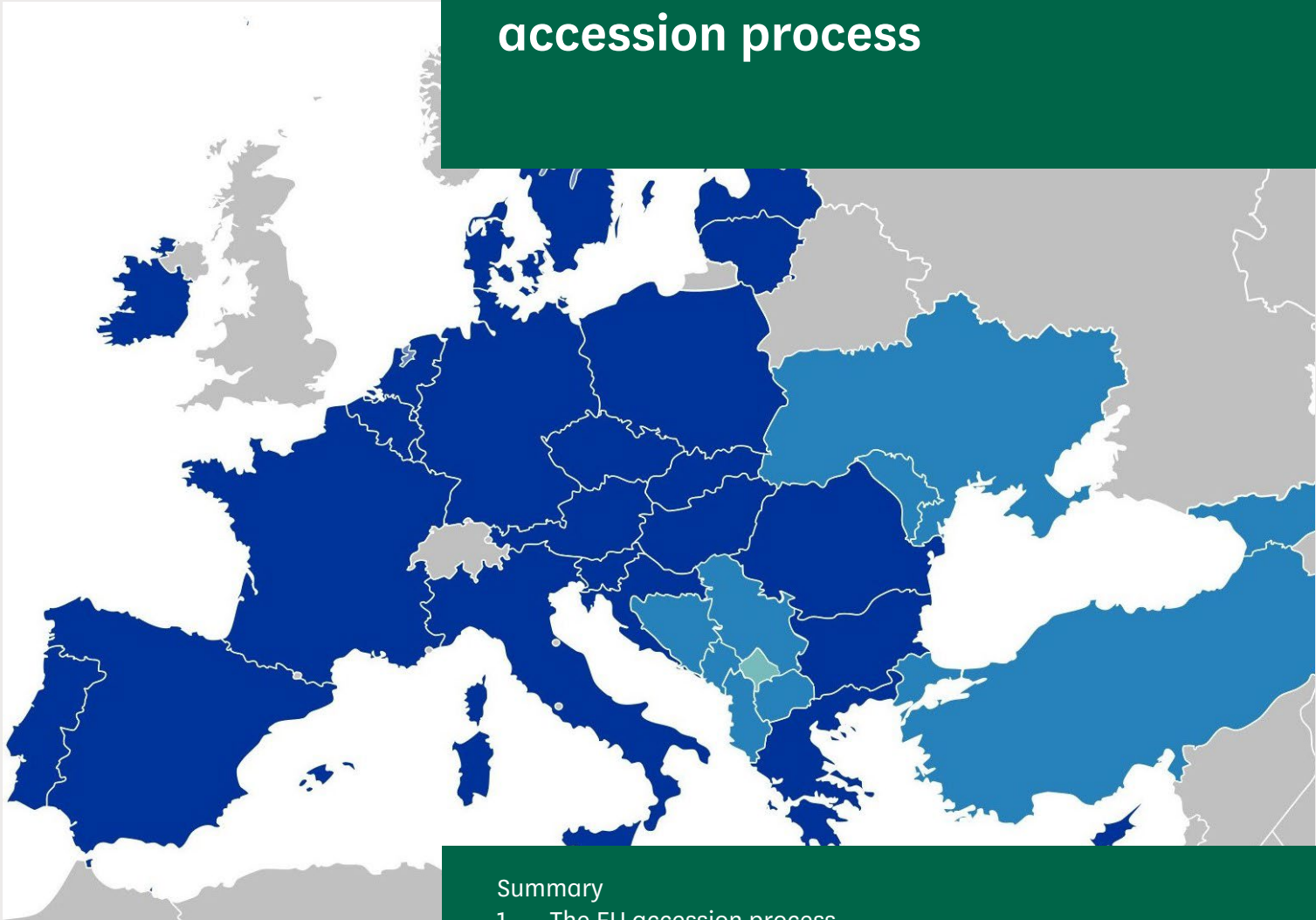


Research Briefing

1 March 2024

By Stefano Fella

# EU enlargement: Ukraine, the Western Balkans and the accession process



## Summary

- 1 The EU accession process
- 2 Candidates for EU membership
- 3 The Western Balkans: accession progress
- 4 Ukraine, Moldova and Georgia: accession progress
- 5 EU reform and challenges of enlargement

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## Summary

Since Russia's invasion of Ukraine in February 2022, Ukraine, Moldova and Georgia have become candidates for EU membership, and the EU has stepped up the accession process for Western Balkan countries. This briefing outlines how the enlargement process works and the current state of play for the accession candidates.

## The accession process

Under [Article 49 of the Treaty on European Union \(TEU\)](#), countries wishing to join the EU submit applications for membership to the Council of the EU (made up of ministerial representatives of each Member State). The European Council (heads of state and government of the EU Member States) however takes key decisions in the process, including on [giving applicant states official EU "candidate status"](#) and on launching negotiations.

The European Council's so-called [Copenhagen criteria](#) provide that countries seeking to join the EU need to have stable institutions guaranteeing democracy, the rule of law and human rights, a functioning market economy, and the ability to take on and implement the obligations of membership.

The EU's executive arm, the European Commission, [plays an important role in the accession process](#). It issues recommendations on whether to grant applicant countries "candidate status" and on starting negotiations, undertakes a screening process to assess the candidate states' alignment with EU rules and prepares negotiating frameworks.

Negotiations are undertaken in a series of [intergovernmental conferences](#) involving representatives of the candidate states and Member States of the EU. Negotiations are completed when the EU is satisfied that the candidate state is ready to take on the obligations of EU membership, set out across 35 policy and thematic chapters. An accession treaty then needs to be agreed between the EU and the candidate state, which needs to be ratified by all Member States and the acceding state before it can finally join the EU.

The [accession process can be lengthy](#), notably for states where there have been recent transitions to democracy and significant disparity with the EU in terms of economic development. For former Communist states that have joined the EU since 2004, between nine and twelve years passed between making their applications to join the EU and becoming Member States.

## Current candidates for accession

There are [nine countries that currently have EU candidate status](#). These include Turkey. However, the EU declared accession negotiations with Turkey at a standstill in 2018 amid concerns about developments within the country and it “[moving further away](#)” from the EU.

Five countries from the Western Balkans have candidate status. EU accession negotiations were [launched with Montenegro in 2010](#) and Serbia in 2012, but progress in these negotiations and in launching negotiations with other Western Balkans has been slow. In the case of Serbia, the EU has expressed concern that [Serbia has not aligned with EU sanctions](#) against Russia and other EU foreign and security policy positions, as is expected of EU candidate states.

Prior to 2022, the launch of EU accession negotiations with other candidate states [appeared blocked for several years](#) with some Member States concerned about the EU’s capacity to absorb new members. Developments in some of the more recent Member States, [including issues relating to the rule of law and corruption](#), also made some Member States reluctant to accept new members. North Macedonia was also blocked by [objections from Greece and Bulgaria](#). Concerns about the [way in which the accession process was organised](#) led to the EU adopting a [revised “enlargement methodology” in 2020](#) which put greater emphasis on candidate states satisfying certain fundamental accession conditions in order to progress.

The dynamics of enlargement were transformed following the Russian invasion of Ukraine in February 2022, with Ukraine, Moldova and Georgia swiftly [submitting applications to join the EU](#). In June 2022, the European Council agreed to grant candidate status to Ukraine and Moldova [and to accelerate the process of enlargement](#) to the Western Balkans.

In July 2022, the EU [launched accession negotiations with Albania and North Macedonia](#). Bosnia and Herzegovina was then [granted EU candidate status in December 2022](#). In December 2023, the European Council granted Georgia EU candidate status and said it would open accession negotiations with Ukraine and Moldova.

## Challenges for the EU and the candidate states

European Commission opinions and reports have [highlighted several issues for candidate states](#) regarding their capacity to meet the EU’s political and economic accession criteria and the potential to align with the EU rules. The Commission has made recommendations for reforms in relation to the rule of law, including judicial reform, and addressing corruption in several of the EU

candidate countries. It has also highlighted the need to ensure stability of political institutions and the protection of fundamental rights in some candidate states.

An important consideration for the EU is [whether Ukraine can join while its war with Russia is ongoing](#), and that two of the other candidate states – Moldova and Georgia – also have breakaway territories backed or controlled by Russia.

The economic gap between the candidate states and the EU is considerable, with GDP per head in each of the candidate states [lower than that of the EU's poorest Member States](#). This poses questions for the EU budget and could mean EU cohesion funding aimed at poorer Member States shifting from its current recipients to the candidate states if they join the EU. The [size of Ukraine's agricultural sector also presents challenges](#), given that agricultural spending represents nearly a quarter of EU expenditure. One internal EU projection has suggested that maintaining current EU policies and programmes in their current form [would require a budget increase of 21%](#) for an EU of 35 Member States.

Several [proposals have been made to reform the EU](#) in order to ensure effective decision-making and policies in an enlarged EU. These include calls to [move further away from the unanimity](#) voting principle, which is still maintained for some sensitive policy areas. Other proposals include an enlarged budget and [strengthened procedures for addressing rule of law issues](#) in Member States. Many of the EU reforms discussed would have to be agreed unanimously by the Member States and could involve a revision of the EU treaties requiring ratification by the Member States.

EU leaders adopted a [declaration in October 2023](#), acknowledging the need for internal reforms. The European Commission President, Ursula von der Leyen, said in January 2024 that the Commission [would be setting out proposals for reform](#) in a forthcoming communication. The European Parliament [adopted reform proposals](#) at the end of February 2024.

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# 1 The EU accession process

## 1.1 Applications to join the EU

Applications to join the EU are made to the Council of the EU (known as the Council and made up of ministerial representatives of each Member State) under [Article 49 of the Treaty on European Union \(TEU\)](#). The TEU sets out the objectives of the EU and key provisions relating to the governance of the EU.<sup>1</sup>

Article 49 TEU provides that EU membership is open to European countries that respect certain EU values set out in [Article 2 TEU](#):

respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

Article 49 TEU provides that decisions on applications are taken unanimously by the Council after consulting the European Commission and receiving the consent of the European Parliament. According to the [European Parliament's rules of procedure](#), an absolute majority (a majority of all MEPs) is required in the Parliament consent vote.<sup>2</sup>

## 1.2 Decisions on suitability to join the EU

Article 49 TEU provides that conditions of eligibility for applicant states agreed upon by the European Council (heads of state or government of the EU Member States) need to be taken into account. Under the European Council's criteria for eligibility, the so-called [Copenhagen criteria](#), countries wishing to join the EU need to have:

stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;

a functioning market economy and the capacity to cope with competition and market forces in the EU;

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<sup>1</sup> EU EUR-Lex, [Treaty on European Union](#) [accessed 13 February 2024]

<sup>2</sup> See Rule 87, Accession Treaties, European Parliament, [Rules of Procedure of the European Parliament](#), 9th parliamentary term - September 2021. See also European Parliament, Fact Sheets on the European Union, [The Enlargement of the Union](#), November 2023



the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.<sup>3</sup>

Once an application is made, the Council asks the European Commission to provide an opinion assessing the country's suitability to join. The Commission makes recommendations as to whether an applicant country should become a "candidate country". The decision on whether to grant candidate status is taken by the European Council.

Becoming a candidate country is just the beginning of the [accession process](#). The Commission may recommend that applicant states meet certain benchmarks before negotiations can begin. Negotiations cannot start until all Member States agree that they should. The Council needs to unanimously adopt a framework for negotiations with the candidate country.<sup>4</sup>

## 1 Are new Member States required to adopt the euro?

[Article 3](#) of the Treaty on European Union (TEU) lists among the EU's objectives that the EU "shall establish an economic and monetary union whose currency is the euro". One Member State (Denmark) and one former Member State (the UK) negotiated formal opt-outs from the obligation to join the single currency.<sup>5</sup>

One of the [Copenhagen criteria](#) requires that countries wishing to join the EU have the ability to take on the obligations of membership "including adherence to the aims of political, economic and monetary union".

Chapter 17 of the acquis (the EU rules and policy requirements that new Member States need to meet) covers Economic and Monetary policy. The European Commission's website [explains that under Chapter 17](#):

New Member States are also committed to complying with the criteria laid down in the Treaty in order to be able to adopt the euro in due course after accession. Until then, they will participate in the Economic and Monetary Union as a Member State with a derogation from the use of the euro and shall treat their exchange rates as a matter of common concern.<sup>6</sup>

In discussing enlargement of the euro area, [the Commission's website is more specific](#) stating that "all EU Member States, except Denmark, are required to adopt the euro and join the euro area. To do this they must meet certain conditions known as 'convergence criteria'".<sup>7</sup>

<sup>3</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Conditions for membership](#) [accessed 13 February 2024]

<sup>4</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Conditions for membership](#) [accessed 13 February 2024]

<sup>5</sup> The UK opt-out was set out in [Protocol 15 to the Treaty on the Functioning of the EU](#). Denmark's opt-out is set out in [Protocol 16 to the Treaty on Functioning of the EU](#).

<sup>6</sup> European Commission, [Chapters of the acquis](#) [accessed 25 November 2022]

<sup>7</sup> European Commission, [Who can join and when?](#) [accessed 20 February 2024]

However, meeting one of the convergence criteria requires a political decision which some Member States have not taken. This is the criterion requiring membership of the Exchange Rate Mechanism (ERM). The current version of the Mechanism is [ERM II](#), under which an exchange rate between the euro and the country's currency is agreed.<sup>8</sup> The currency is then allowed to fluctuate by up to 15% above or below this central rate. The euro convergence criteria require a country to remain in ERM II for at least two years without “severe tensions”. Participation in ERM II is “voluntary” and there are no EU mechanisms obliging a Member States to join it.<sup>9</sup>

Sweden was a Member State of the EU at the time of the establishment of the euro. It has not joined ERM II and therefore not met convergence conditions for joining the euro. Swedish voters rejected a proposal for Sweden to join the euro in 2003.<sup>10</sup>

Eight of the Member States that have joined the EU since 2004 have adopted the euro, most recently Croatia in January 2023. Other than Sweden and Denmark, this leaves five Member States that have joined the EU since 2004 that have not adopted the euro.<sup>11</sup> These are: Hungary, Poland, the Czech Republic, Bulgaria and Romania. Of these, [only Bulgaria has joined ERM II](#) (Denmark is also a member). Its main political parties support eurozone membership, but it has not met other convergence criteria and recently shelved a plan to join the euro by January 2024.<sup>12</sup>

Progress among non-euro members in meeting convergence criteria for adopting the euro is set out in the European Commission’s convergence report, usually published every two years.<sup>13</sup>

## 1.3

## Accession negotiations

Membership negotiations begin when all Member States agree to do so. In order to launch negotiations, the Council adopts a framework for the negotiations proposed by the European Commission.

<sup>8</sup> The [original ERM](#) was set up in 1979 and operated in the 1980s and 1990s in the lead up to the [creation of the euro](#). The UK was a member of the ERM from 1990 until ‘[Black Wednesday](#)’ in September 1992.

<sup>9</sup> Council of EU, [Conditions for joining the euro area: convergence criteria](#) [accessed 1 March 2024]

<sup>10</sup> House of Commons Library briefing paper, [The Swedish referendum on the Euro](#)

<sup>11</sup> European Union, [Countries using the euro](#), [accessed 20 February 2024]

<sup>12</sup> Reuters, [Bulgaria scraps January 2024 target for adopting euro](#), 17 February 2023. See also European Commission press release, [Questions and answers on the Convergence Report 2022](#), 1 June 2022

<sup>13</sup> See European Commission, [Convergence Reports](#) [accessed 20 February 2024]

The negotiations take place in an intergovernmental conference involving ministers and ambassadors of the EU Member States and the candidate country.

The negotiations begin with a “screening process” undertaken by the European Commission, examining the candidates ability to meet the requirements of the “acquis communautaire” (all the EU’s legislation, rules and standards).<sup>14</sup> This is divided into [35 different policy or thematic chapters](#).<sup>15</sup> The Commission works with the candidate country to determine how well it is prepared to implement the chapters and then presents a report to the Member States, identifying issues likely to come up in the negotiations. This process also identifies key priorities for reforms or benchmarks to be met by the candidate country.<sup>16</sup>

The Commission makes recommendations as to whether to open negotiations, or to require that the candidate meets certain conditions or benchmarks first. Negotiations are undertaken on specific chapters or groups of chapters. The Commission monitors progress by the candidate state in meeting the requirements and sets benchmarks that need to be met. The Commission makes recommendations on whether to open new chapters or close chapters when sufficient progress has been made and the Council takes these decisions. All Member States need to be satisfied that the candidate country has made sufficient progress in order to close the chapter, meaning that negotiations have been completed.<sup>17</sup>

The pace of the negotiations varies and depend to an extent on the speed in which the candidate country can align with EU rules and requirements of membership.<sup>18</sup>

The Commission keeps the Council and European Parliament informed throughout the process.<sup>19</sup> This includes an annual enlargement package, providing a detailed assessment of the state of play and the progress made by each candidate or applicant state on their paths towards EU accession, and setting out recommendations.<sup>20</sup>

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<sup>14</sup> EU Neighbours East, [What is the screening process and how does it work?](#), 20 February 2024

<sup>15</sup> European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Chapters of the acquis](#) [13 February 2024]

<sup>16</sup> See European Commission, [What is the Screening Process and how does it work?](#) (PDF), November 2022

<sup>17</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Steps towards joining](#) [accessed 13 February 2024]

<sup>18</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Steps towards joining](#) [accessed 13 February 2024]

<sup>19</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Conditions for membership](#) [accessed 13 February 2024]

<sup>20</sup> See the press release for the 2023 Enlargement package and linked reports for each country: European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

## 1.4

## Revised enlargement methodology, 2020

The EU adopted a revised approach to the EU accession process in early 2020.<sup>21</sup> The revised “enlargement methodology” was focused on the candidate countries in the Western Balkans, given all EU candidate countries at the time came from the region.<sup>22</sup> Negotiations with the only candidate country from outside the region, Turkey, had by that point been frozen (see below).

The Commission said its new approach would be based on the following four principles:

1. **Credibility:** This involves ensuring trust and mutual confidence with clear commitments by both the EU and the candidate countries. Candidate countries would be expected to deliver on commitments, and the Member States would respond by moving forward to the next stage of the process, reflecting a “merits-based” approach.
2. **Stronger political steer:** This involves engaging with the candidates at the highest political level, through regular EU-Western Balkans summits and regular ministerial meetings. Member States will be involved more systematically in monitoring and reviewing the accession process and steering the negotiations.
3. **A more dynamic process:** This involves grouping the negotiating chapters into six clusters (see box 2), allowing for broader discussion on thematic areas and identifying opportunities for early alignment and integration into EU policies. Negotiations on each cluster will be opened as a whole, rather than chapter by chapter, though each chapter will be dealt with individually with respect to its provisional closure. The cluster on “fundamentals” (including functioning of democratic institutions, economic criteria, public administration and judiciary, and fundamental rights) will be opened first and closed last and will take a more central role in the negotiating process. Sufficient progress on this cluster will need to be achieved before other clusters can be opened.
4. **Predictability for both sides:** This involves defining more clearly the conditions for candidate countries and providing them with clear incentives if reforms to meet accession criteria are successfully implemented. Incentives could include an accelerated integration process, involvement in individual EU policies and programmes, market

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<sup>21</sup> See European Commission, [Commission lays out its proposals for EU accession process](#), 5 February 2020. The Commission proposals were adopted by the Council in March 2020. This was adopted by the Council in March 2023. See Council of EU, [Council conclusions on enlargement and stabilisation and association process - Albania and the Republic of North Macedonia](#), 25 March 2020. See also European Parliamentary Research Service, [A new approach to EU enlargement](#), PE649.332 – March 2020

<sup>22</sup> See European Commission Communication, [Enhancing the accession process - A credible EU perspective for the Western Balkans](#), 5 February 2020

access and increased funding and investment. The negative consequences of a lack or reversal of progress will also be identified. This could mean putting negotiations on hold, suspending the negotiations, reopening previously closed chapters and withdrawing funding or access to programmes.<sup>23</sup>

## 2 EU accession negotiating clusters

Under the revised enlargement methodology adopted by the EU in 2020, 33 chapters of the EU acquis are grouped under six negotiating clusters, as follows:

1. Fundamentals
2. Internal Market
3. Competitiveness and inclusive growth
4. Green agenda and sustainable connectivity
5. Resources, agriculture and cohesion
6. External relations.

Two other chapters of the acquis, relating to participation in EU institutions and bodies (chapter 34) and miscellaneous “other issues” (chapter 35) are dealt with separately.<sup>24</sup>

The grouping of acquis chapters under the clusters is set out in the graphic in the European Commission explainer, [EU accession process: step by step](#) (PDF), October 2022. See also the table on page 7 in the technical annex of the European Commission Communication, [Enhancing the accession process - A credible EU perspective for the Western Balkans](#), 5 February 2020.

The revised methodology had been launched after similar proposals for reform of the process were circulated by France in late 2019, and following its blocking of the launch of accession negotiations with Albania and North Macedonia.<sup>25</sup>

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<sup>23</sup> European Commission, [Commission lays out its proposals for EU accession process](#), 5 February 2020; and European Commission, [Revised enlargement methodology: Questions and Answers](#), 5 February 2020. See also European Commission, [EU accession process: step by step](#) (PDF), October 2022

<sup>24</sup> European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Chapters of the acquis](#) [13 February 2024]

<sup>25</sup> See Politico, [France outlines proposal to overhaul EU accession process](#), 17 November 2019, which includes a link to [Non-Paper, Reforming the European Union accession process, November 2019](#), circulated by the French government. See also Politico, [A new approach to EU enlargement](#), 4 November 2020, which suggested that the Commission proposals reflected many of the French demands.

## 1.5 Concluding the negotiations

Once candidate countries have met the conditions for membership in each policy chapter and all chapters are closed, the Commission will recommend that accession can proceed. But this will still need to be agreed by the Council, and the European Parliament.

The terms of EU membership for the candidate state, including any transitional arrangements, and the date when the acceding country will become an EU Member State are set out in an accession treaty.

The accession treaty needs to be unanimously approved by the Council of the EU and needs to pass a consent vote in the European Parliament. As set out in Article 49 TEU, accession agreements also need to be ratified by all the Member States of the EU and the applicant State in accordance with their respective constitutional requirements before accession can proceed.<sup>26</sup> In the meantime, the acceding country will benefit from special arrangements within the EU, including being able to comment on draft EU proposal and other EU initiatives and having observer status on EU bodies.<sup>27</sup>

## 1.6 Previous accession and timelines

There have been seven enlargements of the EU, with the first enlargement in 1973 bringing the UK, Denmark and Ireland into the then European Community and the most recent enlargements bringing several former Communist countries from eastern and central Europe into the EU (see box 3).

The timeline has generally been shorter for countries that have a similar level of economic development to existing Member States, such as the former European Free Trade Association (EFTA) countries (Finland, Sweden and Austria) that joined the EU in 1995. The overall process from submitting a membership application to joining the EU ranged from three to six years for these countries (Austria applied in 1989, Sweden in 1991 and Finland in 1992).<sup>28</sup>

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<sup>26</sup> European Parliament, [Fact Sheets on the European Union: The Enlargement of the Union](#), November 2023 [accessed 20 February 2024]

<sup>27</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Steps towards joining](#) [accessed 13 February 2024]

<sup>28</sup> European Parliament, DG Research, [The accession negotiations with Austria, Sweden, Finland and Norway](#), Publications Office of the EU, 1994

### 3 Previous enlargements

Since the original six Member States formed the European Community (EC) in the 1950s, there have been seven enlargements, as follows:

1. The UK, Ireland and Denmark joined the EC in 1973
2. Greece joined the EC in 1981
3. Spain and Portugal joined the EC in 1986
4. Austria, Finland and Sweden joined the EU in 1995
5. The Czech Republic, Cyprus, Estonia, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia and Slovenia joined the EU in 2004
6. Bulgaria and Romania joined the EU in 2007
7. Croatia joined the EU in 2013.<sup>29</sup>

The process has taken longer where there has been a greater disparity in terms of economic development, particularly for the central and eastern European countries emerging from decades of communist rule in the 1990s. For these countries, between nine and twelve years passed between making their applications to join the EU and becoming Member States.<sup>30</sup>

The accession process has got more onerous over time as the EU itself has become more deeply integrated, notably following the development of the European Single Market since the late 1980s and the development of new EU competences since the 1990s.<sup>31</sup> This has made meeting EU accession criteria a lengthy process for most applicant states.

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<sup>29</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations [From 6 to 27 members](#) [accessed 5 May 2023]

<sup>30</sup> UK in a Changing Europe, [How new member states join the EU: all you need to know](#), 31 March 2020

<sup>31</sup> The European Parliament, [The historical development of European integration](#) (PDF), PE618.969, 18 June 2018

**Table 1 Enlargement of the EU 2004 to 2013**

|           | Membership Application | EU candidate status | start of negotiations | Joined EU    |
|-----------|------------------------|---------------------|-----------------------|--------------|
| Malta     | July 1990              | October 1993        | February 2000         | May 2004     |
| Cyprus    | July 1990              | October 1993        | March 1998            | May 2004     |
| Hungary   | March 1994             | December 1997       | March 1998            | May 2004     |
| Poland    | April 1994             | December 1997       | March 1998            | May 2004     |
| Romania   | June 1995              | December 1997       | February 2000         | January 2007 |
| Slovakia  | June 1995              | December 1997       | February 2000         | May 2004     |
| Latvia    | October 1995           | December 1997       | February 2000         | May 2004     |
| Estonia   | November 1995          | December 1997       | March 1998            | May 2004     |
| Lithuania | December 1995          | December 1997       | February 2000         | May 2004     |
| Bulgaria  | December 1995          | December 1997       | February 2000         | January 2007 |
| Czechia   | January 1996           | December 1997       | March 1998            | May 2004     |
| Slovenia  | June 1996              | December 1997       | March 1998            | May 2004     |
| Croatia   | February 2003          | June 2004           | October 2005          | July 2013    |

Sources: EU Europa, [The 2004 enlargement: the challenge of a 25-member EU](#) [accessed 29 February 2024]; CVCE, [The Fifth Enlargement](#) [accessed 29 February 2024]



## 2

## Candidates for EU membership

### 2.1

### Current candidates and applications for EU membership

There are currently nine countries with EU candidate status (see table 2 below). Most recently, the EU granted candidate status to Georgia in December 2023. Kosovo has also applied to join the EU (in December 2022) but has not been granted candidate status.

**Table 2 Current applicants for EU members, candidate status and negotiations**

| Country                | Date of Application | Date granted candidate status | Negotiations started |
|------------------------|---------------------|-------------------------------|----------------------|
| Turkey                 | April 1987          | December 1999                 | October 2005         |
| North Macedonia        | March 2004          | December 2005                 | July 2022            |
| Montenegro             | December 2008       | December 2010                 | June 2012            |
| Serbia                 | December 2009       | March 2012                    | January 2014         |
| Albania                | April 2009          | June 2014                     | July 2022            |
| Bosnia and Herzegovina | February 2016       | December 2022                 |                      |
| Ukraine                | February 2022       | June 2022                     |                      |
| Moldova                | March 2022          | June 2022                     |                      |
| Georgia                | March 2022          | December 2023                 |                      |
| Kosovo                 | December 2022       |                               |                      |

Source: Council of EU, [EU enlargement policy](#) [accessed 29 February 2024]

## 2.2

### Turkey's accession negotiations halted

Of the candidate states, Turkey has held the status for the longest, since 1999. EU accession negotiations with Turkey commenced in 2005. However, they made slow progress and were frozen in 2018 because of EU concerns about the functioning of the democratic system in Turkey, respect for fundamental rights and independence of the judiciary.<sup>32</sup>

The Council conclusions on enlargement in June 2018 noted that Turkey had “been moving further away” from the EU and said that negotiations had “effectively come to a standstill” and that that no further accession chapters could be considered for opening or closing.<sup>33</sup> By this point, 16 out of 35 negotiating chapters had been opened with Turkey. Only one, on science and research, had been provisionally closed. The twelfth and last intergovernmental conference on Turkey's accession had taken place in June 2016.<sup>34</sup>

The European Commission's enlargement package report on Turkey in November 2023 said it remained a key partner for the EU and a candidate country but reiterated that negotiations remained at a standstill. It said that Turkey had “not reversed the negative trend of moving away” from the EU.<sup>35</sup>

## 2.3

### Western Balkan states delayed

The EU launched a Stabilisation and Association Process (SAP) with Western Balkan countries in 1999, with the aim of eventual EU membership for these countries.<sup>36</sup> This was aimed at stabilising these countries politically and promoting regional cooperation following the conflicts in the former Yugoslavia in the 1990s, and also promoting their transition to a market economy.<sup>37</sup> The process set out additional conditions for EU membership for these countries, relating to regional cooperation and good neighbourly

<sup>32</sup> European Commission, European Neighbourhood Policy and Enlargement Negotiations, [Türkiye](#) [accessed 11 May 2023]. For developments in Turkey, see Commons Library briefing paper, [Turkey under Erdoğan: recent developments and the 2023 elections](#)

<sup>33</sup> Council of EU, [Enlargement and stabilisation and association process – Council conclusions](#) (PDF), 26 June 2018

<sup>34</sup> Council of EU, [EU enlargement policy: Türkiye](#) [accessed 20 February 2024]

<sup>35</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023. See also European Commission, [Türkiye 2023 Report](#), 8 November 2023

<sup>36</sup> See European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Steps towards joining](#) [accessed 13 February 2024]; and European Commission, [Stabilisation and Association Process](#) [accessed 20 February 2024]

<sup>37</sup> See European Commission, European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), [Steps towards joining](#) [accessed 13 February 2024]; and European Commission, [Stabilisation and Association Process](#) [accessed 20 February 2024]

relations.<sup>38</sup> Each of these countries would have a stabilisation and association agreement with the EU.<sup>39</sup>

The 2003 EU-Western Balkans Summit adopted the “Thessaloniki declaration” which identified Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia (FYROM, now named North Macedonia), Serbia, and Montenegro as potential candidates for EU membership. It declared the EU’s “unequivocal support to the European perspective of the Western Balkan countries”.<sup>40</sup>

Since 2003, only Croatia has joined the EU. FYROM was granted candidate status in 2004, with Montenegro following in 2008 and Albania and Serbia in 2009. Accession negotiations with Montenegro began in 2012 and with Serbia in 2014 but have made little progress.

FYROM waited nearly 17 years between granted candidate status in 2005 and the launch of negotiations in 2022. Initially, this was linked to a dispute with Greece over the country sharing its name with a Greek region. Greek opposition to FYROM EU membership was dropped following the 2018 Prespa agreement. This declared that FYROM would be known as North Macedonia and the countries would refrain from irredentism and acknowledge the different historical contexts of their states.<sup>41</sup>

## 2.4 Enlargement fatigue in the EU

The accession process was also held up by additional doubts as to whether applicant states were ready or suitable to join the EU, and wider concerns within the EU about its capacity to absorb new Member States.

A sense of “enlargement fatigue” was observed across the EU.<sup>42</sup> This related partly to the question of whether further reforms to EU decision-making and policies would be required to accommodate more new members (see section 5).

Developments within recently joined Member States also contributed to the reluctance of older Member States to accept more new members.<sup>43</sup> Concerns about the rule of law and democratic standards in Poland and Hungary had led to a series of EU legal actions, and proceedings against Poland and Hungary under Article 7 of the TEU regarding a serious breach of the EU’s core

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<sup>38</sup> European Commission, [Revised enlargement methodology: Questions and Answers](#), 5 February 2020

<sup>39</sup> European Parliament, [Factsheets on the European Union: The Western Balkans](#), November 2023

<sup>40</sup> European Commission, [EU-Western Balkans Summit Thessaloniki, 21 June 2003](#)

<sup>41</sup> BBC News, [Macedonia and Greece: Vote settles 27-year name dispute](#), 25 January 2019

<sup>42</sup> See Chapter 5 of House of Lords European Union Committee, [The future of EU enlargement](#), 26 February 2013

<sup>43</sup> Carnegie Europe, [Europe’s Enlargement Problem](#), 29 October 2019

Article 2 TEU values.<sup>44</sup> A Cooperation and Verification Mechanism to assess progress in addressing judicial reform, corruption and organised crime in Bulgaria and Romania following their accession to the EU in 2007 remained in place in Bulgaria until 2019 and Romania until 2022.<sup>45</sup> The mechanism for both countries was formally closed in 2023.<sup>46</sup>

In 2019, France, Denmark and the Netherlands blocked a proposed Council decision to open enlargement negotiations with Albania and North Macedonia. The European Commission and other Member States argued in favour of opening negotiations, but the French government said that reforms to the accession process were required first.<sup>47</sup> The Danish government indicated that it did not view Albania as ready to start accession negotiations. Reports indicated that the veto from Denmark and the Netherlands related to Albania only, but there was a view across the EU that negotiations with the two countries should be grouped together.<sup>48</sup>

Later in 2019, France circulated a paper proposing reforms to the accession process, and the Commission launched similar proposals in February 2020 which were endorsed by the Council of the EU in March<sup>49</sup> (see section 1.4).

The launch of negotiations with North Macedonia was then however blocked by Bulgaria which demanded recognition for its position that the Macedonian people and language had Bulgarian roots.<sup>50</sup> Bulgaria eventually lifted its veto in June 2022 after a French-brokered agreement under which North Macedonia would amend its constitution to address Bulgarian concerns (see section 3.4).<sup>51</sup>

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<sup>44</sup> See Section 4 of Commons Library Briefing Paper 9516, [Hungary: Viktor Orbán's Government and European reaction](#) and Section 2 of Commons Library Briefing: [Poland: The Law and Justice Government and relations with the EU, 2015-2023](#)

<sup>45</sup> See European Commission, [Cooperation and Verification Mechanism for Bulgaria and Romania](#) [accessed 21 February 2024]; European Commission, [Romania: Benchmarks under the Cooperation and Verification Mechanism are satisfactorily met](#), 22 November 2022; and European Commission, [Commission reports on progress in Bulgaria under the Cooperation and Verification Mechanism](#), 22 October 2019. See also Euronews, [Brussels ends 15 years of special rule-of-law surveillance on Romania](#), 23 November 2022

<sup>46</sup> European Commission, [Rule of Law: Commission formally closes the Cooperation and Verification Mechanism for Bulgaria and Romania](#), 15 September 2023

<sup>47</sup> Euronews, ['A grave historic error': Juncker hits out as North Macedonia and Albania have EU bids blocked](#), 18 October 2019

<sup>48</sup> Euronews, ['A grave historic error': Juncker hits out as North Macedonia and Albania have EU bids blocked](#), 18 October 2019

<sup>49</sup> See Politico, [A new approach to EU enlargement](#), 4 November 2020; European Commission, [Commission lays out its proposals for EU accession process](#), 5 February 2020; and Council of EU, [Council conclusions on enlargement and stabilisation and association process - Albania and the Republic of North Macedonia](#), 25 March 2020

<sup>50</sup> OSMED, [The constitutional controversy in North Macedonia over the claimed Bulgarian identity](#), 25 May 2023

<sup>51</sup> France 24, [Bulgarian parliament votes to lift veto on EU accession talks with North Macedonia](#), 24 June 2022

## 2.5

## Russia's invasion of Ukraine gives new impetus

The EU accession process was given new impetus by Russia's invasion of Ukraine in February 2022. The EU subsequently moved quickly to offer Ukraine and other countries that could be vulnerable to Russian influence, destabilisation or occupation a clearer path to EU membership.

Within a few days of the Russia invasion, Ukraine had submitted an application to join the EU.<sup>52</sup> Two other former Soviet Union states, Georgia and Moldova, followed at the beginning of March 2022.<sup>53</sup> At its meeting of 23-24 June 2022, the European Council granted candidate status to Ukraine and Moldova, and said it was ready to do the same for Georgia once certain priorities were addressed. It also expressed its “full and unequivocal commitment to the EU membership perspective of the Western Balkans” and called for “the acceleration of the accession process”.<sup>54</sup>

This was followed by the opening of accession negotiations with Albania and North Macedonia in July 2022, and the European Council decision to grant EU candidate status to Bosnia and Herzegovina in December 2022.<sup>55</sup>

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<sup>52</sup> Reuters, [Ukrainian president signs formal request to join the European Union](#), 28 February 2022

<sup>53</sup> See House of Commons Library Insight, [Ukraine's application to join the EU](#), 29 March 2022

<sup>54</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

<sup>55</sup> European Council, [European Council conclusions, 15 December 2022](#)

## 3

## The Western Balkans: accession progress

As noted in section 2.3, the EU launched a Stabilisation and Association Process (SAP) in the Western Balkans in 1999, with the aim of stabilising these countries politically, promoting regional cooperation and preparing them for eventual EU membership. The process involved economic and financial assistance, and stabilisation and association agreements which provide for a free trade area between the individual countries and the EU, common political and economic objectives and structures for political cooperation.<sup>56</sup> The Feira European Council meeting in June 2000 acknowledged that Western Balkan countries participating in the Stabilisation and Association Process were “potential candidates” for EU membership.<sup>57</sup>

Although the 2003 Thessaloniki declaration stated that “the future of the Balkans is within the European Union” the accession process moved slowly for countries in the region.<sup>58</sup> Croatia joined the EU in 2013, eleven years after submitting its membership application. Accession negotiations were opened with Montenegro in 2012, and Serbia in 2014, but made limited progress.

The European Commission presented an enlargement strategy in February 2018 which set out steps to enable Montenegro and Serbia to join the EU by 2025, and indicated that Albania and North Macedonia could also catch-up by then.<sup>59</sup> A Commission communication in April 2018 then recommended the opening of accession negotiations with Albania and North Macedonia.<sup>60</sup> As noted in section 2.4, there were then further delays.

In March 2020, the Council of the EU took the decision to open accession negotiations with Albania and North Macedonia, but the accession negotiation framework for them was not adopted by the Council until 18 July 2022 with negotiations launched the next day.<sup>61</sup>

<sup>56</sup> European Parliament, [Factsheets on the European Union: The Western Balkans](#), November 2023; European Commission, [Stabilisation and Association Agreement](#) [accessed 21 February 2024]; European Commission, [Steps towards joining](#) [accessed 21 February 2024]

<sup>57</sup> [European Council conclusions](#), 19-20 June 2000

<sup>58</sup> European Commission, [EU-Western Balkans Summit Thessaloniki, 21 June 2003](#)

<sup>59</sup> European Commission, [Strategy for the Western Balkans: EU sets out new flagship initiatives and support for the reform-driven region](#), 6 February 2018. See also European Commission Communication, [A credible enlargement perspective for and enhanced EU engagement with the Western Balkans](#), 6 February 2018

<sup>60</sup> European Commission, [2018 Communication on EU Enlargement Policy](#), 17 April 2018

<sup>61</sup> Council of EU, [Council conclusions on enlargement and stabilisation and association process - Albania and the Republic of North Macedonia](#), 25 March 2020; and Council of EU, [Enlargement – Council conclusions on North Macedonia and Albania](#) (PDF), 18 July 2022

## 3.1

## The acceleration of the enlargement process

The opening of negotiations with Albania and North Macedonia came in the wake of Russia's invasion of Ukraine, and the European Council's call in June 2022 for "the acceleration of the accession process".<sup>62</sup> This also followed warnings, including from some EU leaders, that the delays in accession were fuelling instability in the region and undermining pro-reform actors, with some countries more prone to Russian influence and destabilisation.<sup>63</sup> Growing Chinese influence had also been noted.<sup>64</sup> A European Parliament resolution on 1 March 2022 noted with "grave concern" the "persistent efforts by the Russian Federation to destabilise the Western Balkan countries and interfere with their democratic processes".<sup>65</sup>

Amidst calls for Ukraine's rapid accession to the EU following the Russian invasion, there was also concern among EU leaders that allowing Ukraine to move ahead of Western Balkan countries, which had been candidates for over a decade, and in some cases had already started negotiations, would fuel a feeling of unfair treatment.<sup>66</sup>

In remarks at the EU-Western Balkans summit in October 2021, European Commission President Ursula von der Leyen noted that the long wait was causing "impatience" and "frustration" in the Balkans region.<sup>67</sup> At the summit, EU leaders adopted a declaration that noted that the EU "is by far the region's closest partner, main investor and principal donor" and stated that the "unprecedented scale and range of this support must be fully recognised and conveyed by the [Western Balkan] partners in their public debate and communication".<sup>68</sup> It referred to an EU Economic and Investment Plan (EIP) for the Western Balkans worth around €30 billion over the next seven years, comprising €9 billion in grants and €20 in investments. The declaration said that EU support for these countries would continue to be linked to "tangible progress" on the rule of law and socio-economic reforms, and to the partners' "adherence to European values, rules and standards". The leaders also agreed to hold more regular EU-Western Balkans summits (three more were held by the end of 2023).<sup>69</sup>

While stressing "its full and unequivocal commitment to the EU membership perspective of the Western Balkans" in June 2022, the European Council said

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<sup>62</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

<sup>63</sup> See Euronews, [EU enlargement, migration and rule of law - Janez Janša gives his take](#), 10 August 2021; and Poland, Ministry of Foreign Affairs, [Western Balkans](#) (accessed 22 February 2024).

<sup>64</sup> Centre for European Reform, [Reviving European policy towards the Western Balkans](#), 15 December 2021

<sup>65</sup> See European Parliament press release, [Invasion of Ukraine: MEPs call for tougher response to Russia](#), 1 March 2022; and [European Parliament resolution of 1 March 2022 on the Russian aggression against Ukraine](#).

<sup>66</sup> Politico, [Leaders rebuff Zelensky's latest pitch to join EU](#), 25 March 2022

<sup>67</sup> BBC News, [EU indecision 'jeopardising' its position in Balkans](#), 6 October 2021

<sup>68</sup> Council of EU, [Brdo Declaration, 6 October 2021](#)

<sup>69</sup> Council of EU, [Brdo Declaration, 6 October 2021](#)

the process should proceed in “a reversible and merit-based manner” based on the revised enlargement methodology adopted in 2020 (see section 1.4). It emphasised the importance of reforms in relation to the rule of law, independence and functioning of the judiciary and the fight against corruption and called on Western Balkan partners to guarantee the rights and equal treatment of minorities.<sup>70</sup>

In November 2023, the European Commission adopted a new growth plan for the Western Balkans, based on enhancing the countries’ integration into the EU single market, developing its own regional common market, accelerating reforms, and increasing financial assistance to support reforms. The latter would involve a new Reform and Growth Facility for the Western Balkans for the period 2024-2027 worth €6 billion, including €2 billion in grants and €4 billion in loans. This would be conditional on Western Balkans’ partners fulfilling reform benchmarks.<sup>71</sup>

The following sections provide an overview of progress made in the accession process by the Western Balkan countries. The Council provides detailed accounts of accession progress for all candidate countries on its webpage, [EU enlargement policy](#).

## 3.2 Montenegro

Accession negotiations with Montenegro were launched at an intergovernmental conference on 29 June 2012. 15 accession conferences have been held, with the most recent held on 29 January 2024. 33 accession chapters have been opened for negotiations (all chapters subject to the screening process), of which three chapters have already been provisionally closed. In May 2021, the Council agreed that the revised enlargement methodology adopted by the EU in 2020 would apply to Montenegro.<sup>72</sup>

The European Commission 2023 enlargement package report on Montenegro noted that progress on EU accession reforms had “largely stalled”, as Montenegro had suffered from “deep polarisation and political instability” in the previous year. It said the EU welcomed the new parliament and government in Montenegro following elections in the country in 2023 and expected it to “swiftly demonstrate its capacity and commitment to Montenegro's EU path and deliver on EU accession related reforms”.<sup>73</sup>

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<sup>70</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

<sup>71</sup> European Commission, [Commission presents a new Growth Plan for the Western Balkans including €6 billion in grants and loans to accelerate economic convergence with the EU](#), 8 November 2023

<sup>72</sup> Council of EU, EU enlargement policy, [Montenegro](#) [accessed 22 February 2024]

<sup>73</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023. See also European Commission, [Key findings of the 2023 Report on Montenegro](#), 8 November 2023



At the accession conference in January 2024, the EU reiterated that the ultimate priority for Montenegro's continued progress towards EU accession remained the fulfilment of rule of law benchmarks which would be the precondition for the provisional closure of further chapters. Whilst welcoming the full alignment with the EU's Common Foreign and Security Policy decisions, the EU said that Montenegro needed to address remaining gaps in the fight against corruption and organised crime, freedom of expression and media freedom, and judicial reform.<sup>74</sup>

### 3.3

## Serbia

Accession negotiations began at an intergovernmental conference on 21 January 2014. 13 accession conference meetings have been held, the last taking place on 14 December 2021. 22 accession chapters have been opened for negotiations of which two have been provisionally closed. In May 2021, the Council said that the revised enlargement methodology adopted by the EU in 2020 would apply to Serbia.<sup>75</sup>

The European Commission's enlargement package report for Serbia in November 2023 said that Serbia had continued the implementation of EU accession related reforms, including in the area of rule of law. It had also implemented constitutional amendments in 2022 to strengthen the independence of the judiciary and adopted new media legislation. However, it said that further reforms were needed in these areas and that Serbia needed to improve its alignment with the EU's common foreign and security policy, including with regard to restrictive measures and statements on Russia.<sup>76</sup> The Commission also said that Serbia needed to take urgent action "to counter anti-EU narratives propagated by numerous media outlets, and to counter foreign information manipulation and interference, most notably in the context of Russia's war of aggression against Ukraine".<sup>77</sup>

Although EU candidate countries are expected to align with the EU's foreign and security policy, Serbia has not done so with regard to EU sanctions on Russia, although it did vote for the United Nations resolution condemning Russia's invasion of Ukraine and calling for it to withdraw in March 2022.<sup>78</sup> Serbia has maintained close economic and political links with Russia. The two countries signed a foreign policy consultation agreement in September 2022.<sup>79</sup> A May 2023 European Parliament condemned Serbia's close

<sup>74</sup> Council of EU, [Fifteenth meeting of the Accession Conference with Montenegro at Ministerial level](#), 29 January 2024

<sup>75</sup> Council of EU, EU enlargement policy, [Serbia](#) [accessed 22 February 2024]

<sup>76</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>77</sup> European Commission, [Key findings of the 2023 Report on Serbia](#), 8 November 2023

<sup>78</sup> United Nations, [General Assembly Overwhelmingly Adopts Resolution Demanding Russian Federation Immediately End Illegal Use of Force in Ukraine, Withdraw All Troops](#), 2 March 2022

<sup>79</sup> AP News, [EU candidate Serbia and Russia sign foreign policy agreement](#), 24 September 2022

relationship with Russia and said that EU accession negotiations with Serbia should advance only if the country aligns with EU sanctions against Russia. It also condemned Serbia's engagement with the regime in Iran and said that the EU should reconsider the extent of financial assistance provided by the EU to Serbia.<sup>80</sup>

## Tensions between Serbia and Kosovo

More broadly, there have been concerns within the EU about an authoritarian turn in Serbia since Aleksandar Vučić became President in 2017, and over continuing tension being Serbia and Kosovo.<sup>81</sup> In early 2023, the EU brokered an agreement between Serbia and Kosovo which would have involved a limited normalisation of relations between the two and a degree of autonomy for the Serb-majority municipalities in Kosovo.<sup>82</sup> However, the two sides did not agree on implementation and tensions continued to escalate through the year.<sup>83</sup>

The Commission enlargement report on Serbia in November 2023 called on Serbia to fully cooperate with steps to ensure accountability for violent attacks on NATO peacekeepers in Kosovo in May, and the Kosovo Police in September 2023. It also noted that Serbia and Kosovo had yet to implement their obligations under the 2023 agreement, which are “a key part of their European paths”.<sup>84</sup>

Similarly, conclusions adopted by the Council of the EU in December 2023 stated that the normalisation of Serbia's relations with Kosovo were essential and would determine the pace of the negotiations and called on the two sides to refrain from provocative actions and stop divisive rhetoric.<sup>85</sup>

## 3.4 North Macedonia

After resolution of its dispute with Greece (see section 2.3) and broader concerns from France and other EU Member States were overcome by the new EU enlargement methodology (see section 1.4), the Council of the EU agreed

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<sup>80</sup> European Parliament, [European Parliament resolution of 10 May 2023 on the 2022 Commission Report on Serbia](#), 10 May 2023; EU External Action Service, [Serbia: Joint Statement by High Representative Josep Borrell and Commissioner for Neighbourhood and Enlargement Olivér Várhelyi on the general elections](#), 5 April 2022

<sup>81</sup> European Parliamentary Research Service, [Serbia at risk of authoritarianism](#), PE637.944, May 2019

<sup>82</sup> Reuters, [Serbia, Kosovo reach agreement to implement EU-backed deal normalising ties](#), 19 March 2023

<sup>83</sup> BBC News, [Kosovo: Why is violence flaring up again](#), 31 May 2023; BBC News, [Kosovo: Why is violence flaring between ethnic Serbs and Albanians](#), 2 October 2023

<sup>84</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>85</sup> Council of EU, [Serbia](#) [accessed 22 February 2024]

to open accession negotiations with North Macedonia in March 2020.<sup>86</sup> North Macedonia's accession path was then blocked by Bulgaria. Bulgaria argued that the Macedonian language and culture had Bulgaria roots and expressed concern about “anti-Bulgarian ideology” in North Macedonia.<sup>87</sup> The two countries signed a friendship treaty in 2017 to improve bilateral relations and set up a joint commission to examine historical and educational matters, but this was followed by a set of Bulgarian demands that were rejected by North Macedonia.<sup>88</sup> An agreement brokered by France in June 2022 provided that North Macedonia would amend its constitution so that Bulgarians were also listed among the founding peoples of the Macedonian state.<sup>89</sup> Following this, the Bulgarian veto was lifted, allowing the EU to launch accession negotiations with North Macedonia in July 2022.<sup>90</sup>

The constitutional changes remained controversial in North Macedonia and they had still not been approved by North Macedonia's parliament by the end of 2023.<sup>91</sup> North Macedonia's government resigned in January 2024, with a caretaker government taking office ahead of parliamentary elections in May 2024.<sup>92</sup>

The opening EU accession conference held with North Macedonia in July 2022 has not been followed up by further accession conferences. At the first conference, the EU welcomed North Macedonia's alignment with the EU's Common Foreign and Security Policy decisions and invited the Commission to continue to assess the state of preparedness of North Macedonia for opening negotiations in specific areas.<sup>93</sup>

The Commission's enlargement report on North Macedonia in November 2023 said the country needed to deliver on the implementation of reforms, including in the judiciary, the fight against corruption and organised crime, and public administration reform. It said the screening process of the EU acquis had progressed smoothly, and that the Commission had presented screening reports on the “fundamentals cluster” for North Macedonia to the Council in July 2023 with a view to opening negotiations on this cluster by the

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<sup>86</sup> Council of EU, [Council conclusions on enlargement and stabilisation and association process - Albania and the Republic of North Macedonia](#), 25 March 2020

<sup>87</sup> OSMED, [The constitutional controversy in North Macedonia over the claimed Bulgarian identity](#), 25 May 2023

<sup>88</sup> Balkan Insight, [Bulgaria Sets Tough Terms for North Macedonia's EU Progress](#), 10 October 2019

<sup>89</sup> OSMED, [The constitutional controversy in North Macedonia over the claimed Bulgarian identity](#), 25 May 2023

<sup>90</sup> DW, [Bulgaria votes to lift EU veto on N. Macedonia](#), 24 June 2022; Council of EU, [Enlargement – Council conclusions on North Macedonia and Albania](#) (PDF), 18 July 2022

<sup>91</sup> Euronews, [Von der Leyen urges Skopje: Approve constitutional changes for your future](#), 30 October 2023; Albanian Daily News, [Bulgarian official calls on N. Macedonia to change constitution](#), 14 November 2023; and AP News, [US official voices hope North Macedonia will be able to proceed with EU membership bid](#), 25 August 2023

<sup>92</sup> DW, [North Macedonia elects first ethnic Albanian prime minister](#), 29 January 2024; BNE IntelliNews, [LONG READ: Voters prepare to punish North Macedonia's ruling SDSM for broken promises](#), 9 February 2024

<sup>93</sup> Council of EU, [Intergovernmental Conference at Ministerial level on the Accession of North Macedonia](#), 19 July 2022

end of the year. It also noted North Macedonia's commitment to make the agreed constitutional changes as a matter of priority.<sup>94</sup>

## 3.5 Albania

After Albania submitted its application to join the EU in 2009, an initial Commission opinion in 2010 identified a set of priorities that Albania needed to meet before it could be considered for EU membership.<sup>95</sup> After progress in meeting these priorities, which included measures on the rule of law, the functioning of parliament, tackling corruption and organised crime and protecting human rights, the Commission recommended Albania be granted EU candidate status in 2012, subject to further reforms.<sup>96</sup> The European Council granted Albania EU candidate status in June 2014.<sup>97</sup>

After the Commission recommended opening accessions in April 2018, the Council indicated that negotiations could open in 2019 subject to further progress in certain areas.<sup>98</sup> As noted in section 2.4, the opening of accession negotiations with Albania was blocked by some EU Member States in October 2019.<sup>99</sup> The European Council then endorsed the Council's decision to open negotiations with Albania in March 2020.<sup>100</sup> Following a further delay, the Council approved a negotiating framework for accession negotiations with both Albania and North Macedonia on 18 July 2022.<sup>101</sup> The EU delegation at the intergovernmental conference asked the Commission to continue to assess the state of preparedness of Albania for opening negotiations in specific areas, beginning with the fundamentals' cluster (see section 1.4).<sup>102</sup>

The Commission 2023 enlargement package report on Albania said that it had demonstrated determination to implement and make progress in reforms under the "fundamentals cluster". It said Albania's full alignment with EU Common Foreign and Security Policy was also "a strong signal of the country's strategic choice of EU accession". However, further work was needed on freedom of expression, minority issues and property rights, and in key rule of law areas, including the fight against corruption and organised crime. The Commission had presented the screening reports on the "fundamentals

<sup>94</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>95</sup> Council of EU, EU enlargement policy, [Albania](#) [accessed 1 March 2024]

<sup>96</sup> Council of EU, EU enlargement policy, [Albania](#) [accessed 1 March 2024]

<sup>97</sup> European Council, [European Council, 26-27 June 2014](#). See also Council of EU, [Conclusions on Albania](#) (PDF), General Affairs Council meeting, Luxembourg, 24 June 2014

<sup>98</sup> Council of EU, [Enlargement and Stabilisation Process – Council conclusions](#) (PDF), 26 June 2018

<sup>99</sup> BBC News, [EU blocks Albania and North Macedonia membership bids](#), 18 October 2019

<sup>100</sup> Council of EU, [Joint statement of the members of the European Council, 26 March 2020](#)

<sup>101</sup> Council of EU, [Enlargement – Council conclusions on North Macedonia and Albania](#) (PDF), 18 July 2022

<sup>102</sup> Council of EU, [Intergovernmental Conference at Ministerial level on the Accession of Albania](#), 19 July 2023

cluster” for Albania to the Council in July 2023 and aimed to open accession negotiations on this cluster by the end of the year.<sup>103</sup>

During a January 2024 visit of Albania’s Minister for Europe and Foreign Affairs, Igli Hasani to North Macedonia, his counterpart, North Macedonia Minister for Foreign Affairs Bujar Osmani raised concerns about delays in the EU negotiating process. He said that both countries had completed the accession screening process with the EU and were ready to open the first clusters but that the negotiation process was “at a standstill for both countries”. He said this was “wrong” and that the acceleration of integration with the EU was “a security issue” with a “powerful prevention message” in the Western Balkans in the context of “hybrid threats” and “external influences”.<sup>104</sup>

## 3.6

### Bosnia and Herzegovina

The May 2019 Commission opinion on the application by Bosnia and Herzegovina (BiH) identified 14 key priorities for the country to address in order to be granted candidate status. These included democracy and the functionality of its institutions, rule of law, fundamental rights, and public administration reform. The Commission said the opinion set out a “comprehensive roadmap for reforms” to guide and support the country on its path towards EU integration.<sup>105</sup>

In its enlargement package in October 2022, the Commission recommended that BiH be granted EU candidate status, on the understanding that steps were taken “to reinforce democracy, functionality of state institutions, rule of law, the fight against corruption and organised crime, guarantee media freedom and migration management in the country”.<sup>106</sup>

The European Council granted EU candidate status to BiH on 15 December 2022, on the basis of Council conclusions on 13 December.<sup>107</sup> The Council stressed the need for BiH to fulfil the 14 priorities identified by the Commission in 2019 and called on political leaders in BiH to swiftly implement commitments set out in a June 2022 agreement (see box 4). The Council noted with concern the limited overall progress of reforms in BiH and urged all political actors in BiH to refrain from divisive rhetoric and actions

<sup>103</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>104</sup> Euronews, [Hasani and Osmani highlight Albania’s and North Macedonia’s commitment to the EU](#), 17 January 2024

<sup>105</sup> European Commission, [Key findings of the Opinion on Bosnia and Herzegovina’s EU membership application and analytical report](#), 12 October 2022

<sup>106</sup> European Commission, [2022 Enlargement package: European Commission assesses reforms in the Western Balkans and Türkiye and recommends candidate status for Bosnia and Herzegovina](#), 12 October 2022

<sup>107</sup> European Council, [European Council conclusions, 15 December 2022](#)

“including questioning the sovereignty, unity and territorial integrity of the country”.<sup>108</sup>

## 4 Developments in Bosnia and Herzegovina and June 2022 political agreement

In June 2022, political parties across BiH signed an EU-sponsored agreement to promote stable institutions, uphold democratic principles, promote dialogue and work decisively towards fulfilling the 14 key priorities identified by the Commission to advance BiH on its path to EU membership.<sup>109</sup>

It was signed against a backdrop of continuing tensions in BiH in the run-up to general elections in October 2022. The international High Representative for BiH, who has powers to enact laws in BiH to maintain implementation of the 1995 Dayton Peace Agreement, made several decisions amending legislation and the constitution in relation to the elections.<sup>110</sup> The 1995 Agreement established a BiH state with two principle territorial units: the Federation of Bosnia and Herzegovina, covering the Bosniak (Muslim)- and Croat-majority areas, and Republika Srpska (RS), covering the Serb-majority area of BiH.<sup>111</sup>

The High Representative since 2021, Christian Schmidt, and his predecessor have also been involved in a dispute with the leadership of the RS.<sup>112</sup> The RS leadership has been boycotting key central BiH institutions since 2021, following a decision by the High Representative to ban genocide denial in relation to the 1995 Srebrenica massacre.<sup>113</sup>

The RS President, Milorad Dodik, has also repeatedly threatened RS secession from BiH.<sup>114</sup> State prosecutors put Dodik on trial at the end of 2023 for defying

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<sup>108</sup> Council of EU, [Enlargement and Stabilisation and Association Process – Council conclusions](#) (PDF), 13 December 2022

<sup>109</sup> European Council, [Political agreement on principles for ensuring a functional Bosnia and Herzegovina that advances on the European path](#), 12 June 2022

<sup>110</sup> Balkan Insight, [Bosnia's International Overseer Orders State to Fund Elections](#), 7 June 2022; and Euronews, [Bosnia's peace envoy changed laws mid-election. But what does it mean?](#), 7 October 2022. See also Office of the High Representative, [62nd report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General](#), 2 November 2022; and Office of the High Representative, [63rd Report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina to the Secretary-General of the United Nations](#), 9 May 2023

<sup>111</sup> See House of Commons Library debate pack, [Stability and peace in Bosnia and Herzegovina](#), 30 November 2021

<sup>112</sup> See House of Commons Library debate pack, [Maintaining peace and stability in the Balkans](#), 14 March 2022; and House of Lords Library, In Focus, [Western Balkans and the Dayton Peace Agreement](#); 6 October 2023

<sup>113</sup> See House of Commons Library debate pack [Srebrenica Memorial Week](#), 30 June 2023

<sup>114</sup> Radio Free Europe/Radio Liberty, [Bosnian Serb Dodik Says He'll 'Declare Independence' If Trump Retakes U.S. Presidency](#), 3 December 2023; AP News, [Separatist Bosnian Serb leader Milorad Dodik vows to tear his country apart](#), 30 December 2023; Reuters, [Bosnian Serb leader tempers secession talk as U.S. exerts pressure](#), 8 January 2024

High Representative rulings.<sup>115</sup> Dodik has been sanctioned by the UK and USA.<sup>116</sup> He maintains close ties with Russian President Putin and has blocked BiH alignment with EU sanctions against Russia.<sup>117</sup>

The November 2023 European Commission's enlargement report highlighted the positive impact of candidate status on BiH with some required changes being introduced but said that further reforms were needed, notably rule of law and judicial reforms. It is also said it was important to preserve the constitutional order of the country and that the "secessionist and authoritarian measures" introduced in RS (see box 4) were "not in line with the EU path". It referred to "backsliding" in guaranteeing freedom of expression and freedom of the media and expressed concerns about new criminal penalties for defamation in RS, and a draft "foreign agents" law in RS which would target civil society groups. It said progress was made in BiH in aligning with the EU's common foreign and security policy but noted that RS had obstructed full implementation of restrictive measures against Russia.<sup>118</sup>

The Commission issued a recommendation to open accession negotiations with BiH "when the necessary compliance with the membership criteria was achieved".<sup>119</sup>

In December 2023, the Council said it was "seriously concerned about legislation and initiatives in the Republika Srpska entity that run counter to the EU path of Bosnia and Herzegovina, including secessionist rhetoric and questioning the constitutional order of the country".<sup>120</sup> The European Council conclusions on 14-15 December 2023 endorsed the Council conclusions and said that the EU would open accession negotiations with BiH "once the necessary degree of compliance with the membership criteria is achieved". The European Council invited the Commission to report on progress by March 2024, with a view to making a decision.<sup>121</sup>

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<sup>115</sup> Reuters, [Trial of Bosnian Serb leader Dodik formally begins after delays](#), 5 February 2024

<sup>116</sup> Reuters, [US imposes sanctions related to Bosnian Serb leader Milorad Dodik](#), 20 October 2023

<sup>117</sup> Reuters, [Serb leader tells EU Bosnia cannot join sanctions against Russia](#), 20 May 2022; Politico, [EU, US slam Bosnian Serb leader for awarding Putin highest honor](#), 9 January 2023; Radio Free Europe/Radio Liberty, [Dodik Doubles Down On Refusal To Join Sanctions Against Moscow In Meeting With Putin](#), 21 February 2024

<sup>118</sup> European Commission, [Key findings of the 2023 Report on Bosnia and Herzegovina](#), 8 November 2023

<sup>119</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>120</sup> Council of EU, [Council conclusions on Enlargement](#) (PDF), 12 December 2023

<sup>121</sup> European Council, [European Council conclusions, 14 and 15 December 2023](#)

## 3.7

## Kosovo

The Feira European Council meeting in June 2000 acknowledged that Western Balkan countries participating in the Stabilisation and Association Process were “potential candidates” for EU membership.<sup>122</sup> This would later include Kosovo, although the country’s declaration of independence in 2008 (see box 5) has not been recognised by five EU Member States (Cyprus, Greece, Romania, Slovakia and Spain).<sup>123</sup>

Kosovo is also not recognised by Serbia. Kosovo’s relations with Serbia and with the Serbian community in Kosovo have continued to be tense and the EU has sought to mediate (see section 3.3)

### 5 EU and international recognition of Kosovo

EU documents when referring to Kosovo usually include an asterisk referring to a statement that the designation “is without prejudice to positions on status” and is in line with UN Security Council Resolution 1244/1999 and the International Court of Justice (ICJ) Opinion on the Kosovo declaration of independence.

The UN resolution in 1999 provides a framework for the resolution of the conflict in Kosovo by authorising the deployment of an international civilian and military presence to provide an international transitional administration and security presence. It states that the international civilian presence will facilitate a political process to determine the future status of Kosovo.<sup>124</sup> The ICJ Opinion in July 2010 concluded that the 2008 declaration of independence by Kosovo “did not violate international law”.<sup>125</sup>

In December 2022, Kosovo formally submitted its application for EU membership.<sup>126</sup> Kosovo was included in the Commission’s November 2023 enlargement package and covered by the Council’s conclusions on enlargement in December 2023.<sup>127</sup> The Council conclusions refer to Kosovo’s “European path” but do not comment on Kosovo’s application to join the EU.<sup>128</sup>

<sup>122</sup> [European Council conclusions](#), 19-20 June 2000

<sup>123</sup> European Parliament, Fact Sheets on the European Union, [The Western Balkans](#), November 2023

<sup>124</sup> United Nations Peacemaker, [Security Council Resolution 1244 \(1999\) on the situation relating Kosovo](#) [accessed 29 February 2024]

<sup>125</sup> International Court of Justice, [Accordance with international law of the unilateral declaration of independence in respect of Kosovo](#) [accessed 29 February 2024]

<sup>126</sup> DW, [Kosovo formally applies for EU membership](#), 15 December 2022

<sup>127</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved](#), 8 November 2023

<sup>128</sup> Council of EU, [Council conclusions on Enlargement](#) (PDF), 12 December 2023



## 4 Ukraine, Moldova and Georgia: accession progress

On 28 February 2022, four days after the Russian invasion, Ukraine submitted an application to join the EU. Applications followed by Moldova and Georgia on 3 March.

### 4.1 Initial EU response to applications

The application from Ukraine in particular received an immediately positive response from the EU institutions, with European Commission President Ursula von der Leyen saying Ukraine is “one of us and we want them in the European Union”.<sup>129</sup> Following a video address from Ukraine’s President Zelenskyy on 1 March, the European Parliament adopted a resolution, calling on the EU institutions to work towards granting EU candidate status to Ukraine, in line with Article 49 TEU and “on the basis of merit”.<sup>130</sup>

In the days following the Russian invasion, the leaders of the eleven Member States from central and eastern Europe that had joined the EU since 2004 also endorsed Ukraine’s accession. Eight of these states issued a joint statement calling on the EU Member States to enable the EU institutions to conduct steps to immediately grant Ukraine a EU candidate country status and open the process of negotiations.<sup>131</sup>

Other EU Member States also endorsed Ukraine’s accession though some were more cautious, warning the timescale could be long.<sup>132</sup> Ukraine’s request for a fast-track procedure did not win widespread support.<sup>133</sup> President Macron of France said that though he was not saying “never” it was not possible to “open an accession procedure with a country at war”.<sup>134</sup> In May 2022, President Macron said it would “take decades” for Ukraine to accede to

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<sup>129</sup> Euronews, [Ukraine is one of us and we want them in EU, Ursula von der Leyen](#), 28 February 2022

<sup>130</sup> See European Parliament press release, [Invasion of Ukraine: MEPs call for tougher response to Russia](#), 1 March 2022; and [European Parliament resolution of 1 March 2022 on the Russian aggression against Ukraine](#).

<sup>131</sup> Euractiv, [EU promises to ‘seriously’ look into Ukraine’s membership appeal](#), 1 March 2022

<sup>132</sup> Euractiv, [Ukraine requests EU membership under fast-track procedure](#), 1 March 2022

<sup>133</sup> The Guardian, [Western Europe leaders rebuff Ukraine fast-track EU membership appeal](#), 10 March 2022

<sup>134</sup> The Guardian, [Western Europe leaders rebuff Ukraine fast-track EU membership appeal](#), 10 March 2022

the EU, though in 2023 he said he wanted accession to take place “as swiftly as possible”.<sup>135</sup>

The Versailles declaration adopted by EU heads of state or government on 10-11 March 2022 noted that Ukraine had exercised the right to choose its own destiny, and that “Ukraine belongs to our European family”.<sup>136</sup> It said the Council of the EU had responded swiftly by inviting the Commission to submit its opinion on Ukraine’s application in accordance with the relevant provisions of the Treaties. In the meantime, the EU would deepen its partnership with Ukraine and support it in pursuing its European path.<sup>137</sup>

The Council had invited the Commission to submit opinion on the application from Ukraine, Moldova and Georgia on 7 March 2022. The Commission moved quickly to send questionnaires to the application countries on their suitability to meet the EU accession criteria in April and received replies in April and early May. The European Commission then issued its opinions on the applications on 17 June 2022, recommending that Ukraine and Moldova be granted candidate status. It said candidate status for Georgia should be granted once a number of priorities had been addressed.<sup>138</sup> It said that the opinions considered the country’s efforts in implementing their obligations under their Association Agreements with the EU “which cover significant parts of the EU acquis”.<sup>139</sup>

In June 2022, the European Council granted candidate status to Ukraine and Moldova. Although President Zelenskyy had asked that the EU enable Ukraine’s “immediate accession” via “a new special procedure”<sup>140</sup> the European Council confirmed that the progress of each applicant “will depend on its own merit in meeting the Copenhagen criteria, taking into consideration the EU’s capacity to absorb new members”.<sup>141</sup>

The following sections provide an overview of progress made in the accession process by Ukraine, Moldova and Georgia:

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<sup>135</sup> BBC News, [Ukraine bid to join EU will take decades says Macron](#), 10 May 2022; and Élysée – website of the French Presidency, [Closing speech by the President of the French Republic, Globsec Summit in Bratislava](#), 31 May 2023

<sup>136</sup> Council of EU, [Informal meeting of the Heads of State or Government, Versailles Declaration, 10 and 11 March 2022](#) (PDF)

<sup>137</sup> Council of EU, [Informal meeting of the Heads of State or Government, Versailles Declaration, 10 and 11 March 2022](#) (PDF)

<sup>138</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

<sup>139</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

<sup>140</sup> Politico, [Ukraine's Zelenskyy ups pressure on EU with plea for immediate membership](#), 28 February 2022

<sup>141</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

## 4.2

## Ukraine

**Commission opinion on Ukraine's application**

In presenting its opinion on Ukraine's application on 17 June 2022, the Commission said that Ukraine was "well advanced in reaching the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities". It said Ukraine also had a "strong macro-economic record" and was demonstrating a "noteworthy resilience with macroeconomic and financial stability, while needing to continue ambitious structural economic reforms".<sup>142</sup>

The Commission noted that Ukraine had gradually approximated to substantial elements of the EU acquis across many chapters through implementation of the 2014 EU-Ukraine Association Agreement (AA). The Agreement included a Deep and Comprehensive Free Trade Area (DFCTA), which has applied since January 2016, and established a framework for Ukraine's gradual integration into the EU single market.<sup>143</sup>

The signing of the AA and the circumstances surrounding it had marked a decisive shift in Ukraine's relationship with both the EU and Russia. The agreement had been negotiated between 2007 and 2011. Russia had put pressure on Ukraine not to sign the agreement. After returning to office in 2010, Ukraine's pro-Russia President Viktor Yanukovich indicated in late 2013 that he would not be signing the association agreement.<sup>144</sup> This led to mass protests, a violent response from the Government and then the removal of the President from office by the Ukrainian Parliament in February 2014.<sup>145</sup> A new government then signed the agreement, but Russia moved to occupy the Crimean peninsula in March 2014 with pro-Russian separatists taking control of parts of Eastern Ukraine.<sup>146</sup> The Commission opinion in June 2022 noted these developments and commented that while it had lost control over part of its territory in 2014 Ukraine had "continued throughout the years as a resilient democracy moving closer to the European Union and gradually aligning with the acquis".<sup>147</sup>

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<sup>142</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

<sup>143</sup> For details on the agreement see European Commission, [EU trade relations with Ukraine](#) [accessed 27 February 2024]

<sup>144</sup> BBC News, [Ukraine protests after Yanukovich EU deal rejection](#), 30 November 2013

<sup>145</sup> BBC News, [Ukrainian MPs vote to oust President Yanukovich](#), 22 February 2014

<sup>146</sup> See House of Commons Library briefing paper 9503, [The EU response to the Russian invasion of Ukraine](#), section 1

<sup>147</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

The Commission said that Ukraine should be granted candidate status on the understanding that seven priority steps were undertaken:

- enacting and implementing legislation on a selection procedure for judges of the Constitutional Court of Ukraine in line with recommendations of the Venice Commission, the Council of Europe's advisory body on constitutional matters
- finalising the integrity vetting and selection of the candidates for other judicial bodies
- further strengthening of the fight against corruption, including through prosecutions and convictions and the appointment of the heads of anti-corruption bodies
- ensuring that anti-money laundering legislation is in compliance with the standards of the Financial Action Task Force (FATF, the international body on tackling money laundering<sup>148</sup>) and adopting a strategic plan for reform of the entire law enforcement sector
- implementing an anti-oligarch law in line with Venice Commission recommendations
- tackling the influence of vested interests by adopting a media law in line with EU law and empowering the independent media regulator
- finalising the reform of the legal framework for national minorities as recommended by the Venice Commission and adopting implementation mechanisms.<sup>149</sup>

The Commission said it would monitor Ukraine's progress in fulfilling these steps and reiterated that the accession process is merit-based, based on established criteria and conditions, and reversible if the underlying conditions are not met anymore.<sup>150</sup> The Commission Opinion was followed up by an analytical report on Ukraine's alignment with the first 33 chapters of the EU acquis, published on 2 February 2023.<sup>151</sup>

## Ukraine granted candidate status

The European Council granted Ukraine EU candidate status at its meeting of 23-24 June 2022. The European Council invited the Commission to report to the Council on the fulfilment of the conditions specified in the Commission's opinion on Ukraine's application in its future enlargement packages and said

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<sup>148</sup> See Financial Action Task Force, [What we do](#) [accessed 1 March 2024]

<sup>149</sup> European Commission, [Opinion on the EU membership application by Ukraine](#), 17 June 2022

<sup>150</sup> European Commission, [Opinion on the EU membership application by Ukraine](#), 17 June 2022

<sup>151</sup> European Commission, [Commission Analytical report on Ukraine's alignment with the EU acquis](#), 2 February 2023

the Council would decide on further steps once all these conditions are fully met.<sup>152</sup>

## Commission recommends opening accession negotiations, November 2023

In its enlargement package report on Ukraine on 8 November 2023, the European Commission said that the decision to grant EU candidate status in June 2022 had “created a powerful reform dynamic, despite the ongoing war, with strong support from the people of Ukraine”.<sup>153</sup>

The Commission said the Ukrainian government and Parliament had demonstrated resolve in making substantial progress on meeting the 7 steps outlined in the Commission’s June 2022 opinion.<sup>154</sup> This included in relation to the selection of constitutional court judges, reform of judicial governance bodies, anti-corruption efforts, a strengthened institutional framework, and work to address the influence of oligarchs. The Commission said that Ukraine had demonstrated its capacity to make progress in aligning with the EU acquis “even during wartime”.<sup>155</sup> The report noted progress in a several areas despite the Russian invasion and “brutal war of aggression”.<sup>156</sup>

The Commission recommended that the Council opens accession negotiations with Ukraine once it had adopted certain measures including anti-corruption measures; implementation of a law regulating lobbying as part of the anti-oligarch plan; and implementation of Venice Commission recommendations regarding the law on national minorities, and on state language, media and education.<sup>157</sup>

In December 2023, the Council of the EU commended the substantial progress that Ukraine had made in meeting accession objectives “despite the fact that Ukraine is under attack”. It said further measures were needed in some areas including anti-corruption efforts.<sup>158</sup> The European Council meeting on 14-15 December endorsed the Council conclusions and decided to open accession negotiations with Ukraine. It invited the Council to adopt a negotiating framework for Ukraine’s accession “once the relevant steps set out in the respective Commission recommendations of 8 November 2023 are taken”.<sup>159</sup>

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<sup>152</sup> European Council, [European Council, 23-24 June 2022](#)

<sup>153</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved, 8 November 2023](#)

<sup>154</sup> European Commission, [Key findings of the 2023 Report on Ukraine](#), 8 November 2023

<sup>155</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved, 8 November 2023](#)

<sup>156</sup> European Commission, [Key findings of the 2023 Report on Ukraine](#), 8 November 2023

<sup>157</sup> European Commission, [2023 Communication on EU Enlargement Policy](#), 8 November 2023

<sup>158</sup> Council of EU, [Council conclusions on enlargement](#) (PDF), 12 December 2023

<sup>159</sup> European Council, [European Council conclusions, 14 and 15 December 2023](#)

## Negotiating framework delayed?

On 17 January 2024, European Commission President Von der Leyen told the European Parliament that the Commission was starting the screening process for the EU acquis with Ukraine and preparing the accession negotiation framework.<sup>160</sup> According to a media report, EU officials believed that the screening process could be undertaken in six to nine months but an opening accession conference with Ukraine could be held in the first half of 2024.<sup>161</sup>

However, on 21 February, Von der Leyen said that the Commission was still working on the negotiation framework with Ukraine and it was unlikely to be ready before the European Parliament elections being held on 6 to 9 June 2024.<sup>162</sup>

## 4.3

## Moldova

### The EU grants Moldova candidate status

The European Commission's opinion on Moldova's application, issued on 17 June 2022, also took into account Moldova's efforts in implementing its obligations under the EU-Moldova Association Agreement (AA) in force since 2014.<sup>163</sup> This also includes a Deep and Comprehensive Free Trade Area (DCFTA).<sup>164</sup>

The Commission said that Moldova had “a solid foundation in place to reach the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities”. It also said Moldova had “reasonably sound” macroeconomic policies but that key economic reforms remained to be undertaken. It said that Moldova had “established a solid basis” to further alignment with the EU acquis.<sup>165</sup>

The Commission recommended that Moldova be granted candidate status, on the understanding that the following nine steps be taken:

- Completion of recently launched comprehensive justice system reform across all institutions in the justice and prosecution chains

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<sup>160</sup> European Commission, [Speech by President von der Leyen at the European Parliament Plenary on the conclusions of the European Council meeting of 14-15 December 2023 and preparation of the Special European Council meeting of 1 February 2024](#), 17 January 2024

<sup>161</sup> Euractiv, [EU Commission to start screening process for Ukraine, Moldova after 'surprise' delay](#), 17 January 2024

<sup>162</sup> Politico, [Von der Leyen kicks can down road on Ukraine accession talks](#), 22 February 2024

<sup>163</sup> European Commission, [Opinion on the EU membership application by Moldova](#),

<sup>164</sup> Council of EU, [EU relations with the Republic of Moldova](#) [accessed 27 February 2024]; and European Commission, [EU-Moldova Deep and Comprehensive Free Trade Area](#) [accessed 27 February 2024]

<sup>165</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

- addressing shortcomings identified by the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (ODIHR) and the Council of Europe's Venice Commission
- taking decisive measures in the fight against corruption
- implementation of “de-oligarchisation” measures to eliminate the excessive influence of vested interests in economic, political, and public life
- strengthening the fight against organised crime, including through a comprehensive framework for the fight against financial crime and money laundering, ensuring that anti-money laundering legislation is in compliance with the standards of the FATF
- implementation of public administration reform
- completion of reform of public financial management and procurement at all levels of government
- enhancing the involvement of civil society in decision-making processes at all levels.
- strengthening the protection of human rights, particularly of vulnerable groups, enhancing gender equality and addressing violence against women.<sup>166</sup>

The Commission noted that the Russian war against Ukraine was having serious effects on Moldova. It said that in a “real spirit of solidarity and upholding European values”, Moldova was actively supporting those fleeing Ukraine, hosting the highest number of refugees per capita. It also said that despite this challenge, the Moldovan government was “strongly committed to delivering on its clear reform goals – notably as regards judicial reform, public administration reform and the modernisation of the economy”.<sup>167</sup>

The opinion also referred to the Transnistria region which broke away from Moldova soon after Moldova gained independence in 1991. This region is backed by Russia but not internationally recognised.<sup>168</sup> The Commission said the EU remained:

fully committed to support a comprehensive, peaceful and sustainable settlement of the Transnistrian conflict, based on the sovereignty and territorial integrity of the Republic of Moldova in its internationally recognised borders, with a special status for Transnistria.<sup>169</sup>

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<sup>166</sup> European Commission, [Opinion on the EU membership application by Moldova, 17 June 2022](#)

<sup>167</sup> European Commission, [Commission Opinion on the Republic of Moldova's application for membership of the European Union](#), 17 June 2022

<sup>168</sup> Congressional Research Service, [Moldova: An Overview](#) (PDF), 14 August 2023

<sup>169</sup> European Commission, [Commission Opinion on the Republic of Moldova's application for membership of the European Union](#), 17 June 2022

The European Council granted Moldova EU candidate status at its meeting of 23-24 June 2022, and invited the Commission to report to the Council on the fulfilment of the conditions set out in its opinion.<sup>170</sup>

## Commission recommends opening accession negotiations, November 2023

The Commission enlargement package in November 2023 said that Moldova had made “important progress” in meeting the nine steps set out in the Commission opinion. This included the launch of a comprehensive justice reform, reform of anti-corruption bodies, adoption of a “deoligarchisation” action plan, and legislation to set up a confiscation mechanism to fight organised crime.<sup>171</sup>

The Commission recommended that the Council open accession negotiations with Moldova and that an accession negotiating framework be adopted once Moldova had adopted certain key measures, including changes to the judicial appointment process, and further anti-corruption and “deoligarchisation” measures.<sup>172</sup>

On 12 December 2023, the Council commended the substantial progress Moldova had made in meeting accession objectives “in the face of Russia’s war against Ukraine and hybrid attacks against Moldova itself”. It said further progress on reform, notably in the areas of the rule of law, justice and fundamental rights, would be needed for Moldova to further advance on its accession path.<sup>173</sup> The European Council meeting on 14-15 December 2023 decided to open negotiations with Moldova. It invited the Council to adopt the accession negotiating framework for Moldova once the steps set out in the Commission recommendations of November 2023 were taken.<sup>174</sup>

## 4.4

## Georgia

### Commission opinion on membership

The European Commission’s opinion on Georgia’s membership application in June 2022 recommended that Georgia be given “the perspective to become a member of the European Union”. It said candidate status should be granted

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<sup>170</sup> European Council, [European Council, 23-24 June 2022](#)

<sup>171</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved, 8 November 2023](#)

<sup>172</sup> European Commission, [2023 Communication on EU Enlargement Policy](#), 8 November 2023

<sup>173</sup> Council of EU, [Council conclusions on enlargement](#) (PDF), 12 December 2023

<sup>174</sup> European Council, [European Council conclusions, 14 and 15 December 2023](#)



once a number of priorities had been addressed.<sup>175</sup> It said Georgia had “a foundation in place” to reach the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities even if recent developments had undermined the country's progress. It said Georgia had achieved a good degree of macroeconomic stability and had a sound record of economic policy, but further reforms were needed to improve the functioning of its market economy.<sup>176</sup>

The Commission identified twelve priorities that Georgia needed to address before it could be granted candidate status covering the following:

- addressing the issue of political polarisation
- guaranteeing the full functioning of all state institutions and improving the electoral framework, addressing shortcomings identified by the ODIHR and Venice Commission
- adopting and implementing a transparent and effective judicial reform strategy and ensuring a truly independent judiciary
- strengthening the independence of the anti-corruption agency
- implementing “de-oligarchisation” measures
- strengthening the fight against organised crime
- undertaking stronger efforts to guarantee a free, diverse and independent media environment
- protecting the human rights of vulnerable groups
- making efforts to enhance gender equality and fight violence against women
- ensuring the involvement of civil society in decision-making processes
- adopting legislation to ensure Georgian courts proactively take into account European Court of Human Rights judgments
- ensuring the transparent appointment of an independent Public Defender (Ombudsperson).<sup>177</sup>

The Commission also noted that the Georgian government does not exercise effective control over its regions of Abkhazia and South Ossetia. These broke

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<sup>175</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

<sup>176</sup> European Commission, [The European Commission recommends to Council confirming Ukraine, Moldova and Georgia's perspective to become members of the EU and provides its opinion on granting them candidate status](#), 17 June 2022

<sup>177</sup> European Commission, [Opinion on the EU membership application by Georgia](#), 17 June 2022

away in the early 1990s and were occupied by Russia following an invasion in 2008 to prevent the Georgian government from reestablishing control.<sup>178</sup> The Commission said that the EU supports Georgia's sovereignty and territorial integrity within its internationally recognised borders. It said the EU had been engaged since 2008 in peaceful conflict resolution efforts in Georgia.<sup>179</sup>

## EU grants candidate status to Georgia

In its enlargement package in November 2023, the Commission noted that Georgia had taken steps to strengthen engagement with the EU and had increased the pace of reforms in the recent months. Georgia had adopted several measures to address the twelve priorities identified in the June 2022 opinion. This included a judicial reform, measures to ensure European Court of Human Rights judgments were taken into account, and on fighting violence against women and organised crime. It had also put forward action plans on deoligarchisation and protection of human rights.<sup>180</sup>

The Commission recommended that Georgia be granted EU candidate status on the understanding that further measures, mostly linked to the twelve priorities identified in June 2022, be undertaken by Georgia.<sup>181</sup>

Council conclusions on enlargement on 12 December 2023 noted the progress made by Georgia and said it needed to make progress to fulfil the Commission's conditions in an irreversible way. It called on political actors in Georgia to overcome polarisation and refrain from actions that could further deepen political tensions. It also stressed the need for Georgia to increase its alignment with EU Common Foreign and Security Policy positions and restrictive measures, including those against Russia and Belarus.<sup>182</sup> The European Council meeting on 14-15 December endorsed these conclusions and granted EU candidate status to Georgia "on the understanding that the relevant steps set out in the Commission recommendation of 8 November 2023 are taken."<sup>183</sup>

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<sup>178</sup> Congressional Research Service, [Georgia: Background and U.S. Policy](#) (PDF), updated 3 July 2023

<sup>179</sup> European Commission, [Commission Opinion on Georgia's application for membership of the European Union](#) (PDF), 17 June 2022

<sup>180</sup> European Commission, [Commission adopts 2023 Enlargement package, recommends to open negotiations with Ukraine and Moldova, to grant candidate status to Georgia and to open accession negotiations with BiH, once the necessary degree of compliance is achieved, 8 November 2023](#)

<sup>181</sup> European Commission, [2023 Communication on EU Enlargement Policy](#), 8 November 2023

<sup>182</sup> Council of EU, [Council conclusions on enlargement](#) (PDF), 12 December 2023

<sup>183</sup> European Council, [European Council conclusions, 14 and 15 December 2023](#)

## 5

# EU reform and challenges of enlargement

As noted in section 2.4 there has been a reluctance among some EU Member States to agree to further enlargement. This relates to the EU's own capacity to absorb new members as well its experience of recent enlargements, together with concerns about developments within some countries with candidate status and relationships with other countries.

### 5.1

## Developments within the candidate states

The Commission opinions and enlargement package reports have highlighted several issues regarding capacity to meet the EU's political and economic accession criteria and the potential to align with the EU acquis.

### Corruption, rule of law and political rights

Concerns about the rule of law and corruption have been raised about several EU candidate countries. Transparency International's corruption index for 2023, published in January 2024, rated all of the candidate countries below the top 50 of least corrupt countries. Only Georgia and Montenegro ranked more highly than the lowest ranking EU Member States. Albania, Serbia, Ukraine, Bosnia and Herzegovina were all rated in the bottom half of the 180 countries in the corruption index.<sup>184</sup>

The 2023 Freedom House assessment of the level of individual freedom in individual countries, based on access to political and civil rights, rated all of the EU candidate countries as "partially free". All current EU Member States bar one (Hungary) are rated as "free".<sup>185</sup>

### Occupation and conflict

An important consideration for the EU is that of the most recent candidates for accession, three are not in full control on their territory. Ukraine remains at war with Russia following Russia's invasion and occupation of part of its territory, while Moldova and Georgia also have breakaway territories backed

<sup>184</sup> See Transparency International, [2023 Corruption Perceptions Index](#) [accessed 28 February 2024] and full 2023 report at Transparency International, [Corruption Perceptions Index 2023](#) (PDF), January 2024

<sup>185</sup> Freedom House, [Countries and Territories](#) [accessed 28 February 2024]. See also Freedom House, [Freedom in the World 2023](#) (PDF), March 2023

by Russia. In the other most recent candidate, Bosnia and Herzegovina, the leadership of one of its two main components (RS) has threatened secession and also claims to be backed by Russia.<sup>186</sup>

The admission of a country to the EU when it is in a state of war would be unprecedented. In March 2022, President Macron of France said that opening an accession procedure with a country at war was not possible, although he later moderated his position.<sup>187</sup> Commentators have suggested that the admission of Ukraine to the EU while the war is ongoing would raise questions as to how the EU could credibly secure its own border and the credibility of the EU's own mutual security guarantee.<sup>188</sup> Article 42(7) TEU commits EU Member States to come to the assistance of other Member States that are the victim of armed aggression on its territory “by all the means in their power”.<sup>189</sup>

There is a precedent for a country joining the EU when its government is not in full control of its territory given that Cyprus joined the EU in 2004 despite not having control of the northern part of the island since the Turkish invasion of 1974. Although the whole of Cyprus has technically been part of the EU since it joined in 2004, EU law is suspended in areas where the Government of the Republic of Cyprus does not exercise effective control.<sup>190</sup> Turkey and the majority of the Turkish community in Northern Cyprus did however support a UN-brokered peace plan which would have resolved the division of the island at the time of EU accession, though these positions have subsequently changed.<sup>191</sup>

## Economic development and budgetary challenges

The level of economic development in candidate states is also a consideration in the EU accession process, although the candidate states are expected to close the gap both politically and economically with the current Member states in preparing for and negotiating membership. According to World Bank data in 2022, GDP per capita was \$4,534 in Ukraine, compared to an EU overall figure of \$37,433. The lowest figure among individual EU Member States was Bulgaria with \$13,974.<sup>192</sup> Eurostat data GDP per capita data based on purchasing power parity shows similar disparities. Montenegro had the highest GDP per capita among the Western Balkan accession states in 2022, at €17,600. This compared to the poorest EU Member State, Bulgaria with €22,000, and the overall EU figure of €35,000.<sup>193</sup>

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<sup>186</sup> Reuters, [Russia's Putin meets Bosnian Serb leader Dodik, hails rise in trade](#), 23 May 2023

<sup>187</sup> The Guardian, [Western Europe leaders rebuff Ukraine fast-track EU membership appeal](#), 10 March 2022

<sup>188</sup> Carnegie Endowment for International Peace, [Ukraine's Accession Poses a Unique Conundrum for the EU](#), 24 October 2023

<sup>189</sup> EUR-Lex, [Mutual defence clause](#) [accessed 28 February 2024]

<sup>190</sup> EU [Cyprus – EU member country profile](#) [accessed 28 February 2024]

<sup>191</sup> House of Commons Library, [Cyprus: recent developments and peace talks](#)

<sup>192</sup> World Bank, [GDP per capita \(current US\\$\) - Ukraine](#) [accessed 29 February 2024]

<sup>193</sup> Eurostat, [Purchasing power adjusted GDP per capita](#) [accessed 29 February 2024]

The lower levels of economic development in the candidate countries poses questions for the future development of the EU budget and expenditure programmes.<sup>194</sup>

An internal report for the Council of EU has suggested that the increased cost to the EU budget if EU policies and programmes remain in their current form is €37 billion a year, representing an increase in the EU budget of 21%.<sup>195</sup> EU cohesion funding aimed at Member States with national income per capita of 90% below the EU average would shift from current recipients to the accession states.<sup>196</sup>

The size of Ukraine's agricultural sector represents a significant challenge with much of the existing CAP budget (around a quarter of EU expenditure<sup>197</sup>) likely to shift to Ukraine from current recipients.<sup>198</sup> The EU decision to lift tariffs for Ukrainian agricultural goods following Russia's invasion has already impacted on the agricultural sectors of neighbouring countries leading to farmers protests and requests from Poland and other neighbouring countries for the EU to impose new restrictions. This has also caused tensions between Poland and Ukraine despite Poland's strong support for Ukraine in resisting the Russian invasion.<sup>199</sup>

## 5.2

## Calls for reforms of the EU

As noted in section 2.4, some Member States have adopted a cautious tone with regard to further enlargement. President Macron's proposal in 2022 for a European Political Community (EPC), a wider political forum to bring European countries together, was initially presented as a way of anchoring Ukraine in European structures while deferring the question of Ukraine's accession to the EU.<sup>200</sup> However, in June 2022, the European Council said that the EPC would "not replace existing EU policies and instruments, notably enlargement".<sup>201</sup>

In granting candidate status to Ukraine and Moldova and agreeing to accelerate the process for the Western Balkans, the June 2022 European Council also stressed that each country's progress in acceding to the EU

<sup>194</sup> European Commission, [Common Agricultural Policy: Key graphs & figures](#) (PDF), October 2023

<sup>195</sup> Financial Times, [EU estimates Ukraine entitled to €186bn after accession](#), 4 October 2023; European Parliamentary Research Service, [Enlargement policy: Reforms and challenges ahead](#), PE 757.575 – December 2023

<sup>196</sup> European Commission, Regional policy, [Cohesion Fund](#) [accessed 29 February 2024]

<sup>197</sup> European Commission, [Common Agricultural Policy: Key graphs & figures](#) (PDF), October 2023

<sup>198</sup> Financial Times, [EU estimates Ukraine entitled to €186bn after accession](#), 4 October 2023

<sup>199</sup> European Council on Foreign Relations, [Vision 2030: Four steps towards the new EU enlargement](#), 3 July 2023. See also House of Commons Library briefing paper, 9868, [Poland: The Law and Justice Government and relations with the EU, 2015-2023](#).

<sup>200</sup> BBC News, [Ukraine bid to join EU will take decades says Macron](#), 10 May 2022. See also House of Commons Library Insight, [What is the European Political Community?](#), 6 October 2022

<sup>201</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

would depend not only on their progress in meeting accession criteria, but also the EU's capacity to accept new members.<sup>202</sup>

Several EU leaders have suggested that the EU needs to reform first before further enlargement. In a speech in June 2023, President Macron said enlargement should take place “as swiftly as possible” but there were “two mistakes” that needed to be avoided. The first would be to “give hope to Western Balkans, Ukraine and Moldova, and then procrastinate” which he said was a tactic that the EU had used in the past. He said this would “actually give more space to those who want to destabilize Europe” and make the situation worse. The second mistake would be to enlarge and anchor Moldova, Ukraine and the Western Balkans because “it’s our duty and in our geopolitical interest” and then say that “we’ll reform later”. He said this would be “disastrous” because “it would create a powerless Europe, burdened at times by heavy bureaucratic procedures, slow, and with divergent trajectories”. President Macron argued that reform was needed to better coordinate economic policies and “to maintain effectiveness in the geopolitical field” and also with regard to climate policies and the rule of law. This he said, meant reviewing the balance between intergovernmental and EU decision-making.<sup>203</sup>

In August 2023, the President of the European Council Charles Michel said the EU should aim to enlarge by 2030 and ahead of this would work to gradually integrate candidate states into EU policy areas where they are ready. He agreed with President Macron that “not reforming on our side before the next enlargement would be a fundamental mistake”. He said there would need to be reforms to EU policies, programmes and budgets. Significant funds would be needed “to help countries catch up” given that future Member States had a GDP of about 50-70% of the smallest EU economy. This would mean the acceding states being net recipients from the EU budget, while “several current net recipients will become net contributors”. The EU would “need to work out how to manage this complex transition”. Michel said that EU institutional reforms would also be required to make decision-making more efficient and rapid, though he did not agree with the idea of entirely scrapping the unanimity principle (see below).<sup>204</sup>

## 5.3

## Reform proposals

### EU voting procedures and unanimity

There have been calls from within the EU for the reform of EU voting procedures in order to make decision-making more effective as the EU enlarges further.<sup>205</sup>

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<sup>202</sup> European Council, [European Council conclusions, 23-24 June 2022](#)

<sup>203</sup> Élysée, [Closing speech by the President of the French Republic, Globsec Summit in Bratislava](#), 1 June 2023

<sup>204</sup> European Council, [Speech by President Charles Michel at the Bled Strategic Forum](#), 28 August 2023

<sup>205</sup> Euractiv, [EU centre-right clashes over qualified majority voting](#), 26 January 2024

Advocates for reform highlight that reaching agreement within the EU as the number of Member States increases is likely to become even more difficult. Through successive treaty changes, the EU has moved to the use of qualified majority voting for Member State representatives in the Council of EU in most decision-making areas.<sup>206</sup> However, unanimity remains the rule for some sensitive areas of decision-making. These include common foreign and security policy, taxation, social security, EU finances and EU enlargement.<sup>207</sup>

Unanimity is also required for some stages of the Article 7 TEU procedure which can lead to a Member State being deprived of voting rights where the European Council has determined a serious breach of EU values, though the Member State in question would not be involved in this vote. This procedure has been triggered previously in relation to Hungary and Poland.<sup>208</sup>

In June 2022 Germany's Chancellor, Olaf Scholz, indicated that the EU needed to undertake major reforms including moving away from the requirement for unanimous decision-making in the Council of the EU in certain sensitive areas. Chancellor Scholz said that "Swearing allegiance to the principle of unanimity only works for as long as the pressure to act is low" though he acknowledged that every Member State should be listened to.<sup>209</sup>

In August 2023, Charles Michel opposed "completely scrapping unanimity". He said unity was important in some decisions, for example in providing support for Ukraine, and he advocated the use of "constructive abstention" so as not to impede unanimity. This applies in the EU common foreign and security policy, where a Member State can abstain on a decision and opt-out of an action but not block the others from adopting it.<sup>210</sup> Michel also said the way in which qualified majority voting works itself could be adapted.<sup>211</sup>

## Reports on EU reform

Following a request from the French and German Ministers for Europe, a working group of 12 experts published a report on reform of the EU to prepare for enlargement in September 2023.<sup>212</sup> This proposed institutional, budgetary and policy reforms, including:

- moving away from unanimity and making all decision-making by qualified majority voting

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<sup>206</sup> Council of EU, [Voting system: Qualified majority](#) [accessed 28 February 2024]

<sup>207</sup> Council of EU, [Voting system: unanimity](#) [accessed 28 February 2024]

<sup>208</sup> See House of Commons Library briefing paper 9868, [Poland: The Law and Justice Government and relations with the EU, 2015-2023](#) (section 2); and House of Commons Library briefing paper 9516, [Hungary: Viktor Orbán's Government and European reaction](#) (section 4)

<sup>209</sup> Euronews, [Olaf Scholz says EU must reform to cope with enlarging to 30-36 members](#), 29 August 2022

<sup>210</sup> EUR-Lex, [Abstention, constructive \(positive abstention\)](#) [accessed 29 February 2024]

<sup>211</sup> European Council, [Speech by President Charles Michel at the Bled Strategic Forum](#), 28 August 2023

<sup>212</sup> Germany Federal Foreign Office, [Fit for the future? Franco-German group presents ideas on EU reforms](#), 19 September 2023

- rebalancing the voting weights to give more weight to smaller countries and introducing mechanisms for national interest objections and opt-outs.
- changing the Article 7 TEU procedure so that decisions could be taken by four-fifths of Member States
- Increasing the use of differentiated integration whereby smaller groups of states adopt policies and integrate more deeply in certain areas.<sup>213</sup>

The report also proposed that the EU budget should be enlarged with allocation of funding more strictly linked to rule of law conditions. It said that an enlarged EU, the reconstruction of Ukraine and the need for €600 billion every year to meet the EU's emission reduction objectives all required a substantially larger EU budget.<sup>214</sup>

The European Parliament also adopted a report on 29 February 2024 making similar proposals for EU institutional reform ahead of enlargement. Its proposals included the following:

- moving away from unanimity and using qualified majority voting for areas including the protection of democracy, human rights and the rule of law, and the EU's budgetary framework. Qualified majority voting would be used for sanctions and other relevant foreign policy decisions, including the start of EU accession negotiations and the opening and closing of individual negotiation clusters and sanctioning of backtracking, but not decisions authorising military missions
- recalculating qualified majority voting thresholds to improve the balance between larger and smaller states and setting higher thresholds for the most important decisions
- strengthening mechanisms to protect the rule of law and EU core values including by ending the use of unanimity in the Article 7 TEU procedure and introducing a clear timeframe for decisions, and by making the Court of Justice of the EU the arbiter of violations
- considering greater use of flexibility and differentiated integration mechanisms to enable deeper cooperation among groups of Member States
- reform and expansion of the EU budget and of mechanisms for the EU to raise funds.<sup>215</sup>

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<sup>213</sup> Report of the Franco-German working group on EU institutional reform, [Sailing on high seas, reforming and enlarging the EU for the 21<sup>st</sup> century](#) (PDF), 18 September 2023

<sup>214</sup> Report of the Franco-German working group on EU institutional reform, [Sailing on high seas, reforming and enlarging the EU for the 21<sup>st</sup> century](#) (PDF), 18 September 2023

<sup>215</sup> European Parliament, [EU enlargement and reform: MEPs call for bold decisions](#), 29 February 2024; European Parliament, Committee on Foreign Affairs and Committee on Constitutional Affairs, [Report on deepening EU integration in view of future enlargement](#), 30 January 2024



## 5.4

## EU preparations for reform

Many of EU reforms that have been discussed would require a unanimous agreement among the Member States and a revision of the EU treaties (see box 6).

In October 2023 the EU heads of state and government adopted the Granada declaration in October 2023 which stated:

Aspiring members need to step up their reform efforts, notably in the area of rule of law, in line with the merit-based nature of the accession process and with the assistance of the EU. In parallel, the Union needs to lay the necessary internal groundwork and reforms. We will set our long-term ambitions and the ways to achieve them. We will address key questions related to our priorities and policies as well as our capacity to act. This will make the EU stronger and will enhance European sovereignty.<sup>216</sup>

On 17 January 2024, European Commission President Von der Leyen said in a speech to the European Parliament that the EU would, alongside preparations for accession talks with Ukraine “start working on our own reforms to prepare for a Union of 30 plus Member States”. She said the Commission would be setting out its ideas for reform in a communication in the next month.<sup>217</sup>

## 6 EU treaty revision procedure

[Article 48 of the Treaty on European Union \(TEU\)](#) sets out the process for revising the EU treaties. There are different mechanisms to do this. But each would require the support of all Member States of the EU.

Under the ordinary revision procedure, the European Council can establish an intergovernmental conference (IGC) to consider treaty change. This can come after the European Council has established a convention to examine proposals, involving representatives of national parliaments, governments and the EU institutions. An IGC involves representatives of each of the national governments, who would need to agree unanimously to treaty change. Treaty changes would need to be ratified by all the Member States in accordance with their respective constitutional requirements.

Under a simplified procedure, the European Council can also decide by unanimity and without an IGC to amend Part III of the TFEU, covering the EU’s internal policies and actions, but it cannot revise the treaty in this way if it

<sup>216</sup> European Council, [The Granada declaration](#), 6 October 2023

<sup>217</sup> European Commission, [Speech by President von der Leyen at the European Parliament Plenary on the conclusions of the European Council meeting of 14-15 December 2023 and preparation of the Special European Council meeting of 1 February 2024](#), 17 January 2024

increases EU competences. Any revision under the simplified procedure would need to be ratified by the Member States in accordance with their constitutional requirements.

Treaty changes in some policy areas can also be adopted by the European Council without the need for an IGC. [Article 48 \(7\) of the TEU](#) provides for the European Council to take a decision to move from decision-making by unanimity to qualified majority voting in any part of the TFEU (covering EU policies and decision-making) or aspects of [Title V of the TEU](#) covering the EU's external actions and the Common Foreign and Security Policy, as long as this does not have defence or military implications. Any decision to move to qualified majority voting in these areas would need to be taken by unanimity, and can be blocked by any national parliament voting to do so within six months of being notified of the decision.<sup>218</sup>

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<sup>218</sup> See EUR-Lex, [Revision of EU treaties](#), last update 14 October 2022; and section 5 of House of Commons Library briefing paper 9551, [The Conference on the Future of Europe: proposals and next steps](#)

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