explain the domestic effects of Europeanization on the establishment of a new organization for border management in Turkey. These factors have been: Turkey's significant geographic position; illegal migration: related problems and criminal activities; economic growth in Turkey; relationship between Turkey and the United Nations High Commissioner for Refugees; policy dissatisfaction; EU-centred epistemic communities; and transferability of rules.

Firstly, Turkey has become both a target and a transit country for illegal migrants due to its geographic position. This situation increases the importance of an effective border control in Turkey. In addition, most of these irregular migrants reach European states via Turkey so border management in Turkey has been a significant issue among the members of the EU.

Secondly, an efficient border control is vital to fight against irregular migration and related problems and criminal activities such as human or drug trafficking. Thirdly, the recent economic growth in Turkey has made it a target country for illegal migrants coming from relatively poor and unstable states.

Fourthly, the deep-rooted relationship between the Turkish government and the UNHCR on the migration issue has revealed that the EU has not been the only stimulating factor on the developments on border management in Turkey.

Five, policy dissatisfaction has been one of the biggest incentives that make Turkish government to continue with reforms on the issue. Many public statements of the policy makers have pointed the insufficiency of existing situation on border control in Turkey and emphasized the benefits of reforms.

Six, the on-going twinning projects and the relations with FRONTEX have also supported and facilitated the rule adoption on border control.

Finally, transferability of rules has been quite high on the border management issue because of the rules' successes in solving similar policy problems in the European countries.

In this context, the results have revealed that Turkey makes substantial attempts to harmonize with the EU *acquis* on border management but the

extend and pace of this harmonization depends on not only the pressures coming from the EU but also domestic priorities. Turkish government is willing to comply with the EU *acquis* on the issue with domestic ways of framing and implementing policies or identifying policy priorities based on national interests. These findings demonstrate the fact that, domestic reasons are also effective in the developments on border management in Turkey besides the Turkish government's willingness to comply with the EU demands.

The results of the content analysis have suggested that, the three models of Europeanization all have a certain power to explain the recent reforms on the border management in Turkey. The analysis has indicated that the EU pressure and candidacy process, and also domestic concerns, necessities and priorities have interchangeably affected the reforms on border management. In other words, the EU effect meets the domestic political agenda on border management issue in Turkey along with a logic of consequences and a logic of appropriateness.

In sum, the findings of this thesis imply that the EU effect is the triggering factor that persuades the Turkish policy makers to make reforms on the border management issue. However, the domestic necessities are also very important factors that motivate the Turkish government to continue with the reforms particularly on the establishment of a new organization for border security in Turkey. For this reason, future researches should not disregard the effects of the domestic priorities in the target states to comply with the EU *acquis* and continue to study the domestic effects of Europeanization on reforms together with the EU effect.

Annex. 1

Sinirlarda Radikal Değişiklik:

İçişleri Bakanlığı, sınır güvenlik birimiyle ilgili kanun tasarısını tamamladı. Sivil otoriteye bağlı Sınır Muhafaza Teskilati Başkanlığı(SMTB) adıyla kurulması planlanan teskilatta 60 bin personel görev yapacak...

Radical Changes on Borders

MOI completed the draft legislation for the future border guard. There will be 60.000 personnel under the civilian authority of the General Directorate of Border Guard (GDBG)...

Zaman, 4 February 2011

AB'den Kacak Göç Ziyareti:

AB Zirvesi'nde kaçak göç konusunda Türkiye'den "somut adım" istenmesinin ardından Avrupa Komisyonu Başkan Yardımcısı Jacques Barrot ile AB Dönem Başkanı İsveç'in Göç ve İltica Bakanı Tobias Billström, iki günlük bir ziyaret çerçevesinde yarın Ankara'da "kaçak göç" sorununu görüşecek...

Illegal Migration Visit from the EU

Under the frame of EU's demand from Turkey on illegal migration, Jacques Barrot and Tobias Billström will be in Ankara tomorrow to discuss illegal migration...

Cumhuriyet, 4 November 2009

AB Muktesabatına Uyum:

AB müktesabatında, "sınırların kontrolü ve güvenliğinin sağlanması görevinin, Adalet ve İçişleri alanında yer aldığı ve tek çatı altında toplanmış, bu konuda uzmanlaşmış profesyonellerden oluşan ve 'askeri olmayan bir teşkilatça' yerine getirilmesi" öngörülüyor...

Complying with the EU *Acquis*

The EU *acquis* foresees the border security under the single authority of MOI and performed by civilian professional institution...

Hurriyet, 4 May 2009

Sinirlara Avrupa Tipi Koruma:

Avrupa Birliği'ne uyum kapsamında tamamlanan kanun tasarısına göre sınırların güvenliği Türk Silahlı Kuvvetleri'nden İçişleri Bakanlığı'na bağlı Sınır Muhafaza Genel Müdürlüğü'ne devredilecek...

Adopting EU Strategy on Border Management

The draft legislation in line with the EU *acquis* foresees the transfer of authority from Turkish Armed Forces to the General Directorate of Border Guard under the responsibility of MOI...

Sabah, 2 November 2010

İngiltere Parlamentosu'dan Uyarı:

...Ote yandan, geleneksel olarak Türkiye'nin en güçlü destekçilerinden biri olan İngiltere üye ülkelerden göç ve güvenlik konularında önlemler almasını istiyor. İngiltere'nin bu talebi, göç konusu hakkındaki endişelerin Avrupa'daki serbest sınır geçişlerini tehdit ettiği bir zaman denk geliyor...

Warning in the English Parliament

...England, traditional supporter of Turkish membership to the EU, demanded that, member states should take measures on migration and security. This demand coincided with the concerns on the migration, which threatens the free movement in Europe...

Milliyet, 1 August 2011

Avrupa Gucu Turk Sinirlarinda:

Türkiye'den Yunanistan'a geçiş yapan kaçak göçmenlerin artması nedeniyle Avrupa Birliği'ne bağlı FRONTEX, 175 sınır güvenliği uzmanını Yunanistan-Türkiye kara sınırına yerleştiriyor...

European Forces on Turkish Borders

FRONTEX is placing 175 professionals on borders between Turkey and Greece due to the rising number of illegal migrant in the are...

Radikal, 3 November 2010

Annex. 2

Questions and Answers of the Phone Interviews:

- Adem Akman- Development and Implementation Bureau for Border Management Legislation and Administrative Capacity (02.04.2012)

1. What are the reasons of the establishment of a new civilian border control organization? Only because of the pressures coming from the EU or are there any other domestic factors?

“No. Borders are important in two manners: national security and border control. A professional team will be more helpful to fight against irregular migration and related criminal activities, smuggling specifically. Recommendations of the EU, of course, triggered the establishment of a new civilian border control in 2002. However, domestic reasons have supported and developed this reform.

2. Are reforms on border management causes adoptional problems due to the existing domestic status quo?

“There are some reasonable reservations especially from the military parallel to the link between Turkish borders and terrorism. However, it does not cause inescapable problems. This is because; transition period to a civilian border management will be step by step. New organization will start and gain experience on Western borders then pass thorough the

Eastern borders where terrorist threat is high. There is a slow down in the reform process on this issue but ongoing problem and chaos in some neighbour states as Syria and Iraq lead to this moderation. We are still working on projects, and I believe process will speed up soon when priorities of government will change”.

- Selami Akgul- Development and Implementation Bureau for Border Management Legislation and Administrative Capacity (02.04.2012)

1. What are the reasons of the establishment of a new civilian border control organization? Only because of the pressures coming from the EU or are there any other domestic factors?

“Of course being a member of the EU is an important stimulating force but the main reason to make reforms of border management issue is the fact that because its beneficial for Turkey. In the existing situation, there are 15 institutions on borders and it is not easy to promote coordination among them”.

2. Will new organization be sufficient enough to protect borders because of the terrorist attacks coming especially from the Eastern borders of Turkey?

“Because of the terrorism threat in Eastern borders of Turkey in the beginning we do not replace military personnel from there. Beside there will always be coordination with military until the first professional border guards graduate. Then, there will be a

transition to a completely civilian border control. For this reason no need to be worry about the process”.

- Metin Corabatır- UNHCR (31. 03. 2012)

1. What is the historical relationship between Turkey and UNHCR on migration?

“Especially since 2000 Turkey political and economic position in the international arena has gained importance. Relations with the EU have not reached the desirable level, yet but together with reforms, structure of civil society has developed and taboo has begun to remove. Management of migration as a concept has emerged in 2008 parallel to the relations with the EU however; UNHCR has been conducting relations with Turkey on the migration issue more than fifty years. It has been helping to develop a common language, a functioning working environment, acknowledgement of international regime on migration issue, and espousing internally, of course partly.

2. What are the effects of UNHCR on the Turkish-EU relations?

“On the one hand with regard to the reforms on the migration issue, the EU plays an important role. If there were no partnership with the EU, developments would stay in a daily fluctuating level without a road map. On the other hand, even if there were no external effect of the EU, Turkey would still be making reforms because of internal necessities. In this context of

negotiations with the EU, UNHCR has supported to form an informed public opinion and internalizing the issue”.

3. Do you think a civilian border organization will be beneficial for the country?

“Yes. Establishment of new professional civilian border forces will be beneficial for border security. In this regard, differentiation of migration from terrorism will be helpful to assure the opponents of this development. This is because, internal annoyances lead to terrorist activities, which political platform may only solve “.

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