

THE WAR IN UKRAINE AND ITS IMPACT ON EU ENLARGEMENT AND THE EU'S EASTERN PARTNERSHIP

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Abstract

With the outbreak of Russia's unprovoked war against Ukraine in February 2022, many observers and analysts have called for revamping of both the EU enlargement policy and the EU's Eastern partnership (EaP). Indeed, the war confirmed that hard power and geopolitics mattered once again in Europe. This puts into question the role that the EU has tried to assign to itself as a normative if not a transformative power while showing new ambitions at a more geopolitical one.

By granting EU candidate status to Moldova and Ukraine in June 2022, the EU member states ended the fundamental difference between EU enlargement policy and the EU's Eastern partnership in so far that the latter was not meant to lead to EU accession for the countries part of it.

This contribution argues that the combination between the two changes should lead to a complete revision of both policies. First the return of geopolitics and hard power calls into question the future of the EU's role as a normative and transformative power. Second, the granting of the EU candidate status to Moldova and Ukraine raises questions as to the accession process for the Western Balkans.

Key words: war in Ukraine, EU enlargement and the EU's Eastern partnership

The Return of Hard Power and Geopolitics in Europe: the Impact of the European Union as International Actor

Through both its enlargement policy and the EaP, the EU showed its ambitions to act as a new kind of normative if not transformative power. Such a power is defined by its reluctance to use military power and its preference for the expansion of its norms and values. Indeed, in both cases, the EU sought to accompany and to guide the reforms process both in candidate countries and in the Eastern partners in order to align them with EU values and norms such as the commitment to rule of law, the principles of good governance and the approximation of their domestic

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legislation in line with the Single European market. For these purposes, the EU relies essentially on financial assistance, yet much more important for the candidate countries than for the Eastern partners and conditionality (Crombois, 2019)

The Russian-Ukrainian crisis of 2013-14 showed the limits of these assumptions. First, the EaP gained considerable geopolitical weight both from the point of view of the EU member states and from Russia. In other words, what was believed by some to be a shared neighbourhood became a space of growing rivalry and conflict between the EU and Russia (Haukkala, 2015). Second, the Western-Balkans were not spared by the implications of the 2013-2014 crisis. It became indeed increasingly clear that the region became another zone of political competition, yet unequal from a financial point of view, between the EU, Russia and other powers such as Turkey and China (Rustemi, 2021).

In addition, the EU enlargement policy showed signs of losing momentum in terms of its transformative ambitions while all Western Balkans did not show any real improvements in terms of the consolidation of the rule of law and fundamental freedoms.

In this context, the War in Ukraine only accelerated a process of making the EU wanting to develop hard power capabilities and to acknowledge its geopolitical ambitions. Such process led the EU to adopt the French concept of strategic autonomy in 2022 and to establish the EU Peace Facility whereby the first time, the EU is financing the sending of lethal weapons to a country at war, in this case Ukraine (Lefebvre, 2023).

These changes, yet within their limitations, reflect the paradigmatic change in EU role as international actor by increasingly foregoing its ambitions as normative and transformative power and to accept new ambitions as a hard more geopolitically oriented power.

1. EU's EaP since 2014

When launching the EaP in 2009, the EU did not view its relations with its six Eastern partners² through a geopolitical lens but rather as a vehicle to expand its governance dynamics eastward (Youngs 2021). Indeed, the main rationale was to deal with the consequences of the EU enlargements of 2004 and 2007, which extended the EU's borders to Eastern Europe, by developing a new relationship that would go beyond the one that existed under the European Neighbourhood Policy (ENP). More concretely, it offered the Eastern partners the possibility of establishing Deep and Comprehensive Free Trade Agreements. The EaP also offered cooperation in new fields such as good governance and democracy, economic convergence with EU legislation, energy security and, to a lesser extent, foreign policy and defence (European Commission 2008).

As such the EaP reflected the transformative ambitions of the EU vis-a-vis the Eastern partners. These ambitions were geared toward promoting reforms to align

² The EU's six Eastern partners are Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

them with EU values and norms such as commitment to the rule of law, good governance and the approximation of their domestic legislation with the single market *acquis*. In other words, the EU was trying to replicate its enlargement policy among the Eastern partners without providing the same level of financial support or a clear pathway to EU membership (Crombois 2019).

These transformative ambitions were premised on a normative narrative that rejected the geopolitical dimensions of relations between the EU and its Eastern partners and, to some extent, Russia. The situation changed, however, with the forced annexation of Ukraine's Crimea region by Russia and the outbreak of hostilities in Eastern Ukraine in March 2014. For some observers, the main reason for the falling out between the EU and Russia was the lack of a clear geopolitical approach by the EU to its relations with the Eastern partners (Byrnes 2014; Klussman 2014).

It is unsurprising then that debates over the geopolitical dimensions of the EaP resurfaced in the aftermath of the crisis between Ukraine and Russia in 2013. Whether inspired by classical or neo-classical geopolitics,³ these discussions emphasised the geopolitical nature of the EaP. The EU's Eastern neighbourhood was now seen as a locus of competition between Russia and the EU. Indeed, Russia viewed the EaP as an attempt by the EU to control its immediate vicinity, both politically and economically, hence its growing opposition to it (Haukkala 2015).

Until 2014, however, the EU member states were still divided on the need to approach the EaP as a geopolitical project. Poland and the Baltic states saw the Eastern partners as part of a buffer zone between the EU and Russia. Other member states, including France and Germany, preferred to view them as a possible bridge with Russia; in other words, the EaP was approached as a way to maintain friendly relations with Russia and to secure energy supplies (Depo 2014, 13).

These geopolitical dimensions were all too visible in the strong Russian reaction to the EU's Eastern partners when they showed a willingness to strengthen their relations with the EU through the new Association Agreements. In the end, only Georgia, Moldova and Ukraine succeeded in concluding these agreements with the EU (Youngs 2021). Two other countries, Armenia and Belarus – the latter by choice and the former as a result of pressure from Putin – opted instead to join the Russian-led Eurasian Economic Union, designed as an alternative to the EU's proposed model of cooperation (Wolczuk et al. 2022). The last Eastern partner, Azerbaijan, preferred to develop its own bilateral relations with Russia and to a lesser extent with the EU, mostly restricted to energy cooperation (Shiriyev 2019).⁴

The changes that occurred in March 2014 led the EU to review the ENP, of which the EaP is part. In 2017 this review led to the adoption by the EU and its Eastern partners of 20 deliverables to be completed by 2020. These revolved around three

³ Neoclassical geopolitics was developed in the post-Cold War period with the aim of breaking away from classical geopolitics and its environmental determinism and racism, while emphasising the role of geography in global conflict and economic development.

⁴ In July 2022, the EU and Azerbaijan signed a memorandum agreement to double Azerbaijan gas exports to the EU.

main priorities: economic development, good governance and connectivity. They also included three more general cross-cutting deliverables such as gender equality, non-discrimination, and strategic communication and independence of the media. By February 2020, despite some real progress in the economic and connectivity fields and some successes in the fight against corruption, especially in Ukraine, the Eastern partners had fallen short of completing any of the set objectives (EU Neighbours East 2020).

The ENP Review also included new terminology that emphasised stability and differentiation in the relations between the EU and its Eastern partners. This shift is important as it implied moving away from the enlargement rhetoric and a limitation of the transformative ambitions of the EU for its Eastern partners. This shift was confirmed in the new EU Global Strategy approved by the member states in 2016 (Cianciara 2017). This strategy embraced the changes produced by the crisis in Ukraine and highlighted a new priority of strengthening the resilience of its partners while outlining new ambitions for EU defence. These priorities were further confirmed in the EU Strategic Compass document that outlines new objectives for the Union in security and defence (Blockmans et al. 2022).

The implications of these changes for the Eastern partners are still unclear. It is worth noting that the Strategic Compass barely touches upon the EaP but does mention the EU's new commitment to boost its cooperation with the Eastern partners in the areas of defence and security (Council of the European Union 2022b, 42). These objectives have been pursued through the provision of military assistance to Moldova and Georgia via the new European Peace Stability Instrument, and the launching, in October 2022, of the EU Military Assistance Mission to Ukraine, alongside the allocation of €16 million to support capacity building in the Ukrainian armed forces (Council of the European Union 2022b).

Despite this, the EU is not likely to be able to provide the kind of hard security that the Eastern partners may need in the face of a continuing Russian threat. As a key analyst pointed out, if the war in Ukraine has taught us anything, it is that 'there is no security in Europe outside NATO' (Meister 2022, 2).

2. EU Enlargement since 2014

When taking office in 2019, the new President of the EU Commission Ursula Von der Leyen announced her willingness to have a geopolitical Commission. This announcement did confirm a new emphasis on geopolitics in EU external policies. That new emphasis became already visible in the aftermath of the EU-Russia crisis of 2014 that reminded the EU of the resurgence of power politics in Europe. If anything, the Covid 19 crisis in the Western Balkans (WB) highlighted the extent to which the region has once again become a space for renewed competition between the great powers (Rustemi at alt., 2021)

In its involvement in the WB, the EU has portrayed itself as a major transformative force or as some scholars referred to, as a transformative power (Grabbe, 2006). This was clearly reflected in the 2015 EU Commission enlargement strategy when

emphasising that: „EU membership has a powerful transformative effect on the countries concerned, embedding positive democratic, political, economic and societal change“ (European Commission, 2015, p.2). In this light, EU policies are aimed at guiding the reform process in the candidate countries through setting accession conditions referred to as accession conditionalities and Europeanisation, a process by which adaptation to the EU becomes deeply intertwined with domestic policy making and providing them substantial financial support. These principles make much of the transformative approach that reject both a geopolitical approach and concept of interests (Grabbe, 2006, p.3).

Since 2016-2017, the EU seems to have gradually shifted to a new geopolitical approach in its involvement with the Western Balkans. This shift is being translated in some key documents related to EU foreign policy such as the new 2016 EU Global Strategy with a stronger emphasis on EU interests, stability, resilience and the need to develop defence capabilities (Lehne, 2020). Related more specifically to EU enlargement, the 2018 Commission’s Enlargement Strategy, while not giving up on its transformative dimensions, uses new words and concepts alluding to the WB as being part of the EU’s sphere of interests: „EU membership for the WB is in the Union’s very own political, security and economic interest“ (European Commission, 2018, p.1)

If the 2018 new EU Enlargement strategy emphasised the need for reforms in the fields of human rights and good governance, the 2020 Enlargement methodology gives more say within the member states in assessing the situation in the countries concerned. This greater political steer may well go both ways: either in the direction of a tougher approach or a more lenient approach according to the foreign policy preferences of the member states concerned. In any case, the use of unanimity in these decisions may well lead to other deadlocks as member states can always use enlargement decisions as a way to settle political scores with the candidate countries (Cvijic 2019) as reflected in the recent Bulgarian veto that stopped the accession negotiations with North Macedonia and Albania.

There is, therefore, a clear emphasis by the EU on the geopolitical dimension of its enlargement policy. Such an emphasis may well lead to two kinds of developments. The first one would be to devalue the transformative ambitions of the EU involvement in the Western Balkans and to emphasise other sets of objectives such as the ones aimed at stabilising the different countries in the region. The second one would be to show greater tolerance of democratic backsliding in order to counter the influence of external powers but with the risk of the EU renegeing on the very values on which it is founded. The net result of such an approach would lead to granting EU membership to the WB while disregarding the state of their democratic institutions (Crombois, 2021)

To some extent, EU member states are still divided between a number of them keeping insisting on the need for the EU to continue being a transformative power in the WB. Among those countries, one could certainly include France, the Netherlands and the Scandinavian EU member states. Other member states favour a geopolitical approach. Among these countries, one could include Austria, Italy, Bulgaria, Hungary and Slovakia as the main ones (Petrovic & Tzifakis 2021.p.161-162).

3. Western Balkans and Eastern Partners' Accession Process

If the Western Balkan leaders expressed officially their support to the granting of EU candidate status to Moldova and Ukraine, they also deplored the fact that Bosnia was still kept in the cold, not mentioning the stalemate regarding the starting of the accession negotiations with North Macedonia. Only later, in December 2022, was Bosnia granted candidate status while Kosovo submitted its application and a way out from the deadlock situation regarding North Macedonia was reached.

On paper, the decision regarding Moldova and Ukraine does not affect fundamentally the path for EU accession for the Western Balkans. First, the decision was considered as more symbolic than anything. Secondly, it took place in a context where EU enlargement to the Western Balkans had been losing momentum. The reasons for this situation are certainly multiple. From an EU point of view, the succession of crises it was confronted contributed to relegate to the issue on the backburner. Paradoxically enough, the fact that the region has largely remained stable did not generate any sense of urgency for the EU to act decisively (Bechev, 2022).

Yet, the EU did not remain completely inactive. Some EU leaders such as the German Chancellor toured Southeastern Europe in August 2022 with a positive message related to their EU accession (The Federal Government, 2022). In December, the EU-Western Balkan Summit took place for the first time in the region, in Tirana where the EU leaders reiterated their commitments to EU accession for the Western Balkans while offering them a new financial package of up to 1 bn Euros to help them mitigating the effect of the energy crisis. The Summit also underlined the geopolitical reasons for the EU to be more engaged in the Western Balkans to counter rising Russian and Chinese influence in the region. That being said, if the Summit has been viewed by some as a sign that EU enlargement has been revived, others have remained much more circumspect (Bancroft 2023).

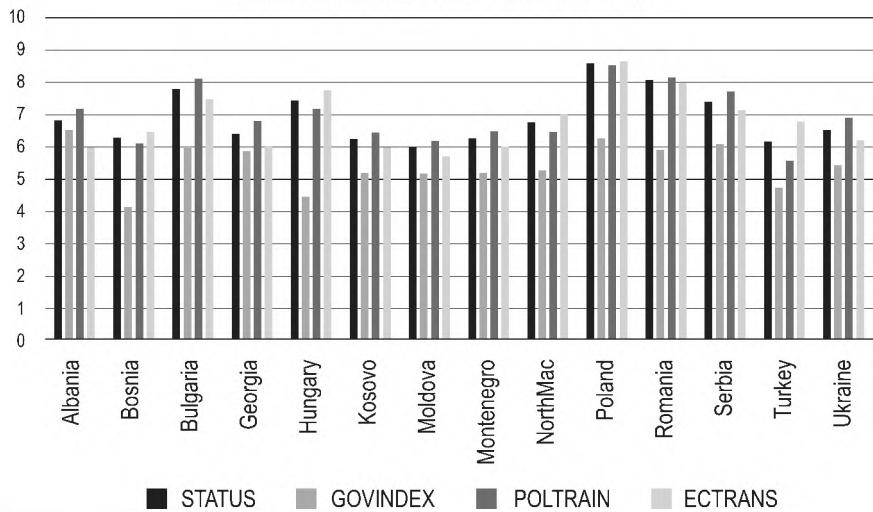
The crucial question, besides of the one of neighbourly disputes such as the one between Bulgaria and North Macedonia, remains the extent to which the Western Balkan candidates fulfil the EU conditions for EU accession, especially in terms of the rule of law, fundamental freedoms and the fight against corruption and organised crime. In this respect, all the countries have little if no improvements since 2014-2015. New concepts such as the one of „backsliding“ or of „de-democratisation“ were introduced to describe the situation in the Western Balkans as far as the rule of law and fundamental freedoms were concerned (Bieber, 2019). Other analysts prefer to speak about „democratic stagnation“ in the region (Bechev, 2022).

In these respects, the last assessment by the European Commission on the state of progress on the Western Balkan's Road to accession confirmed that picture even though it points out to some improvements in the different countries (European Commission, 2022).

However, the focus on the rule of law and fundamental freedoms in the Western Balkans should not divert attention on the evolution within some EU member states

in the same domains. Based on the indexes designed by the Bertelsmann Stiftung⁵, the situation in some EU member states such as Bulgaria, Hungary, Poland and Hungary, in the Western Balkan candidate countries, not mentioning the Eastern partners does not differ that much, and in some cases the EU member states such as Hungary scored below these countries (Graph 1). More significant perhaps is the downwards trend in some member states such as Bulgaria, Hungary and Poland while the candidate countries, except for Turkey and Serbia, either maintained their scores or improved them slightly (Graph 2).

Graph 1: BTI Index in 2018 in Candidate Countries and some EU Member States

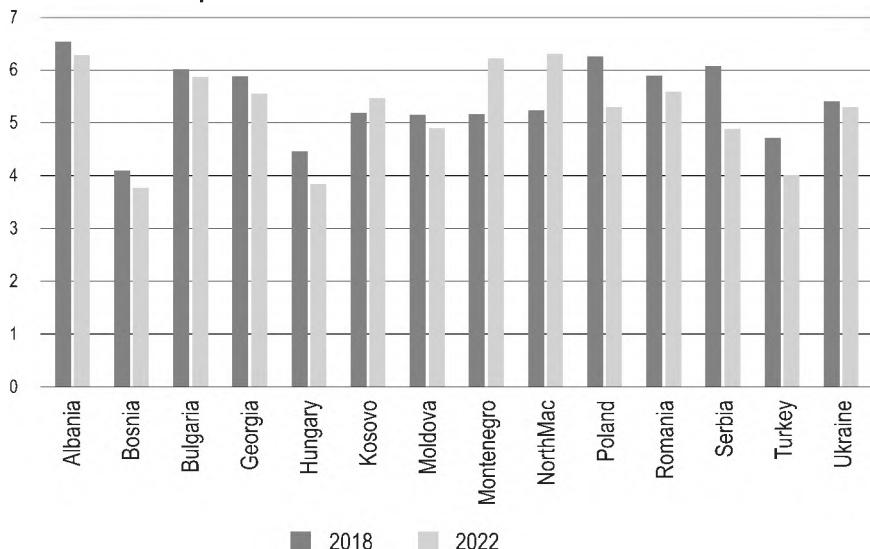


⁵ The Bertelsmann Stiftung's Transformation Index (BTI) analyses and evaluates whether and how developing countries and countries in transition are steering social change toward democracy and a market economy. The Status Index, with its two analytic dimensions of political and economic transformation, identifies where each of the 137 countries stand on its path toward democracy under the rule of law and a social market economy.

Governance in the BTI refers to the quality of political management in transformation processes. We examine a country's political decision-makers and take structural difficulties into account. The index value is derived from the performance in four governance components multiplied by a factor that is determined by the country's individual level of difficulty.

The state of political transformation is measured in terms of five criteria, which in turn are derived from assessments made in response to 18 questions. The BTI's concept of democracy goes well beyond other definitions of democracy, which are limited primarily to basic civil rights and the conduct of free elections. Stateness, which is seen as a precondition to democracy, is included in the BTI's definition of political transformation and examined through questions specifically dealing with the state's monopoly on the use of force and basic administrative structures. It also entails an evaluation of the rule of law, including the separation of powers and the prosecution of office abuse. The state of economic transformation is measured in terms of seven criteria, which are based on a total of 14 indicators. The BTI's concept of a market economy includes not only aspects such as economic performance, regulatory or competition policy, and property rights; it also contains elements of social inclusion, such as social safety nets, equality of opportunity and sustainability. In BTI terms, comprehensive development not only aims at economic growth, but also requires successful poverty alleviation and the freedom of action and choice for as many citizens as possible. See: <https://bti-project.org/en/methodology>.

Graph 2: BTI Index of Governance in 2018 and 2022



These results do not only raise the question of the impact of the EU conditionality as an external tool for domestic transformations in the candidate countries but also of the need to develop new internal conditionality to counter any further backsliding within the European Union itself (Kmezic & Bieber, 2020)⁶.

On the foreign policy front, the Western Balkans with the exceptions of Serbia and Bosnia aligned themselves on the EU sanctions regime adopted with respect to Russia. But here again, such commitments, also asked by some member states such as the Netherlands as a new condition for accession, clash with the position of Hungary that has been more than reluctant to fully adhere to the EU decisions regarding Russia, if it has not tried to block them or to water them down (Dunai, 2022).

In other words, the accession process and to some extent, the Eastern Partnership are drawing dividing lines in Europe that have become rather artificial. Indeed, both in terms of performances regarding the rule of law and fundamental freedoms, not mentioning foreign policy, these lines do not reflect significant differences between some EU member states and the candidate countries.

In this context, any delay in the accession process may reveal increasingly expensive geopolitically speaking for the EU. In terms of domestic reforms, the longer the accession process lasts, the more likely it will further undermine pro-liberal forces in the Western Balkans. In terms of geopolitics, it will most certainly contribute to strengthen the negative influence of external powers such as Russia in the first place, but also of Turkey and China.

⁶ The European Union adopted, in December 2020, such internal conditionality regime in the form of the conditionality regulation but restricted to the protection of the EU budget from breaches of the rule of law.

4. Conclusion: Need for a Revamping of both the EU Enlargement and the EaP

The new geopolitical situation created by the war in Ukraine calls the EU to clarify between its ambitions towards both the Western Balkans and the Eastern Partners. Indeed, if the war taught us anything is that both policies have become highly geopolitical. Thus, the EU must choose between two options. Either because of the new compelling geopolitical reasons, the EU decides to strengthen the relations with these countries willing to do so, leading to the question of their EU accession in a relatively short prospect, starting with the Western Balkans or the EU continues to insist its transformative agenda with a risk of an ever-delayed EU accession for the same countries.

In an attempt to square that circle, President Macron proposed to address the geopolitical changes in Europe, by launching, in May 2022, an initiative called the European Political Community (EPC). It is aimed gathering all the democratic European nations in a ‘new space for political cooperation, security, cooperation in energy, transport, investment, infrastructure, the movement of people’ (French Presidency of the Council of the European Union 2022, 2). For the French president, such a project allows him to deal with two problems at once. The first is to strengthen links between the EU and all its partners: the Eastern partners, EU candidate countries and third countries such as Britain. The second is to safeguard the European integration process. By severing ties with Russia, the EPC is viewed favourably by the EU’s Eastern partners, even though they remain fearful of finding themselves in yet another antechamber of EU membership alongside the other EU candidate countries (Moyer 2022).

That said, the initiative is set to restrict itself to being a forum for discussion rather than a strong policy and security provider. Officially, and as confirmed by the European Commission: „This informal framework will not replace existing EU policies and instruments, notably enlargement, and will fully respect the European Union’s decision making and autonomy (European Commission, 2022: 2). In other words, this means that the EPC’s impact on both the EaP and the EU enlargement policy may be limited and it is therefore unlikely to replace them either in scope or in ambition (Bechev 2022).

The discussions on the readiness or not of the Western Balkans and of Moldova and Ukraine also conceal an important dimension which is the one of the erosions, within the EU, on the very fundamental principles of the rule of law and fundamental freedoms. In these issues, the outcome of the impact of the political and legal pressures put on Hungary and Poland may be crucial, not mentioning other EU member states where the situation is also concerning. Such erosion puts into question the existing dichotomy between the EU member states and the candidate countries. Indeed, it would be increasingly difficult to insist on the respect for these principles in relation with EU accession while they are being undermined internally by some EU member states.

On the geopolitical front, the EU has a lot to lose if it continues to delay the EU accession for the Western Balkans and will find it increasingly difficult to rally the

support of their public opinion for EU membership. This would also contribute to strengthen the influence of Russia in the region with all its destabilising effects on their national societies.

The logical conclusion of these implications would be to speed up the accession process for the Western Balkans while strengthening the internal dimensions of the respect for rule of law and the principles of fundamental freedoms. In other words, the replace to use of EU conditionality as an external tool into an internal one within the EU. Such a logic would prevent the Western Balkans from being locked indefinitely in the EU accession anti-chamber and would allow them to fully embrace their EU future.

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