

## **EU-TURKEY NEGOTIATIONS IN THE CONTEXT OF SECURITIZING MIGRATION AFTER THE 2015 REFUGEE CRISIS: JOINT ACTION PLAN AND THE READMISSION AGREEMENT**

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**ABSTRACT:** *THE EUROPEAN UNION AND TURKEY HAVE ALWAYS HAD A SPECIAL RELATIONSHIP, TURKEY BEING A VERY IMPORTANT GEOSTRATEGIC PARTNER ON WHICH THE UNION'S SECURITY DEPENDS, FACT PROVEN ONCE AGAIN BY THE 2015 REFUGEE CRISIS. THE PRESENT PAPER AIMS TO EXPLORE THE NEW NEGOTIATION PHASE IN WHICH TURKEY AND THE EU ENTERED AFTER THE SECURITIZATION OF MIGRATION IN THE EUROPEAN UNION. THE PURPOSE IS THEREFORE TO IDENTIFY AND ANALYZE HOW MIGRATION AFFECTED AND CHANGED THE NEGOTIATION PROCESS AND WHAT WERE THE MOST IMPORTANT VARIABLES THAT SHAPED THE EU-TURKEY NEGOTIATIONS IN THE AFTERMATH OF THE 2015 REFUGEE CRISIS, THE OUTCOMES BEING THE JOINT ACTION PLAN AND THE READMISSION AGREEMENT. THE ANALYSIS WILL BE CONDUCTED USING THE STRATEGIC, CULTURAL, BEHAVIORAL, PROCESSUAL AND STRUCTURAL THEORETICAL APPROACHES, EACH OF THEM BEING IMPORTANT FOR FRAMING THE NEGOTIATION PROCESS.*

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**KEY WORDS:** NEGOTIATION PROCESS, TURKEY, THE EUROPEAN UNION, REFUGEE CRISIS, MIGRATION SECURITIZATION.

### **INTRODUCTION**

During the last years, due to the new international challenges – notably the refugee crisis and the evolution of MENA region after the Arab Spring – Turkey has become one of the most important strategic partners of the EU, a vital actor of whom depends the stability of the whole continent. As the Turkish Foreign Minister Mevlüt Çavuşoğlu declared, Turkey has “played an important role in Europe’s past and will do so in the future”<sup>3</sup>, emphasizing thus that the European and Turkish affairs are strictly interdependent and a close cooperation in many fields, especially in the field of migration, is imperative.

This paper aims to explore the EU-Turkey negotiation process in the context of securitizing migration after the 2015 refugee crisis, using as analytical tools five theoretical approaches, namely the structural, strategic, processual, behavioral and cultural ones. The main purpose of my research is to identify (1) *what are the main variables that shaped the*

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<sup>3</sup> \*\*\*, *Turkey says EU ‘incomplete’ without it, eyes better US ties*, 2017.

*negotiations and led to the final outcomes and (2) how the refugee crisis and the securitization of migration influenced the whole process.* The paper is based on the hypothesis that the securitization<sup>4</sup> of migration in the context of the 2015 refugee crisis had a substantial impact not only on opening negotiations for the Joint Action Plan and for the Readmission Agreement, but it also influenced the negotiation process itself, the balance of power, the cultural characteristics of actors, their behavior, as well as their plans and strategic objectives.

In order to achieve the above-mentioned objectives, both primary and secondary sources were used. As primary sources, we used statements and speeches, statistics, reports and documents issued by international institutions and organizations, such as the UNHCR, the International Organization for Migration or the European Union. The EU-Turkey Joint Action Plan and the Readmission Agreement drafts, together with the final agreements were also placed under analysis as primary sources. As secondary sources, various scientific papers and specialized books on the topic of international negotiations were used, but it should be highlighted however that, given the fact that the chosen subject is recent, there were no publications or analysis made on the EU-Turkey negotiations in the context of the 2015 refugee crisis. It should also be mentioned that, as a consequence, a wide variety of electronic sources, news and articles from international media trusts were exploited. Multiple research methods, such as descriptive and documentary analysis, case study, literature review, as well as comparative and historical analysis were combined, in order to reach the objectives of this paper and to outline the process as a whole.

## 1. CONTEXT

Briefly mentioning the historical context, it must be stated that the European countries and Turkey have had multiple interactions and developed thus a culture of negotiating one with the other. After Turkey became a full member of NATO in 1952, it also proceeded in '59 towards a close relationship with the European Economic Community, applying for associate membership. After numerous attempts of becoming a member, at the 1999 EU Summit in Helsinki, the EU leaders accepted the candidate status of Turkey<sup>5</sup> and opened the accession talks in 2005<sup>6</sup>. Even though Turkey made significant efforts in order to respect the European standards and conditions, the accession negotiations had encountered a series of blockages, numerous chapters being frozen. In the present, there are 15 opened chapters (out of 35) and one which is provisionally closed<sup>7</sup>. The EU and Turkey also have a series of other important diplomatic agreements in different sectors, such as trade and economy, migration, energy or even joint EU-Turkey operations and missions. However, it must be stressed the fact that the EU-Turkey relations have always been difficult, characterized by ups and downs, by periods of intensive collaboration followed by a distant and non-cooperative phase, sometimes carried on until freezing all contacts.

After the refugee crisis has been triggered, an interesting process of re-securitization of migration took place in the European Union, the massive waves of immigrants transferring the migration issue from the *usual policy agenda* to the *panic policy agenda*<sup>8</sup>. More than 1

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<sup>4</sup> Process through with migration is perceived as an absolute priority or an existential threat, being transferred from the regular policy agenda to the emergency policy agenda (see Barry Buzan, *Security – a new framework for analysis*).

<sup>5</sup> The Guardian, *Timeline: Turkey and the EU*, 2002.

<sup>6</sup> *EU-Turkey relations*, 2012.

<sup>7</sup> Ministry of EU Affairs, *Accession Negotiations*, 2016.

<sup>8</sup> Priscilla Oltean, *Ways of Securitizing Migration in the European Union as a Result of the 2015 Refugee Crisis: Typology of Actors, Discourses and Effects*, 2016, 93.

million migrants<sup>9</sup> arrived in 2015 in the European Union fleeing war and persecutions. They found the Union without a common policy on migration and thus without the possibility to coherently and efficiently manage the situation. Faced with a *fait accompli*, the political leaders have reacted in very different ways to the challenge raised by the refugee crisis – the European community was therefore divided between those who supported the granting of international protection to those in need, and those who rejected any pro-refugee measures<sup>10</sup>. The fact was that both parties perceived migration as an essential security issue, a priority, an emergency that had to be solved as quickly as possible. Given the lack of EU preparation (legally, institutionally, administratively etc.) and the destabilizing effect that migrants had in the EU, the leaders and the society felt a *high degree of threat*. The fear, the pressure of time and the necessity of finding ways out of the crisis, the complexity of the issue, the need to urgently stop the flows, all led to one provisional answer – Turkey (as seen, the psychological dimension of these negotiations was quite complex). The collaboration with Turkey was thus not only necessary, but mandatory for the EU to control the influx of refugees. This cooperation and close collaboration came also in the context in which Turkey itself was overwhelmed by the refugee waves coming especially from the neighbouring Syria, but also from Iraq and Afghanistan. Therefore, in a regional context full of conflicts of different nature, Turkey certainly needed itself help and assistance in order to cope with the magnitude and amplitude of this migration crisis. It was created thence a truly favourable framework for negotiations, where the interdependence between the two parties was more than obvious, both needing each other: Europe tried to achieve the benevolence of Turkey to stem the flows and Turkey understood it could be helped by Europe – and not only financially. Concerning the time-limits, they were not closed, but given the fact it was all about a crisis to manage, the pressure and urgency of reaching an agreement was self-evident, as it can be understood from the numerous formal and informal meetings between the negotiating parties.

## 2. EU-TURKEY NEGOTIATIONS – JOINT ACTION PLAN AND THE READMISSION AGREEMENT

The present section aims to briefly analyze the EU-Turkey negotiations from different perspectives, using five main theoretical approaches: structural, strategic, processual, behavioral and cultural approaches, in order to identify the main variables that shaped the negotiation process and its outcomes, the theoretical and empirical evidence being therefore harmonically combined below.

### 2.1. STRUCTURAL APPROACHES

Structural approaches emphasize the importance of the distribution of power among negotiating actors, **power** being the main concept. If we think that an actor has power in a negotiation if, in the end, it fulfills its mandate<sup>11</sup>, we can consider both the EU and Turkey being powerful actors, since both of them achieved a significant part of what they initially wanted. And this is because, on the basis of their historic relationship and multiple previous negotiations, they have built a mutual trust relationship, knowing they both need each other. Therefore, this case is not about a “power over” type of negotiation, in which one party tries to dominate the other, but rather “power with”, the EU-Turkey negotiation process in the context of the refugee crisis being mostly (not fully) characterized by an integrative type of

<sup>9</sup> BBC News, *Migrant crisis: Migration to Europe explained in seven charts*, 2016; International Organization for Migration, *Irregular Migrant, Refugee Arrivals in Europe Top One Million in 2015: IOM*, 2015.

<sup>10</sup> Priscilla Oltean, *op.cit.*, 93.

<sup>11</sup> Tanya Alfredson, Azeta Cungu, *Negotiation Theory and Practice - A Review of the Literature*, 2009, 9.

negotiation. If the structural approaches usually “define negotiations as conflict scenarios between opponents who maintain *incompatible goals*”<sup>12</sup>, we should highlight that this is not applicable in the given case-study, since the EU and Turkey were both on the *same side* of the negotiation table, having *on the other side*, as a common problem, *the refugee crisis*. Therefore, they worked together as *partners* in order to better cope with this challenge and maximize the outcomes of their collaboration, having thence many compatible goals. Nevertheless, there were also short episodes that interrupted this “work with” logic, this integrative form of negotiating, when Turkey and the EU just tried to “work over” each other, to impose their point of view, adopting a taught attitude.

Concerning the power sources, since both parties were very well informed and prepared, the **information** they had (not only about the current migration crisis, but also about the other side’s interests) was definitely a source of power. Another source of power was the **position of negotiators** – many of the negotiation rounds took place at the highest level, gathering the president of Turkey, its Prime Minister, their Foreign and European Affairs Ministers and, on the other side, the president of the European Commission, of the European Parliament or Council, as well as the High Representative Federica Mogherini. All these leaders are in the top of the hierarchy, having important responsibilities and competences in dealing with the refugee crisis. **Relation-based sources of power** were also important, both the EU and Turkey being aware of the strong interdependence they have and of the multiple goals they share, not only in the field of migration management, but also in other strategically important domains like politics, energy and economy. Their common past experiences, their close long-term relationship surely influenced the way they negotiated, but the **contextual or situational sources** of power<sup>13</sup> were however very important. In this respect, we think about the neorealist assumption that **structure** influences the agent, acting like a constraint that obliges the actor to behave in a certain way and not in another – so, **events happening in the international system influenced the behavior of actors**. For instance, the EU was, before the refugee crisis, not only in a deep-freezing phase of EU-Turkey accession negotiations, but also in a stage where the Turkish regime was often criticized for authoritarianism<sup>14</sup>, but **the refugee crisis changed the context and constrained, obliged the EU to open negotiations with Turkey** for the Joint Action Plan and the Readmission Agreement, and later also for accession. Moreover, in this confused framework of millions of refugees arriving in Turkey, and most of them **wanting to go further and reach Europe**, and also in the context in which, even though Europe was not prepared, more than one million have already made their way to the EU and highly destabilized it, **Turkey had an increased power**. Like the European Council president said, ‘**Turkey is a key, if not the ‘key’ to the issue**’<sup>15</sup>, the key to stop massive flows of migrants reaching Europe and to maintain the stability, the cohesion and the unity of the European Union. Turkey needed Europe in order to cope with the massive influx of refugees, but *Europe needed Turkey even more*. We can definitely stress the fact that **the refugee crisis gave Turkey more power** in these negotiations than it usually has or, in other words, *Turkey wouldn’t have had that much power if there was no refugee crisis to threat Europe*. This contextual/situational and immaterial source of power, respectively the capacity of keeping refugees there and preventing them from destabilizing Europe even more made the balance of power much more equilibrated. Turkey felt that it can push the EU to make substantial concessions, especially concerning the accession

<sup>12</sup> Tanya Alfredson, Azeta Cungu, *Negotiation Theory and Practice...*, 9

<sup>13</sup> Lewicki Roy et.al., *Negotiations. Readings, exercises and cases*, 2010, p. 162.

<sup>14</sup> Jacopo Barigazzi, *What Erdoğan wants from Europe? More help to deal with refugees, and action on Syria*, 2015.

<sup>15</sup> Eszter Zalan, *EU summit focuses on border security, Turkey*, 2015.

negotiations and the visa liberation system, concessions that, in the absence of the crisis, would have been very hard or even impossible to achieve in such a short period of time. Therefore, Turkey – as a weaker actor – used the power that the refugee crisis offered to it to somehow equilibrate the economic and political power of the European block, knowing that the stability of the whole EU depends on Ankara’s will and ability to “close migrants’ door” to Europe. In fact, the EU has also lost power and influence over Turkey and in this way helped it to balance the scale because of its ante-crisis behavior, when it froze the accession negotiations and criticized Ankara for authoritarianism<sup>16</sup>.

## 2.2. STRATEGIC APPROACHES

These approaches perceive the negotiation as being a process through which two or more rational actors make a series of strategic choices in order to achieve the best possible outcomes, focusing thus not on means, but on goals<sup>17</sup>. The outcome, the final agreement is understood therefore as the result of mutual concessions. In the EU-Turkey Joint Action Plan and Readmission Agreement negotiations, both parties made serious concessions, working together in order to achieve the best possible outcome. The EU made concessions in terms of increasing humanitarian aid and financial assistance, as well as in accelerating the accession negotiations and the visa liberation, while Turkey agreed not only to keep there as many migrants as possible, but also to improve their living conditions, respecting their rights and fighting smugglers and illegal migration.

We will not insist too much on these approaches, because most of them are related to different games (like prisoners’ dilemma, chicken games, stag hunt etc.) and the majority of these games rely on no possible information or communication between the parties – and this is not the case in the EU-Turkey negotiations in the aftermath of the refugee crisis, since they had countless and intense formal and informal negotiations, where communication was a key aspect for reaching agreements. It also has to be mentioned that the negotiation process was characterized by a win-win approach, and not by a zero-sum logic. Despite of the fact that the majority of the strategic approaches’ assumptions do not apply to this case study, we found however that the EU and Turkey stopped negotiations and reached the agreement when they could not improve anymore the outcomes in a common, joint manner – fact that corresponds to one of the general rules proposed by the strategic approaches.

One final important input from these perspectives would be the fact that both actors had entered into negotiations having strategic plans, with specific, well defined objectives. The primary pre-established objective for the EU was to convince Turkey to “close the door” and keep there as many migrants as possible. In order to do so, it was ready to engage in supporting Ankara with funds and experts for improving migration and asylum legislation, for strengthening anti-smugglers operations and for disrupting migrants-trafficking networks. On the other side, Turkey had as primary objectives not only making the EU increase as much as possible its financial assistance, but it also decided to strategically use the pressure of migration threat to obtain visa liberation for Turkish citizens and the acceleration of accession negotiations. Therefore, there is no doubt that both parties entered these integrative negotiations with specific plans and already prepared sets of concessions. Eventually, both parties succeed in ensuring their primary goals while widening together the initial small pie in a win-win logic.

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<sup>16</sup> Barigazzi, *What Erdoğan wants from Europe?*...

<sup>17</sup> Tanya Alfredson, Azeta Cungu, *Negotiation Theory and Practice - A Review of the Literature*, 2009, 10.

### 2.3. PROCESSUAL APPROACHES

Processual or concession-exchange approaches understand the outcome of negotiation being not based on resources or power, nor on goals and strategic planning, but on the process itself, process which consists in a series of concession exchanges<sup>18</sup>. In the first phase, namely in **the preparation phase**, EU and Turkey worked on their own, on identifying and understanding the causes of such a massive flow of refugees and on how the crisis effects can be better addressed. In this phase, they analyzed the cooperation that can be established between the EU and Ankara, since both of them have the same problem and feel overwhelmed because of the enormous number of migrants. They both perceived the other party as a source of help and assistance – EU identified Turkey as an actor that can help it to stem the flows or, at least, to significantly decrease them, whereas Turkey perceived the EU as an actor that can assist Turkish authorities in coping with the considerable expenses of taking care of millions of migrants. Both actors identified as common objectives to better manage the migration challenge and the crisis they are facing: “*Challenges are common and responses need to be coordinated. Negotiating candidate country Turkey and the EU are determined to confront and surmount the existing challenges in a concerted manner*”<sup>19</sup>. The **preliminary phase**, where the parties started their interactions concerning migration is not well-defined. On 17 May 2015, before the 18 May EU-Turkey Association Council, the High Representative for Foreign Affairs, Federica Mogherini, and the Commissioner for Neighborhood Policy and Enlargement Negotiations, Johannes Hahn, had a working dinner with the Turkish Foreign Minister, Mevlüt Çavuşoğlu, and with the Minister for EU Affairs and Chief Negotiator, Volkan Bozkır. Migration was one of the most important issues on their agenda and so was the acceleration of accession negotiations<sup>20</sup>. As seen, the first interactions on the increasing migration challenge took place before the summer of 2015, when huge waves of migrants firstly arrived in Europe and destabilized especially the border countries. In the light of having formal and informal meetings on the subject of migration, we understand that the first two phases were overlapped, the preparation being always updated according to the unpredictable and always changing context – even though the preparation of a general strengthening of EU-Turkey collaboration regarding migration existed way earlier august 2015, the specific preparation of the Joint Action Plan and, soon after, of the Readmission Agreement started in August-September 2015, mainly with the extraordinary EU Council Summit from 23<sup>rd</sup> of September, where the leaders discussed expressly about how to tackle the refugee waves, what are the main causes and the most appropriate solutions, if not for solving the crisis, at least for reducing its effects on the EU. The preliminary phase was characterized by many formal and informal meetings, which always ended with the common position that the EU and Turkey must cooperate for jointly manage the refugee crisis. Some examples of the preliminary informal meetings that led to a compromise and eventually to the Joint Action Plan Draft was the meeting that Donald Tusk and Recep Tayyip Erdoğan had in 9 September 2015 in Ankara, where they discussed how to prevent further illegal migration and, in the same time, ensure protection to those in need<sup>21</sup>. Also, before the Joint Action Plan Draft was agreed on the 5<sup>th</sup> of October, there was another extraordinary European Council Summit in Brussels, on 29 September, where the Turkish Prime-Minister and the 28 EU Heads of States and Governments met with the purpose of finally reaching a draft agreement on how to work together in order to stem the immigration

<sup>18</sup> Tanya Alfredson, Azeta Cungu, *Negotiation Theory and Practice...*, 15.

<sup>19</sup> European Commission - Fact Sheet, *EU-Turkey joint action plan*, 2015.

<sup>20</sup> European Commission – Statement, *Joint statement following a working dinner with Turkish Ministers Çavuşoğlu and Bozkır*, Brussels, 2015.

<sup>21</sup> European Council, *President Tusk visits Turkey*, 2015.

flows<sup>22</sup>. This last example could be considered being part of the **information phase**, where parties presented their initial positions, since both the EU and Turkey started to stress their perspective and to crystalize some specific demands. The Turkish ambassador to the EU explained after the meeting that “*we are not asking for help but it would be useful to get help, for example with regard to health, education and social services for these people who are not going back anytime soon*”<sup>23</sup>. Also, the European leaders stated many times they want Turkey to keep there the migrants, Hollande emphasizing that “*Europe must work with Turkey to ensure that refugees can stay there, find a job, and wait for the situation in Syria to improve*”<sup>24</sup>. After the President of the European Commission, Jean-Claude Juncker, handed on 5 October 2015 the *Draft Action Plan* to the Turkish President, Recep Tayyip Erdoğan, there were established further meetings in order to negotiate, so we can consider that the **argumentation phase** had begun. The first informal meeting was established in the same day, it was a joint working dinner where the Turkish President continued the talks about the plan with Donald Tusk, Jean-Claude Juncker and Martin Schultz<sup>25</sup>. Another informal meeting where the future agreement of the Joint Action Plan was discussed took place in Brussels on 12 November between President Erdogan and Donald Tusk<sup>26</sup>. Just a few days later, on 16 October 2015, the Turkish Foreign Minister called the financial support of the EU ‘unacceptable’ and stressed that there is still no agreement on the migration crisis, given the fact that *the plan continued to be just draft*, although there was an *ad referenda* agreement on it. In spite of the fact that the EU leaders agreed on 15 October to accelerate not only the visa liberation, but also Turkey’s accession negotiations, Ankara asked for a larger financial support and criticized the EU: “*They announce they’ll take in 30,000 to 40,000 refugees and then they are nominated for the Nobel for that. We are hosting two and a half million refugees but nobody cares.*”<sup>27</sup> Turkey asked for 3 billion euros and **let the EU know that if it wants a deal on migration, this is the amount of financial support that Turkey needs** for keeping refugees there and cope with all their needs. Once with the 15 October Summit, where the EU leaders agreed they will re-energize the accession negotiations with Turkey and will fasten the visa liberation if Turkey meets certain conditions, and then with the 16 October Turkish declarations that there is no deal until the financial aid is increased up to 3 billion euros<sup>28</sup>, we can see that the process entered in the fifth phase, the **adjustment/reconstruction phase**, where parties adjust their positions in a game of concession-counter concession deals. In the early days after this high demand from Turkey, EU was not sure about accepting the price, given the fact that it would have had consequences on the overall EU budget. The Turkish part also requested an establishment of a safe-zone in the North side of Syria, so that some refugees can be helped there instead of all arriving in Turkey. The EU finally accepted the 3 billion euros request, but made more specific demands on the way in which Turkey will strengthen its migration system (introducing visas for 3<sup>rd</sup> country citizens, enhancing law provisions against migrant traffickers etc.), and refused the second important request of Turkey about the Syrian safe-zone, arguing that Russia’s implications made the regional geopolitical context even more complicated and there is no possibility for the EU to positively respond to this request.

<sup>22</sup> Andrew Rettman, *EU calls Turkey summit despite security scare*, Brussels, 2015.

<sup>23</sup> Jacopo Barigazzi, *What Erdoğan wants from Europe? More help to deal with refugees, and action on Syria*, 2015.

<sup>24</sup> Jacopo Barigazzi, *What Erdoğan wants from Europe?...*

<sup>25</sup> Jacopo Brigazzi, *EU recruits Erdoğan’s help on refugees – Tusk and the Turkish leader to launch a high-level working group*, 2015.

<sup>26</sup> \*\*\*, *EU, Turkish leaders to meet on migration in Brussels*, 2015.

<sup>27</sup> BBC News, *Migrant crisis: Turkey says no deal done on EU action plan*, 2015.

<sup>28</sup> BBC News, *Migrant crisis: EU backs Turkey action plan*, 2015.

Despite all challenges, criticism and difficulties, on 29 November 2015 the two parties agreed to activate the Joint Action Plan, finally reaching an agreement on a coordinated management of the refugee crisis<sup>29</sup>. The **ultimate phase** has been completed after establishing the details and agreeing on the overall new EU-Turkey Joint Action Plan.

The negotiations were finished for the Joint Action Plan, but continued for fighting smugglers and returning refugees to Turkey. Since the topics that the EU and Turkey wanted to negotiate were too many and too sensitive and requested more negotiation time, the parties agreed to make two separate agreements and adopt the *small steps strategy*, discussing thus one issue at a time and reaching step-by-step the agreements. **First phases of the Readmission Agreement** negotiations were concomitant with final phases of the Joint Action Plan, both the EU and Turkey preparing their information and positions on this topic and had their preliminary interactions on fighting illegal migration and readmission of refugees before the 29 November Agreement was reached. Since the two parties had a wide experience of negotiating with each other and interacting so often on discussing the same migration topic, these two first phases went smoothly, both parties knowing the other one well enough in order to understand its needs, interests, context and preferences. During the **overlapped adjustment-reconstruction-formulation** phases, Turkey has agreed to take back all immigrants arriving in Europe from Turkey who do not need international protection, if (1) the EU accepts one Syrian refugee for every illegal migrant that is returned to Turkey and (2) if it assists returning operations both logistically and financially. The EU leaders and Turkey have also agreed that stronger actions needed to be taken against migrant traffickers, together with closing all possible pathways to illegally send migrants to Europe. The EU leaders have understood and emphasized the role of the Transatlantic Alliance in the migration issue, highlighting the importance of carrying out NATO operations in the Aegean Sea in order to manage maritime illegal migration more efficiently, position also accepted by Turkey. On 7 March European Council Summit, Turkey and the EU accepted a draft of the new agreement concerning, this time, fighting smugglers' networks and irregular migration, and a 1:1 return scheme, with details to be negotiated during the future Summit of 13 March 2016<sup>30</sup>. In the **adjustment-reconstruction** phase, the EU leaders made important concessions in order to make Turkey accept the readmission agreement. Parties reiterated that Europeans will send back to Turkey illegal immigrants from Greece, and Turkey will welcome them and protect their rights in accordance to the international law. In exchange, for every illegal immigrant sent back to Turkey, the EU will resettle a legal Syrian refugee and ensure his/her international protection. Turkey's toughness and authority were encouraged by the contextual/situational power that the refugee crisis has given to Ankara, which took (again) advantage of the pressure of destabilization that Europe felt and tried to get the maximum from the EU. Not only that the EU will resettle a legal Syrian for every illegal migrant it sends back to Turkey, but the EU committed to accelerate (besides the visa liberation and the accession negotiations) the process of providing the 3 billion euros financial support and *the establishment of an additional fund to support Syrians in Turkey*. In this negotiation framework, Turkey and the EU have taken a mutual commitment to work together to improve humanitarian aid and domestic conditions in Syria<sup>31</sup>. A first round of informal negotiations of details took place on Friday morning, during breakfast time, where the European Commission President, Jean-Claude Juncker, the European Council President, Donald Tusk, and Germany's Prime Minister, Mark Rutte met Turkey's Prime Minister, Ahmet Davutoğlu. Although – as stated by the German Chancellor Angela Merkel – the atmosphere within the

<sup>29</sup> European Council, *Meeting of heads of state or government with Turkey - EU-Turkey statement*, 2015.

<sup>30</sup> European Council, Council of the European Union, *Statement of the EU Heads of State or Government*, 2016.

<sup>31</sup> European Council, Council of the European Union, *Statement of the EU Heads of State or Government*

European Union, more exactly in the European Council was constructive, the EU leaders had difficulties in establishing the final ‘negotiation mandate’ for details due to be discussed and agreed on 13<sup>th</sup> of March 2016. Nevertheless, Donald Tusk understood the positions of all Member States and also their limits and red lines in making concessions. Therefore, in the **final phase** of formulation the Readmission Agreement, the EU leaders and Turkey have met in the joint European Council Summit on 13 March and established the **last details** in order to reach the agreement.

<b>Returning to Turkey all the illegal migrants</b> arriving in Greece after 20 March
<b>For every Syrian readmitted by Turkey, another Syrian will be legally resettled in the EU</b> – priority will be given to those who did not (try to) enter illegally
<b>Accelerating the visa liberalization procedures</b>
<b>Speeding up the disbursement of the 3 billion euros</b> Facility for Refugees in Turkey and ensuring further financial assistance
<b>Preventing the appearance of new land and/or sea routs of illegal migration</b> from Turkey to the EU
Once the irregular flows are stopped or significantly reduced, <b>a Voluntary Humanitarian Admission Scheme will be activated</b>
<b>Re-energizing the accession negotiations</b>
<b>Improving humanitarian conditions inside Syria</b> through joint action.

*Table 1. 13 March 2016, main points of the EU-Turkey Readmission Agreement<sup>32</sup>.*

As seen from above, **Turkey followed a soft-tough-soft approach**: at the beginning, it presented its willingness to collaborate and to strengthen cooperation with the EU, since it was a common urgent problem, to jointly act to tackle the crisis (very cooperative and willing to negotiate); after the negotiations begun, it changed its attitude and was rather tough than soft, pushing the EU to as many concessions as it could, knowing the Europeans virtually do not want refugees since there is no common policy on migration, nor administrative or institutional preliminary preparation in this regard. After obtaining an important series of concessions, finally it adopted again the soft attitude, being content with what it had achieved and proudly presented the agreements as a joint EU-Turkey commitment to help refugees and face together the crisis. During negotiations, Turkey used the pressure that the EU felt to stem de flows and enjoyed a position of power. The EU, as being the one under a **critical risk of insecurity** created by migrants, made more and far more important concessions than Tukey. The latest was, at first sight, the one which had the highest critical risk, given the number of refugees (more than 2,5 millions) at that time, but after a second thought, we find Turkey with a lower risk than Europe, having in view that most of the refugees and migrants from Turkey didn’t want to remain there, but to reach Europe – this meant that the EU was highly in danger. This explains the pressure felt by the EU to urgently reach a deal with Turkey – the more time “wasted” negotiating and not reaching the agreements, the biggest the number of illegal migrants that Europe has to deal with. Therefore, as we mentioned before, Europe needed Turkey more than Turkey needed Europe – if the deal with the EU didn’t work for Turkey, it would still have had the help of the UNHCR and of other humanitarian associations and this would have been enough for Turkey since many migrants would have left it to go in Europe. If Turkey have survived without the agreements, the EU would have had a really hard time if the flows were not stemmed, so it definitely needed to reach the

<sup>32</sup> European Council, *EU-Turkey statement*, 2016.

agreements with Ankara in order to maintain and protect its unity, stability and cohesion (all of them being already pretty weak, since the EU went from crisis to crisis in the last few years).

## 2.4. BEHAVIORAL APPROACHES

There is no doubt that the individual aspects, mainly the personality of negotiators and psychological dimension of these negotiations were important. **President Erdogan** was one of the most important negotiators involved in reaching the two agreements. He is known for his aggressive and competing style, being the subject of multiple critics concerning his authoritarianism. His assertiveness was important in the EU-Turkey negotiations, even more because of the favorable context in which Turkey was positioned by the refugee crisis.

*“Few (...) have had greater impact on Turkish political life than Tayyip Erdogan... He has been **dominant in both the domestic and the foreign policy** of Turkey. In many ways, it seems that there is no AKP or related movement but rather the **hegemony and dominance of Erdogan**”<sup>33</sup>.*

His strong personality had a big input in scaling the balance of power, imposing itself as a tough negotiator and this undoubtedly contributed, as well as the time pressure and critical risk, to make the EU concede more. The EU knew him as being impulsive, aggressive and “power-hungry”<sup>34</sup> and, in the light of needing an agreement, the EU negotiators had the difficult responsibility to make him behave and reach those two migration agreements. In this process, **Mogherini** played a significant role, her composure<sup>35</sup> and mediating abilities counter-balancing the impulsivity of the Turkish president, calming down the spirits every time they were too tense. Its experience as a mediator in the Iran file, as well as in Serbia-Kosovo relations<sup>36</sup>, helped her mediating between the EU leaders wishes and needs on one side, and the Turkish interests and requests, on the other side. **Tusk**’s pragmatic and tenacious<sup>37</sup> personality also helped the EU to impose conditions to Turkey, such as enhancing its migration law system, fulfilling its benchmarks concerning the road map for liberalization of visas etc. Its “ever-striving (...) enterprising, ambitious and determined personality to do things well, and an unyielding dedication to his plan until the goals are achieved”<sup>38</sup> were essential in ensuring that the EU is not only pursuing its goals in terms of stemming the flows, but also making Turkey concede and eventually sign the agreements. Its charisma and ability “to maneuvering between fractions and balancing the contrasting points of view”<sup>39</sup> were crucial also when mediating between the 28 different points of view in the European Summits. He was the one who knew the red lines and interests of all EU Member States and therefore he was the one that understood the best what the EU can and cannot negotiate with its Turkish counterpart. Charisma was a personality characteristic not only for Tusk, but also for **Davutoğlu**, the Turkish Prime-minister, whose academic experience and rhetorical skills were well employed during negotiations in order to propose solutions and stand for his position: “Davutoglu has... a reputation as **someone able to explain even the most contentious and complex issues in a simple way and to put on the table solutions that**

<sup>33</sup> M. Hakan Yavuz, *Secularism and Muslim Democracy in Turkey*, 2009.

<sup>34</sup> Aylin Ş. Görener, Meltem Ş. Ucal, *Personality and Leadership Style of Recep Tayyip Erdogan: Implications for Turkish Foreign Policy*, 2011.

<sup>35</sup> Lizzy Davies, *A portrait of Federica Mogherini, the EU's next foreign policy chief*, 2015.

<sup>36</sup> Maïa de la Baume, Jacopo Barigazzi, *Mogherini shakes up staff, mission*, 2016.

<sup>37</sup> Andrew Rettman, *Who is Tusk and what does he mean for the EU?*, 2014.

<sup>38</sup> *Donald Tusk - Personality Profile*, no year.

<sup>39</sup> Patryk Szambelan, *Charismatic mediator: Donald Tusk, the new president of the European Council*, 2014.

**seem natural**<sup>40</sup>. His ability of presenting facts and his charisma in requesting with arguments the EU's concessions were important in making the EU change its position and offer more. Also, the compatibility between actors was positive and this strongly influenced the outcomes of the agreements, both parties being satisfied with the final results: the EU was relieved because it succeeded to stop the flows and to make Turkey improve its fight against illegal migration, and Turkey was satisfied because it had an important financial and logistic support from the EU. In the overall negotiation process, the actors' behavior was, more or less, characterized by the purple type: *give and take* model, good intentions, two-way exchange of concessions, even though there were also exceptions: when Turkey's leaders called the EU proposals "unacceptable" and criticized their counter-part, the red (assertive, aggressive, demanding) type of behavior was the most pre-eminent, whereas the EU, when Turkey pointed that its proposal is "unacceptable", adopted a blue, pacifying type of behavior.

## 2.5. CULTURAL APPROACHES

Turkey's geographic position, at the intersection of the Western European culture and the Middle-East culture, had an important influence on negotiations. Since it had multiple previous interactions with its European partners, the cultural differences present in negotiations were not new neither for Europeans, nor for Turks, this being a factor that ensured the smoothness and rapidness of the negotiation process. Also, culture was an important argument for the EU in order to convince Turkey to keep migrants and refugees there: since Syria is its neighbour, it definitely can integrate refugees easier than Europeans, given the lack of a deep cultural gap. Both Syrians and Turks are Muslims (in general) and the cultures are (not the same, but) fairly close one to the other. Another very important aspect in negotiation was that, on the basis of Hofstede's Six Dimensions, the Masculinity Index shares a common score for Turkey and for the EU, both of them being on the feminine side. This means that **the two actors have this feminine cultural identity**, characterized by **consensus-orientation and preference for cooperation** (besides this cultural compatibility, the other dimensions proposed by this model are different)<sup>41</sup>. This compatibility, this inclination towards understanding the other party's necessities and interests, towards respecting the other's views and perceptions and towards reaching a win-win agreement that makes all parties satisfied made the EU-Turkey negotiations a success both for the European Union and for Turkey.

## CONCLUSIONS

The EU-Turkey negotiations could not have been explained or analyzed by using only one single approach proposed by the specialized literature, since all the five theoretical approaches harmonically completed each other and gave a special input to the analysis, helping us obtain a wide perspective of the process and its outcomes. Perhaps the processual approach was more suitable for this case study, since the overall negotiation process was characterized by a concessions exchange, but the power of actors and the balance between them was also important in reaching those concession. Moreover, the outcomes would have not been the same without the specific plans, strategies and objectives that both actors established before the negotiation process. In reaching the agreements, the two parties had

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<sup>40</sup> Güldener Sonumut, *Neo-Ottoman minister: Ahmet Davutoğlu has redrawn Turkey's foreign policy to put Istanbul at the centre of geopolitics*, 2016.

<sup>41</sup> Victoria Aßmus, *Chance or Challenge: Is Turkey compatible with the European Union regarding to Geert Hofstede's Six Dimensions of National Cultures and if yes, in which way?*, 2014.

also to constantly adapt their behavior and attitude according to one another, and their feminine cultural identity surely helped.

Regarding the role of the context and, thus, of the securitization of migration, we observed that it was important in starting, shaping and finalizing the two EU-Turkey migration agreements, namely the Joint Action Plan and the Readmission Agreement. After a very brief analysis using all these five approaches, we could observe that the refugee crisis and the securitization of migration strongly influenced the whole negotiation process: (1) **Structural perspective**: the refugee crisis changed the power balance, taking power from the EU and offering it to Turkey – it thus equilibrated the scale; (2) **Strategic perspective** - both actors made strategic plans to enhance cooperation and to strengthen their partnership in the field of migration because of the enormous refugee waves that triggered the crisis, both of them trying to maximize their gains; (3) **Processual perspective** – because of migrants and refugees, both actors made concessions so that they can improve together the management of the crisis and jointly face this challenge; (4) **Behavioral perspective** – the EU changed its position towards Turkey and adopted a blue-purple type of behavior (instead of the red, dominant ante-crisis attitude, especially concerning accession and the authoritarian Turkish regime) and Turkey also changed its, adopting a red-purple type, being both assertive and concessive – the actors had an overall purple, reciprocal concessive behavior because of the need and objective of jointly and more effectively tackle the crisis, which was already securitized, and therefore perceived as an essential security threat; (5) **Cultural perspective** – the securitization of migration, the urgency to find solutions enhanced both actors' feminine cultural approach to negotiations, making them more willing to cooperate and to reach an agreement in order to better cope together with the crisis they were both facing.

The EU-Turkey negotiations on improving their migration crisis response **were successful** for both parties. **The Joint Action Plan** had significant and almost immediate satisfying results: after only a couple of months, the number of immigrants arriving in Greece from Turkey has been reduced, Turkey opened the labor market for refugees, especially for Syrians, the EU “finalized the set-up of the Facility for Refugees in Turkey, with €3 billion available over the next two years to deal with the refugee influx.”<sup>42</sup> Another important fulfillment made by Turkey on 8 January was introducing visas for Syrians coming in Turkey from Lebanon or other third countries, fact that determined a significant decrease of the number of Syrian refugees entering Turkey. Concerning the **EU-Turkey Readmission Agreement**, it also had an important result in terms of numbers of refugees arriving in Greece: if during 1 January-7 December 2015, there were **757,278** migrants arriving in Greece from Turkey, in the same period of 2016, there were only **172.234**<sup>43</sup>, which is another tangible effect of the enhanced cooperation between the EU and Turkey in the field of migration diplomacy.

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<sup>42</sup> European Commission - Press release, *Managing the Refugee Crisis: Commission reports on implementation of EU-Turkey Joint Action Plan*, 2016.

<sup>43</sup> International Organization for Migration, *Mediterranean Migrant Arrivals Reach 352,471; Deaths at Sea: 4,733*, 2016.

What Turkey has done	What the European Union has done
Sustained work on the implementation of the Visa Liberalization Roadmap and the Greece-Turkey Readmission Agreement	Provided assistance via humanitarian organizations
Introduction of visas for Syrians entering Turkey from a third country	Finalized the set-up for the 3 billion euros Facility for Refugees in Turkey
Access for Syrians under protection to the labour market	Effort to activate as soon as possible the EU-Turkey Readmission Agreement
Progress on the draft legislation on personal data protection	The 17 <sup>th</sup> Chapter on Economic and Monetary Policy in accession negotiations was opened <sup>44</sup>
Efforts to better implement the Greece-Turkey Readmission Agreement	Adopted a Voluntarily Humanitarian Admission Scheme with Turkey for displaced Syrians
Prevention of further illegal departures, and effort to arrest smugglers and rescue migrants from the sea	Prepared a needs assessment for Syrian refugees under temporarily protection in Turkey

*Table 2. The result of the Joint Action Plan<sup>45</sup>.*

<sup>44</sup> *EU and Turkey open fresh chapter in accession talks*, 2015.

<sup>45</sup> European Commission, *Managing the Refugee Crisis. Eu-Turkey Joint Action Plan: Implementation Report*, no year.

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