

EU Enlargement Issues for the Next Commission

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The EU's enlargement process is at a cross-roads. There have been some positive steps recently, but these are not in themselves credibly answering the question whether the process is really on track for a new round of accessions, even over a long-term horizon; or whether the long and complex procedures are masking a political reality that the process is subject to fundamental blockage factors in the hands of various member states. The Western Balkan states – government and civil society – may be diplomatic in their conversations with the EU, but basically they are deeply disillusioned over their accession prospects. Ukraine and Moldova remain for the time being somewhat optimistic. For Ukraine, given the already traumatic impact of the war, this raises the very important challenge of expectations management.

The State of Play

- At the end of 2023 and in early 2024 there were a set of new and positive markers:
- The European Council in December 2023 agreed to the opening of formal accession procedures with Ukraine and Moldova.
- In February 2024 the EU agreed the €50 billion aid package for Ukraine, followed by an additional €5 billion more for weapons and ammunition.
- In April 2024 the Council agreed the Commission's proposal for a new 'Growth Plan' for the Western Balkans, with potentially an extra €6 billion of conditional funding.
- Also helpful, several studies are showing the likely budgetary costs of accession of even all the nine candidate states to be of manageable proportions, contrary to various scare stories¹.

But on the negative side the US Congress has been holding up the proposed \$60 billion of military aid for Ukraine, already resulting in military reverses on the front-line and risking wrecking the entire project of Western support. However after the Speaker of the US House of representatives declared for the first time on 15 April his support for the bill, the House and Senate finally agreed to it, and President Biden signed the law on 23 April. Still, and

1 <https://www.ceps.eu/ceps-publications/the-potential-impact-of-ukrainian-accession-on-the-eus-budget/>

with Donald Trump waiting on the side-lines, the US seems to have become the uncertain ally of Ukraine.

More fundamentally, notwithstanding the recent positive steps, the EU and member states remain non-transparent, ambiguous and divided on the fundamentals of the enlargement process. France, Germany and others insist on a parallel deepening alongside further widening, itself a reasonable condition. But a core element of the deepening agenda would be the expansion of qualified majority voting (QMV) and reduction of veto powers, which however is opposed by another group of mainly small member states and various right-wing parties that may do well in the forthcoming European Parliament elections.

The positive steps referred to above are also still consistent with a possible slide in the accession process into a regime of enhanced association agreements, rather than accession as full member states. This may become the default scenario if real progress in the formal accession procedures remain elusive. The Growth Plan for the Western Balkans is notably consistent with this hypothesis. This fits also with the long-standing idea of a 'multi-tier Europe', which already exists, but might be taken further as advocated in the recent French-German expert report², suggesting more precisely four tiers: 1/ an Inner Core of EU member states, 2/ the EU itself with present and future member states, 3/ a new 'Associate Members' category³, and 4/ Macron's European Political Community.

For the Next Commission's Agenda

Those now advocating further enlargement as a geo-political necessity have to specify how the current impasse could be overcome. The Staged Accession proposal of CEPS (and its EPC-Belgrade partners), with four Stages, is the most developed and discussed⁴. Its broad idea of progressive and conditional access to benefits of membership, rather than having all held back until the Treaty of Accession enters into force, is now generally accepted. But Council language does not go beyond vague 'gradual integration'.

To be more precise, Stages 1 and 2 of the proposal could advance relatively smoothly and with minimal controversy. But Stage 3, for 'New Member States' with everything except the transitional exclusion of veto powers in the Council, proves more tricky for political and legal reasons. This veto element has not received broad endorsement, but rather reservations, and so alternative formulations may be considered. One alternative could be to skip Stage 3 and go instead to full membership (Stage 4), but with inclusion of an improved Article 7 (TEU) suspending all Council voting of member state in serious breach of European values. The improvement should see a 'super-QMV' (i.e. a higher majority than the present standard usage) instead of the actual 'unanimity less 1' for its decision-making. Another alternative would be to redefine Stage 3 as 'Associate Membership', with full participation except for legislative voting powers in Council and Parliament. Passage to classic full membership (Stage 4) would happen when the EU had itself 'deepened' sufficiently over an unforeseeable number of years.

The enlargement methodology should further be improved for all candidates, of Eastern

2 https://www.diplomatie.gouv.fr/IMG/pdf/20230919_group_of_twelve_report_updated14.12.2023_cle88fb88.pdf

3 https://www.epc.eu/content/PDF/2023/Treaty_change_Andrew_Duff.pdf

4 <https://www.ceps.eu/ceps-publications/template-2-0-for-staged-accession-to-the-eu/>

Europe as well as Western Balkans, by a switch to QMV for the opening and closing of chapters/clusters. There is said to be a German-Slovenian proposal being discussed in the Council for doing this but only for opening chapters, which would be a weak variant. In addition the current summary ratings of chapters done by the Commission in its annual Enlargement Packages should be quantitative as well as qualitative (the current 'moderate' rating of preparedness for membership would win 3, marks, the 'good' 4 marks etc.). This very simple step, which the Commission has been doing internally already, would have the advantage of enabling summation and averaging, thus bring more transparency to the process.

There should also be improvements to the working methodology of the Growth Plan for the Western Balkans, which so far seems flawed by the absence of any formal link to the enlargement methodology⁵. The 'Reform Agendas' of the Growth Plans should specify aims to upgrade various chapter ratings, e.g. from 'Moderate' to 'Good', thus connecting with formal accession procedures. This requires only a management decision by the Commission, and thus a useful step without requiring lengthy negotiations with member states in the Council.

Recommendations

- Now is the time to formulate concrete proposals for the next Commission to break through the current deadlock over real prospects for the EU's further enlargement. Current EU Council discourse about favouring 'gradual integration' is not a credible advance.
- The EU and member states adopt a fully operational Staged Accession methodology, with possible variants for the key veto power aspect of the penultimate Stage (as detailed above).
- Needed also are some further relatively technical but politically significant improvements to the processing of chapters and clusters of the present methodology and Growth Plan for the Western Balkans (as detailed above).
- The next Commission could begin with a political signal that, together with these steps, well prepared candidate states should be able to accede during its mandate - precisely the opposite of what Jean-Claude Juncker proposed exactly ten years ago. As of today Montenegro is the best placed.
- These steps could restore the credibility of the EU's political will to advance a new round of enlargement, and thus also stimulate the reform efforts of the candidates.

⁵ <https://europeanwesternbalkans.com/2024/03/07/the-commissions-important-but-flawed-growth-plan-for-the-western-balkans/>



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