

Background Paper: Can the EU enlargement process be finally revitalized?

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Introduction

The last EU enlargement took place in July 2013 when Croatia joined the club and almost a decade later no other country is anywhere near its accession to the Union. In 2012, Montenegro opened the accession negotiations and is currently the furthest in the process. Serbia started its accession negotiations in 2014 but after some initial progress, the process has been stalling and is now de facto frozen. The waning reform efforts in the candidate countries have been matched by decreased interest in enlargement on the side of the EU which was busy dealing with various crises and trying to maintain its unity amid growing nationalism and populism in the EU Member States. At the start of his mandate, the former President of the European Commission Juncker announced that no enlargement will take place in the next five years.¹ While it is true that no country was realistically ready to join the EU in such a short term, this infamous statement remains to be associated with the beginning of the “enlargement fatigue”, both within the EU and in the Western Balkans. The current European Commission led by Ursula von der Leyen has demonstrated a more positive approach to the future enlarging of the Union. The decisive moment promising a fresh impetus to the enlargement policy was the adoption of the revised enlargement methodology² in March 2020. While any set of rules can hardly substitute for a lack of political will to reform, the methodology addressed the justified concerns of some EU Member States that the EU accession process had lost its transformative influence by establishing provisions for an accelerated and more effective process. The momentum was then reconfirmed most notably in the reaction to Russia’s war in Ukraine by granting the candidate status to Ukraine and Moldova, opening thus the membership perspective for the first time also to the countries of Eastern Europe. After overcoming Bulgaria’s veto, the first

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¹ Jean-Claude Juncker. “A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change. Political Guidelines for the next European Commission. Opening Statement in the European Parliament Plenary Session.” Last accessed October 10, 2022. https://ec.europa.eu/info/sites/default/files/juncker-political-guidelines-speech_en.pdf

² European Commission. “Enhancing the accession process - A credible EU perspective for the Western Balkans.” Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/enhancing-accession-process-credible-eu-perspective-western-balkans_en.

Intergovernmental conferences were held with Albania and North Macedonia in July 2022, signalling the start of their EU accession processes.

Where do the candidate countries stand?

Montenegro, which is the most advanced country in the EU accession process, submitted its application for EU membership in December 2008, was granted candidate status in 2010 and started the accession negotiations in June 2012. Since then, 33 chapters have been opened for negotiations out of a total of 35, but only 3 chapters have been provisionally closed so far (Science and research, Education and culture and External relations).³

Serbia submitted its application in December 2009, received the candidate status in March 2012 and opened the accession negotiations in January 2014. So far, Serbia has opened 18 chapters and provisionally closed two (Science and research, Education and culture). In accordance with the new methodology, in December 2021 Serbia opened the cluster 4 on Green agenda and sustainable connectivity (consisting of 4 negotiating chapters: chapter 14 - Transport policy, chapter 15 - Energy, chapter 21 - Trans-European networks, and chapter 27 - Environment and climate change).⁴

North Macedonia applied for EU membership in March 2004, earlier than any other current candidate country, and was granted candidate status in December 2005. Since then, the European Commission repeatedly recommended the European Council to start the accession negotiations.⁵ Albania submitted its application in April 2009 and received the candidate status in June 2014.⁶ The European Council agreed to open the accession negotiations with both countries in March 2020, however, the actual start was blocked for more than two years by Bulgaria vetoing the negotiating framework with North Macedonia. After reaching an agreement between the two countries in July 2022, the first Intergovernmental conferences

³ European Commission. “European Neighbourhood Policy and Enlargement Negotiations: Montenegro.” Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/montenegro_en

⁴ European Commission. “European Neighbourhood Policy and Enlargement Negotiations: Serbia.” Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/serbia_en

⁵ European Commission. “European Neighbourhood Policy and Enlargement Negotiations: North Macedonia.” Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/north-macedonia_en

⁶ European Commission. “European Neighbourhood Policy and Enlargement Negotiations: Albania.” Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/albania_en

with Albania and North Macedonia were organized and the European Commission started the screening process with both countries.⁷

The two other Western Balkan countries, Bosnia and Herzegovina and Kosovo, still have only the status of potential candidates and are waiting for progress in different areas. While for Bosnia and Herzegovina, the most immediate goal is to be granted the status of a candidate for EU membership, pending the country's fulfilment of 14 key priorities,⁸ Kosovo is aiming for the finalization of its visa liberalization process with the EU. In the context of the newly established momentum stemming from the re-evaluation of the EU's approach to its neighbourhoods and the progress in the Eastern dimension of EU enlargement, both countries have high hopes that they will not be left behind.

Both Ukraine and Moldova were granted candidate status in June 2022, however, on the understanding that both countries will meet a set of conditions. The fulfilment of these steps will be subject to further monitoring and evaluation by the European Commission.⁹ During the same meeting, the EU leaders also confirmed the European perspective for Georgia, but its candidate status is still pending progress in several priority areas.¹⁰

War in Ukraine as an accelerator of EU enlargement

In the past years, the EU enlargement process has been plagued by the lack of political will to implement necessary reforms on the side of the Western Balkan countries and a flawed EU's execution of its own enlargement policy. The mutual mistrust and hypocrisy have been repeatedly described as the Western Balkan leaders pretending to be committed to reforms and the EU pretending to be interested in enlarging. The limited progress achieved by the

⁷ The screening process is an analytical examination of the body of EU acquis and the candidate's level of preparedness and plans to further alignment. More detailed explanation of the process can be found at <https://www.eeas.europa.eu/delegations/albania/screening-fundamentals-cluster-part-negotiations-process-kicks-albania-and-en?s=214>.

⁸ European Council. "European Council meeting (23 and 24 June 2022) – Conclusions." Last accessed October 10, 2022. <https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf>

⁹ European Commission. "European Neighbourhood Policy and Enlargement Negotiations: Ukraine." Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/countries-region/ukraine_en, European Commission. "European Neighbourhood Policy and Enlargement Negotiations: Moldova." Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/countries-region/moldova_en

¹⁰ European Commission. "Opinion on Georgia's application for membership of the European Union." Last accessed October 10, 2022. https://neighbourhood-enlargement.ec.europa.eu/opinion-georgias-application-membership-european-union_en

candidates has served as an argument for some EU Member States as to why future enlargement should be put on hold while the inability of the EU to react adequately when actual progress was demonstrated had a discouraging effect on Western Balkan elites. The track record of EU Member States stalling the process at various steps, and despite the European Commission's recommendations, poses a risk of frustrating further not only reformers in the Western Balkans but also currently highly motivated candidates in Eastern Europe if their potential progress will go unrewarded.

The war in Ukraine presented a tough wake-up call to both sides and sparked again the interest in the EU enlargement agenda. However, to achieve concrete progress, the momentum must be maintained and matched by sufficient political will. With the revised enlargement methodology and numerous proposals from the expert community on how to best apply it,¹¹ the tools for the revitalization of the EU enlargement policy are already there. It is time now to take the first concrete steps toward effective utilization of the existing options.

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Apart from the reorganization of the negotiating chapters into larger clusters to ensure a faster and smoother process in terms of their opening and closing, the main changes from the previous rules are a more complex system of rewards and sanctions, an emphasized centrality of the EU's fundamental values in the accession process, and possible accelerated and gradual integration into the EU policies and institutions.¹²

The new methodology explicitly mentions the possibility of deeper institutional integration through the possibility of candidate countries participating in meetings at the EU level in areas that are particularly important to them. The document also addresses specific possibilities for faster and gradual integration into some EU policies, programs, and the European single market before achieving

¹¹ "A Template for Staged Accession to the EU." Centre for European Policy Studies. Last accessed October 9, 2022. <https://www.ceps.eu/ceps-publications/a-template-for-staged-accession-to-the-eu/>.

¹¹ "Hamster in the Wheel - Credibility and EU Balkan policy." European Stability Initiative. Last accessed October 9, 2022. <https://www.esiweb.org/publications/hamster-wheel-credibility-and-eu-balkan-policy>.

¹¹ "What is to be done? The war, the Western Balkans and the EU." Institut für die Wissenschaften vom Menschen. Last accessed October 9, 2022. <https://www.iwm.at/blog/what-is-to-be-done-the-war-the-western-balkans-and-the-eu>.

¹² European Commission. "Enhancing the accession process." https://neighbourhood-enlargement.ec.europa.eu/enhancing-accession-process-credible-eu-perspective-western-balkans_en

full membership. The possibility of increased funding and investment from the EU (through the Instrument for Pre-Accession Assistance IPA) and international financial institutions should also serve as an incentive for greater reform efforts.

The proposals from the expert community elaborate on these provisions, mentioning the involvement of countries in the Fit for 55 package goals in the energy and green transition, participation in the EU single market, earlier access to the EU structural funds, or the practical abolition of roaming charges between the EU and neighbouring regions. Regarding the possibility of gradual integration into the EU institutions, the proposals consider different forms, based on the degree of fulfilment of the conditions. The most realistic in the first phase, however, is allowing the candidate countries to participate in relevant meetings of the Council of the EU and in the European Parliament as observers.

Conclusion

The EU enlargement has risen on the EU's agenda in the past months, following the Russian war in Ukraine, and it is increasingly viewed through geostrategic and geopolitical lenses. An unprecedented opportunity for advanced integration of the candidate countries into EU policies and institutions has opened. While other formats for dialog and cooperation, most prominently the newly established European Political Community, are useful in fostering contacts and building trust among the candidates, the EU Member States and other third countries, we should not lose sight of the ultimate goal which is bringing these states into the EU fully, as members.

There are also positive signals that the perceived dichotomy between enlarging and deepening of the Union or the fears of the destabilizing effect of future enlargements are being overcome and the perspective of the EU becoming bigger can serve as a catalyst for the EU's internal reform. However, for all the positive signs to materialize, the political will remains crucial. The Czech Presidency of the Council of the EU has demonstrated efforts to utilize the present momentum and move the enlargement agenda forward but continuity under upcoming EU Presidencies will be necessary.