



The occidental perspective of the accession negotiations between Turkey and the European Union

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Abstract

Aim: This article examines Turkey's Europeanization efforts in the context of the current European crisis. The introductory paragraph sets the stage for the rest of the paper. The paper analyses Turkey's negotiations with the European Union, focusing on the most significant economic and legal chapters as the Turkish government moves closer to applying for EU accession (according to the annual reports of the European Commission).

Method: European Commission reports and other official documents are used to analyze the talks. The individual's impact will be highlighted in relation to this method of investigation. In this instance, we consult the related institutions' publicly available records. The EU's most important resources are typically discussed and analyzed at this stage of negotiations, with opinions being highly contextualized.

Findings: To function smoothly, the European Union needs its neighboring countries to be cooperative partners. Official relations with the Turkish state could be jeopardized, particularly due to the unstable situation in Turkey and internationally if official discussions on potential integration were suspended.

Implications/Novel Contribution: For the European Court of Human Rights article 46 mandate to be fulfilled, Turkey must increase its cooperation with the Council of Europe and its relevant bodies and institutions to consider key recommendations and implement all human rights decisions. Integrity must be prioritized.

Keywords: Occidental perspective, Accession, Negotiation

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INTRODUCTION

Expanding this geopolitical structure to the east and south was a priority before the recent challenges the European Union faces, but this goal is currently on hold. The region surrounding Europe is not immune to the effects of the migration crisis. The influx of refugees into Turkey is a major problem. It must make the double-edged effort of maintaining integration and expanding its reach.

The theoretical framework presented here is a cornerstone on which the Union's concern for the region's south and east and the broad principles underlying the accession negotiations with the Turkish state can rest. The findings focus on developing a theoretical basis from which to comprehend the practical component. Whether or not Turkey has made efforts, such as establishing specialized institutions to implement the requirements or holding its existing authorities accountable for meeting the challenges of future integration, can be demonstrated with reference to the negotiation criteria.

This is an up-to-the-minute topic, as talks on accession progress for several Balkan states, including Turkey. In the academic literature, no research applies the same methodology to analyzing Turkey's accession chapters (transforming the content into position documents).

The paper begins by tracing the development of the European negotiation process and the implications of doing so (from general sources, elements from more domains). This chapter is about the European Union's policy on enlargement, so it's a good place to point out how close or far away various countries are.

Turkey is listed as a potential member in the candidate states statute. The Turkish government submitted an

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application to join the European Economic Community in 1987. The negotiations began in 1997. The Association Agreement signed in Ankara in 1963 signaled the beginning of Turkey's involvement in the accession process, which included the gradual establishment of a customs union (1995).

Eight negotiated chapters would be discussed, and those provisionally closed would be unblocked, but only after the Turkish government agreed to implement the additional protocol from the Association agreement between Ankara and Cyprus.

Important dates on Turkey's path to Europeanization include December 13, 1997, when Turkey became eligible for membership at the Luxembourg Council meeting; December 11, 1999, when the European Council in Helsinki declared Turkey a candidate state; March 24, 2001, when the Accession Partnership was adopted, with a revision the following year; December 16, 2004, when it was decided to begin the accession. It is possible to detail which criteria have been met and what remains to be done to meet other criteria in the reports ([Bariscil, 2017](#); [Schiop, 2017](#)).

For more information on the development of the Turkish-European alliance, we can also look back to June 1, 2006. Chapter 25 (science and research) of the negotiations were opened and then closed; eight subjects have not been released since December 11 of the same year due to Turkey's refusal to put into function the protocol from the Ankara - Cyprus Association agreement. In 2008, the Accession Partnership was revised, and in 2010, Chapter 12 (consumer protection) was introduced. With regards to Turkish-European relations, the 2012-EU agenda has been more active; the following year, chapter 22 (regional area) was initiated; the visa dialogue began on December 16, 2013, with the signing of the Readmission Agreement; the draught on visa roadmap was implemented in 2014; in 2015, progress was made on the action plan for the first high-level meeting between the two entities (November, 29) and the chapter 12 on monetary economics and policy (December) ([European Commission, 2016](#)). Despite the tense events on a global level and within Turkey, this year has been fruitful in this area.

The EU-Turkey Declaration was signed on March 18, 2016, and the first report of the declaration was implemented on April 20, 2016. The third visa policy report was agreed upon on May 4, 2016, and accepted on June 15, 2016, following discussions at an accession conference that included the opening of chapter 30 on financial and budgetary provisions on June 30, 2016. (September 28) ([European Commission, 2016](#)).

There is an environment of unprecedented migration in the Turkish state. Over 2.7 million people have fled Syria so far. Most refugees are housed in this country, which is already devoting substantial resources to dealing with the plight of its guests. In October 2015, at the EU-Turkey Summit beginning on November 29, 2015, the two sides began working together on a common action plan. The action plan's goal is to establish order among migration flows to prevent illegal migration. In their joint statement from March 18, 2016, the European Union and the Turkish government reaffirmed their commitment to ending illegal migration to the European Union as a means of disrupting the arms trafficking model and providing migrants with a safer alternative to the dangerous journey north.

The Facility for Refugees in Turkey was established at the end of 2015 to coordinate between the European Union and Turkey to facilitate the rapid and effective mobilization of European refugee assistance. In 2016/2017, the European Union provided aid totaling three billion euros, which included funding for European activities and other contributions from European countries to help refugees and other vulnerable groups in that country. ("[Schiop, 2017](#); [Yilmaz, 2017](#)"); "it is an important secondary aid."

Turkey is a vital economic partner for the United States because of the vast potential of its developing market. Even though Turkey has the plan to accommodate its massive population (95,000,000), it uses less energy per person than the Netherlands, which has a much smaller population. Turkey was already pleased with its 17th-largest economic growth in a short period before its population grew and its potential consumption level was reached. Geopolitical and cultural considerations make Turkey's alliance with the United States particularly important. The Turkish Republic serves as a physical link between Europe and Asia. Because of its convenient location, Turkey plays a significant role in European, Asian, and Middle Eastern geopolitical affairs. The United States has a cultural stake in the success of democracy in Turkey because of the country's status as a major Muslim power. President Obama emphasized this point in his address to the Turkish Parliament on April 6, 2009, calling Turkey a "secular democracy" ([Bennett, 2016](#)).

Several events that occurred over time influenced the alliance's direction going forward. Since Washington and Ankara share similar perspectives on the causes of the upheaval and the need to assist the regional transformation toward democracy and human rights, the trajectory of the Arab Spring, driven by forces unleashed in the form of popular uprisings, is likely to exert pressure on both capitals to coordinate their policies. The U.S. and Turkey's relationship will continue to be heavily influenced by their respective approaches to the Iranian nuclear program, regional tensions caused by Iran's stance in the Syrian crisis, and Tehran's tense relationships with its Arab neighbors. A key factor will be Russia's behavior in the many regions Washington and Ankara have interests (Aliriza, 2012).

The European crisis had already begun before the coup attempt, but the Turkish state was already in the process of Europeanization. Context of EU-Turkey talks will be presented. While Turkey is making strides toward Europe, it still needs to meet all of the criteria for EU membership, making it impossible for all negotiation chapters to be closed (Schiop, 2017).

The application section is predicated on examining the actual measures taken by Turkish institutions in implementing or not pursuing various policies.

LITERATURE REVIEW

The EU is based on the values which are listed in the article 2 of the Treaty on European Union: respect for human dignity, freedom, democracy, equality, rule of law, respect for human rights, including the rights of persons belonging to minorities; in 1957 the European Union began as the European Economic Community and the European Atomic Energy Community with six members: Belgium, France, Germany, Italy, Luxemburg, and the Netherlands. Six waves of enlargement rounds were from 1973 that have increased the number of member states: Denmark, Ireland, United Kingdom; in 1981, Greece was integrated; in 1986, Spain, Portugal, and in 1995, Austria, Finland and Sweden became full members (The European Commission, 2019).

N. Piers Ludlow explains that enlargement was never part of the initial European project when it began in the 1950s, but became one of the EU's most important and successful policies; the first enlargement of 1973 welcomed other Western European democracies (the UK, Ireland, and Denmark), with no long-term strategy for enlargement. Only with the Greek accession in 1981, the strategy of democratization enter into the enlargement process and, as Eirini Karamouzi demonstrates, from that point onward, the Community sought to support and entrench democratic transitions among its neighbours, with membership being their ultimate reward. However, democratization was related to security considerations in the geopolitical context of the Cold War. Another idea was described by Cristina Blanco Sio-Lopez: the Community developed and institutionalized its enlargement strategy through the Spanish accession in 1986 to shape the eastern enlargement of 2004 and post-communist states in Central and Eastern Europe, meanwhile, sought to assimilate to the Western European model, as Anne Applebaum explains, by adopting Community membership as an overriding policy goal (Durand, 2013).

Besides the actions that Turkish institutions took into consideration, it is important to look at the Occidental opinions of leaders about the integration of this state. These opinions could have an influence on the decision-making process for accession.

The issue is relevant, even though the accession negotiations with Turkey are no longer as effervescent as in the past. Turkey is increasingly moving away from the European Union, and there is no ambiguity that it will not integrate into the near future of the coup attempt. The situation of this state is a difficult one. However, the fact that there are approximately 30,000,000 Muslim majority of refugees is one of the reasons why the accession negotiations were not suspended. Also, the Turkish state is an important economic partner. Relationships must be maintained. Otherwise, distance from the EU would be a less desirable option.

The enlargement for the Central and Eastern Europe and South-Eastern Europe was different; for example, in the first half of the 1990s the interactions between these two entities were minimal. After the dissolution of the Yugoslav Federation until the Bosnian crisis from 1995, the EU wanted to keep problems at a distance and acted in the area only in the domains of crisis management and humanitarian aid. The EU was involved in the early stages of the Yugoslav crisis, especially for Albania, which was in extreme poverty and the most important assistance programs were Phare and Obnova (the Phare program was limited to the conflict management).

Trade policy should be moved beyond existing free-trade commitments for all the Western Balkans and

Turkey for entering the Customs union of the EU; eurozone doctrine should be adapted to realities and rather than regarding the use of the euro by Montenegro and Kosovo as an unfortunate turn of events, the costs and benefits of unilateral adoption of the euro by not-yet member states of the region should be more openly appraised, and the option to euroise recognized as a possibility. It is good that the Union has moved at the declaratory level towards visa liberalization, which means scrapping visas rather than just an option for facilitation measures (Emerson, 2008).

Europe's decision on Turkey's accession talks has sparked a heated debate in Bulgaria between nationalists fighting the European ambitions of Ankara and firm supporters of EU enlargement ten years ago. The two entities are important trade partners, Turkey being one of the countries that most firmly defended Bulgaria's bid for joining NATO (2002). About 800,000 Turkish population lives in Bulgaria. The Turkish Movement for Rights and Freedoms is a major actor in the country's political scene. In Turkey, there are 350,000 national Turks expelled from Bulgaria between 1950 and 1989, most of whom regained Bulgarian nationality in the year 2000. Even if they remained in Turkey, they also vote in the Bulgarian elections. Some of them still want to go back to Bulgaria and already bought properties in South-Eastern Europe.

Despite Turkey's major potential to influence Bulgaria in the political and economic field, neither political class nor society itself paid attention to Ankara's European efforts until 2007 (Shkodrova, 2005).

Despite the holding negotiations, the opinions in the EU are different. May 2007 was the date when Nicolas Sarkozy was against the European partnership with the Turkish state and in Germany Angela Merkel, also had a similar opinion. On the other hand, countries like Great Britain and Sweden pointed to the importance of economics and geopolitics. The debate has different levels: at a historical one, at the level of security, at the level of economic strategy and about ideology.

The opponents and proponents have used geo-historical arguments. Sarkozy argued that Turkey was part of Asia Minor, not so much from Europe. A Turkish writer, Orhan Pamuk, used geography to argue the opposite (Dulffer, 2007), especially by using the example of Istanbul with its geographical appurtenance, but not only geographical but also from the point of view of development and lifestyle.

An argument used by supporters is the strategic one. They sustained that despite the differences, a possible talk could bring advantages to different levels (economic, political, military, and geopolitical). The journalist Michael Moravec told that Turkey could solve Europe's demographical problems.

Even supporters realized that there are lacks in the area of democracy and human rights, but with Europe's pieces of advice, the major changes would help the transition. Anthony Giddens affirmed that Turkey made efforts regarding the help of EU partnership. On the other hand, the British historian, Norman Davis, thought that it is still needed a long way (Dulffer, 2007).

There are also countries from the European Union that support the integration of Turkey and others, which are against full membership (Schuster, 2017). At the same time, there are also countries that have neutral or changing opinions.

From the states which are against, Germany, through the chancellor, Angela Merkel, wanted an ending, or a suspending of the accession discussions with Turkey. Diplomatic talks were hard, but the cooperation is important: three million persons in Germany are from the Turkish state or with Turkish roots. Austria, through Christian Kern, affirmed that democratic plans from in Ankara were not enough. The prime minister from Belgium, Charles Michel, changed this declaration in March 2017, when he wanted the end of the negotiations.

From countries that remained on the fence, the attitude of France toward Ankara has shifted in recent years. Relations were stabilized under Francois Hollande, but Emmanuel Macron did not declare his government's official position. Luxembourg supports to maintain talks with Turkey, but with a neutral position. Denmark maintained the same attitude for Ankara without supporting or being against negotiations. The UK has been open to the idea of Turkey to join the EU, but the Euroskeptical party, UKIP, was afraid of Muslim immigrants (Schuster, 2017).

Despite discouraging opinions, there are enough countries which support the Turkish accession. Ireland is in favour of it in theory but has important that Turkey must be committed to EU principles. The Mediterranean states are, also, in favour. Portugal supports to give other countries a chance for European partnership, Spain wants a deep relationship with Europe for stability. Italy is Turkey's third major European trade partner. Finland and Sweden are

supportive (Finland more supportive), but not unconditionally. Both of them were afraid of the rule of law from the Turkish state. Estonia, Latvia and Lithuania see Ankara as a good partner for the European Union, but it must respect the same rules as other countries.

Poland, the Czech Republic, Slovakia, Hungary, Romania, and Bulgaria endorsed the integration of Turkey. Security in Eastern Europe and Russia were important in foreign policy and about this topic, the opinions differ. In Poland and the Czech Republic, there is no interest in major public debate about it. Romania supports Ankara before it even joined the European structure. Croatia and Slovenia are open to that potential membership. Greece and Cyprus support accession, but not unconditionally (Schuster, 2017).

An important phase was to give incentives for countries that progressed sufficiently down the path of political and economic reforms by giving them a chance to negotiate European agreements with the EU.

METHODOLOGY

In this section, I am analyzing the most important negotiation chapters from the European Commission reports on Turkey. I am transforming the content into position documents. They will have the following structure after the analysis: introduction (presentation of the issue, circumstances), points of agreement, points of disagreement and conclusions.

The study from the chapters generates the answers to the research question: how is the progress in Turkey and how the rights are respected from the Western perspective that results from the accession negotiations?

Official sources are used for the study of the negotiations, respectively, the reports of the European Commission. In relation to this mode of analysis, the personal contribution will be highlighted. In this case, the public information of the related institutions is used. In general, at this part of the negotiations, the critical sources of the EU are analyzed; the views are subjective.

Through the rational choice theory, there are many steps: identifying the nature of the problems, there is a hierarchy of their own preferences for their objective selection or a purpose; the choice is taking into account the effectiveness, the cost, the trust. The study can dedicate actions to each one (costs and benefits, advantages and disadvantages). For a main analysis of the trading domains, the rational choice theory is used for document analysis.

In the case of the accession negotiations, the advantages and disadvantages are represented points of agreement or points of disagreement.

Alternatively, the decider can choose the best way in order to maximize interest. The negotiation chapters can be grouped according to domains. Also, the limitation of the study consists of the fact that the European acquis may be interpreted by the Turkish state.

A decision is made by security: identification of the nature of the problem; there is a hierarchy of one's own preferences for selecting the goal; the choice is made by efficient means to reach the objective, taking into consideration the efficiency, the cost, the confidence; analyzing and comparing the consequences of each action (costs and benefits, advantage and disadvantage) (Allison & Zelikow, 2010).

In order to make decisions, the vote is taken unanimously, by a simple majority or by a qualified majority, depending on the field; the regulation policy is carried out in the Council. The theory of coalition formation is closely linked to qualified majority voting (Puscas, 2013).

In parallel with the aforementioned notions, the European Commission deals with the monitoring process regarding the European legislation by which it observes the way in which the countries interested in integrating have evolved (Safta & Felesu, 2011). This makes a draft EU common position that needs unanimous approval from the Council. Thus, negotiations related to the specific chapters of the acquis are opened, and then the ones related to policies, budget, and institutions are closed provisionally (Wallace, Pollack, & Young, 2015).

In the case of accession negotiations, the advantages and disadvantages are represented points of agreement and points of disagreement.

In the Chapter on the Free Trade for Products

It was specified that goods could be freely commercialized based on common EU values.

Points of Agreement

Generally, in Turkey, the rules from this field are respected. The implementation of TAREKS influenced a big lot of European goods. Thirty institutions are taking care of announcements in Turkey. From them, one is taking care of technical issues. The Turkish accreditation agency is working for harmonization made by the European cooperation for accreditation. The National Metrology Institute works for mutual rules according to the international procedure about scientific measurement. Other competences of the institute are: to produce goods for tests in laboratories. This belongs to the European Association of National Metrology Institutes. The law parts of it belong to the Ministry of Science, Industry and Technology, which is also part of European Cooperation in Legal Metrology and the plan for three years was established in 2015.

Points of Disagreement

In the domains besides the theory, there are some problems. There is an issue that is based on technical ways to control the import from the EU without having a certain procedure. There are problems in the domain of textiles, being needed more application and it was needed a prioritization in licensing for chemicals and textiles. Barriers exist on produces in the area without procedures in the domain of alcoholic goods. Exports of metal and leather products must be harmonized with customs union rules.

Conclusion

Turkey is prepared, especially for global procedures. There are still problems with improving this area ([European Commission, 2016](#)).

In the Chapter on the Judiciary and Fundamental Rights

Europe has standards for the highest standards of state compliance law ([European Commission, 2016](#)).

Points of Agreement

Adopting a new anti-corruption strategy is an important step. The level of preparedness against organized crime is quite advanced. Administrative capacity has newly adopted plans. The solved cases have increased, following the progress of previous years. Some steps have been taken to introduce a system and to develop efficiency in justice ([European Commission, 2016](#)).

But the Remaining Points of Disagreement are

The anti-corruption activity is limited to enforcement. Financial investigations remain underutilized ([European Commission, 2016](#)). The level putting in the function of the *acquis communautaire* is low. The action plan to prevent the violation of the European convention on human rights is not enough ([European Commission, 2016](#)). There are gaps in the judiciary domain ([European Commission, 2016](#)).

Conclusion

Although it will not be long before this chapter is closed, we can see elements related to the slowing of democracy in Turkey in 2017. The chapter is advanced, following the Commission's recommendations ([European Commission, 2016](#)). Also, the unification of the education system that led in the past to the abolition of old-fashioned universities and a large program of large-scale scientific transfer in Europe influenced the political system ([Erichsen, 1998](#)).

The Chapter on Justice, Freedom, and Security

The two entities strengthened the foreign policy dialogue (the fight against terrorism in some Arab states, regarding two meetings from January and September 2016) ([European Commission, 2016](#)).

Points of Agreement

Progress has been noted, although the environment from 2016 was uncertain. New plans were adopted to

ensure that the Turkish state meets all it needed for the visa liberalization plan. This made the Commission to propose placing Turkey for visa-free (Turkey fulfills the seven requirements in the visa liberalization strategy). In March 2016, the two entities reaffirmed their joint to put an end to the illegal migration.

Points of Disagreement

The EU-Turkey Declaration of March 18, and the EU-Turkey Readmission Agreement have not been implemented in all its provisions. It has not aligned the legislation on the protection of data with European strategies and therefore, it has not yet negotiated a strategy with Europol. There is a lack of laws against terrorism. The proportionality should be respected not only in theory. Strategies for humanitarian help for continuous circulation of more than three million refugees, including new procedures on protecting and allowing access to work, would be welcome.

Conclusion

There are moderate preparations. The efforts should continue ([European Commission, 2016](#)).

RESULTS AND DISCUSSION

The European Union wishes their neighboring countries to be partners and to maintain good relations with them for effective functioning. If the official discussions on potential integration would be suspended, then official relations with the Turkish state could be jeopardized, in particular, because of the unstable situation in the Turkish, but also internationally.

The strategy must be followed by concrete steps for the implementation of commitments and the presentation of clear and tangible results. There is concern about the withdrawal of the rule of law and fundamental rights, including the freedom of expression. The continuous deterioration of the independence and functioning of the judicial system is an element that must be remedied. Journalists, academics, members of political parties, including parliamentarians, human rights defenders, users of social networks, were condemned. Judicial proceedings concerning the legitimate and legal activities of members of civil society organizations raise serious concerns. Turkey needs urgently and efficiently to combat these negative developments and has many other serious shortcomings and problems identified.

Turkey should also step up cooperation with the Council of Europe and with its relevant bodies and institutions to take into consideration key recommendations and implement all human rights decisions in accordance with article 46 of the European Court of Human Rights. The latest changes to the Constitution of Turkey, which introduced the new presidential system, have been criticized and evaluated by the Venice Commission because the separation of powers has been endangered. Emphasis should be placed on transparency. Even if the turnout in 2019 was high, there are serious concerns about respecting the legality and integrity of the electoral process, especially against the backdrop of recent decisions ([Council of European Commission, 2019](#)).

CONCLUSION, RECOMMENDATIONS AND IMPLICATIONS

Turkey has had a good start in the accession negotiations with the European Union. It was a rapprochement to Europe or a more interdependent trade between the Turks and the West, etc. Unfortunately, the current crises put Turkey in a difficult situation. Negotiating chapters are considered advanced or medium in terms of status, but could not be closed yet. The fact that the accession negotiations for the Turkish state are not a priority for the European Union is because of other problems that affected Europe in a way or another.

Turkey also took into consideration possible cooperation with Russia and China through the Eurasian Economic Union. However, it is still not possible to specify exactly which route to choose.

It remains to follow international reactions that can influence the situation in one way or another.

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