

EU ENLARGEMENT POLICY IN 2022 – CHALLENGES OR PERSPECTIVES?

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Abstract:

The paper focuses on the new challenges in front of the EU enlargement policy concerning on the one hand the current accession negotiations with the Western Balkans and on the other hand - the expressed willingness for EU membership of Ukraine, Moldova and Georgia as a result of the Russia-Ukraine war. The analysis emphasizes on the EU as a „transformative power“ through the „enlargement process“. It takes into consideration the new realities related to the French President Macron’s proposal for European Political Community and the rapid transition of Ukraine, Moldova and at some point Georgia, covered by the European Neighbourhood Policy to the European Enlargement Policy by obtaining candidate country status. The paper reveals how important is the doors of the EU to remain open and just ajar for the Western Balkans and Eastern partnership countries, but without creating unrealistic expectations about „fast track“ due to the „force majeure“ situations. The methods of analysis and synthesis of primary and secondary sources of information, generalisation, induction and deduction were used.

Key words: European Political Community, EU enlargement, Western Balkans, Ukraine, transformative power

Introduction

In 2022 – 10 years after the European Union was awarded with the Nobel Peace Prize for its contribution to the advancement of peace and reconciliation, democracy and human rights in Europe, we witness the return of war in Europe.

After years filled with consecutive crises – the severe worldwide financial and economic crisis, the migration from North Africa and Middle East, the COVID19 pandemic and the war in Ukraine, which leave *long-lasting deep scars*, related to energy, food supply, migration and stagflation, EU faces the challenge to overcome them and at the same time to remain open for future enlargements.

In these difficult times, the Union is supposed to be an „existential power“ for its citizens and member states and at the same time a „transformative power“ for its neighbors as the perspective of membership is a significant incentive for democratic, social, environmental and economic reforms in countries wishing to join the EU.

The Union has to keep the balance between the two roles of „a good steward“, by managing the risk with due diligence for the EU itself and of „a geopolitical player“, by using effectively its external action toolbox which consists of the: European Neighbourhood Policy (ENP); European enlargement policy; European development policy; EU Humanitarian Aid Policy; EU Trade Policy; Common Foreign and Security Policy.

Herewith the paper will focus on the EU enlargement policy and what are the current challenges and/or perspectives in front of it. As a point of departure of the analysis, it is important to be noticed that:

- the EU is a „**sui generis**“ **organisation - unique economic and political union** between 27 European countries, not just an international organisation or a distinguished club;
- the enlargement goes always hand in hand with the issue of deepening the European integration¹. Till now every enlargement gave a boost to the integration process and not a setback;
- the future EU member states are always supposed to import stability and added value to the Union. Joining the European Union means a full membership in a family, by sharing common goals, principles and values, by assuming clear responsibilities and by acting together at supranational level.

The current three challenges (without claiming to be exhaustive) the European Union is facing, which will directly or indirectly have an impact both on its enlargement policy and on the future of its integration, are the following:

- 1) Firstly - **the war in Ukraine**, triggered by the Russian aggression on 24 February 2022, creating preconditions for instability across Europe and leading to the rapid transition of some countries covered by the European Neighbourhood Policy to the European Enlargement Policy by obtaining candidate status;
- 2) Secondly - the increasingly **unattainable goal** any of the six Western Balkan (WB) countries **to join the EU in 2025**;
- 3) Thirdly - the fertile ground for **anti-European sentiment and Euro scepticism** due to the number of crises in EU, having internal and external dimensions.

¹ Шикова, И. (2011), „Политики на Европейския съюз“, Университетско издателство: „Св. Климент Охридски“, София, стр. 320 / Shikova, I. (2011), „European Union Policies“, University edition: Kliment Ohridski, Sofia [in Bulgarian], p. 320

1. The war in Ukraine - instability across Europe and rapid transition of Ukraine and Moldova covered by the European Neighbourhood Policy to the European Enlargement Policy by obtaining candidate status

The war in Ukraine restored fears and a sense of instability in Europe and, as a result, on February 28, 2022 Ukraine, followed by Moldova and Georgia on March 3, applied for membership, which on June 23, 2022 unanimously received the support of all European heads of state and government.

The European Council has decided to grant the status of candidate country to Ukraine and to the Republic of Moldova. The leaders expressed readiness to grant the status of candidate country to Georgia once the priorities specified in the Commission's opinion on Georgia's membership application have been addressed².

As a result:

- for the first time in the contemporary history of the EU there is a country with candidate status that is in a state of a full-scale war;
- for the first time, since ENP was launched in 2004, partner countries applied for membership falling within the scope of European enlargement policy.

As it was mentioned before, EU Enlargement and Neighbourhood Policies are both part of the EU external action toolbox. Nevertheless, it should be noted that their objectives are different:

- On the one hand – the Enlargement policy aims to unite European countries in a **common political and economic project**³. This dimension of the Union's external action has proved to be a successful instrument for promoting reform, consolidating peace and democracy across the old continent, and for strengthening the EU's global presence. Enlargement policy is based on clear conditionality and the principle of own merits. In this respect, the enlargement process is: results-oriented, merit-based and focused on meeting clearly established criteria for **EU membership**.
- On the other hand – the European Neighbourhood Policy **does not promise membership**. It was created to prevent dividing lines between

² European Council conclusions on Ukraine, the membership applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations, 23 June 2022. European Council. [online]. [viewed 10 October 2022]. Available from: <https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/european-council-conclusions-on-ukraine-the-membership-applications-of-ukraine-the-republic-of-moldova-and-georgia-western-balkans-and-external-relations-23-june-2022/>

³ The Enlargement of the Union. Fact Sheets on the European Union, European Parliament. [online]. [viewed 10 October 2022]. Available from: <https://www.europarl.europa.eu/factsheets/en/sheet/167/the-enlargement-of-the-union>

the enlarged European Union and its neighbors and to strengthen prosperity, stability and security for all⁴. **The ENP is essentially a bilateral policy** between the EU and each partner country. It is further enriched by regional cooperation initiatives - the Eastern Partnership (EaP) and the Union for the Mediterranean⁵. Through the ENP, the EU offers its neighbors a privileged relationship built on mutual commitment to common values.

Table 1: Objectives of EU enlargement and Neighbourhood Policies

Objectives of EU enlargement policy ⁶	Objectives of EU Neighbourhood Policy ⁷
Foster peace and stability in regions close to the EU's borders;	Stabilizing neighboring countries through economic development, employability and youth, transport and energy connectivity, migration, mobility and security;
Help improve the quality of people's lives through integration and cooperation across borders. Increase prosperity and opportunities for European businesses and citizens;	Promoting key EU interests of good governance, democracy, rule of law and human rights;
Guide, support and monitor changes in countries wishing to join the European Union in line with EU values, laws and standards.	Facilitating cooperation at regional level: Eastern Partnership, Union for the Mediterranean.

Source: Adapted by the author, using the information provided by the European Commission

Due to the force majeure situation with Russia's invasion on 24 February 2022, Ukraine and Moldova were given the chance with unprecedented speed to pass from the framework of partnership to the framework of future membership.

On the one hand, it was important to give hope and strong support to Ukraine. The EU expressed a real solidarity by adopting unparalleled package of sanctions – both in terms of speed and scope – financial, humanitarian,

⁴ The European Neighbourhood Policy: avoiding the emergence of dividing lines between the European Union and its neighbours. Council of Europe, European Union. [online]. [viewed 10 October 2022]. Available from: <https://pjp-eu.coe.int/south-programme2/eu-neighborhood-policy.html>

⁵ The European Neighbourhood Policy. Fact Sheets on the European Union, European Parliament. [online]. [viewed 10 October 2022]. Available from: <https://www.europarl.europa.eu/factsheets/en/sheet/170/the-european-neighbourhood-policy>

⁶ EU enlargement. European commission. [online]. [viewed 10 October 2022]. Available from: https://ec.europa.eu/info/policies/eu-enlargement_en

⁷ European neighbourhood policy. European commission. [online]. [viewed 10 October 2022]. Available from: https://ec.europa.eu/info/policies/european-neighbourhood-policy_en

military. For the first time in the EU history – a military support was granted to a third country through the European Peace Facility mechanism. The Union and its citizens pay a high price, showing empathy for the people of Ukraine. The European leaders felt a kind of obligation to give candidate status to Kiev.

However, on the other hand the following reasonable questions remain – why has the European Neighbourhood Policy not been given additional credibility and further strengthened? Why ENP was rapidly replaced by European enlargement policy at a moment when the EU itself is not prepared for enlargement of such a scale?

The EU membership is a two-way street for both the Union and the candidate countries. This implies that: *candidate members harmonise their legislation with the *acquis communautaire* and meet the Copenhagen criteria for membership; *the EU strengthens its capacity for enlargement, which also goes through treaties' changes.

According to the Lisbon treaty, the number of Members of European parliament should not exceed 751. The withdrawal of the UK as an EU member state reduced that figure to 705 MEPs as of 1 February 2020, allowing room for possible future enlargements of the European Union⁸. These 46 seats were foreseen for the candidate countries from the Western Balkans whose total populations would have allowed them the required number of MEPs.

Apart from the fact that Ukraine is in the midst of a full-scale war, this is the second largest country in Europe and the eighth in terms of population, having roughly the size of Spain, which implies the potential possession of 50+ MEPs. Joining EU is not just having one, two or more members in the European family, it affects the European policies and the decision-making process.

An important factor for future enlargements is that the new member states should not create difficulties in the integration policies implementation, the functioning of the EU institutions, the sustainable financing of the EU. The new member states should contribute not only to their own stabilisation but also to the strengthening of the EU as a community⁹.

At the same time the Union has to build and further develop its capacity to enlarge from institutional, socio-economic and political points of view. For this reason, in her State of the Union in 2022, the President of the European Commission underlined that: *„It is time to renew the European promise. Some might say this is not the right time... „as we are serious about a larger union, we*

⁸ How many MEPs? European parliament. [online]. [viewed 10 October 2022]. Available from: <https://www.europarl.europa.eu/news/en/faq/11/how-many-meps>

⁹ Шикова, И. (2011), „Политики на Европейския съюз“, Университетско издателство: „Св. Климент Охридски“, София, стр. 320 / Shikova, I. (2011), „European Union Policies“, University edition: Kliment Ohridski, Sofia [in Bulgarian], p. 320

*also have to be serious about reform. So as this Parliament has called for, I believe the moment has arrived for a European Convention*¹⁰.“

Nevertheless, reforms require time for their strategic preparation, for their adoption and for their implementation by all Member States, with the necessary generated support of the citizens. The enlargement is a long-standing process of transformation and of constant refinement. For this reason, the European Commission, the European Parliament and the European Council shall calibrate the high expectations they have already created and the possible future disappointments related to the Enlargement policy as it takes time and is based on conditionality and reversibility clause.

The Union should also seek to preserve and further develop its Neighbourhood policy that according the former President of the European Commission Barroso „*was and still is the best way to provide security and prosperity in regions of vital importance for Europe*“¹¹.

2. The increasingly unattainable goal any of the six Western Balkan countries to join the EU in 2025

In recent years, the focus of the attention related to the European perspective of the Western Balkans has been mainly on the question – „how“ they should join the EU, not on the key question – „why“. The question of „how“ has given rise in 2017 to a New Strategy for credible enlargement perspective and enhanced EU engagement with the Western Balkans as well as to a new enlargement methodology in 2020 which aims at making the EU accession process more credible, dynamic, predictable and political.

The new methodology contains the following key elements: *restoring confidence in the Enlargement process (the EU should renew its commitments, and the candidate countries should meet the relevant requirements and carry out the necessary reforms they have committed themselves to); *a stronger political focus on the process (by creating clustering chapters that allow more thorough political discussions on thematic areas and opportunities for early alignment and integration into EU policies); *predictability of the process; and *reversibility of the process. The last element is the most delicate moment as it represents an option to make a step back in the process. „Reverse qualified majority“ or a decision-making reverse means that the European Commission recommendations will come into force unless the Council opposes by qualified majority.

In 2017 the six countries from the Western Balkans region were given - 2025 as a motivational horizon, reflecting the strong European commitment

¹⁰ State of the Union 2022 - President von der Leyen's speech. European commission. [online]. [viewed 10 October 2022]. Available from: https://state-of-the-union.ec.europa.eu/index_en

¹¹ State of the Union address 2013. European commission. [online]. [viewed 10 October 2022]. Available from: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_13_684

to their credible enlargement perspective. Certainly, this window of opportunity is entirely dependent on the objective merits and results of each candidate country. In 2018, 2020, 2021 by means of three key declarations during the Sofia, Zagreb and Brdo summits, the EU reconfirmed its commitment to the enlargement process of Western Balkans.

During the 2022 State of the Union Address, the President von der Leyen sent a strong message: *„So I want the people of the Western Balkans, of Ukraine, Moldova and Georgia to know: You are part of our family, your future is in our Union, and our Union is not complete without you!”*¹²

To create or become part of a family according to the traditional „marriage vows“ means to be together for better, for worse, for richer, for poorer, in sickness and in health, to love and to cherish, until the end. Whether the motivation for EU membership would remain high if the Union is not in a good shape depends on the question „why“ the candidate countries would like to be part of the family. The EU perspective is related to a reform agenda and these reforms should be realised by the candidate countries for themselves, not for Brussels. Joining the European Union should not be seen as joining a club of the rich and prosperous, but as joining a family of liberal democracies.

The Western Balkans countries are still facing political insecurity, the presence of societies at risk of separatism, manifestations of nationalism, inter-ethnic and ethno-religious contradictions, and divergent foreign policy orientations. Of course, a distinction must be drawn between different countries. However, in each of them there are still problems such as: *the impeded Belgrade-Pristina dialogue; *the challenged „good neighborly relations“ between North Macedonia and Bulgaria; *the issues related to the rule of law, corruption and organized crime in the candidate members; *the low level of alignment of Serbian foreign policy with the Common foreign and security policy of the EU (CFSP). All these problems distance the Western Balkans candidate countries from the potential 2025 opportunity to be part of the EU.

The EU shall renew its Enlargement strategy as the focus on the current one is on the Western Balkans region without considering expansion of the Union eastward. The key question as point of departure of strategic rethinking process shall be shifted „from how to why“.

3. The fertile ground for anti-European sentiment and Euro scepticism due to the number of crises in EU, having internal and external dimensions.

According to Standard Eurobarometer 97 (summer 2022), almost six in ten EU citizens (57%) are in favour of a further enlargement to the EU to

¹² State of the Union 2022 - President von der Leyen's speech. European commission. [online]. [viewed 10 October 2022]. Available from: https://state-of-the-union.ec.europa.eu/index_en

include other countries in future years, one third (33%) are still against, while 10% don't know or do not give an answer. It should be noticed that support is the minority view in Austria (33% in favour vs 56% „against“) and France (40% vs 46%)¹³.

Despite the fact that currently the public opinion is supportive about future enlargements, the constant work with citizens is a must, as there is a group of crises in EU, having internal and external dimensions that can affect this positive trend.

On the one hand, there are tensions within the Union related to the implementation of article 7 TEU procedures towards the Poland and Hungary regarding the rule of law, democracy and fundamental rights. On the other hand – all the challenges related to the post pandemic recovery, the green and digital transition, and the severe impact of the war in Ukraine on energy, food, supply chains and migration will provoke public anger and discontent if the governments and EU institutions fail to mitigate the risks and to manage adequately the crisis. All of this create a fertile ground for anti-European sentiment and Euro skepticism among citizens and political stakeholders.

The two new initiatives on the future of the European Union - the concept of a European Political Community (EPC) proposed by the French president Emmanuel Macron and a potential debate on a New European Convention have to apply the lessons learned from the past.

The debate on the New European Convention should not fall victim to the emotions about Enlargement policy, not the other way around as it happened before with the European Convention chaired by Valéry Giscard d'Estaing and the Draft treaty establishing a Constitution for Europe in 2003-2004.

The European Political Community was launched by the 27 EU member states, Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Georgia, Iceland, Kosovo (in line with UNSCR 1244/1999), Liechtenstein, Moldova, Montenegro, North Macedonia, Norway, Serbia, Switzerland, Turkey, Ukraine, the United Kingdom, on October 6, 2022 in Prague with the aim of: *fostering political dialogue and cooperation to address issues of common interest as well as of *strengthening the security, stability and prosperity of the European continent.

President Macron proposed the idea of EPC in his speech on 9 May 2022 at the closing event of the Conference on the Future of Europe, by referring to the proposal of François Mitterrand about the creation of a European Confederation in 1989¹⁴. History showed us that the initiative of Mitterrand

¹³ Standard Eurobarometer 97 - Summer 2022. Eurobarometer. [online]. [viewed 10 October 2022]. Available from: <https://europa.eu/eurobarometer/surveys/detail/2693>

¹⁴ Speech by Emmanuel Macron at the closing ceremony of the Conference on the Future of Europe, 10 May 2022. [online]. [viewed 10 October 2022]. Available from: <https://presidence-francaise.consilium.europa.eu/en/news/speech-by-emmanuel-macron-at-the-closing-ceremony-of-the-conference-on-the-future-of-europe/>

failed, but contemporary European leaders can learn from the past. As the analysis of Jacques Delors Institute reminds: „*beyond the issue of including the USSR at the time, the idea of a „European Confederation“ fell upon deaf ears in Central Europe because it was perceived – rightly or wrongly – as a less attractive alternative to what these countries actually wanted, namely joining the Community process. This is why the new project of European political community must be unambiguously defined as being either an alternative to EU membership, or the first step towards it*“¹⁵. Nevertheless, there are still many unknowns about EPC. It was stressed by the European Council that the European Political Community is a platform for political coordination, which does not replace any existing organisation, structure or process, nor does it aim to create a new one at this stage¹⁶. Therefore, the future of this initiative and its shape remain open-ended.

The political gestures in 2022 created a lot of strong messages and expectations about the EU Enlargement policy. The year 2023 is supposed to be a year of real commitments for transforming the challenges into perspectives and for overcoming potential emergence of EU scepticism.

Conclusions:

- 1) For the first time in its contemporary history, the EU has a candidate country, which is in a state of a full-scale war. Ukraine - the second largest country and the eighth most populous one in Europe that was part of the European Neighbourhood Policy and now due to the „force majeure“ situation fall within the European Enlargement Policy.
- 2) It is dangerous to increase the scope of EU Enlargement policy, giving hope but not guaranteeing prospects for either the WB or the former Eastern Partnership countries.
- 3) The EU's doors shall remain open and not just ajar to the countries of the Western Balkans and the Eastern Partnership, but without creating unrealistic expectations of rapid EU accession. The Union should seek to preserve and further develop its ENP.
- 4) Accession is not an act of simply signing a treaty, but a long-term process of integration in a way that each country can fully function and enjoy stability and development after joining the Union. It affects the European policies and the decision-making process. Therefore, the EU itself has to be institutionally, economically and politically prepared for the parallel processes of enlarging and deepening.

¹⁵ Chopin T., Macek M. & Maillard S. (2022), „*The European Political Community. A new anchoring to the European Union.*“, Brief, Jacques Delors Institute, Paris, p. 5

¹⁶ Meeting of the European Political Community, 6 October 2022. European Council. [online]. [viewed 10 October 2022]. Available from: <https://www.consilium.europa.eu/en/meetings/international-summit/2022/10/06/>

- 5) Each new Member State should not create difficulties and bring problems to the European Union, but contribute to deepening of the EU development and integration.
- 6) The simultaneous launch of important processes for the future of Europe such as: *treaties' reforms and the debate on a new European Convention, *the enlargement to the East and South-east, *the creation of a new platform for political cooperation in Europe, including all countries except Russia and Belarus (the so called European Political Community) without their synchronisation may hinder the success of each of them.
- 7) A new or an update of the existing EU Enlargement strategy is needed, focusing not only on the Western Balkans but also on the Eastern partnership countries and shifting the question from how to why.

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