

EUROPEANIZATION OF CHILD RIGHTS IN ROMANIA: A TEMPLATE FOR FUTURE ENLARGEMENTS?*

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Abstract

This article aims to investigate the role and impact of the European Union (EU) by deeply analyzing the situation of Romania in the period between early 1990s to 2007, the date of its accession to the EU. The involvement of the EU in this country's domestic transformation process was significant considering the place that was accorded to child rights due to the dire situation children faced under the communist regime. Child rights did not rank as a critical factor of harmonization with the EU acquis until the Romanian accession process. The article is based on a comprehensive literature review about Romania on child rights at the European and international levels. The argument of this article is that, following Romanian accession template, political conditionality in the child rights area could have become a referential for future accession processes to the EU, especially for Turkey, through pre-accession mechanisms such as funding, twinning programmes, field studies, etc. but that this did not happen. The article concludes that for the EU to generate domestic change in Turkey's child rights area under the candidacy period, it is a must that two negotiation chapters namely, Chapter 19, Social Policy and Employment and Chapter 23, Judiciary and Fundamental Rights, are opened as they are directly linked with the improvement of child protection.

Keywords: *Child rights, Europeanization, transformation, conditionality.*

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ROMANYA'DA ÇOCUK HAKLARININ AVRUPALILAŞMASI: GELECEK GENİŞLEMELER İÇİN BİR ŞABLON MU?

Öz

Bu makale, Romanya'nın 1990'ların başından Avrupa Birliği'ne (AB) katılım tarihi olan 2007'ye kadar olan dönemdeki durumunu derinlemesine analiz ederek AB'nin rolünü ve etkisini araştırmayı amaçlamaktadır. AB'nin bu ülkenin iç dönüşüm sürecine dahil olması, komünist rejimde çocukların içinde bulunduğu vahim durum nedeniyle çocuk haklarına atfedilen önem düşünüldüğünde oldukça anlamlıdır. Çocuk hakları, Romanya'nın katılım sürecine kadar AB müktesebatına uyum açısından kritik bir faktör olarak görülmemiştir. Bu makale, Avrupa ve uluslararası düzeyde çocuk hakları konusunda Romanya hakkında kapsamlı bir literatür taramasına dayanmaktadır. Makalenin argümanı, Romanya'nın katılım şablonunu takiben, çocuk hakları alanındaki siyasi koşulluluğun, AB'ye gelecekteki katılım süreçleri açısından – özellikle de Türkiye açısından- bir referans olabileceği, bunun da fonlama, eşleştirme programları, saha çalışmaları aracılığıyla gerçekleşebileceği, ancak bunun yapılmadığı yönündedir. Makalenin vardığı sonuç ise, AB'nin adaylık sürecinde Türkiye'de çocuk hakları alanında ulusal bir değişim yaratması için iki müzakere faslına – Sosyal Politika ve İstihdam (Fasıl 19) ve Yargı ve Temel Haklar (Fasıl 23) – açılması gerektiğidir; zira bu iki fasıl, çocuk korumanın iyileştirilmesiyle doğrudan bağlantılıdır.

Anahtar Kelimeler: Çocuk hakları, Avrupalılaşıma, dönüşüm, koşulluluk.

Introduction

The aim of this article is to examine the success of transformation by Romania in the field of child rights during its accession process while shedding light on the situation of potential new accession waves to reveal to what extent it is possible for other candidate countries to take the Romanian child rights' harmonization as a referential. Hence, the article starts with a section showing the process in Romania and presents Europeanization as a process of transformation in the field of child rights policy which can turn into a powerful instrument to push the candidate country towards the EU membership goal. The examination of the Europeanization effect on Romania is conceptually linked to the Europeanization literature, which tries to explain the process through which the EU generates domestic impact with various channels and instruments on member and candidate countries.

Since the mid-1990s and beyond, Europeanization has become a fashionable but contested term in the field of European studies (Olsen, 2002: 921, Kassim, 2000: 235). Some (Ladrech, 1994: 69; Radaelli, 2004) consider it as a top-down process by exclusively focusing on the influence of the EU on domestic political institutions, policies and actors in the member and candidate states. Others (James, 2007; Bache, 2008: 9, Börzel, 2003) pay much more attention on the necessity to take it from bottom-up and top-down approaches for a more comprehensive understanding. However, this article elaborates the Europeanization as a top-down process whereby the candidate states download a set of rules, norms and policies from the EU, as they were not in a position to export their preferences to the EU level or influence EU policies. The aim of the article is to bring about a template that will help a better understanding of the next enlargement waves where child rights are an inevitable part of the pre-accession process and can act as a trigger to revive the membership path through a human perspective. The article argues that the successful example of Romania's Europeanization in the realm of child rights can guide the further engagement of the EU in the child rights area in Turkey and that this would be instrumental in encouraging the candidate country for enacting domestic change in line with the EU requirements and for fulfilling the criteria for membership.

Children are defined by law as people under the age of 18 years old. Whatever their age, all children are entitled to pre-determined human rights that include the right to equality, health, education, to express their opinions, to participate in the decisions that affect them, to have a clean environment, a safe place to live in and a proper care system, as well as to be protected from all harm. These rights are mainly included in the 1989 United Nations Convention on the Rights of the Child, which is the main referential and the most ratified human rights treaty across the world. Any ignorance and violation of these rights may put children at risk of exploitation, discrimination and abuse. However, children are still the group at the highest risk of abuse, malnourishment and poverty around the world because they are severely impacted by human rights crises. In this study, the conceptualization of child rights from the international framework, which is also adopted by the EU itself, will be taken as the basis.

In the Romanian child rights case, the child protection sector passed through a deep transformation as part of the EU accession process and it was the most visible and the most politicized condition of the EU during the harmonization of the candidate country to the EU requirements. The status of child rights protection was the weakest point of Romania, like all other former communist countries that generally violated child rights. However, the EU policy entrepreneurs assumed a great role and intervened in the Romanian child rights system, especially at the point of child protection standards to generate

domestic change, although the Commission initially lacked the necessary expertise and experience to do that. The main problem with the Romanian child care system was the uncontrolled and unregulated inter-country adoption which was highly open to child rights violation and corruption with several powerful adoption lobbies which acted as veto agents against any standardized practice, especially when the Commission asked Romania to ban all international adoptions. But, the domestic pro-EU coalition and other supporting institutions helped Romania to become one of the most advanced former communist countries with an aligned child rights system to reach the most-wanted carrot at the end: EU accession.

In this regard, the main research questions of this article are: (1) How and to what extent the EU played a normative transformation role in Romanian child rights policy between early 1990s and 2007? (2) Which logic did Romania follow in deciding to harmonize its legislation on child rights with the EU? Did the rewards exceed the membership costs? (3) How should Turkey-EU relations be re-conceptualized in light of the Europeanization experience of Romania during the accession process? Such a comparative conceptualization is innovative and thought-provoking in terms of elaborating Europeanization patterns of child rights in two candidate countries whose child issues are inevitably *sui generis* but can be handled by following a similar logic. In developing these research questions, a comprehensive literature review is used. The method of this article is the application of a conceptual framework (Europeanization) to a specific case (Europeanization of child rights in Romania) and official EU documents on child rights form the primary sources of the analysis provided here. Secondary sources such as scholarly books and articles are especially used for literature review.

Understanding the logic and the stimulus behind the main mechanisms, actors and institutions that allowed the Europeanization of child rights in Romania is of key importance because it is the first of its kind in the European enlargement process where child rights were put at the forefront of the negotiation process with the candidate country and where the EU candidacy was conditioned on making necessary reforms on child rights sector. The consistent and determinant interventions of the European Commission and the European Parliament in tackling the child rights provision of candidate countries as part of the EU enlargement should be therefore a referential for future enlargements because in the case of Romania, it had a real and tangible transformation effect.

What does Europeanization mean for a candidate country?

There has been a flurry of definitions for Europeanization in the recent past, with most of them interpreting the process as a form of domestic change that is

triggered by the European level. Europeanization can be largely described as the process of downloading EU regulations and institutional structures to the domestic level -a downloading process- and also, in some cases, uploading domestic policies and preferences to the EU level (Howell, 2004). Tanja Börzel and Thomas Risse identify two circumstances that may trigger domestic changes in response to Europeanization. First, there must be some degree of “misfit” or incompatibility between EU and domestic processes, policies and institutions. Europeanization does not happen if there is a perfect match between European and domestic norms, policies and politics. However, if there is enough degree of misfit, adaptational pressure begins that may lead to domestic change. Consequently, the second circumstance is that domestic actors or institutions should respond to the adaptational pressure and meet adaptational costs at the domestic level to comply with EU requirements (Börzel and Risse, 2003: 58-66). Europeanization shows a critical transformative power both in the member and candidate states with the degree of pressure that is generated for obtaining necessary adjustments and reforms. The adaptational pressure is linked to the degree of fit or congruence between domestic and European levels (Caporaso, 2008: 29).

The misfit between EU-level and domestic policies, institutions and processes provides the necessary precondition for generating change, while the accession conditionality appears to be the main motivation behind this enlargement because it is a “bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions” (Schimmelfennig and Sedelmeier, 2004: 662). Therefore, accession conditionality which applies both to hard and soft law areas is a creative tool in the hands of the European Commission to impose rules and norms through softer mechanisms of conditionality.

Radaelli (2000:11) defines Europeanization as a “processes of (a) construction, (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ways of doing things and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourses, identities, political structures and public policies”. Radaelli (2003: 30) identifies four ways for responding to Europeanization: accommodation, when downloading fits with domestic policies; transformation, when downloading defies national policies; inertia, when there is no political resolve to initiate change; and retrenchment, when a downloaded EU policy, norm and institution bolsters an opposition trend against the EU.

The misfit between European and domestic policies, rules, procedures, norms and institutions provides national actors with new opportunities and constraints to pursue their interests. In this article, rationalist and sociological

institutionalism is employed to explain the pathway of domestic change. Rationalist institutionalism is based on a logic of resource redistribution and emphasizes the lack of multiple veto points and the presence of supporting institutions that facilitate change. However, for sociological institutionalism, the socialization and collective (social) learning process of norm entrepreneurs who act as agents of change are supported by a cooperative political culture which leads to the norm internalization and the development of new identities by following the logic of appropriateness.

The sociological pathway is more active when the actors are not certain about their strategy options and priorities, while the rationalist account prevails when their preferences are strictly defined with well-known strategy options. Domestic actors pass through the calculation of adaptational costs and redistribution of resources when they also use socialization and learning tools to induce change. In the scope of this article, these two explanations that are not mutually exclusive mostly converge with regard to policy processes and politics because they are not static logic considering the uninterrupted feedback processes between domestic and European levels. Sometimes, a norm entrepreneur in Turkey might be supported by a new institution, and then begin a socialization process of persuasion to convince multiple veto points in the domestic arena that hinder the EU-led change process. Likewise, if high redistributive costs are expected due to the adaptational process, a socialization pathway might be required in order to develop a new system where domestic actors can initiate a bargaining process about the distribution of costs.

Sociological institutionalism is thus based on the social learning model, according to which the EU impact happens through mediating factors such as ‘the legitimacy of EU demands’ and ‘the legitimacy of the process’ at the international level (Schimmelfennig and Sedelmeier, 2005: 18-19; Sedelmeier, 2011: 15-16), “positive normative resonance with domestic rules”, “identification with the EU”, and “transnational networks” working at the domestic level (Schimmelfennig and Sedelmeier, 2005; Sedelmeier, 2011: 12-14). Domestic change depends on the capabilities of institutions to develop similarities in their principles, and the ability of the actors to internalize new norms and rules through socialization processes.

Europeanization is therefore a long-term transformation project that is based on the approximation of EU and domestic interests through non-negotiable rules. It leads to the development of governance institutions at the member and candidate countries, while adapting national systems to the European norms and standards. Although Europeanization is a concept mostly attributed to member states, recent research shows that it can also be practiced to EU candidates because the EU’s political conditionality directly influences the polity and the

policies in the candidate countries if the accession prospect is credible, real and consistent.

The success of Europeanization also comes from joint efforts by the EU and the candidate country in order to boost its acceptance by the domestic players. But with one big difference: When it comes to the candidate countries, it is an asymmetric relationship between unequal sides which offers the EU a chance to influence domestic policy-making processes with more coercive power, and candidate countries cannot upload their own preferences to the EU policy-making levels while, apart from some transitional periods and temporal derogations, they do not have so much room for maneuver to resist EU policies when they do not fit with their domestic preferences.

But Europeanization is not only about the adoption and implementation of EU rules, norms, policies and values in the domestic context. It is also important that the EU provides clear standards and membership prospect for the aspirant countries with a credible conditionality. In other words, the EU conditionality resides on strict conditions that the candidate country should respect in order to become a full member of the EU. As Schimmelfennig and Sedelmeier (2004: 670) put it, “the dominant logic underpinning EU conditionality is a bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions”.

Accession partnership documents and regular reports provide meaningful instruments for Brussels and the candidate country to identify the main points of misfit between the EU and domestic level because, in these official documents, the EU determines a list of policy priorities to be implemented in the short and medium term. On the other hand, pre-accession assistance and twinning programmes also help the candidate country to align its legislation with the EU and build bridges between the member states who might have faced similar challenges when implementing the EU legislation.

This kind of elite socialization and social learning through twinning programmes and meetings with their counterparts in Brussels provides the candidate country with the opportunity to assume the obligations of membership in a smoother and more effective way, while the pre-accession funding is a key instrument in alleviating the economic burden of the candidacy for several negotiation chapters and assist the country in rule adoption in technical fields with an easier cost-benefit calculation process. It is also noteworthy that domestic actors often put pressure on their national authorities to follow EU policies that seem beneficial for their interests (Börzel, 2001) but when it comes to the costs that incur from harmonizing with these policies, the national governments are always accused by the same actors (Börzel, 2003).

Why do Child Rights matter?

From the Middle Age period when children were considered as “small adults” to the middle of the 19th century when children began progressively acquiring specific protective rights in the workplace, child rights passed through very combative stages in history. At the beginning of the 20th century, child protection was put at the center of medical, judicial and social issues in France, and then in many other countries across Europe. The creation of the League of Nations -the precursor of the United Nations- in 1919 became another threshold where the international community pledged to elaborate on child rights with the foundation of a committee for child protection and the adoption of the Declaration of the Rights of the Child in 1924.

To overcome the casualties of World War II over the well-being of children, the UN Fund for Urgency for the Children, which later became UNICEF, was created in 1947 and turned into a permanent international organization in 1953 when its mandate was broadened to developing countries by helping them in education, nutrition and health matters. More than three decades after the adoption of the United Nations Convention on the Rights of the Child by the UN General Assembly in 1989 (hereinafter UNCRC), which is a gold benchmark to measure the rights of children, the concept has gained increased importance at the international, national and European levels both in terms of policy-making and social practices.

International engagement in child rights has therefore become a powerful instrument to protect children from all kinds of rights violations and to increase their well-being standards. Children, defined by the UNCRC’s Article 1 as “any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier” (UN Commission on Human Rights) are now full-fledged holders of rights. The Committee for the Rights of the Child, which was created by the Convention in 1991, is also made responsible for periodically monitoring the signatory states through reports and annual meetings. Although all signatory countries are responsible for implementing child rights according to the UNCRC, there are very few countries that fulfill this obligation and put in place appropriate strategies.

Prioritization of child rights protection by the EU

Child rights also matter for the EU which follows the same norms and policies as the United Nations. With the development of European citizenship, the increased awareness about fundamental rights protection and the poverty-driven problems coming from the successive EU enlargement waves, the European Union’s approach towards child rights protection has gradually evolved throughout the years, especially after the 1990s when the child-related issues became much more relevant in the EU agenda. Accordingly, all EU

policies should be devised and implemented in line with the child's best interests, while the Member States are also obliged to respect European and international law.

On the other hand, the European Commission regularly monitors and reports on the progress of candidate countries in various policy areas through its Regular Reports. These reports, since 1998, also track the progress made in the area of child protection in Romania and Turkey, along with other candidate countries.

Legally, the most noteworthy development for child rights at the European level, and a quantum leap initiative, is the entry into force in December 2009 the Lisbon Treaty which put among the aims of the Union the 'protection of the rights of the child' in its Article 3, and made the European Charter of Fundamental Rights binding. The Article 24 of the Charter also emphasized that children now "have the right to such protection and care as is necessary for their well-being", while their best interests should be prioritized in "all actions relating to children, whether taken by public authorities or private institutions". The European Commission follows the principles set out in the UN Convention on the Rights of the Child, ratified by all EU countries.

Two years later, the 2011 Commission Communication entitled "An EU Agenda for the Rights of the Child" laid down 11 actions "to step up efforts in protecting and promoting the rights of children" including for a child-friendly justice. The European Parliament and all other EU institutions, including Europol, also began mainstreaming child rights into their legislative processes with specific actions against child abuse, child trafficking, child labor and child exploitation (European Parliament, 2012).

Since 2007, there is a specific coordinator under the European Commission tasked with dealing with the rights of the child and ensuring that the rights of the child are properly integrated into all relevant policies and actions. The responsibility for policies about children therefore falls under the responsibility the Commissioner for Justice, Fundamental Rights and Citizenship. The EU funding is essential to support the implementation of EU policies in the Member States, initially by *the rights, equality and citizenship programme 2014-2020* which was replaced in 2021 by the *Citizenship, Equality, Rights and Values*.

Although there is no hard law across the Union to legally implement a comprehensive set of child rights protection rules, the EU has for years been engaged in multi-dimensional action in the field of child rights and raised the issue in the framework of its relations with third countries and throughout its enlargement process. It outsourced child rights protection by referring to the international conventions and the Council of Europe's rulings. The Treaty of

Lisbon also included the objective to promote children's rights. The EU, which follows the UNCRC's context, should make sure that all policies and actions with an impact on children must be in line with the best interests of the child.

As the EU institutions do not have enough competence to adopt binding legislation for the protection of children's rights, civil society becomes much more active in monitoring and in using their leverage in policy development. But the European Commission, in turn, uses its pre-accession funding mechanism for the capacity development of these civil society actors.

Europeanization of Romanian child rights during the accession process

As Romania witnessed severe problems before and early 1990s in the area of child protection with a skyrocketing number of international adoptions, the country's general outlook on this crucial field was unsatisfactory besides the ratification of the UN Convention on the Rights of the Child in 1990. The Romanian government began adopting some legislative changes in 1997 in terms of the adoption and protection of children with modernized social services. Until 1997, which was the turning point for the reform wave, Romania had a very poor record in terms of the number of children in public care and the number of residential institutions.

For Romania, the EU conditionality, as the main driver of changes, was supported by an encouraging domestic environment after years of strong resistance to outside pressures. Between 1989-1996, National Salvation Party ruled Romania, with the same president, Ion Iliescu, who is also the leader of the National Salvation Front (FSN). This government however did not prioritize child protection policy, with no single reform willingness despite the apparent plight of institutionalized children and child poverty.

However, the presidential elections in 1996 and the subsequent governmental change helped Romania in taking steps towards Europeanizing its child protection regime. The presence of a pro-reform domestic coalition and the state's own engagement in following European standards provided a cooperative environment. In addition to this, the EU gave clear and consistent legislative targets and a credible membership conditionality to motivate the Romanian authorities while there was strong popular support for the EU harmonization process among Romanian elites. Against the EU's normative pressure and the threat of any suspension of the membership, Romanian utility-maximizing actors followed an external incentives model (Schimmelfennig and Sedelmeier, 2004) where rationalist bargaining prevailed based on the cost-benefit assessments and the "reinforcement by rewards", like pre-accession assistance and the ultimate prize of membership, which exceeded the costs.

Romania submitted its application for EU membership in 1995 and accession negotiations began in February 2000 to continue until 2007 when the country joined the Union. In order to be an EU member, Romania had to fulfill the economic and political conditions – called the Copenhagen criteria – and fully adopt the *acquis communautaire*. This step required adjustment of the candidate country's legal framework to respect EU legislation in various aspects including child rights. Beginning in 2005, Romania adopted a national strategy to ensure the implementation of child rights as required by the EU, with a decentralized protection system and assuming the obligations of the *acquis communautaire*.

For Romania, the establishment of the National Authority for the Protection of Children Rights (NAPCR) under the central administration, and the development of new forms of specialized services for child protection in order to promote the de-institutionalization of child care and end the international child adoption can be cited as key developments. During the period of accession, namely 2000-2006, the number of childcare institutions was reduced significantly and many of them were organized into family-type settings.

Romania also enjoyed significant political and financial support from the EU to reform its child protection system since 1990. This support strengthened the civil society and turn them into norm entrepreneurs. During this period, the adopted legislation that focused on ending international adoption rather than reforming the child protection system led to the abuses of child adoption procedures and increased international adoptions. "In the end of 90s, it became apparent that the adoption system had become close to a market for children" (Ask The EU, 2013). The strong adoption lobby in the country made it hard for the Romanian government to harmonize its legislation with the EU and replace the large old-style residential childcare institutions with alternative child protection systems.

In the light of Romanian accession negotiations that began in February 2000, the candidate country had a strong incentive and a mentor: the EU itself. The European Commission's DG Enlargement began working very closely with the EC Delegation in Bucharest to reform the child protection system in the country and to overcome the deteriorating situation of over 100,000 abandoned children in the institutionalized care system. It is also worth mentioning that Brussels justified child protection reform in Romania by linking it with the international human rights conditionality, by creatively bringing gradual benchmarks.

Beginning with the Romanian accession process, the improvement of child rights has become a prerequisite for EU accession and achieving progress in this field became an important way of gaining international recognition for

Romania in its post-communist context when legitimizing its political choices. Romania's enthusiasm to get the membership reward and the lack of substantial veto players against EU-induced reforms helped this process to proceed relatively smoothly. The EU played an important role in the childcare deinstitutionalization reform in Romania through child protection conditionality for the accession and got support from relevant international actors such as the United Nations (UN) as well as international non-governmental organizations (NGOs).

The EU conditionality for Romanian child rights is established by the general Copenhagen criteria, the joint oversight by European Parliament and European Commission through their specific rapporteurs, country-specific progress reports since 1998 as well as financial assistance. It is also important to keep in mind that the EU showed a unified institutional firmness on child protection and coordinate its stance through joint steps of the European Commission and the European Parliament, with the partnership of the EC Delegation in Bucharest to give a strong, consistent and credible message to the Romanian government about to what extent the EU accords importance to child protection. EU conditionality for Romanian child rights aimed at harmonizing its domestic legislation and pressing for rule adoption in order to promote reform by assessing the country on its own merit and vulnerabilities, which is cross-country child adoption. The European Commission used its conditionality tool with a carrot and stick policy, recommending to the European Council to make the opening of accession negotiations with Romania conditional on the effective implementation of structural reform of childcare institutions before the end of 1999 by allocating necessary resources and by showing political will in addressing the problems of institutionalized children.

Between the years 2000 to 2006, the EU-funded multi-annual Phare programme "Children First" was implemented with a total value of € 59.5 million as a capacity-building programme in a bid to lend support to the efforts of the Romanian government to reform child protection and finance the closure of childcare institutions by replacing them with the alternatives like foster care and family-type homes. In the meantime, social assistance for families improved as well. A wide-ranging public awareness campaign also accompanied this programme in order to inform the greater public about the impact of new EU-induced reforms on the country's childcare system.

Romania also ratified the Hague Convention on the Protection of Children and Co-operation in respect of Inter-country Adoption in 1994 and reformed its adoption system in 1997. However, as the legislation on adoption did not accord priority to the best interest of the child, it was criticized by the European Parliament and the European Commission jointly in 2000-2001, leading the way for the Romanian government to temporarily suspend inter-country

adoptions and review the legislation. There were however conflicting perspectives between the adoption agencies, adoptive parents -the “veto agents”- and the EU. The stakes were high, while the membership bid was important. Romanian authorities therefore asked for the assistance of the Commission in drafting the new legislation that meets the EU’s requirements. As a result, an Independent Panel of EU Experts on Family Law was set up by DG Enlargement in December 2002. This panel was tasked with scrutinizing whether the new Romanian draft legislation on child rights and adoption complied with the UN norms and policies as well as with the European Convention on Human Rights, and practices in the EU member countries. The panel’s technical opinion came in May 2004, emphasizing that inter-country adoption is a last resort and is not a protection measure for children.

Over the years, the number of children in public care decreased in favor of extended family and foster care mechanisms, while the majority of large residential institutions had been restructured into family-type places and equipped with decent living conditions. The new Romanian legislation -Law no. 272/2004- that addressed the EU’s concerns entered into force in January 2005 and inter-country adoption was not considered as a general child protection measure. The principles and rights specified in the CRC were rather prioritized. By 2005, most of the large and old-style childcare institutions had been shut down, while only 0.65 percent of Romania’s 5 million children between the ages 0 and 18 were institutionalized (European Commission, 2005).

Romania became a Member State of the European Union on 1 January 2007, completing a process initiated in the mid 90’s. The EU accession process was instrumental in transforming the Romanian approach and practice of the child well-being system and inter-country adoptions and brought the country in line with the EU member states by decreasing the number of children under residential care over the years. In a nutshell, Romania, which inherited a defective child protection system from its communist past, had to face several challenges on its path to EU accession. Although it ratified the United Nations Convention on the Rights of the Child relatively at an early date, its legal framework as well as its institutional capacity were insufficient for meeting the UNCRC’s criteria, with high rates of institutionalized children in large residential care institutions without any alternative child protection services and with responsibilities for child protection split between several ministries.

The Europeanization of Romania, like all other candidate and member countries, therefore means that the candidate country benefitted from the EU accession process to harmonize its child rights system and child protection deficiencies in line with the EU requirements and it brought its child rights system to the level required by the European Commission. This

Europeanization process required both internal accommodation – with a pro-reform domestic coalition – and external pressure – with a consistent and rewarding reference point – to generate sustainable effects. Initially, the Romanian case did not meet any of these conditions. But Romanian stakeholders perceived the costs of reform and they compared the benefits of memberships in the long run, which resulted in the transformation of the country's child protection system (external incentives model). During this whole process, the European Commission and the European Parliament acted as the main EU institutions that used their leverage to manage this challenging process. Although the EU had no specific *acquis* in the child protection area and delegated it to the member states to decide on their own, the Romanian accession process showed that Brussels was able to promote domestic change in its candidate country in an innovative way by “borrowing” or “outsourcing” legislation from the United Nations and implementing its own “carrot and stick” policy tools (Jacoby et.al., 2009).

In this process, the European Commission, international organizations like UNICEF and Western media have therefore acted as pressure groups in restructuring the social services system. In the meantime, the Romanian accession process provided EU policy entrepreneurs with an opportunity to integrate child protection into the EU's internal policy and to make it a part of the accession requirements for the next enlargement waves because this area was initially an area where the EU had limited jurisdiction in relation to the member and candidate countries. The EU also stuck to its promises for the Romanian accession and set a key benchmark to achieve before Romania, as a lagging country, could start negotiations: to reform its state childcare institutions.

The issue of institutionalization ranked at the top of the key criticisms voiced by the EU. For instance, British MP and EP Rapporteur Baroness Emma Nicholson conducted a campaign to end this practice and maintain public awareness by pursuing increased pressure for ongoing reforms. Bucharest, having inherited a weak administrative and political capacity from the former communist regime, had to reform its state childcare institutions and align them with international and European standards. The strong institutional bonds between Nicholson and the then-Commissioner for Enlargement, Günter Verheugen acted as the main “push factor” during the reform of child protection especially because they acted together in a consistent way for solving the children's problem. The EU used its conditionality tool to push Bucharest towards specific changes that would solve such a pressing problem as child protection. Brussels warmly funded and supported Romania's reform steps for the central child protection agency, closure of old-style residential institutions, decentralization of child protection services, launching child

protection alternatives with adequate human capacity and changing public perceptions about state-run child protection.

The EU also put a suspension clause to the Europe Agreement with Romania signed on 1 February 1993 in a bid to establish close relations between the Union and Romania on political, economic and trade issues, and linked this cooperation to some conditions including the improvement of living conditions for the Romanian children. “The children’s rights accession conditionality applied to Romania amounted to an interventionist policy, which radically overhauled the Romanian children’s rights provision. The Romanian children’s case, however, provided EU policy entrepreneurs with the window of opportunity to introduce children’s rights as an EU internal policy, while in the context of EU enlargement, positive feedback effects have entrenched the protection of children’s rights as an EU accession condition” (Ingi, 2012: 210). Romania’s EU accession process provided the Commission’s Directorate General of Justice, Freedom and Security and Directorate General of Employment, Social Affairs and Equal Opportunities as well as the European Parliament with an institutional capacity and political expertise of involvement with children’s rights matters as a matter of accession condition.

In this process, the EU drew inspiration from the UN and Council of Europe’s existing conventions as a form of outsourcing its membership conditionality. It also used the non-negotiable Copenhagen political criteria to challenge child protection issues on human rights grounds. By using new tools such as the Panel of independent experts on Family Law, consisting of experts on children’s rights from member countries, the EU applied creative instruments that brought about substantial changes and convinced the key actors about this necessity. On the other hand, during the Europeanization process of children’s rights in Romania, the European Commission (EC) and the European Parliament (EP) cooperated very actively rather than working in a piecemeal fashion. While the EC asked for the adoption of new practices such as addressing the problems in institutional care, the European Parliament demanded that some existing institutions like the old-fashioned child care are demolished and defended the new child protection regime in Romania against some external actors who tried to reopen the country to international adoptions.

However, the moratorium put on all international adoptions from Romania in 2001 faced negative reactions from national and international veto agents – mainly in Spain, France and Italy- who were considering this process as a lucrative business because Romanian parents mostly gave their children to the state-run institutions from where about 30,000 babies were then exported to adoption lobbies (Laffan, 2005). Such EU-induced pressure obliged the Romanian government to breach the moratorium in 2004 and approve more than one hundred dossiers for international adoptions due to the pressure

coming from another EU member state – Italy. In 2004, Baroness Emma Nicholson threatened to suspend Romania’s accession negotiations in case Bucharest does not end the international adoption process. This “stick” – the threat of exclusion from membership- was accompanied by a much-expected carrot for the country: financial and technical assistance, as well as a membership perspective. Consequently, the number of inter-country adoptions decreased to zero in 2006. The Romanian way of handling its acute children’s rights crisis is best defined by Jacoby et.al. (2009) as ‘success in slow motion’. The presence of pre-accession programmes such as Phare helped Romania in implementing the EU *acquis* and improving its institutional capacity in line with the EU templates. The Commission also monitored Romania through its annual progress reports and set some priorities to be implemented in this process.

The accession process of Bucharest to the EU also helped to formalize the issue of children’s rights as a priority in the enlargement process, with the establishment of new institutions such as a Commission Coordinator for Children’s Rights under DG Justice and a European Forum on the Rights of the Child. Besides them, a Child Helpline and a Hotline for Missing Children were established within the EU in light of the requirements of the UN Convention. The European Commission’s country delegations have also now ‘task managers on children’s rights’ who are made responsible for evaluating child rights in the candidate countries. The EU’s commitment to the protection of children’s rights is now accepted under Article 3 of the Treaty Establishing the European Union (TEU).

Children’s rights are now an inseparable part of the EU’s human rights policy both inside and outside the Union. According to Jacoby et.al. (2009:115):

The EU experienced a very slow start with Romania but it cultivated an opposition that responded to EU initiatives when that opposition took power. Moreover, the EU found three “workarounds” to the obstacles: it asserted legislative targets it did not possess itself, invented new policy tools, and drew protection for its most controversial policy from another international organization, the ECHR.

In other terms, although the EU indeed had a slim *acquis* in this area, it was however able to defend existing United Nations conventions. Thus, Brussels turned into a real agenda-setter in Romanian domestic politics.

In the meantime, in the first progress reports, the European Commission used a “blunt” language for elaborating on the child protection policies in Romania that did not have a significant leverage on policy-makers. For instance, in the Progress Report of 1999, the Commission said it was “of crucial

importance” for the Romanian government to give top priority to child protection and to assume responsibility for the wellbeing of all children under childcare institutions by providing sufficient financial resources and appropriate standards of care for all of them.

However, such a language did not generate enough outcomes for the target audience, and the Commission, changing tactics, decided to use the conditionality tool to gain more leverage over the Romanian government. Following this determination on the EU side, Romania quickly put NACPA under the supervision of the Prime Ministry, as the European Commission asked. It also allocated about 40 million dollars to assist the reform process in child rights. In the meantime, the Commission also conditioned the transfer of annual assistance of 650 million Euros between 2000-2006 on the completion of a National Strategy for the Mid-Term Development of Romania, which made the reforms in the child protection sector a legislative priority.

In a nutshell, despite lacking a hard law power in the children’s rights area, the experience and expertise that was acquired by the EU during the Romanian accession process provided an innovative and successful template for the EU’s overall enlargement policy. Children’s rights are now formalized and became a prerequisite for the enlargement processes. The UNCRC is now an integral part of the EU children’s rights instruments. As a concrete step, the human rights-related issues, including children’s rights, were formalized under Chapter 23 on Judiciary and Fundamental Rights, and also under the political criteria. Chapter 23 is currently being monitored under the political criteria of the progress reports that are prepared for the candidate countries, and the progress of the reforms in this area now poses a real risk of threatening the pace of the accession negotiations with the EU.

EU conditionality produced a significant effect on Romanian child protection, and these EU actions only generated a domestic impact after getting real and sustainable support from the Romanian domestic government, which favored Europeanization, rather than blocking as its predecessors. However, it is also noteworthy that the EU was able to transform the Romanian child protection system just because it was able to offer membership as a reward and there was a receptive and pro-EU coalition in the government. EU accession process, once it begins, already provides a good incentive for reform in candidate countries. With this political change, the plight of children in the care institutions turned into a priority area to resolve. And in a nutshell, the costs of exhaustive reforms in the Romanian child protection sector were worth the benefits of EU membership.

In light of this detailed examination, it is necessary to ask ourselves whether the Europeanization of institutional child care in Romania can trigger stronger

mechanisms generating domestic change in child rights policies and institutions in Turkey. It is however noteworthy that the child protection problem in Romania does not completely overlap with those in Turkey. The main argument of this article is that whatever accession country face in the candidacy process to the EU in terms of child rights, the EU accession process can be a strong impetus to trigger a change in the domestic sphere, be it in the adoption sector or childcare facilities, or child labor and education problems. In other words, the EU has the necessary power to stimulate policy and institutional change in the candidate country if the latter allows it with a pro-EU coalition in itself, supporting institutions, and facilitating civil society actors that use the EU funding mechanism to allow sustainable change.

Any template for the next enlargement waves? Turkish case under the spotlight

The developments in Romania cannot be separated from the evolution of child rights in the EU, but they rather prompted a major shift and created a precedent in the European children's rights agenda by mobilizing all kinds of international resources to address the issue of child institutionalization. The transformation of the Romanian child protection system from a flawed system to a modernized one that meets the EU's accession criteria showed that the European Union can act as a successful agent of change by applying its conditionality effectively to transform the candidate countries in critical policy fields although each country has its own characteristic in terms of child protection policy. In other words, there are general lessons that can be drawn for the current EU policy on enlargement. Such a template could boost the impact of child rights reform across the region by reframing the tools of Europeanization for candidate countries in this specific policy area.

Similar problems about child well-being exist in the near region and especially among candidate countries to the EU, which requires taking lessons from the Romanian accession. In this sense, the creation of the EU's External Action Service under the Lisbon Treaty could provide an adequate avenue for a unified stance on child rights across the candidate countries. On the other hand, a consistent and stubborn figure such as the then EP Special Rapporteur to Romania is needed for each case of the candidate country to push forward the political will and to encourage reforms by establishing visibility to child-related priorities.

The Europeanization process in Turkey in terms of child rights accelerated when the EU declared the country's official candidate status under the Helsinki Council decision of 1999 and was able to generate change in the country through the extensive constitutional reforms and harmonization packages where the fulfillment of Copenhagen criteria has been a mobilizing factor for political

elites because the political elite perceived the cost of reforms as lesser than the reward of EU membership (external incentives). Secondly, Turkey focused on reforms because the norm entrepreneurs in the country (be it the government and/or civil society actors) were influenced by the reforms and recognized the necessity of such changes (social learning). On the other hand, the reforms were considered as a panacea for the acute problems (lesson drawing). But, the EU's external influence on child rights in Turkey has remained patchy and limited, being restricted to temporal projects, twinning programmes, experts' meetings and regular reports, without being elaborated in a consistent flow.

While thinking through whether Turkish membership is possible, a significant energy can be devoted to Turkey's adoption and implementation of the Copenhagen criteria and *acquis* requirements for child rights. Although it seems unrelated at first step, it will be both a tangible step for transformation within Turkey and a show of willingness from the Turkish part to align with the EU's requirements. However, for this to happen, it is critically important that two chapters, namely, Chapter 19, Social Policy and Employment and Chapter 23, Judiciary and Fundamental Rights, are immediately opened.

The expertise and experience accumulated at the Commission level due to children's rights case in Romania are now employed in the accession negotiations with the current candidate countries. (...) For instance, in terms on institutional structures now there are task managers on children's rights in the European Commission Delegations – a position created for the first time in relation to child rights in Romania – assessing the children's rights provision in the current candidate countries. The role and function of children's rights task manager has been defined and determined by the know-how and experience accumulated due to the Commission's intervention in the Romanian case. Furthermore, the employment of benchmarks in relation to children's rights and the inclusion of this human rights area in the *acquis* section amount to the formalisation and further enhancement of the Commission's role regarding the promotion of the rights of the child in the EU's external dimension. According to the Commission's Enlargement Strategy and Main Challenges 2010-2011, children's rights are now monitored in all current and potential candidate states (European Commission, 2010). Various aspects related to child protection and children's rights are scrutinised and assessed in these countries, for instance children's access to education is monitored in Turkey. In brief, the protection of children's rights constitutes now a *sine qua non* accession condition in the current enlargement process. (Ingi, 2012: 222).

Under the accession framework, Turkey has between the years 1999-2016¹ received both financial and technical assistance to align with the EU legal framework and fundamental rights, which includes the protection and promotion of the rights of the child. Such assistance helped the country in sharing the adaptational costs and facilitating the accommodation of pressure for adaptation while balancing the interests of veto agents in the country. The portfolio for financial assistance to strengthen the protection of the rights of the child in Turkey has included both national programmes with different ministries as end-beneficiaries, as well as grant projects implemented by civil society organizations (CSOs).

The need for further strengthening efforts to tackle the child labor issue was put among the short-term priorities in the field of employment and social affairs under the Accession Partnership Document dated 2001 (European Commission, 2001: 18), while in the revised document in 2003, “continuing efforts to tackle the problem of child labour” again ranked among short-term priorities, this time under the “Social Policy and Employment” title (European Commission, 2003: 47). In response to the Accession Partnership, Turkey adopted a National Programme in 2001 and the elimination of child labor was made an integral part of this first national programme. The 2003 National Programme also focussed on child labour.

In the meantime, the EU continued supporting Turkey under the pre-accession assistance with different projects (e.g. support to the Gendarmerie General Commander and judiciary staff to ensure children’s right to a fair trial; support to the Ministry of National Education to build the capacity of institutions for the protection of children in contact with the law or at risk of coming into contact with the law; support to the Ministry of Justice to develop a risk assessment tool in accordance with EU standards for the reintegration of juveniles under probation, support to the capacity building capacities for civil society organizations working in child rights field. Some twinning projects were also conducted such as the Development of Work with Juveniles and Victims by the Turkish Probation Service, twinning with the United Kingdom (IPA 2007) and Increasing the Organizational Capacity of the Women and Children Sections of the Gendarmerie General Command, twinning with Lithuania (IPA 2015). The parties regularly came together to work on the rule adoption and implementation, while generating domestic change in the child justice system since 2005, particularly after the adoption of the new Penal Code

¹ Note that this article takes 2016 as the end date for analyzing Turkey-EU relations in terms of child rights, because after that date the bilateral relationship began facing significant hurdles with the EU’s criticisms about the democratization trends in Turkey and both sides preferred framing their relationship through a pragmatic lense by merely cooperating on technical issues and refugee management under the veil of positive agenda.

(No. 5237), new Criminal Procedures Code (No. 5271) and the Child Protection Code (No. 5395) along with secondary legislation. While the protection of children was identified as a legal requirement for the Turkish justice system, the Child Monitoring Centers (ÇİMs) were established to ensure the protection of child victims from the difficulties of the judicial processes. “Child-friendly Judicial Interview Rooms” were also developed under the “Justice for Children Project” funded by the EU and implemented by UNICEF in order to prevent further victimization of children under judiciary processes. Several experts – both from Turkey and abroad – were invited to the EU-funded conferences for sharing international best practices and developed standards for the child judicial interview rooms to be established in Turkey. UNICEF acted as the technical partner of the EU on the ground for the rule adoption in child rights.

The European Commission also financed programmes in education, child protection, protection of the rights of children with disabilities, protection and access to education for children in vulnerable situations (including children in migrant communities), and combating child labour. The Turkish Ombudsman Institution also benefited in the past years from four projects co-financed by the European Union, strengthening elite socialization dimension of Europeanization with field studies to the EU member states, twinning projects and networking. The European Commission provided support to the establishment of the ombudsman system in Turkey. The project, co-financed by the European Commission and Turkey (IPA 2011), included a technical assistance project and a twinning component with Spain and France implemented 2014-2016. This was followed by a technical assistance project and a Twinning Light with Portugal implemented in 2018-2019, with the project title “Empowerment of the Role of Ombudsman in the Protection and Promotion of Human Rights” (IPA 2015). Reform Monitoring Group (RMG) -then renamed as Reform Action Group- also convened between 2003-2014 with the presence of four Ministers, but the initiatives of this group on child rights remained limited although the issue -especially sexual assault and exploitation of children, immigration and juvenile justice- and ranked among its discussion topics.

However, the projects were conducted in a piecemeal fashion, without the existence of a pro-reform domestic coalition that is committed to improve the child rights system in line with the EU requirements, while the EU accession target lost its credibility and appeal both among the rulers and the public opinion. Now, to what extent this policy entrepreneurship will pave the way for the far-reaching reforms in the successive enlargement waves, and especially in Turkey, will remain to be seen because its success depends on whether the EU has any power in driving the reform processes in the candidate countries in the field of child rights, and whether it can still trigger domestic change by social

learning and rational calculations of the possible rewards rather than proceeding with patchy reform steps without using any membership conditionality tool.

In this sense, the outcome of EU engagement should not be necessarily based on external incentives, but it should also take inspiration from social learning models by creating epistemic communities promoting EU norms on child rights. Some civil society organizations from Turkey like Ozge-Der and Gundem Cocuk were consulted by the EU for the preparation of progress reports, but they were only invited to the meetings when they were organized by the European Union although they were very active in implementing the EU's requirements for child rights, for instance in the juvenile justice sector. On the other hand, another NGO active in child rights, Gundem Cocuk, prepared a report about police violence against children in Turkey and submitted it to the United Nations under the Optional Protocol to the Convention against Torture. Then, the report was examined in detail by Turkey's ombudsperson tasked with child rights and led her to issue a ruling about using violence by police forces against children which was sent to the provincial authorities and police forces. Civil society, which uses its international and EU contacts to induce change, should be therefore much more involved in this process to boost the sustainability and social acceptance of the reforms. As "outsider reformers need to build informal links with insiders if they are to succeed in promoting lasting changes" (Jacoby et.al, 2009: 113), Turkish authorities and NGOs generate domestic change in terms of child rights as long as they keep their informal and formal links through networking, regular meetings, twinning projects and pre-accession funding.

What is clear is that Brussels instrumentalized child rights policy to transform Romania in line with the European and international standards, while a similar outcome can only be expected for Turkey if and only if key negotiation chapters such as the judiciary and fundamental rights as well as justice, freedom and security are opened. The outcome can only be visible and sustainable with the opening of these chapters where elite socialization and rule adoption will trigger domestic change because the reward of membership will be real and tangible.

Conclusion

Much of the debate about Turkish membership in the EU has focused on cultural comparisons or political obstacles. However, this focus ignores the need for building mutual trust and developing innovative strategies for cementing mutual values. One of the greatest achievements of the EU lies in reforming its child rights system through the accession process by merging both external pressure and getting internal accommodation from national and transnational actors. This article claimed that with the entrepreneurship of the

EU following the improvement of child rights during the Romanian accession process, the experience that was acquired can inspire successive enlargement waves and further energize the ties between Brussels and the candidate country by encouraging rule adoption and restructuring domestic institutions in line with the EU rules and standards. The increased importance accorded by the EU to human rights since the 2004 enlargement and to child rights since the 2007 enlargement should provide a new perspective to those who study Europeanization from a wider perspective. Such a perspective is very important in re-conceptualizing Turkey-EU relations through a specific but “concrete” angle that can be translated into tangible outcomes for children and for Turkey’s membership bid as well.

The EU has essentially a thin *acquis* in this area and child rights is a field for member and candidate countries to decide on their own. But, Brussels “was able to essentially outsource the writing of substantive conditions by drawing on existing United Nations conventions and then credibly defend them in ways the UN had been unable to do” (Jacoby et.al., 2009: 113). It is also necessary to underline that unlike the other supportive institutions like UNICEF that help the candidate country on the ground in reforming its child protection regime, the EU has political conditionality to sustain the rule adoption process.

Romania’s challenges related to the democratic and economic transition passed through a process in which the conditionality tool of the EU assumed an important role in the Europeanization of public policies. Due to the similar Turkish and Romanian general flaws in terms of child protection, the examination of the long-running experience of Romania during its accession period, with all its successes and inherent failures, is very convenient and can be taken as a “mirror example” for avoiding same mistakes to be repeated, taking some exemplary practices to emulate and acknowledging that the EU involvement produced different impacts over the child protection system of the candidate countries. In order to re-generate Turkey’s ties with the EU and pass beyond a strategic partnership model that is only based on positive agenda, Brussels should be more specific about how the Copenhagen criteria can be handled during accession negotiations and what is the role of child rights in giving more substance to this critical process. Such a step could re-define what membership would mean for both parties and what both parties expect from this process. As long as the EU focuses on social policy issues, such as child rights, in a more consistent and determinant way, it will also boost the image of the EU in the eyes of the candidate country’s ordinary citizens and will mobilize both internal accommodation and elite socialization that will build further bridges between the parties for successive cooperation avenues and help them in better framing the cost-benefit ratio of Turkish membership.

Finally, it is also noteworthy that the Europeanisation process implies a certain change of hearts and minds of domestic authorities in the candidate countries to sustain the change. Thus further research into the relevant officials' and institutions' approach in Turkey and in Romania is needed to explain the long-term impact of the Europeanisation process.

References:

- Ask the EU (2013) “Children’s Rights in Romania in the pre-accession phase”, December 19, <https://www.asktheeu.org/en/request/1125/response/4094/attach/3/annex%20ChildrenRightsR_0%20doc%202.pdf>, (02 February 2023).
- Bache, I. (2008) *Europeanization and Multilevel Governance: Cohesion Policy in the European Union and Britain* (Plymouth: Rowman and Littlefield).
- Börzel T. A. (2001) “Pace-Setting, Foot-Dragging, and Fence-Sitting, Member State Responses to Europeanisation”, *Queen’s Papers on Europeanisation*, no. 4/2001.
- Börzel T.A. (2003) “Shaping and Taking EU Policies: Member State Responses to Europeanisation”, *Queen’s Papers on Europeanisation*, no 2/2003.
- Börzel, T.A. (2003) “Europeanization: How the European Union Interacts with its Member States”, *IHS Political Science Series*, 93: 1-22.
- Börzel, T.A. and Risse, T. (2003) “Conceptualising the Domestic Impact of Europe”, K. Featherstone and C.M. Radaelli (eds.) *The Politics of Europeanization*, Oxford (Oxford University Press), pp. 57-80.
- Caporaso, J. (2008) “The Three Worlds of Regional Integration Theory”, P. Graziano and M.P. Vink (eds.), *Europeanization: New Research Agendas* (Palgrave Macmillan), pp. 23-34.
- European Commission (2001) “Council Decision of 8 March 2001 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with the Republic of Turkey”, 2001/235/EC, March 24, <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001D0235>>, (23 February 2023).
- European Commission (2003) Council Decision of 19 May 2003 on the principles, priorities, intermediate objectives and conditions contained in the Accession Partnership with Turkey 2003/398/EC, June 12, <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32003D0398>>, (20 January 2023).
- European Commission (2005) “Comprehensive Monitoring Report for Romania”, SEC (2005) 1354, October 25, Brussels, <http://publications.europa.eu/resource/cellar/d5258d25-bba2-4703-bc48-1e14210dd6d6.0001.01/DOC_1>, (15 January 2023).
- European Parliament (2012) “EU Framework of Law for Children’s Rights”, <[https://www.europarl.europa.eu/RegData/etudes/note/join/2012/462445/IPOL-LIBE_NT\(2012\)462445_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/note/join/2012/462445/IPOL-LIBE_NT(2012)462445_EN.pdf)>, (16 January 2023).

- Héritier, A. and Knill, C. (2001) "Differential Responses to European Policies: A Comparison", A. Héritier, D. Kerwer, C. Hill, D. Lehmkuhl, M. Teutsch and A. Douillet (eds.), *Differential Europe: The European Union impact on national policymaking* (Lanham: Rowman and Littlefield), pp. 257-294.
- Howell, K. E. (2004) "Developing Conceptualisations of Europeanization: Synthesising Methodological Approaches", *Queen's Papers on Europeanization*, no3/2004.
- Iusmen, I. (2012) "Romania's accession to the EU and EU children's rights agenda: policy entrepreneurship and feedback effects", *Perspectives on European Politics and Society*, 13(2): 210-225.
- Jacoby, W., Lataianu, G. and Lataianu, C. M. (2009) "Success in Slow Motion: The Europeanization of Romanian Child Protection Policy", *Review of International Organizations* 4(2): 111-133.
- James, S. (2007) "Europeanization as 'Projection': Understanding the Changing Face of EU Policy Making within the Core Executive", *Political Perspectives EPRU*, 2(3): 1-30.
- Kassim, H. (2000) "Conclusion: The National Co-ordination of EU Policy: Confronting the Challenge", H. Kassim, B. G. Peters and V. Wright (eds.). *The National Co-Ordination of EU Policy. The Domestic Level* (Oxford: Oxford University Press) pp. 235-265.
- Ladrech, R. (1994) "Europeanization of Domestic Politics and Institutions: The Case of France", *Journal of Common Market Studies*, 32(1): 69-88.
- Laffan, G. (2005) "Romania's policy of emptying its orphanages raises controversy", *BMJ*, 331(7529): 1360.
- Olsen, J.P. (2002) "Many Faces of Europeanization", *ARENA Working Papers*, WP 01/2, <https://www.sv.uio.no/arena/english/research/publications/arena-working-papers/2001-2010/2002/wp02_2.htm>, (20 January 2023).
- Radaelli, C. (2000) "Wither Europeanization? Concept stretching and substantive chance", *European Integration Online Papers* 3, no. 7, <<http://eiop.ot.at/eiop/comment/1999-007c.htm>>, (12 February 2023).
- Radaelli, C. (eds.) (2003) *The politics of Europeanization* (Oxford: Oxford University Press).
- Radaelli, C. M. (2004) "Europeanization: Solution or Problem?", *European Integration online Papers (EIoP)*, 8(16): 1-23, <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=601163>, (12 February 2023).
- Risse, T., Caporaso, J. and Cowles, M. G. (2001), "Europeanization and Domestic Change. Introduction". Risse, T., Caporaso, J., and Cowles, M.G.

- (eds.), *In Transforming Europe: Europeanization and Domestic Change* (Ithaca, NY: Cornell University Press), pp.1-20.
- Schimmelfennig, F. and Sedelmeier, U. (2004) “Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe”, *Journal of European Public Policy*, 11(4): 669-687.
- Schimmelfennig, F. and Sedelmeier, U. (eds.) (2005) *The Europeanization of Central and Eastern Europe*, (Ithaca, NY: Cornell University Press).
- Sedelmeier, U. (2011) “Europeanization in New and Candidate States”. *Living Reviews in European Governance*, 6(1): 1-52.
- UN Commission on Human Rights (1990) “*Convention on the Rights of the Child*”, E/CN.4/RES/1990/74, March 7, <<https://www.refworld.org/docid/3b00f03d30.html>>, (15 February 2023).