

EU Enlargement Conundrum: Conditionality meets Geopolitics

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Abstract

The role and position of the European Union as a global actor on the international stage has been based on the thesis that the creation of the Union is aimed at ending geopolitics, the usual notion of which is built on the understanding of dynamic power in international relations. Ever since the EU Enlargement policy has been established, the conditionality was used as a crucial mechanism by the EU to make countries accept the rules set as conditions which the applicant country has to fulfil in order to receive rewards. This merit-based logic is particularly emphasized in terms of the rule of law conditionality which has become one of the fundamentals at the center of accession process, especially with regard to the Western Balkans. However, it has not yielded the expected outcome – on the contrary, it led to stagnation in the candidate countries' reform efforts as well as in accession negotiations. There are various reasons for a pitfall that can be described as lack of credibility and clear commitment on both sides – candidate countries but also the EU which declared its own dilemmas in terms of the absorption capacity. Decreased EU leverage in the region where European vision is fading creates a gap – and since the geopolitics hates a vacuum, other geopolitical actors are on their way to fill in. In the recent years there has been intense talk of a “return to geopolitics”, even the composition of the European Commission in 2020 was presented with unprecedented rhetoric as a “a geopolitical commission that Europe urgently needs”. However, it was only after February 2022 that the EU was faced with a real geopolitical imperative to generate a capacity to act without the luxury of further delay in making political decisions. Such bold decisions taken by the EU institutions led to launching accession negotiations with Ukraine and Moldova – a turn of events only a few could suggest only a couple of years ago. Enlargement fatigue has been replaced with a revitalization of the process, but it also marked a paradigm shift – from conditionality to (geo)political decisions. Creating parallel tracks produced imbalance in the European integration of different countries but also different regions – Western Balkans and Eastern Partnership. This paper strives to examine how both concepts can be reconciled for the enlargement policy not to lose its renewed momentum but also maintain the much-needed credibility.

Keywords: Enlargement policy, Conditionality, Geopolitics, Accession, Western Balkan, Eastern Partnership, Association Trio.

Introduction

The geo-political imperative for the European Union is to both widen and deepen, thus institutional reforms and new areas of integration have emerged with each wave of enlargement.¹ The accession of Central and Eastern European (CEE) countries to the EU has hailed the enlargement policy as the most vital tool of EU foreign policy, with the EU strengthening its potential influence on the international stage.² The EU has positioned itself as a beacon of democracy and rule of law, utilizing its enlargement policy to extend these values beyond its borders, foster complex reforms and thus ensure the continent's stability. The enlargement policy combines foreign policy, aid, and conditionality into a set of tools and incentives, with the accession process adapting to strengthen the EU's leverage on candidate states. The conditionality policy was employed as a key mechanism to encourage the candidate countries to accept the rules set as conditions, incentivized by financial and technical aid, in order to receive rewards. Hence, the EU's normative power³ has come to the forefront, earning it the label of a transformative power.⁴

However, the effectiveness of EU conditionality has come under growing scrutiny - although the EU was anticipated to continuously act as a transformative or normative power to complete the integration project, this level of success has not been mirrored in the case of the Western Balkan countries. At the Thessaloniki Summit in June 2003, EU leaders declared the unambiguous support for the European perspective of the Western Balkans states, emphasizing that the future of the Balkans is within the European Union.⁵ This 'European perspective' signified potential EU membership and full integration into its institutional and political framework. Yet, this vision became a reality only with regard to Croatia as the last country to join the EU in 2013 – one decade after the application for membership submitted in 2003. In 2014, the EU path for the Western Balkans faced a major turning point when the enlargement stalemate was openly acknowledged by the European Commission⁶, as one of many signals and indications of reduced credibility of EU's commitment towards the accession process.

The feared loss of leverage among member states compounded by the internal debates over the limits of EU's absorption capacity resulted in enlargement fatigue within the EU.⁷ Along with the uncertainty about membership prospects, this stance has weakened the political will in Western Balkan countries to undertake reforms. Despite the efforts to apply enhanced rule of

¹ Josep Borrell, 'The Geo-Political Imperative for the EU to Both Widen and Deepen' (EEAS, 14 November 2024) https://www.eeas.europa.eu/eeas/geo-political-imperative-eu-both-widen-and-deepen_en accessed 26 October 2024.

² Ollie Rehn, 'What's the Future for EU Enlargement?' (Speech 07/185, 25 September 2007).

³ Ian Manners, 'Normative Power Europe: A Contradiction in Terms?' (2002) 40(2) *Journal of Common Market Studies* 235.

⁴ Heather Grabbe, *The Constellations of Europe: How Enlargement Will Transform the EU* (Centre for European Reform, 2004).

⁵ European Council, *Presidency Conclusions*, 19–20 June 2003 (Thessaloniki, 2003).

⁶ European Commission, 'The Juncker Commission: A Strong and Experienced Team Standing for Change' (Press Release, 10 September 2014) https://ec.europa.eu/commission/presscorner/detail/en/IP_14_984 accessed 26 October 2024.

⁷ Deniz Devrim and Evelina Schulz, 'Enlargement Fatigue in the European Union: From Enlargement to Many Unions' (Elcano Royal Institute, 10 March 2009) <https://www.realinstitutoelcano.org/en/analysis/enlargement-fatigue-in-the-european-union-from-enlargement-to-many-unions/> accessed 26 October 2024.

law conditionality, the Western Balkans has seen a marked slowdown in reform efforts⁸ and a noticeable decline in enthusiasm for EU integration⁹ which in turn, reinforced skepticism within the EU regarding future enlargement. A vicious cycle has emerged as momentum toward EU membership has stalled, especially in North Macedonia where the accession process had been further compromised by bilateral disputes.¹⁰ The enlargement fatigue has created a reform fatigue. Hence, the conditionality model, once a powerful incentive, appears increasingly insufficient in inspiring transformative reforms, thus sparking debates over the need for a new approach to reinvigorate the enlargement policy. Nevertheless, citizens in the region continue to perceive EU enlargement as a way to address long-standing issues and achieve stability, prosperity, and closer integration with the rest of Europe.¹¹

At the same time, the EU's external environment has shifted dramatically, bringing geopolitics back into the center of European decision-making. In the recent years there has been intense talk of a 'return to geopolitics', and even the composition of the European Commission in 2020 was presented with unprecedented rhetoric as a "a geopolitical commission that Europe urgently needs".¹² However, it was only after February 2022 following Russia's full-scale invasion of Ukraine in February 2022, that the EU found itself confronted with a stark geopolitical reality, where questions of security and regional influence became more pressing than ever.¹³ The EU has been faced with a real geopolitical imperative to generate a capacity to act without the luxury of further weakening or delaying its actions regarding bold political decisions. This urgency catalyzed a shift in the EU's enlargement strategy, as seen in the rapid granting of candidate status to Ukraine and Moldova¹⁴ and opening accession negotiations within a year¹⁵ - a turn of events only a few could suggest only a couple of years ago¹⁶.

While these swift decisions marked a departure from the steady conditionality-driven model of the past, they underscored a new priority - responding to strategic imperatives and revealed the security dimension of the enlargement. The EU's openness to more flexible approaches in the case of Ukraine and Moldova represents a switch to geopolitically motivated decision-making which has created a paradigm shift in the EU enlargement policy. While these developments

⁸ Leposava Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy: A Twofold Challenge' (2021) 17 *Croatian Yearbook of European Law and Policy* 237, <https://doi.org/10.3935/cyelp.17.2021.455>.

⁹ Regional Cooperation Council, *Balkan Barometer 2024 Public Opinion Analytical Report*, https://www.rcc.int/balkanbarometer/key_findings_2024/2/ accessed 26 October 2024.

¹⁰ Srdjan Cvijic, Nikola Dimitrov, Leposava Ognjanoska Stavrovska, and Ivana Rankovic, *Bilateral Disputes and EU Enlargement: A Consensual Divorce* (Belgrade Centre for Security Policy, May 2024) <https://bezbednost.org/wp-content/uploads/2024/05/bilateral-eng-08.pdf> accessed 26 October 2024.

¹¹ Regional Cooperation Council, *Balkan Barometer 2024*.

¹² European Commission, 'Speech by President-elect von der Leyen in the European Parliament Plenary on the Occasion of the Presentation of Her College of Commissioners and Their Programme' (27 November 2019) https://ec.europa.eu/commission/presscorner/detail/es/speech_19_6408 accessed 26 October 2024.

¹³ Jelena Dzankic, Simonida Kacarska, and Soeren Keil (eds), *A Year Later: War in Ukraine and Western Balkan (Geo)Politics* (European University Institute, 2023).

¹⁴ European Council, *Conclusions*, 23-24 June 2022, <https://www.consilium.europa.eu/en/meetings/european-council/2022/06/23-24/> accessed 26 October 2024.

¹⁵ European Council, *Conclusions*, 14-15 December 2023, <https://www.consilium.europa.eu/en/meetings/european-council/2023/12/14-15/> accessed 26 October 2024.

¹⁶ Antoaneta Dimitrova, 'Dilemmas of EU Enlargement: Geopolitics, Conditionality, and Citizens' Concerns' (2023) SIEPS <https://www.sieps.se/en/fit-for-35-forum/dilemmas-of-eu-enlargement--geopolitics-conditionality-and--citizens-concerns/> accessed 26 October 2024.

have greatly enhanced the credibility of the EU accession prospects for the Eastern Partnership countries, on the side of the Western Balkans this change has introduced additional uncertainty and undoubtedly sparked questions about consistency.¹⁷ Hence, the EU's renewed enlargement interest has revitalized the accession process, but this emerging dual-track approach also risks creating disparities among candidate countries, where some are seen as 'strategic priorities' and others as lower on the list of EU interests. On the other side, the "geopolitical fast-track" now seemingly available to some countries, also has a potential to motivate the Western Balkans countries to accelerate their reform efforts.

This research examines the EU enlargement conundrum, exploring the tensions between conditionality and geopolitics that have reshaped the Union's approach to integration. Through a comparative analysis of the Western Balkans and Eastern Partnership regions, this study aims to highlight the complexities of a dual-track enlargement policy. It examines how the EU might reconcile the competing demands of conditionality and geopolitics, preserving its role as a stabilizing force while maintaining the credibility and influence needed to foster sustainable integration. Hence, it seeks to offer insights into how the EU can sustain its renewed momentum in enlargement without abandoning the core principles that have long defined its role on the global stage.

Conditionality and Geopolitical Pressure as Pillars of EU Enlargement

The first generation of accessions to the EU was based on political decisions without any clear criteria having been established, only providing for basic rules, namely Article 237 EEC – to be European and to be willing to take part.¹⁸ From a procedure aimed at providing states to become parties to the founding treaties, enlargement evolved into a comprehensive policy of 'member state-building' which includes a significant role for EU institutions and existing member states, along with the gradual codification of established practices and defined criteria.¹⁹ Unlike previous rounds of enlargement, the 1993 Enlargement policy established on the basis of the Copenhagen criteria, is characterized by complexity, differentiation, asymmetry, and conditionality²⁰, thus requiring that candidate countries meet specific criteria to ensure alignment with the Union's values and system.

Geopolitics is a term traditionally used to denote the relationship between great powers and the geographical dimensions of their policies.²¹ It encompasses three key aspects: questions of influence, power, and dominance over space and territory; the analysis of global events within geographical frameworks; and the prediction of states' future behavior in alignment with their interests.²² Geopolitics can be analyzed through the interconnection between states' territorial

¹⁷ Radio Free Europe, 'Balkan Leaders Frustrated Over Stalled EU Membership Bids As Bloc Moves To Grant Candidate Status To Ukraine, Moldova' (23 June 2023) <https://www.rferl.org/a/31912243.html> accessed 26 October 2024.

¹⁸ Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy' (n 8).

¹⁹ Christophe Hillion, 'EU Enlargement' in Paul Craig and Gráinne de Búrca (eds), *The Evolution of EU Law* (2nd edn, Oxford University Press 2011) 187.

²⁰ Klaudijus Maniokas, *The Method of the European Union's Enlargement to the East: Critical Appraisal* (Manchester University Press 2004) 3.

²¹ Peter Burgess (ed), *Handbook of New Security Studies* (Routledge 2010).

²² Klaus Dodds, *Geopolitics: A Very Short Introduction* (3rd edn, Oxford Academic 2019) <https://doi.org/10.1093/actrade/9780198830764.003.0001> accessed 6 November 2024.

interests and power dynamics with geographical environments, inherently linking it to the concept of security. Traditional geopolitics is often associated with dynamic power struggles in international relations, whereas the EU promotes a new security concept based on interdependence and shared sovereignty through jointly established institutions.²³ Since the foundation of the European Communities in the 1950s, European integration has aimed to establish and sustain a security community that replaces traditional rivalries and disputes over power and resources among European states with democratic peace, a unified institutional framework, and a common legal order. Article 49 of the Treaty on European Union (TEU), which serves as the legal basis for EU accession under EU law, requires applicant states to be European (“located on the European continent”), thereby embedding a certain geopolitical ‘DNA’ into its legal foundation.

The emergence of new borders and the tendency to create new states inherently brought the potential for conflict, threatening peace and stability, thus reactivating the primary goals of integration. The enlargement policy has been designed to address perceived threats, guided by a specific vision of (a new) Europe as a community of shared values—an expanded zone of peaceful interstate relations where resolving issues through institutionalized cooperation becomes the norm.²⁴ The EU has applied a ‘soft’ security approach to geopolitical issues in the enlargement process. This approach manages instability and existential threats to European peace and security through a controlled enlargement process based on conditionality and systemic transformation, which can also be viewed as a form of ‘desecuritization’²⁵. In this way, external issues were transformed into internal ones, effectively turning geopolitics into an everyday practice of European integration.

The fact that despite all obstacles, the EU has gone through seven rounds of enlargement was mainly due to geopolitical necessity - in the early phases accession was driven by the need to consolidate Western Europe in the context of the Cold War and later by the necessity of stabilizing and transforming the liberated parts of the former Soviet Union.²⁶ For example, the accession of Spain, Portugal, and Greece in 1980s, also referred to as the ‘Southern enlargement’ was based on a sense of solidarity with their efforts to consolidate the democratic system emerging from authoritarian regimes.²⁷ Although these countries were considered relatively ‘young’ democracies, they are not exceptions to the general rule - the transition to a free-market capitalist system was conducted in the 1950s and 1960s, resulting in advanced and competitive economic systems by the 1970s, while from the perspective of political system stability, representative institutions that guarantee democracy and free multi-party elections

²³ Vasko Naumovski, Milena Apostolovska-Stepanoska, and Leposava Ognjanoska, 'Defining the Role of the EU as a Global Actor' (2022) 62 *Political Thought* 5-21.

²⁴ John O'Brennan, 'Bringing Geopolitics Back In': Exploring the Security Dimension of the 2004 Eastern Enlargement of the European Union' (2007) 19(1) *Cambridge Review of International Affairs* 158 doi:10.1080/09557570500501911.

²⁵ Ole Wæver, 'Securitisation and Desecuritisation', in Richard D. Lipchutz (ed), *On Security* (Columbia University Press 1995).

²⁶ Stefan Lehne, *A Reluctant Magnet: Navigating the EU's Absorption Capacity* (Carnegie Europe, 21 September 2023) <https://carnegieeurope.eu/> accessed 9 November 2024.

²⁷ Marko Kmezcic, *Europeanization by Rule of Law Implementation in the Western Balkans* (Institute for Democracy Societas Civilis, Skopje 2014) 19.

were already established before joining the Communities, and acts were adopted to ensure the protection of human rights and minority rights.²⁸

Hence, the EU enlargement policy has been grounded in two critical, often competing principles: conditionality and geopolitical considerations. While conditionality aims to ensure that prospective member states align with the EU's core values and rules, geopolitical pressure compels the EU to consider broader stability and influence within and beyond Europe. Therefore, enlargement often intersects with security interests including promoting democratic governance to counterbalance authoritarian trends. EU's interest in the Western Balkans has emerged due to the region's strategic location as a key transit route for trade and migration but also the history of ethnic conflict and fragile political landscape, while for the Eastern Partnership countries, proximity to Russia has added a complex dimension to the relations with EU.

Admission of Central and Eastern European countries to the EU was driven by a blend of strategic, political, economic, and security considerations: integrating these countries into the EU was viewed as a way to stabilize the region, helping prevent potential conflicts and reducing political instability on the EU's borders. Moreover, it served as a an option without alternative to ensure system transformation in all three dimensions – political, economic and legal. In other words, without undergoing such a transformation, including all its inconsistencies, the only other (im)possibility was falling into a sort of vacuum. Hence, conditionality acted as a cornerstone to provide the main framework for achieving certain wider aims such as to enhance Europe's security landscape by creating a buffer against potential external threats and to create a larger, more cohesive political and economic bloc, enhancing EU's role as a global actor. On the other side, the decision to allow new member states to join without meeting the established standards – as in the case of Bulgaria and Romania, did not consistently follow the rationale behind the policy of conditionality; rather, it was primarily a political decision, driven to some extent by 'broader security imperatives'.²⁹

Nevertheless, enlarging the Union is more than the territorial expansion of EU membership rights and obligations to other European states and peoples. Enlargement also triggers new policy demands on the Union, alters its institutional functioning, and affects its legal corpus.³⁰ When stipulating the Copenhagen criteria as accession criteria, European Council in 1993 also elevated the Union's absorption capacity to a key principle of the enlargement process, described as "the Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries".³¹ Therefore, this two-folded conditionality is intended to guarantee that new members do not jeopardize EU as a 'functional concept'³² and can

²⁸ Karin Gilland and Raj Chari, 'European Integration: Enlargement Now and Then: Implications for Ireland' (2001) 12 *Irish Studies in International Affairs* 220.

²⁹ Dimitris Papadimitriou and Eli Gateva, 'Between Enlargement-led Europeanisation and Balkan Exceptionalism: An Appraisal of Bulgaria's and Romania's Entry into the European Union' (2009) 10(2) *Perspectives on European Politics and Society* 152-156.

³⁰ Hillion, 'EU Enlargement' (n 19).

³¹ European Council, *Conclusions*, 21-22 June (Copenhagen, 1993).

³² European Commission, *Communication from the Commission to the European Parliament and the Council: The Enlargement Strategy and Main Challenges 2006-2007*, Brussels, 8.11.2006, COM(2006) 649 final.

effectively contribute towards political and policy objectives established by the Treaties, but also to overcome internal institutional, policy-based, or financial constraints to integrate new member states successfully.

External incentives model explains the way EU uses conditionality to influence candidate countries in the accession process, particularly through incentives designed to motivate compliance with EU standards.³³ This model, rooted in rationalist institutionalism, argues that the EU can promote reform in candidate countries by setting the adoption of its norms and rules as conditions for membership and offering rewards that outweigh the costs of implementing the required changes.³⁴ The EIM further specifies several conditions under which conditionality is more or less likely to be effective: the size and speed of rewards, the determinacy of the conditions, the credibility of the conditionality, and the size of the adoption costs. Credibility refers to the credibility of the EU's threat to withhold the reward if conditions are not met and the credibility of the EU's promise to pay the reward once conditions are met.³⁵

Updated consensus on the enlargement process in 2006 enhanced the importance of the rule of law in the accession process³⁶ and marked the introduction of enhanced conditionality. The EU has no longer been satisfied with 'reforms on paper' and strives to apply more active leverage.³⁷ Such an approach of enhanced conditionality regarding the rule of law was gradually developed through the 'fundamentals first' principle with Chapters 23 and 24 serving as key chapters that are opened first and closed last, determining the overall pace and progress throughout the entire process.³⁸ This principle has also been reflected in the current Enlargement methodology³⁹ which envisages a cluster structure with an 'even stronger focus on the fundamental reforms essential for success on the EU path' providing central role to the rule of law. In addition to the structural rule of law deficiencies in the candidate countries, the reasoning behind this approach also stems from the fourth Copenhagen criterion – the 'absorption capacity of the Union,' which allows for flexibility in the procedure, enabling a political decision to be made if a country meets the membership criteria, but the Union, for various reasons, is not ready for further enlargement.⁴⁰

Therefore, while the EU's capacity to integrate a candidate country crucially depends on the qualities of the respective candidate, absorption capacity was often used by the EU institutions and some member states in particular, as a reason to delay further accession steps if opposed, to secure concessions that protect their national interests, or to advance forward policy goals

³³ Frank Schimmelfennig and Ulrich Sedelmeier, 'The Europeanization of Eastern Europe: The External Incentives Model Revisited' (2019) 27(6) *Journal of European Public Policy* 814-833 <https://doi.org/10.1080/13501763.2019.1617333> accessed 11 November 2024.

³⁴ Schimmelfennig and Sedelmeier, 'The Europeanization of Eastern Europe' (n 33).

³⁵ Schimmelfennig and Sedelmeier, 'The Europeanization of Eastern Europe' (n 33).

³⁶ European Council, *Conclusions*, 15 December 2006.

³⁷ Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy' (n 8).

³⁸ European Commission, *Enlargement Strategy Main Challenges 2011-2012* (Communication) COM(2011) 666.

³⁹ European Commission, *Enhancing the Accession Process – A Credible EU Perspective for the Western Balkans* (Communication) COM(2020) 57.

⁴⁰ Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy' (n 8).

they deem essential for the EU's future development.⁴¹ Moreover, the absorption capacity remains vague and unmeasurable, unlike the clear criteria for candidate countries and the only real measure is whether member states can reach a political consensus on enlargement terms on the basis of the member states' positions and the current geopolitical context.⁴² This further leads to a confirmation that the conditionality policy is not purely a technical toll, but quite on the contrary, it is a highly political concept.

It can be concluded that the EU enlargement policy has consistently relied on a complex interplay between conditionality and geopolitics, with the Union striving to extend its influence through a careful balance of normative and strategic considerations. Although conditionality was intended to ensure predictability and certainty based on the EU's transformative power, its inconsistent implementation revealed a certain political dimension but with limited geopolitical urgency, which has slowed integration momentum. Changed circumstances on the outside – as the unthinkable has actually happened and became reality on 24 February 2022, urged enlargement to be widely seen primarily as a geopolitical tool, and to a lesser extent, an instrument for advancing European values and rules for their own merit.⁴³ However, the analysis within this chapter has shown that both dimensions are crucial for achieving the main rationale of the enlargement policy and should be reconciled and balanced rather than contested and opposed.

Western Balkans and the Eastern Partnership: Context, Instruments and Outcomes

The Western Balkans and the Eastern Partnership are of significant strategic importance to the EU - both regions play a critical role in shaping the EU's relationship with neighboring powers, and define the role of the EU as a global actor that strives to make a difference with its actions.

Western Balkans integration path: from stabilization to association

Between 1990 and 1993, the EU played an active role in the dissolution of Yugoslavia and the formation of independent and sovereign states based on the principle of self-determination. Beyond the criteria for statehood established by international law, the EU introduced additional political conditions through the Declaration on Yugoslavia, adopted in December 1991⁴⁴. These conditions included the protection of human rights and minority rights, good governance, respect for borders, acceptance of disarmament, and commitment to the peaceful resolution of disputes. These requirements formed the basis for the recognition of new states, marking a radical departure from customary practices and prevailing norms for the recognition of states and governments.⁴⁵

⁴¹ Stefan Lehne, *A Reluctant Magnet: Navigating the EU's Absorption Capacity* (Carnegie Europe, 21 September 2023) <https://carnegieendowment.org/research/2023/09/a-reluctant-magnet-navigating-the-eus-absorption-capacity?lang=en¢er=europe> accessed 12 November 2024.

⁴² Piotr Buras and Engjellushe Morina, 'Catch-27: The Contradictory Thinking About Enlargement in the EU' (ECFR, November 2023) <https://ecfr.eu/publication/catch-27-the-contradictory-thinking-about-enlargement-in-the-eu/> accessed 12 November 2024.

⁴³ Buras and Morina, 'Catch-27: The Contradictory Thinking About Enlargement in the EU' (n 42).

⁴⁴ European Communities, *Declaration on Yugoslavia* (Extraordinary EPC Ministerial Meeting, Brussels, 16 December 1991).

⁴⁵ Richard Rich, 'Recognition of States: The Collapse of Yugoslavia and the Soviet Union' (1993) 4 *European Journal of International Law* 36-65.

The term ‘Western Balkans’ has a geopolitical character itself and refers to the countries of the former Yugoslavia, excluding Slovenia which was included with the big-bang enlargement, plus Albania. In the context of EU integration, the term Western Balkans was introduced with the regional approach⁴⁶ established in the period 1996-1997, targeting the Southeast European states that had not signed association agreements and that emerged from the former Yugoslavia, excluding Slovenia, but including Albania. It was emphasized that conditionality would be a key feature of this approach, aiming on one hand to ensure a coherent regional strategy, while on the other, setting specific conditions for each individual state. Differentiation, as a feature of the defined enlargement approach, was underscored at the Helsinki Summit in December 1999⁴⁷, introducing a new dynamic where the pace of negotiations would depend on the individual progress achieved by each state. The instability of the region, particularly highlighted by the war in Kosovo, spurred this approach to allow better-prepared states to advance more quickly in the negotiation process compared to others within the same group. This framework also enabled a scenario where a state that began negotiations later could surpass earlier-starting candidates in the process, depending on the progress achieved.

With the introduction of the term ‘Western Balkans’, the EU made a distinction between the policy employed towards the Central and Eastern European countries and the Western Balkans, as well as further differentiation regarding the Southeast European countries which also include the Western Balkans. This distinction has also been reflected in the accession process, updating the political and economic conditions these countries must meet.⁴⁸ Criticism of the terminological difference points out that the term Western Balkans has created a cultural and value-based distinction, distancing the region from the EU rather than bringing it closer, and denying the fact that the region is an integral part of Europe.⁴⁹

In May 1999, the European Commission introduced a coherent strategy for the EU's future relations with the countries of Southeast Europe, imposing more complex political and economic conditions and emphasizes regional cooperation.⁵⁰ A key element of this strategy was the Stabilization and Association Process (SAP), which consists primarily of Stabilization and Association Agreements (SAAs), financial assistance, and autonomous trade measures. The SAAs, concluded individually with each country, form the cornerstone of the SAP, establishing contractual relations that define mutual rights and obligations. Membership prospects are articulated through an ‘evolutionary clause’, presenting membership as a possible, though not guaranteed, outcome of the process. The SAP was designed to serve as a tool enabling countries in the region to establish and sustain stable democratic institutions,

⁴⁶ Council of the European Union, *Conclusions of the General Affairs Council* (Brussels, 26 February 1996); European Commission, *Report from the Commission to the Council and the European Parliament on Common Principles for Future Contractual Relations with Certain Countries in South-Eastern Europe* COM(96) 476 final (Brussels, 10 February 1996); Council of the European Union, *Conclusions of the General Affairs Council* (Brussels, 29 April 1997).

⁴⁷ European Council, *Conclusions* (Helsinki, 10-11 December 1999).

⁴⁸ Council of the European Union, *Conclusions of the General Affairs Council* (Brussels, 29 April 1997).

⁴⁹ Kica Kolbe, ‘EUtopia and Balkanophobia’, *Deutsche Welle Macedonian* (27 November 2023) <https://www.dw.com/mk/eutopija-i-balkanfobija/a-67560436> accessed 12 November 2024.

⁵⁰ European Commission, *Communication from the Commission to the Council and the European Parliament of 26 May 1999 on the Stabilisation and Association Process for Countries of South-Eastern Europe* COM(1999) 235 (Brussels, 26 May 1999).

ensure the rule of law, and build resilient, open, and progressive economies. It is both a bilateral and regional process, creating ties between individual countries and the EU while promoting regional cooperation. Furthermore, the Western Balkan countries remained burdened by the aftermath of the wars, contributing to challenges such as illegal migration, corruption, and organized crime. As a result, the EU policy towards the region had to focus first on stabilization before moving toward association.⁵¹

This conditionality policy, applied to the Western Balkans, builds upon the approach used during the previous EU enlargement with Central and Eastern European countries but introduces additional depth and complexity. It also highlights the fourth Copenhagen criterion - absorption capacity - stating that accession timelines depend significantly on the perspectives and interests of existing EU member states. Through this approach, in addition to fulfilling the standard Copenhagen criteria, Western Balkan countries must also adhere to supplementary criteria under the SAP (the "Copenhagen Plus" criteria), specific to each country, particularly regarding good neighborly relations, the enhancement of regional cooperation, and reconciliation. These criteria introduce new benchmarks to assess a country's readiness for EU membership against the EU's absorption capacity. On the other side, the EU has employed various incentive mechanisms, such as the granting of visa-free regimes and access to specific pre-accession funds intended to support the alignment process.

The distinct naming of instruments in EU-Western Balkans relations compared to those for Central and Eastern Europe suggests that SAAs do not necessarily guarantee membership, but provide the legal framework for aligning national legislation with EU law and building institutional capacity for effective implementation, alongside broader processes of political and economic transformation. While the Stabilization and Association Process complements the accession process, it is not identical - its purpose is to facilitate the initiation of accession process which is primarily guided by the Copenhagen criteria, by acquiring candidate status and progressing through accession negotiations.

The Thessaloniki Summit conclusions⁵² remain the foundation for shaping the European future of the Western Balkan countries through the promise of potential full EU membership and marked a strategic shift, indicating a gradual transition towards a more integrative approach, symbolized by the move "from stabilization to EU enlargement towards the Balkans"⁵³. The reasons for this strategic shift can be attributed to the spillover of instability from the Balkans into Europe, including the EU. This includes cross-border impacts such as corruption, organized crime, and the socio-economic and political challenges of the region. The prevailing diagnosis suggested that stabilization efforts had overshadowed reforms and preparations for integration into the EU, prompting a rebalancing towards a more comprehensive enlargement strategy.⁵⁴

⁵¹ Julija Brsakoska Bazerkoska, 'The European Union and (Frozen) Conflicts in Its Neighbourhood: The SAP and the ENP Compared' in Gstohl Sieglind (ed.), *The European Neighbourhood Policy in a Comparative Perspective: Models, Challenges, Lessons* (Routledge 2016) 241.

⁵² European Council, *Presidency Conclusions*, 19–20 June 2003 (Thessaloniki, 2003).

⁵³ Sasho Georgievski, 'From Stabilisation to Enlargement of the Union towards the Balkan Countries', *Eurodialog: Journal for European Issues*, No. 4, 2003, p. 10.

⁵⁴ Georgievski, 'From Stabilisation to Enlargement of the Union towards the Balkan Countries', pp. 10-13 (n 53).

However, a persistent characteristic of the EU policy towards the Western Balkans since its inception has been the lack of unity among member states on crucial decisions. This has been evident in unilateral actions by larger member states and the use of vetoes by smaller states to advance their national interests. EU's 'enlargement fatigue' has led to a diminished prioritization of enlargement as a central policy in the EU's external relations, thus consequently, the enlargement policy towards the Western Balkans has evolved in a fundamentally different context.⁵⁵ The accession process for Western Balkan states is characterized by the introduction of enhanced monitoring and a system of benchmarks, marking a significant shift in the approach to EU enlargement with particular emphasis on the rule of law, reflecting the evolving priorities of the EU, while also imposing higher costs of compliance for candidate countries.⁵⁶ The enhanced pre-accession policy is influenced by the post-accession experiences of CEE countries, which have highlighted the need for more robust pre-accession preparation and alignment before fully-flagged EU membership is granted to ensure that the candidate countries are better equipped to uphold EU values and obligations once they become member states.⁵⁷

The increased alignment costs for Western Balkan countries are largely driven by the introduction of regional cooperation as a 'Copenhagen-plus' criterion which requires addressing sensitive bilateral disputes. Hence, these issues have transitioned from SAP into the accession process, often acting as barriers to progress. Resolving bilateral disputes has become a *de facto* requirement in the political reality of the accession process, despite their absence in the legal framework of the Copenhagen criteria - a notable example is the name dispute affecting North Macedonia's EU integration.⁵⁸ Overcoming these obstacles often requires significant and immediate incentives to maintain momentum.

Table 1. Dynamics of EU Enlargement process regarding the Western Balkan countries

Country	Signing of SAA	Entry into Force of SAA	Submission of Membership Application	Candidate Status	Start of Negotiations	Accession
Albania	12 June 2006	1 April 2009	April 2009	June 2014	July 2022	/
Bosnia and Herzegovina	16 June 2008	1 June 2015	February 2016	December 2022	March 2024 (EC decision yet to be applied)	/
Kosovo	27 October 2015	1 April 2016	December 2022	/	/	/
North Macedonia	9 April 2001	1 April 2004	March 2004	December 2005	July 2022 (incomplete)	/
Serbia	29 April 2008	1 April 2013	December 2009	March 2012	January 2014	/

⁵⁵ Brsakoska Bazerkoska, 'The European Union and (Frozen) Conflicts in Its Neighbourhood: The SAP and the ENP Compared' (n 51).

⁵⁶ Schimmelfennig and Sedelmeier, 'The Europeanization of Eastern Europe' p. 11 (n 33).

⁵⁷ Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy' (n 8).

⁵⁸ Cvijić et al, *Bilateral Disputes and EU Enlargement: A Consensual Divorce* (n 10).

Country	Signing of SAA	Entry into Force of SAA	Submission of Membership Application	Candidate Status	Start of Negotiations	Accession
Croatia	29 October 2001	1 February 2005	February 2003	June 2004	October 2005	1 July 2013
Montenegro	15 October 2007	1 May 2010	December 2008	December 2010	June 2012	/

Source: Websites of the European Commission and European Parliament with fact sheets

As evident from the table, EU membership promise for the Western Balkans has become a reality only in the case of Croatia – the latest enlargement of the EU in general, in 2013. With regard to the other countries, the approach is based on the principle of differentiation and every country moves with its own speed. Overall, there is a reduced dynamic of the process and still persistent ambiguity in terms of the progress within the accession process. The EU has applied strengthened conditionality with focus on the rule of law which increases the costs, but meanwhile is accompanied with a loss of credibility which is the most important factor in the decline of the Europeanization effects of the EU enlargement policy. Without a clear timeline or guarantee of membership, the EU's influence through conditionality may weaken, reducing the effectiveness of reform incentives.

On the other hand, the salient security problems of the Western Balkans region have led the EU to prioritize stability and peacebuilding at the expense of democracy promotion.⁵⁹ Thus, the migrant crisis of 2015 brought the Western Balkans back onto the political map of Europe, highlighting the region's strategic importance for the stability and security of the EU.⁶⁰ In the case of the Western Balkan countries, when the focus shifts from the rule of law to security, the essence of EU integration and the logic of conditionality policy is significantly altered although it should actually bridge the gap between the need for stability and security on one hand and the rule of law on the other⁶¹ However, the short-term focus on the Western Balkans in the context of the migrant crisis did not encourage strategic thinking or the development of long-term solutions for integration of these countries in the EU.⁶² The revival of EU Enlargement agenda following the Russia's invasion on Ukraine in February 2022 was reflected in granting candidate status to Bosnia and Herzegovina and approving visa liberalization for Kosovo, while also making efforts to move forward with the accession negotiation in the case of North Macedonia and Albania. However, the EU's commitment to

⁵⁹ Stefan Richter, 'Two at One Blow? The EU and its Quest for Security and Democracy by Political Conditionality in the Western Balkans' (2012) 19(3) *Democratization* 507; Stefan Richter and Natasha Wunsch, 'Money, Power, Glory: The Linkages Between EU Conditionality and State Capture in the Western Balkans' (2019) *Journal of European Public Policy*, online first, 17 February 2019, DOI: [10.1080/13501763.2019.1578815](https://doi.org/10.1080/13501763.2019.1578815).

⁶⁰ Natasha Wunsch and Nikola Dimitrov, *The Migrant Crisis: A Catalyst for EU Enlargement?* (Balkans in Europe Policy Advisory Group, 2016).

⁶¹ Julija Brsakoska-Bazerkoska, 'The EU Integration Process of the Western Balkans in the Aftermath of 2015's Refugee Crisis' (2022) 2 *Studia Europejskie – Studies in European Affairs* 123, 140, DOI: 10.33067/SE.2.2022.8.

⁶² Wunsch and Dimitrov, *The migrant crisis: a catalyst for EU enlargement?* (n 60).

the Western Balkans is still under question, noting little evidence of substantial progress or genuine willingness to pursue further enlargement in the near future.⁶³

Eastern Partnership – from free trade to Association trio shift towards accession

The Eastern Partnership (EaP) is a crucial component of the European Neighborhood Policy (ENP), established during the 2009 Prague Summit to enhance relations between the EU and six Eastern European countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine.⁶⁴ While the ENP was designed for a wide range of neighboring countries, its broad scope limited the EU's ability to focus intensively on its eastern neighbors. Hence, the EaP aimed to stabilize and democratize these countries through closer ties with the EU, utilizing instruments such as association agreements, deep and comprehensive free trade areas (DCFTAs), visa liberalization, financial support, and training for administration and civil society. It has been designed to operate on both bilateral and multilateral tracks, evolving over time to address regional dynamics and the specific needs of each partner country. The primary objective of the EaP is to promote political association and economic integration between the EU and its eastern neighbors which includes supporting comprehensive reforms aimed at aligning partner countries with EU standards and legislation. However, unlike the EU enlargement policy, the EaP did not offer explicitly the prospect of membership – though it was not excluded, instead relying on 'soft power' tools to foster reforms and European values.

The initiative was introduced at a critical time, following the Russian invasion of Georgia in 2008 and the creation of the Mediterranean Union, which focused on southern neighbors. At its core, the EaP sought to create a 'ring' of stable, democratic, and prosperous neighbors committed to the rule of law, human rights, and good governance, aiming to achieve regional transformation through contractual relations, institutional reforms, and economic integration. Moreover, this framework aimed to facilitate conflict prevention and resolution which were listed as central EU external priorities in the 2003 European Security Strategy⁶⁵, emphasizing the importance of building security in its neighborhood to prevent new escalations.⁶⁶ Building on its experience with managing ethnic conflicts in the Balkans through the Stabilization and Association Process, the EU extended this approach to the ENP to address 'frozen' conflicts in EaP countries.⁶⁷ Nevertheless, a significant distinction lay in the absence of a membership prospect, which weakened the conditionality policy and undermined the EU's leverage, leaving its efforts to promote stability within the EaP region relatively ineffective.⁶⁸

⁶³ Dzankic, Kacarska and Keil, *A Year Later: War in Ukraine and Western Balkan (Geo)Politics* (n 13).

⁶⁴ European External Action Service, *Eastern Partnership* https://www.eeas.europa.eu/eeas/eastern-partnership_en accessed 22 November 2024.

⁶⁵ Council of the European Union, *European Security Strategy: A Secure Europe in a Better World* <https://www.consilium.europa.eu/en/documents-publications/publications/european-security-strategy-secure-europe-better-world/> accessed 22 November 2024.

⁶⁶ Sieglinde Gstöhl (ed.), *The European Neighbourhood Policy in a Comparative Perspective: Models, Challenges, Lessons* (Routledge 2016).

⁶⁷ Brsakoska Bazerkoska, 'The European Union and (Frozen) Conflicts in Its Neighbourhood: The SAP and the ENP Compared' (n 51).

⁶⁸ Brsakoska Bazerkoska, 'The European Union and (Frozen) Conflicts in Its Neighbourhood: The SAP and the ENP Compared' (n 51).

Since its inception, it has been guided by a set of strategic frameworks, including the Association Agreements and Deep and Comprehensive Free Trade Areas (AA/DCFTAs) concluded in 2014 with Georgia, Moldova, and Ukraine. The Association Agreements require these countries to progressively align with the EU *acquis*, particularly in areas such as technical barriers to trade and certain services, through various legislative mechanisms with differing obligations and procedures for rule amendments. For Armenia, a Comprehensive and Enhanced Partnership Agreement (CEPA) entered into force in 2021, reflecting the EU's tailored approach to its partners' varying aspirations. Similarly, the EU continues to negotiate a Framework Agreement with Azerbaijan to better align mutual interests and values. Belarus's engagement, meanwhile, has been limited to multilateral frameworks due to its increasing political isolation following EU sanctions in response to its 2020 election violations which were followed by Belarus suspension of its participation in the Eastern Partnership.

In this sense, the EU within the framework of EaP incorporated its existing foreign policy instruments to create a framework for administering relations rather than creating any ambitious political project. A notable achievement of the EaP has been the introduction of visa-free travel for Moldova in 2014 and for Georgia and Ukraine in 2017, which exemplifies the tangible impact of these agreements on citizens' lives. In recent years, the EaP has shifted its focus from broad democratization and transformation goals to emphasizing resilience and the implementation of reforms. While these efforts address immediate priorities, they have not spurred deeper integration or rapid Europeanisation of partner countries. The lack of new perspectives for closer cooperation has also led to 'partnership fatigue'⁶⁹ among both the EU and its eastern neighbors.

Therefore, despite its successes, the EaP has faced significant challenges and has suffered from a lack of strong political momentum.⁷⁰ While association agreements have brought measurable progress, the partnership has not consistently delivered on its ambitious objectives. Internal political developments in some of the partner countries, such as Belarus's descent into autocracy and persistent governance challenges, have often undermined progress. On the other side, other developments within the partner countries such as electoral victories by pro-European forces in Moldova, have created an urge for more proactive EU initiatives.

The heterogeneity of the EaP participants outlined the need for a differentiated approach, leading to the creation of the Association Trio consisting of Ukraine, Moldova, and Georgia, to focus on deeper engagement with the EU. The ongoing security crisis resulting from Russia's war in Ukraine highlighted the limitations of the current EaP framework, urging the EU to reassess its approach and adopt a more dynamic strategy to strengthen political and economic ties with its most engaged eastern partners. Although the EU has struggled in recent years to meet the challenge of providing a renewed and meaningful perspective on their European aspirations, the new geopolitical reality has compelled the Union in response to offer the

⁶⁹ Piotr Buras and Kai-Olaf Lang, *Partnership for Enlargement: A New Way to Integrate Ukraine and the EU's Eastern Neighbourhood* (ECFR Policy Brief, 17 June 2022) <https://ecfr.eu/publication/partnership-for-enlargement-a-new-way-to-integrate-ukraine-and-the-eus-eastern-neighbourhood/> accessed 24 November 2024.

⁷⁰ Buras and Lang, *Partnership for Enlargement: A New Way to Integrate Ukraine and the EU's Eastern Neighbourhood* (n 69).

prospect of membership prospect to strengthen its engagement and leverage in this region amid the circumstances.

Table 2. Dynamics of EU relations with the EaP Association Trio countries⁷¹

Country	Signing of the Association Agreement and Deep and Comprehensive Free Trade Area (DCFTA)	Association Agreement and DCFTA enter into force	Application for EU membership	Candidate Status	Start of Negotiations
Georgia	June 2014	July 2016	March 2022	December 2023	/
Moldova	June 2014	July 2016	March 2022	June 2022	December 2023
Ukraine	21 March and 27 June 2014	September 2017	March 2022	June 2022	December 2023

Source: Websites of the European Commission and European Parliament with fact sheets

Data provided in Table 1 and Table 2 indicates different dynamics of the accession process of the Western Balkans and of the Eastern Partnership Association Trio. The key decisions that determine the accession process and membership prospects were adopted after the Russia’s invasion in 2022. Hence, these crucial steps from the very beginning starkly highlighted the enduring relevance of geopolitics and the fragility of Europe’s political foundations – unsettling wake-up call came in 2008 with the Russia-Georgia war, then the second alarm followed the Russia’s annexation of Crimea, and the onset of the war in Donbas in 2014. It is obvious that Russia's aggression against Ukraine has facilitated closer integration of Ukraine and Moldova into the EU. However, the EU’s leverage through the enlargement policy can also produce some less clear-cut outcomes given the situation in Georgia which is experiencing significant democratic backsliding and thus has not been able to start the accession negotiations yet.⁷² The pace of the process regarding the EaP Association Trio is better aligned compared to the Western Balkans where differentiation is more emphasized.

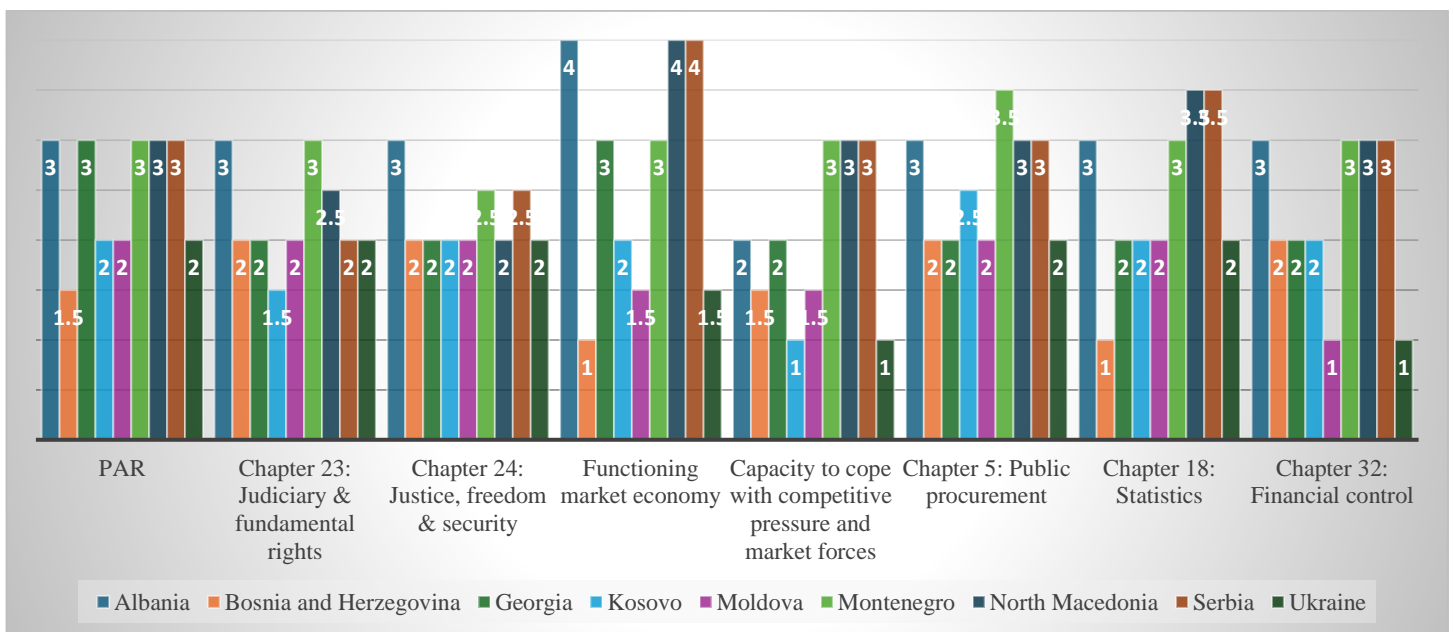
⁷¹ Relations with the other EaP countries are based on Partnership and Cooperation Agreement (Azerbaijan, in force since 1999), Comprehensive and Enhanced Partnership Agreement (Armenia, signed in November 2017 and entered into force on 1 March 2021), while Belarus announced the withdrawal from the Eastern Partnership and the suspension of the readmission agreement with the EU, as well as other existing structures in place such as the EU-Belarus human rights dialogue.

⁷² Natalie Sabanadze, 'As the Ruling Party Claims Victory in Georgia’s Disputed Election, Western Condemnation is No Longer Enough' (Chatham House, 30 October 2024) <https://www.chathamhouse.org/2024/10/ruling-party-claims-victory-georgias-disputed-election-western-condemnation-no-longer> accessed 20 November 2024.

Comparative insights into the current outcome of the enlargement policy

The EU 2024 Enlargement Strategy reveals the EU’s approach to integrating diverse regions with distinct geopolitical challenges.⁷³ EC President Von der Leyen statement embodies both pillars of the enlargement policy by emphasizing that “the tense geopolitical context makes it more compelling than ever that we complete the reunification of our continent, under the same values of democracy and the rule of law”.⁷⁴ It is highlighted that the three membership applications from the EaP Association Trio in the wake of Russia’s war of aggression against Ukraine in 2022, and the ensuing decisions by the European Council, are clear testimony of the geopolitical weight of EU enlargement. On the other side, it is also underlined that the enlargement process continues to be merit-based and depends on the objective progress with special emphasis on the ‘fundamentals’. EU Growth Plan and progressive integration into the single market is presented as main facilitator (although not an alternative) to accession, but also a key tool to reinvigorate the EU’s leverage by delivering tangible socio-economic benefits as incentives. In line with the current methodology⁷⁵, the Commission assessed the overall progress in the accession preparations and negotiations and proposes the way ahead for each country, thus providing comparability.

Chart 1. Cluster 1: The fundamentals of the accession process – Alignment



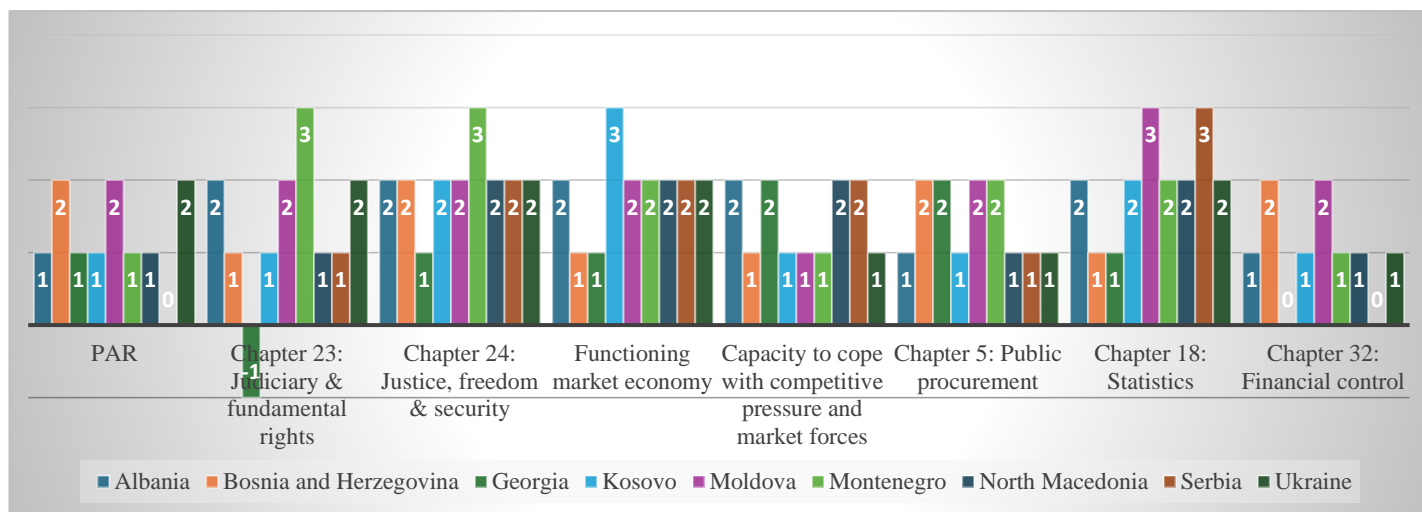
Source: Author’s calculations based on EC Enlargement Strategy and Reports 2024

⁷³ European Commission, *Communication from the Commission to the European Parliament and the Council: Enlargement Strategy and Main Challenges 2024-2025* COM(2024) 690 final, 27 October 2024.

⁷⁴ European Commission, ‘Commission Adopts 2024 Enlargement Package’ (Press Release, 30 October 2024) https://neighbourhood-enlargement.ec.europa.eu/news/commission-adopts-2024-enlargement-package-2024-10-30_en accessed 20 November 2024.

⁷⁵ European Commission, *Enlargement Methodology: An Overview of the Key Features of the EU Enlargement Process*(Communication) COM(2020) 57 final, 5 February 2020.

Chart 2. Cluster 1: The fundamentals of the accession process – Progress



Source: Author’s calculations based on EC Enlargement Strategy and Reports 2024

The data on alignment and progress in Fundamentals First cluster present the comparative insights into the outcomes of conditionality and geopolitics in both regions within the dual-track enlargement strategy. The comparative evidence highlights the importance of credibility - even if incentives are strong in principle, they fail to affect rule adoption and compliance if they lack credibility⁷⁶ which explains the stalemate in the accession process of the Western Balkans, leading to ‘reform fatigue’ in several candidate states. The firm, merit-based approach that the EU has advocated in the enlargement policy towards the Western Balkans has been compromised by particular bilateral issues which have little to do with the formal membership conditions but inhibited the accession process by being placed as the main catalysts – or obstacles of the process.⁷⁷ Most drastic case in this context is the case of North Macedonia which became a candidate country in 2005 and achieved certain level of alignment but ever since, its accession negotiations have been bogged down by endless bilateral disputes.⁷⁸ Instead of not importing instability into the Union by setting the bilateral disputes as benchmarks for progress in the accession process - which was the logic of the regional approach towards the Western Balkans, this approach has resulted in a risky precedent shifting the focus away from the real reforms.⁷⁹

On the other side - in the case of Ukraine and Moldova, the opening of the accession negotiations as a highly credible incentive stimulated progress and has proven capable of overcoming the considerable domestic costs related to the rule of law reforms which at the level of preparedness/alignment should be more visible in the upcoming years due to the time needed for their internalization. Ukraine and Moldova have seen tangible benefits from closer EU integration, including increased trade under DCFTAs, but the rest of the EaP countries

⁷⁶ Schimmelfennig and Sedelmeier, 'The Europeanization of Eastern Europe' (n 33).

⁷⁷ Ognjanoska, 'Promoting the Rule of Law in the EU Enlargement Policy' (n 8).

⁷⁸ Cvijić et al, *Bilateral Disputes and EU Enlargement: A Consensual Divorce*, (n 10).

⁷⁹ Cvijić et al, *Bilateral Disputes and EU Enlargement: A Consensual Divorce*, (n 10).

experience democratic backsliding and limited economic diversification in absence of EU's leverage – such case is Armenia where reforms have stagnated, even though the country increasingly shifts its focus toward the European integration.

It can be concluded that the overall rise of global power politics has revived interest in 'bringing in' Eastern European countries with some reflections on the strategic consideration of Western Balkans. Geopolitical pressure plays a decisive role in both regions, but its impact has driven the process in EaP while still facing uncertainty in the Western Balkans partly due to still an absence of a more tangible security threat caused by a competing power. Conditionality policy has not been consistently applied even within the same region as the progress in the accession process has not followed the actual alignment with accession criteria. In addition, the security challenges in the Western Balkans also come from within the region including from countries which are EU member states by (mis)using their membership status to achieve an advantageous position and thus preferential outcome to bilateral issues when inserted in the accession process. Finally, future accession process of EaP trio should underscore the transformative power of EU conditionality in the face of external pressures and internal challenges.

Aligned or merely parallel? Balancing geo-political logic with the merit-based logic

The new dynamics have revitalized enlargement policy and brought it back on the Union's agenda, considering the enlargement a geostrategic investment in peace and security which requires aspiring members to accelerate reforms, particularly in the rule of law, while the EU concurrently to undertake institutional and policy reforms - advancing both tracks in parallel to ensure that both future Member States and the EU are ready at the time of accession.⁸⁰ To achieve this objective, the EU must recognize the strategic significance of both the Western Balkans and the Eastern Partnership regions, enhance its capacity to act effectively, and strengthen its absorption capabilities if it seeks to rely on enlargement policy as a cornerstone for ensuring peace and stability in Europe. While the Western Balkans struggle with an undefined accession pathway and diminished EU's credibility, undermining its transformative power, the Eastern Partnership exposes the limits of EU conditionality when faced with external pressures and internal resistance.

The dynamics of the process in the Eastern Partnership Association Trio, in contrast to the Western Balkans, has raised the question of whether the enlargement policy applied to these two regions represents two entirely different approaches, and what the ultimate outcome of this process should be. Such trend also reflects in the public support and expectations from the process. Western Balkans citizens maintain optimism that EU integration could be achieved within the next decade - 20% of the citizens envision joining the EU by 2030, while 23% expect between 2030 and 2035, though views vary widely across the Western Balkans, with notable areas of skepticism regarding the outcome of the accession process.⁸¹ Hence, the majority of Western Balkan citizens (54%) believe in the positive impact of EU integration but there is some variation in the intensity of this belief across the region, while on the other side 31%

⁸⁰ European Council, *Conclusions*, 14 and 15 December 2023.

⁸¹ Regional Cooperation Council, *Balkan Barometer 2024*.

perceive this process as neither good nor bad.⁸² This perception risks deepening public disappointment with European integration in the Western Balkans, potentially driving some of these countries closer to other geopolitical actors active in the region.

On the other side, nearly three-fourth of Ukrainians believe their country will join the EU within a decade, but given the challenges of accession, managing expectations while sustaining progress will be crucial to avoiding public and political disillusionment.⁸³ However, it should not be disregarded that not all political elites favor accession-related reforms, as these often entail significant costs, thus some may actively resist this path, bolstered by Russia's influence – such as Georgian authorities that objected to the EU's preconditions for Georgia's further accession into the bloc and intensified political polarization within the country. Costs and benefits of accession distribute differently over time for candidate states depending on the stage in the process. Therefore, one significant element for the reform process is the belief that this process will lead the country towards progress.

Granting candidate status to Ukraine, Moldova, and Georgia has symbolized political recognition and solidarity, but its practical significance is limited given the demanding and politically complex nature of the EU accession process.⁸⁴ Drawing from the experiences of the Western Balkans, where candidate status has often led to prolonged stagnation due to political constraints and hurdles from technical character, the offer risks becoming a symbolic gesture rather than a pathway to accelerated membership. Although these countries were granted candidate status and have opened accession negotiations more rapidly than the Western Balkan states, the process of achieving full membership could still take decades,⁸⁵ as it also depends on internal reforms within the EU. Any further advancement in the process will likely be delayed until the war ends, as Article 42 of TEU mandates that member states assist any country under armed aggression, meaning a peace treaty or political resolution must first be reached to end the conflict before membership prospect can proceed. Political commitments from both sides should lead to a clear pathway toward accession, marked by tangible outcomes in accordance with the current Enlargement methodology. A transformative approach is needed: one that strengthens ties with these countries beyond traditional frameworks, fostering deeper integration while managing realistic expectations about the lengthy and challenging road to full membership.

Focusing exclusively on either a geopolitical or a conditionality-driven approach in EU enlargement policy could lead to severe consequences.⁸⁶ A security-focused strategy without adequate reforms risks future instability, as seen when democratic and rule of law backsliding among EU member states has caused obstruction in decision-making, especially in enlargement. Member states that have not completed the transformative process and achieved internal stability are unable to effectively promote and project the Union's values externally

⁸² Regional Cooperation Council, *Balkan Barometer 2024*.

⁸³ Jiffer Bourguignon, Maria Demertzis, and Ekaterina Sprenger, 'EU Enlargement: Expanding the Union and Its Potential' (2022) 57(4) *Intereconomics* 205-208.

⁸⁴ Buras and Morina, 'Catch-27: The Contradictory Thinking About Enlargement in the EU' (n 69).

⁸⁵ 'Ukraine Bid to Join EU Will Take Decades Says Macron' (BBC News, 10 May 2022) <https://www.bbc.com/news/world-europe-61383632> accessed 24 November 2024.

⁸⁶ Dimitrova, 'Dilemmas of EU Enlargement: Geopolitics, Conditionality, and Citizens' Concerns' (n 16).

and authoritarian forces misuse the veto power to undermine the EU's cohesion and effectiveness in foreign policy.⁸⁷ Conversely, overly rigid conditionality emphasizing institutional reform and rule of law has stalled reforms and membership negotiations in candidate states, particularly in the Western Balkans. The EU's insistence on conditionality accompanied by reduced credibility has also been exploited to mask its failure to enhance the absorption capacity. A balanced approach that combines geopolitical imperatives with meaningful conditionality is essential to foster reforms, maintain stability, and ensure progress in EU enlargement.

Therefore, in order for the conditionality policy to yield tangible results it should be merit-based but also bear credibility which leads to the question – what are the limits of the enlargement's new momentum?⁸⁸ The shifting geopolitical context has urged the EU to take strategic decisions in real time and spurred renewed interest in enlargement, yet the process remains complex and slow-moving, often not aligned with the rapid pace of geopolitical change.⁸⁹ The relevance of the decisions to open negotiations will soon be exhausted, and the Union will need to consider the next steps and overall direction of the process to ensure its sustainability. Public support for enlargement within the EU, which surged after Russia's aggression, should also be maintained by candidate countries' evident efforts of engaging into reforms, as the solidarity could weaken as the war continues. Therefore, the renewed focus on enlargement should not be driven solely by the evolving geopolitical and security priorities but must also restore confidence in the transformative power of European integration process which is the basis for the overall leverage of the EU and its position as a global actor.⁹⁰

The core demand for substantial rule of law in the candidate countries is non-negotiable and should not be compromised nor traded off, but the EU should also strengthen its internal mechanisms for safeguarding the rule of law to ensure that the integration process remains effective and sustainable once it reaches the limits of the pre-accession conditionality. The accession process should not be further burdened by vetoes over bilateral disputes, as this undermines its efficiency and fairness and ultimately, the EU's credibility. This issue aligns with ongoing discussions about EU internal reforms, particularly the need to transition from unanimity to qualified majority voting in foreign policy - such a shift would be especially suitable for intermediate decisions based on the merits of the process, such as assessing the fulfillment of established benchmarks.⁹¹

To effectively bridge the Western Balkans and Eastern Partnership regions within the European integration process, a new inclusive framework is essential. This framework should contain forums for strategic and political dialogue, such as the European Political Community, to foster

⁸⁷ Leposava Ognjanoska Stavrovska, *Rule of Law as a Fundamental Value of the European Union and European Integration – with Special Focus on the Enlargement Towards Western Balkans* (Doctoral Dissertation, Faculty of Law, Ss Cyril and Methodius University, October 2024).

⁸⁸ Ivan Damjanovski, Alba Cela, Ana Nenezic, Donika Emini, Nedzma Džananović, Igor Novaković, IDSCS, 'The New Reality: The Russian War on Ukraine and the Western Balkans EU Accession' (Institute for Democracy Societas Civilis, 19/2023).

⁸⁹ Borrell, 'Geo-Political Imperative for the EU to Both Widen and Deepen' (n 1).

⁹⁰ Ioannis Armakolas, Nikola Dimitrov, Isabelle Ioannides, Zoran Nechev, Oana Popescu-Zamfir and Valbona Zeneli, *Europe's Futures: Challenges and Opportunities* (Institute for Human Sciences, 4 July 2024) https://www.iwm.at/sites/default/files/inline-files/EF_Europe-final.pdf accessed 24 November 2024.

⁹¹ Cvijic et al, *Bilateral Disputes and EU Enlargement: A Consensual Divorce*, (n 10).

trust and facilitate broader cooperation on the entire continent - among EU members and candidate states. In addition, tools like the Growth Plan should be optimized to provide tangible incentives, addressing socio-economic disparities and reinvigorating the fundamental reforms and the trust in the European integration process. Anchored in EU values, this initiative would complement, not replace, the accession process, offering pragmatic progress amidst current geopolitical challenges.

Conclusions

This research explored the challenges and transformations in the EU enlargement policy, highlighting the interplay between conditionality and geopolitics. EU enlargement has been instrumental in integrating Europe and the principal way of organizing the continent, stabilizing regions, and fostering democratic values. So far, there is no other EU policy that has been more transformational, in both dimensions – internally and externally.

However, while the success of the ‘big bang’ enlargement with Central and Eastern European countries was anticipated, it has not been replicated in subsequent enlargements. The current enlargement policy represents a significantly different approach, incorporating lessons learned from previous experiences and a clear sign of the limits of absorption capacity. Nevertheless, the stagnation and uncertainty in the Western Balkans accession process and the geopolitical shifts following Russia’s invasion of Ukraine illustrate the evolving dynamics of this policy.

The Western Balkans slow progress underscores several issues. Enhanced conditionality, particularly regarding the rule of law, has increased the costs of compliance without delivering clear benefits, leading to reform fatigue and skepticism about the EU’s commitment. Bilateral disputes have further hindered progress, undermining the credibility of the current accession framework. In addition, EU’s decision in terms of Ukraine and Moldova brought with a real sense of purpose reveal a turn toward a more geopolitical approach, emphasizing strategic imperatives over strict conditionality. The Association Trio emphasizes the potential of geopolitical urgency to accelerate integration as the intense Russia’s interference is a common factor in this context, even as democratic backsliding in Georgia highlights the risks of insufficient alignment with Union’s values.

A balanced approach is critical for the EU enlargement strategy. While conditionality ensures alignment with EU’s principles, geopolitical realities necessitate flexibility to address urgent security and strategic concerns. Ultimately, the EU must reconcile its approach by integrating geopolitical priorities with a merit-based framework. Strengthening internal mechanisms, such as transitioning to qualified majority voting, could enhance decision-making and reduce the impact of national vetoes on enlargement. Moreover, different tools and initiatives can foster trust and provide tangible socio-economic benefits, complementing the accession process by exploring different venues to maintain the EU’s leverage. The status quo and the endless accession process will further lead to instability and security threats, and to a democratic backsliding in European regions where geopolitical competition is always emphasized.

By addressing these challenges, the EU can revitalize its enlargement policy as a cornerstone of stability, security, and integration, reaffirming its role as a transformative global actor. This new (or renewed) momentum is further reinforced by the formation of the new European

Commission, which can prioritize the enlargement process during its five-year mandate, actively engage with candidate and aspiring countries, and set a clear timeframe and conditions for future accessions. The candidate countries and those aspiring, on the other hand, should not rely on the changed circumstances as an excuse to avoid reforms and hope for fast track without completing the ‘homework’, but rather as even greater demand and opportunity to overcome the costs of the process. Candidate countries should revisit their primary motives for seeking EU membership and use the accession process as a pivotal framework for driving internal reforms. The EU should not deviate from its core characteristic as a normative power that fosters stability through democracy and the rule of law, but fulfilling its mission also requires internal reforms for handling diversity in a widening EU. This new momentum will not last forever, but it is undoubtedly high time – perhaps even the last call – for Europe to not just survive, but thrive, at least in our lifetime.

References

1. Armakolas I, Dimitrov N, Ioannides I, Nechev Z, Popescu-Zamfir O and Zeneli V, *Europe’s Futures: Challenges and Opportunities* (Institute for Human Sciences, 4 July 2024).
2. Borrell J, *The Geo-Political Imperative for the EU to Both Widen and Deepen* (EEAS, 14 November 2024) https://www.eeas.europa.eu/eeas/geo-political-imperative-eu-both-widen-and-deepen_en.
3. Bourguignon J, Demertzis M and Sprenger E, ‘EU Enlargement: Expanding the Union and Its Potential’ (2022) 57(4) *Intereconomics* 205-208.
4. Brsakoska Bazerkoska J, ‘The European Union and (Frozen) Conflicts in Its Neighbourhood: The SAP and the ENP Compared’ in Gstohl S (ed), *The European Neighbourhood Policy in a Comparative Perspective: Models, Challenges, Lessons* (Routledge 2016) 241.
5. Brsakoska-Bazerkoska J, ‘The EU Integration Process of the Western Balkans in the Aftermath of 2015’s Refugee Crisis’ (2022) 2 *Studia Europejskie – Studies in European Affairs* 123, 140 <https://doi.org/10.33067/SE.2.2022.8>.
6. Buras P and Lang P-O, *Partnership for Enlargement: A New Way to Integrate Ukraine and the EU’s Eastern Neighbourhood* (ECFR Policy Brief, 17 June 2022) <https://ecfr.eu/publication/partnership-for-enlargement-a-new-way-to-integrate-ukraine-and-the-eus-eastern-neighbourhood/>.
7. Burgess P (ed), *Handbook of New Security Studies* (Routledge 2010).
8. Cvijić S, Dimitrov N, Ognjanoska L, Stavrovska, and Ranković I, *Bilateral Disputes and EU Enlargement: A Consensual Divorce* (Belgrade Centre for Security Policy, May 2024) <https://bezbednost.org/wp-content/uploads/2024/05/bilateral-eng-08.pdf>.
9. Damjanovski I, Cela A, Nenezić A, Emini D, Džananović N, Novaković I and IDSCS, *The New Reality: The Russian War on Ukraine and the Western Balkans EU Accession* (Institute for Democracy Societas Civilis, 19/2023).
10. Devrim D and Schulz E, ‘Enlargement Fatigue in the European Union: From Enlargement to Many Unions’ (Elcano Royal Institute, 10 March 2009).

11. Dimitrova A, 'Dilemmas of EU Enlargement: Geopolitics, Conditionality, and Citizens' Concerns' (2023) SIEPS <https://www.sieps.se/en/fit-for-35-forum/dilemmas-of-eu-enlargement--geopolitics-conditionality-and--citizens-concerns/>.
12. Dodds K, *Geopolitics: A Very Short Introduction* (3rd edn, Oxford Academic 2019) <https://doi.org/10.1093/actrade/9780198830764.003.0001>.
13. Dzankic J, Kacarska S, and Keil S (eds), *A Year Later: War in Ukraine and Western Balkan (Geo)Politics* (European University Institute, 2023).
14. European Commission, 'Speech by President-elect von der Leyen in the European Parliament Plenary on the Occasion of the Presentation of Her College of Commissioners and Their Programme' (27 November 2019) https://ec.europa.eu/commission/presscorner/detail/es/speech_19_6408.
15. European Commission, 'The Juncker Commission: A Strong and Experienced Team Standing for Change' (Press Release, 10 September 2014) https://ec.europa.eu/commission/presscorner/detail/en/IP_14_984.
16. European Commission, *Communication from the Commission to the European Parliament and the Council: The Enlargement Strategy and Main Challenges 2006-2007* (Brussels, 8 November 2006) COM(2006) 649 final.
17. European Commission, *Enhancing the Accession Process – A Credible EU Perspective for the Western Balkans*(Communication) COM(2020) 57.
18. European Commission, *Enlargement Strategy Main Challenges 2011-2012* (Communication) COM(2011) 666.
19. European Council, *Conclusions*, 14–15 December 2023 <https://www.consilium.europa.eu/en/meetings/european-council/2023/12/14-15/>.
20. European Council, *Conclusions*, 15 December 2006.
21. European Council, *Conclusions*, 21–22 June (Copenhagen, 1993).
22. European Council, *Conclusions*, 23–24 June 2022 <https://www.consilium.europa.eu/en/meetings/european-council/2022/06/23-24/>.
23. European Council, *Presidency Conclusions*, 19–20 June 2003 (Thessaloniki, 2003).
24. Georgievski S, 'From Stabilisation to Enlargement of the Union towards the Balkan Countries', *Eurodialog: Journal for European Issues*, No 4 (2003) 10.
25. Gilland K and Chari R, 'European Integration: Enlargement Now and Then: Implications for Ireland' (2001) 12 *Irish Studies in International Affairs* 220.
26. Grabbe H, *The Constellations of Europe: How Enlargement Will Transform the EU* (Centre for European Reform, 2004).
27. Gstöhl S (ed), *The European Neighbourhood Policy in a Comparative Perspective: Models, Challenges, Lessons*(Routledge 2016).
28. Hillion C, 'EU Enlargement' in P Craig and G de Búrca (eds), *The Evolution of EU Law* (2nd edn, Oxford University Press 2011) 187.
29. Kmezic M, *Europeanization by Rule of Law Implementation in the Western Balkans* (Institute for Democracy Societas Civilis, Skopje 2014).
30. Kolbe K, 'EUtopia and Balkanophobia', *Deutsche Welle Macedonian* (27 November 2023) <https://www.dw.com/mk/eutopija-i-balkanfobija/a-67560436>.
31. Lehne S, 'A Reluctant Magnet: Navigating the EU's Absorption Capacity' (Carnegie Europe, 21 September 2023) <https://carnegieeurope.eu/>.

32. Maniokas K, *The Method of the European Union's Enlargement to the East: Critical Appraisal* (Manchester University Press 2004).
33. Manners I, 'Normative Power Europe: A Contradiction in Terms?' (2002) 40(2) *Journal of Common Market Studies* 235.
34. Naumovski V, Apostolovska-Stepanoska M, and Ognjanoska L, 'Defining the Role of the EU as a Global Actor' (2022) 62 *Political Thought* 5–21.
35. O'Brennan J, 'Bringing Geopolitics Back In: Exploring the Security Dimension of the 2004 Eastern Enlargement of the European Union' (2007) 19(1) *Cambridge Review of International Affairs* 158 <https://doi.org/10.1080/09557570500501911>.
36. Ognjanoska L, 'Promoting the Rule of Law in the EU Enlargement Policy: A Twofold Challenge' (2021) 17 *Croatian Yearbook of European Law and Policy* 237, <https://doi.org/10.3935/cyelp.17.2021.455>.
37. Papadimitriou D and Gateva E, 'Between Enlargement-led Europeanisation and Balkan Exceptionalism: An Appraisal of Bulgaria's and Romania's Entry into the European Union' (2009) 10(2) *Perspectives on European Politics and Society* 152–156.
38. Radio Free Europe, 'Balkan Leaders Frustrated Over Stalled EU Membership Bids As Bloc Moves To Grant Candidate Status To Ukraine, Moldova' (23 June 2023) <https://www.rferl.org/a/31912243.html>.
39. Regional Cooperation Council, *Balkan Barometer 2024 Public Opinion Analytical Report* https://www.rcc.int/balkanbarometer/key_findings_2024/2/.
40. Rehn O, 'What's the Future for EU Enlargement?' (Speech 07/185, 25 September 2007).
41. Rich R, 'Recognition of States: The Collapse of Yugoslavia and the Soviet Union' (1993) 4 *European Journal of International Law* 36–65.
42. Richter S and Wunsch N, 'Money, Power, Glory: The Linkages Between EU Conditionality and State Capture in the Western Balkans' (2019) *Journal of European Public Policy* (17 February 2019) <https://doi.org/10.1080/13501763.2019.1578815>.
43. Richter S, 'Two at One Blow? The EU and its Quest for Security and Democracy by Political Conditionality in the Western Balkans' (2012) 19(3) *Democratization* 507.
44. Sabanadze N, 'As the Ruling Party Claims Victory in Georgia's Disputed Election, Western Condemnation is No Longer Enough' (Chatham House, 30 October 2024) <https://www.chathamhouse.org/2024/10/ruling-party-claims-victory-georgias-disputed-election-western-condemnation-no-longer>.
45. Schimmelfennig F and Sedelmeier U, 'The Europeanization of Eastern Europe: The External Incentives Model Revisited' (2019) 27(6) *Journal of European Public Policy* 814–833 <https://doi.org/10.1080/13501763.2019.1617333>.
46. Wæver O, 'Securitisation and Desecuritisation', in R D Lipchutz (ed), *On Security* (Columbia University Press 1995).
47. Wunsch N and Dimitrov N, *The Migrant Crisis: A Catalyst for EU Enlargement?* (Balkans in Europe Policy Advisory Group, 2016).

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