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MASTER'S THESIS

**CHALLENGES OF FUTURE ENLARGEMENTS OF THE
EUROPEAN UNION**

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LIST OF ABBREVIATIONS

sl. – Slovene

CAP - Common agricultural policy

CARDS - Community Assistance for Reconstruction, Democratisation and Stabilisation

CBAM - Carbon Border Adjustment Mechanism

CEEC - Countries of Central and Eastern Europe

CFSP - Common foreign and security policy

CO₂ - Carbon Dioxide

CoE - Council of Europe

COVID-19 - Corona virus disease 2019

DCFTA - Deep and Comprehensive Free Trade Area

EaP - Eastern Partnership

EC - European Communities

ECR - European Conservatives and Reformists Group

ECSC - European Coal and Steel Community

ECtHR - European Court of Human Rights

EEA - European Economic Area

EEC - European Economic Community

EFTA - European Free Trade Association

EPP - European People's Party (Christian Democrats)

ESDP - European security and defence policy

ESN - Europe of Sovereign Nations

ETS - Emissions Trading System

EU – (sl. Evropska unija); European Union

Euratom - European Atomic Energy Community

FCNM - Framework Convention for the Protection of National Minorities

FDI - Foreign direct investment

GDP - Gross domestic product

GMO - Genetically modified organisms

GRECO - Group of States against Corruption

Greens/EFA - Greens/European Free Alliance

HDI - Human development index

ICJ - International Court of Justice

ICTY - International Criminal Tribunal for the former Yugoslavia

ID - Identity and Democracy Group

IPA - Instrument for Pre-accession Assistance

ISPA - Instrument for structural policies for pre-accession

KFOR - Kosovo Force

KLA - Kosovo Liberation Army

LGBTIQ - People who have identified themselves as lesbian, gay, bisexual, transgender, intersex, or questioning

NATO - North Atlantic Treaty Organisation

NGO - Non-governmental organisation

NI - Non-attached members

OECD - Organisation for Economic Cooperation and Development

OSCE/ODIHR - Office for Democratic Institutions and Human Rights at the Organisation for Security and Cooperation in Europe

PfE - Patriots for Europe

PHARE - Poland and Hungary: Assistance for Restructuring their Economies

S&D - The Group of the Progressive Alliance of Socialists and Democrats

SAA - Stabilisation and Association Agreements
SAP - Stabilisation and Accession Process
SEA - Single European Act
SAPARD - Special accession programme for agricultural and rural development
SLAPP - Strategic lawsuits against public participation
SME - Small and medium sized enterprises
TEU - Treaty on European Union
TFEU - Treaty on the Functioning of the European Union
UK - United Kingdom
UN - United Nations
UNFICYP - United Nations Peacekeeping Force in Cyprus
UNMIK - United Nations Interim Administration Mission in Kosovo
UNSC - United Nations Security Council
USA - United States of America
VAT - Value-added tax
WB - Western Balkans
WTO - World Trade Organisation
WW2 - Second World War

1 INTRODUCTION

In 1952, six European countries formed the European Coal and Steel Community to prevent further acts of aggression and to integrate Europe into a competitive and cooperative continent. After seven enlargements, one withdrawal, and several treaty changes, there are now 27 countries in the European Union. The last enlargement of the EU happened more than 10 years ago when Croatia joined (European Parliament, 2013). There are still some countries that are eligible to join the EU. Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Turkey, and Ukraine are, as of September 2024, candidate countries, while Kosovo, whose international recognition remains disputed, is a potential candidate country (European Commission, n.d.a). In the past decade, there has been a stalemate situation regarding the accession, yet it appears that the Russian unprovoked full-scale invasion of Ukraine is speeding up the process.

The purpose of this master's thesis is to gain a better insight into why there has been no further enlargement of the EU since 2013. Before making an analysis of whether the current candidate countries can join the EU, this master's thesis will look at the brief history of the enlargement of the EU. The Copenhagen criteria of 1993 will be thoroughly analysed in order to understand all the necessary criteria to join the EU. Furthermore, this thesis will go beyond the Copenhagen criteria. Especially when negotiating with the Western Balkan countries, the criteria have expanded to include numerous additional conditions (Mišćević & Mrak, 2017). The enlargement process has institutionalised and evolved. The candidate countries can now progress in terms of negotiations, close chapters and gain numerous benefits when becoming more aligned with the EU. On the other hand, countries, as seen from the fact that Turkey's accession negotiations are effectively frozen, can also be downgraded in negotiations (European Commission, n.d.b).

This master's thesis will thus analyse the current internal and external issues of the candidate countries regarding accession. The focus will be especially on Copenhagen and expanded criteria and hence the countries' accomplishments in the chapters of negotiations and dynamics towards alignment with the EU. It is widely believed that the issue, however, is not with the candidate countries but with the EU as well. There are several issues such as the so-called enlargement fatigue and the rise of right-wing parties but also challenges such as the revision of the treaties and the enlargement process itself. Lastly, we will try to see the attitude of citizens towards enlargement.

The research questions, which are based on the purpose and objectives of this master's thesis, are thus the following:

- What are the main obstacles faced by the [candidate country]?
- Can the EU cope with the next enlargement?
- Should the Treaties be amended to handle the next enlargement?

- Did the Russian invasion of Ukraine bring positive signals for EU integration?
- Can the view of EU citizens towards enlargement be seen as positive?

Analysis of the existing empirical data will be the main source of the research. The first, third, and fourth chapters, which deal with the history of enlargement, accession criteria, and accession process, will serve as a basis for the thesis. Here, we will focus on official sources of the European Union. The second chapter, which deals with the strategies of enlargement, will expand upon the existing basis and will be analysed using scientific articles as well as press releases and official releases of the European Union.

The basis of the fifth, sixth and seventh chapters, which deal with the challenges of the candidate and potential candidate countries, their progress in aligning with the chapters of the acquis, as well as challenges of the EU and its member states, will be the empirical analysis of the enlargement reports prepared by the European Commission, existing scientific papers and other material provided by the EU institutions. For the last part of the seventh chapter, we will look at the Eurobarometer surveys, which are usually conducted either by the European Commission or the European Parliament.

2 HISTORY OF THE EU ENLARGEMENT

2.1 The creation of the European Coal and Steel Community

The Second World War was a destructive conflict that affected the world entirely. In Europe, where some of the most horrendous conflicts took place, it ended on 8 May 1945, when the Third Reich surrendered unconditionally (European Union, n.d.a). Soon after, the Cold War began, with the world being divided into the capitalist West and the East, where communism prevailed. Despite the polarisation, the process of integration began. The United Nations (UN) was established during WW2 and replaced the failed League of Nations. In 1949, the North Atlantic Treaty Organisation (hereafter NATO) and the Council of Europe (hereafter also as CoE) were founded.

The foundation for the present-day European Union was laid down approximately five years after the end of WW2. On 9 May 1950, the Schuman Declaration was presented. This revolutionary plan, named after one of the fathers of the EU, Robert Schuman, was realised on 18 April 1951. Six founding countries, Belgium, France, Italy, Luxembourg, the Netherlands, and West Germany established the European Coal and Steel Community (ECSC), which began a year later. The goal was to unite two traditional foes, France and Germany, and to pool two main resources, coal, and steel, to rebuild Europe. In order to deepen integration, two additional treaties were signed in Rome on 25 March 1957. Thus, the European Economic Community (EEC) and the European Atomic Energy Community (Euratom) were created. In 1965, the Merger Treaty, or Brussels Treaty united these three communities into European Communities (hereafter also as EC) (European Union, n.d.a).

2.2 The accession of Denmark, Ireland and United Kingdom

Simultaneously, the European Free Trade Association (hereafter EFTA) was established. In 1960, Austria, Denmark, Norway, Portugal, Sweden, Switzerland, and the United Kingdom (UK) created the association. The cooperation between the so-called "outer seven" was not fruitful. Despite the fact that EFTA still exists as of September 2024 (current members are Iceland, Liechtenstein, Norway, and Switzerland), the importance of the association was weakened in 1973, when Denmark and the UK left EFTA and joined the EC together with Ireland. These three countries applied to the EC in 1961, just a year after the creation of EFTA (Encyclopaedia Britannica, 2024).

The negotiations between the EC and especially the UK were quite turbulent. French President Charles de Gaulle objected to the idea of the UK joining the communities. His objection was that the UK's accession would only increase the influence of the United States of America (USA) in the EC and that the UK was not compatible with the communities. Thus, he vetoed this accession on two occasions, in 1963 and 1967 (Connolly, 2017).

While the negotiations with Denmark and Ireland were much smoother, there were also some obstacles. Both countries wanted to have the possibility of opting out, meaning that they do not have an obligation to participate in a certain policy area. Ireland is considered to be a neutral country and is thus exempt from participating in the area of freedom, security, and justice. At the same time, it is also not a member of the Schengen area, which came into force in 1995. Denmark has an opt-out option in the area of defence, freedom and security, and justice and is also not a member of the economic and monetary union (EUR-Lex, n.d.a). Despite the initial obstacles, the first enlargement occurred in 1973 (European Parliament, 2013).

2.3 Democracy and the Mediterranean enlargement

During the next two enlargements of the EC, the emphasis was not only on economic criteria but also on the fact that countries wishing to join should have a stable democracy and institutions. The so-called Mediterranean enlargement marked the end of dictatorships in Europe.

Since 1967, a military junta under the leadership of Colonel Papadopoulos was in control in Greece. With the new dictatorship came a threat of the so-called "third Europe", a region in Europe that is neither under the influence of the West nor the East. There were numerous discussions about either isolating or integrating Greece into the Communities. The negotiations, however, halted, as the EC wanted to maintain its values of democracy, protection of human rights, and the rule of law. After the controversial coup d'état, initiated by Greece in Cyprus, there was a revolt in Greece, which resulted in the appointment of the transitional government under the leadership of Prime Minister Karamanlis in 1974. This was the start of eventual democratisation and the restoration of the accession talks. A year

later, Greece officially applied, negotiations started a year later and ended in 1979. At the beginning of 1981, Greece joined the EC as the tenth member state (Salm, 2021).

The third enlargement happened 5 years later, when another two former dictatorships, Portugal and Spain, joined. In Portugal, the dictatorship began with a coup d'état in 1926, while one of the longest dictators, Salazar, took power in 1932. He was the de facto leader of Portugal or the so-called Estado Novo (New State) until 1974 when the Carnation Revolution took place. The process of democratisation led to the formation of the first constitutional government in 1976. A year later, Portugal opened accession talks with the EC. Before joining the Community in 1986, as it was deemed to being aligned with the democratic values of the EC, it left EFTA (European Commission, 2023a).

In Spain, Franco took control of the country after the Spanish Civil War in 1939. Despite the Spanish interest in joining the Community, the negotiations were off the table until after Franco died in 1975. The process of democratisation was peaceful, as Spain became a constitutional monarchy, and it applied for membership in 1977, just a couple of months after Portugal. Spain also joined the EC in 1986 (Encyclopaedia Britannica, n.d.a).

It is worth mentioning that the first country that technically left the Community was Greenland. As a part of the Danish Realm, Greenland joined the EC together with Denmark. In 1985, it decided to leave the Community, following the advisory referendum (Danish Parliament, 2021). Moreover, that decade has also shown that only a European country can join the Community. In 1987, Morocco tried to apply to join the EC but was promptly refused by the Council, as it did not fulfil the geographical criteria (European Parliament, 1998a).

2.4 The Nordic and Austrian enlargement

After the process of widening, there was a short period of deepening of the Community. In 1986, the Single European Act (hereafter SEA) was adopted (it came into force in 1987). At the end of the decade, communism started to disintegrate and as the Berlin Wall collapsed, the Federal Republic of Germany united with the German Democratic Republic. The part of former East Germany automatically became a member of the Community. The European Union was established with the Maastricht Treaty, which came into force on 1 November 1993 (signed on 7 February 1992). The single market was launched in the same year (European Union, n.d.a). The main effect of the Maastricht Treaty on enlargement stems from the legislative procedure. During the previous enlargements, the Council had the main responsibility of deciding upon the accession of new members of the EC. With the introduction of the EU, the European Parliament was given more power (European Parliament, 2013).

In 1994, the application of Norway was withdrawn for the third time. The first withdrawal happened in 1967, due to de Gaulle's veto on the membership of the UK. In 1972, a referendum was held in Norway and 53.5% of Norwegians decided not to join the

Community. The same happened in 1994 but 52.2% of people voted against the accession (Norwegian Ministry of Foreign Affairs, 2011).

The next enlargement happened in 1995. Unlike Norway, the remaining two Scandinavian countries, Finland and Sweden, joined the EU, together with Austria. Throughout recent history, these three countries have been known for their neutrality. While Sweden is a traditionally neutral country, Finland maintained its status due to its relations with the former Soviet Union. Austria became a neutral country in order to retain its sovereignty in 1955 (Sloan, 2013). During the Cold War, neutrality was an important factor from the perspective of enlargement. After the fall of the Berlin Wall, the importance of neutrality was diminished and negotiations to join the EU could begin. Accession to the EU was of great interest for these countries also because of the establishment of the SEA, which presented a large economic opportunity for the candidate countries (Whitfield, 2015). As a result of joining the EU, these countries left EFTA.

2.5 Copenhagen criteria and the Big Eastern enlargement

As the majority of Western Europe was already part of the EU, the enlargement to the east was seen as the way forward, especially due to the collapse of the west-east divide in Europe. The first preparations for the next enlargement occurred in 1993, when the Copenhagen criteria were adopted. During the Copenhagen European Council in June 1993, member states clearly defined the conditions each country had to meet in order to join the EU. These criteria were further strengthened two years later in Madrid (EUR-Lex, n.d.b). This thesis will further elaborate on the Copenhagen criteria in the chapter on the EU accession criteria. Even though the Copenhagen criteria were adopted before the final accession of Austria, Finland, and Sweden, the criteria were not applicable to these countries, as they started their negotiations before the entry into force.

On 2 October 1997, the Treaty of Amsterdam was signed (entered into force on 1 May 1999). The co-decision legislative procedure was introduced, strengthening the role of the European Parliament alongside the Council of the EU, while a new structure of institutions was introduced in case of future enlargements. The maximum number of Members of the European Parliament was set at 700, the Commission would have a commissioner for each member state in case the number of member states did not exceed 20. A revision of treaties is required before the 21st member state joins (European Parliament, 2023a).

In December 1997, the European Council in Luxembourg decided to start the overall enlargement process with each candidate country joining the Union at their own rate, in line with their preparedness to join. The Council also established the accession partnership, which is an instrument that will offer mainly financial assistance to candidate countries, depending on the progress in aligning with the necessary criteria. At that time, 13 countries were considered as candidates for the accession, countries that joined in 2004, those that joined in 2007, and Turkey (European Parliament, 1998b).

The revision of treaties was needed as the next enlargement approached. The EU of 15 was soon to become the EU of 25 member states. The big Eastern enlargement package consisted of eight countries of the former communist bloc (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, and Slovenia) as well as the two countries from the Mediterranean Sea - Cyprus and Malta (European Parliament, 2013).

As a result, the Treaty of Nice was signed on 26 February 2001 (entered into force on 1 February 2003). The Treaty established one commissioner for each member state, reformed the voting system of the Council and the number of seats in the Parliament to 732. These reforms were intended to accommodate the next enlargement (EUR-Lex, 2018).

The first accession talks were opened in early 1998 with the six most prepared countries (Cyprus, Estonia, Hungary, Poland, Czech Republic, and Slovenia), while the accession talks with another six countries (Bulgaria, Latvia, Lithuania, Malta, Romania, Slovakia) began in early 2000. Talks did not open with Turkey. During the Copenhagen European Council of December 2002, the negotiations with 10 countries were deemed concluded and in April 2003 the Accession Treaty was signed in Athens. At the beginning of May 2004, the largest enlargement of the EU so far took place. The main challenges for the majority of these countries were the reconstruction of the economy into a market economy, privatisation of some sectors, as well as diversification (EUR-Lex, 2007a).

On the other hand, Cyprus had a different and more persistent issue. In 1983, the Turkish Cypriot people announced the establishment of the Turkish Republic of Northern Cyprus. While this country is only recognised by Turkey, the reunification of the island was one of the priorities of the accession talks. Nonetheless, the reunification did not take place as of September 2024. The international community recognises the Republic of Cyprus as a whole island, where the northern part of Cyprus is a part of the EU in legal terms. However, Northern Cyprus in practice is not considered to be in the EU, does not use the common currency euro, and does not abide by EU laws (Encyclopaedia Britannica, n.d.b).

2.6 The Bulgarian-Romanian enlargement

Due to the pace of progress, Bulgaria, Romania, and Turkey did not manage to join the EU in 2004 together with the rest of the batch of candidates. The latter is, as of September 2024, still not a member of the EU. The Union has, in fact, frozen its negotiations with the country, which is in line with Article 5 of the Negotiating Framework with Turkey, which states that "in the case of a serious and persistent breach in Turkey of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded, the Commission will, on its initiative or upon the request of one-third of the Member States, recommend the suspension of negotiations and propose the conditions for eventual resumption" (European Parliament, 2016).

The potential accession of Turkey to the EU was polemical even before the eventual halt in negotiations. There are several arguments which speak both in favour and against the accession. Some European conservatives believe that the Islamic religion would demolish the European identity, values, and Christian unity, while others argue that if the EU is secular, the accession of Turkey would only further prove that. It can also be argued that most of Turkey is located in Asia, yet the fact that Turkey is also partially located in Europe and is considered a European historical power also cannot be ignored. Moreover, while some argue that the Turkish economy would worsen the situation of the EU, some see the Turkish market as a market of vast opportunities (Grigoriadis, 2006). The polemical discussion was present for several decades. As a result of European indecisiveness, the Turkish aspirations deteriorated, resulting in backsliding in alignment and the eventual freezing of the negotiations.

Bulgaria and Romania, however, managed to conclude their accession negotiations in April 2005. These two countries joined the EU in January 2007 and thus there were 27 countries (Council of the European Union, 2005).

2.7 The Western Balkans enlargement process, Croatian accession to the EU and Brexit

One of the first steps for the accession of the Western Balkans (hereafter also as WB) to the EU took place in November 2000 during the Zagreb Summit. The Stabilisation and Accession Process (hereafter also as SAP) began with (at that time) five countries of the Western Balkans: Albania, Croatia, Bosnia and Herzegovina, Macedonia, and the Socialist Republic of Yugoslavia (now Kosovo, Montenegro and Serbia). A total of €4.65 billion was set to be spent over the 2000-2006 period under the Community Assistance for Reconstruction, Democratisation and Stabilisation (hereafter CARDS) programme (European Council, 2000). This programme was replaced in 2007 by the Instrument for Pre-accession Assistance (hereafter also as IPA) (European Commission, n.d.c).

Another vital step happened in June 2003, during the EU-Western Balkans Summit in Thessaloniki. During the summit, it was reiterated that the future of the region is in the EU. The EU has noted that noticeable progress has been made since the Zagreb Summit (European Commission, 2003). At that time, the Croatian application for membership was already examined by the Commission. About a year later, Croatia became a candidate country, negotiations opened in 2005, and accession negotiations closed in 2011. At the beginning of July 2013, Croatia became the 28th country to join the EU (Croatian Parliament, n.d.). As of 2024, more than 20 years after the Thessaloniki Summit, the promise still has not been fulfilled, as Croatia remains the only member of the EU from the Western Balkans.

In June 2016, the UK held a referendum, where its citizens decided to leave the EU, by triggering Article 50, TEU, which was added to the treaties after the Lisbon reform. The official withdrawal from the EU happened on 31 January 2020 (European Council, 2023a).

3 EU ENLARGEMENT MECHANISMS AND STRATEGIES

One of the main objectives of the integration of the European continent was to ensure stability, peace, and prosperity. Certain norms, such as democracy, respect for the rule of law, and a functioning market economy, were developed for the candidate countries in order to ensure compatibility with the rest of the member states. The so-called “Europeanisation”, the “European way of doing things”, can be extended to candidate countries and other countries through different mechanisms, the most common being conditionality, externalisation, socialisation, and imitation (Schimmelfennig, 2010).

Throughout history, different strategies have been undertaken for the enlargement process. This chapter will focus on the strategy for the largest enlargement so far, the enlargement to the Countries of Central and Eastern Europe (hereafter also as CEECs), the strategy for the future enlargement to the Western Balkans, and the strategy for the other candidate countries.

3.1 Mechanisms of Europeanisation

Schimmelfennig (2010) proposes the four most common mechanisms of Europeanisation, as depicted in Table 1.

Table 1: Types of mechanisms of Europeanisation

	DIRECT	INDIRECT
LOGIC OF CONSEQUENCES	Conditionality	Externalisation
LOGIC OF APPROPRIATENESS	Socialisation	Imitation

Source: Schimmelfennig (2010).

Through direct mechanisms, the EU directly and intentionally disseminates its norms and values to the affected countries. Indirect mechanisms can be considered as unintended externalities, generated just by the presence of the EU. The logic of consequences means that Europeanisation is the consequence of the modification of the cost-benefit calculation in the third country, meaning that respecting and adopting such values and norms is rather beneficial for the third countries. The logic of appropriateness means that the third country is adopting Europeanisation merely because it deems the European model of living as a norm and legitimate way of doing things.

Conditionality is a direct mechanism, which follows the logic of consequences. The EU intentionally imposes a reward and sanction system on the countries in order to change the behaviour of the negotiating party. By manipulating the cost-benefit equation, especially by offering numerous possible agreements, such as trade deals, accession negotiations, etc., the EU ensures that Europeanisation is being adopted in the third country. In regard to the topic of this master's thesis, conditionality is the most important mechanism, as it is most commonly used in negotiations with the candidate countries.

Similarly to conditionality, externalisation also affects the cost-benefit analysis, but this is usually done indirectly. One of the examples is the countries of the European Economic Area (EEA), which are also part of the European single market and thus follow the rules of the single market, as this is deemed beneficial to them. If these countries do not follow the rules, they lose the benefits of the single market. Despite the fact that the EU is a part of the single market, it is not actively imposing Europeanisation on these countries.

Socialisation is based on the direct logic of appropriateness, whereas the EU tries to present European values as a norm to the countries, which are usually dealing with uncertainties. It tries to present European governance as a legitimate and appropriate one. Third countries then usually have a sense of belonging to Europe, its traditions, and values.

In imitation, the EU is not a proactive player as during socialisation, yet third countries simply find European governance as a solution to their own issues. Usually, this type of Europeanisation happens when a third country has close contact with the EU (Schimmelfennig, 2010).

3.2 Strategy for the enlargement of 2004/2007

The enlargement to Central and Eastern Europe was to some extent quite similar to the previous enlargements. Political, economic, and legal terms and conditions were almost the same. Nonetheless, the conditions set out in the Copenhagen criteria were clearer and more structured. Moreover, the EU had never negotiated with such a large number of candidates and for such a length of time. This also presented an unimaginable institutional challenge, since the number of member states increased from 15 to 25, and later to 27 (Mišćević & Mrak, 2017).

The Eastern enlargement was strongly influenced by political and geostrategic motives, as these countries were former communist countries and thus there were fears that the democratisation process would stall. Political stability of the region was one of the main priorities. Due to the economic deepening of the EU with four fundamental freedoms, enlargement also made economic sense (Mišćević & Mrak, 2017).

Not only did the candidate country become an important importer of EU-15 goods and services, but it also received a lot of funds from pre-accession financial assistance, which

was usually used for the transition to a democracy with a market economy (Mišćević & Mrak, 2017). Therefore, Europeanisation took place with the help of conditionality.

The most important pre-accession assistance for this enlargement was the PHARE programme, which was initially known as Economic Aid to the Republic of Hungary and the Polish People's Republic or "Poland and Hungary: Assistance for Restructuring their Economies" and was established at the end of 1989. Between 2000 and 2006, over €10 billion was allocated for the CEECs. The programme had two priorities, namely, to acquire the capacity to implement the acquis, as well as to familiarise the countries with the procedures and objectives of the EU and to improve infrastructure and industries to the level of the EU. Assistance was predominantly given in terms of grants and not loans (EUR-Lex, 2007b).

Moreover, environmental and transport infrastructure deficiencies were covered by the Instrument for Structural Policies for Pre-Accession (ISPA), and structural adjustments in the area of agriculture and rural areas were covered by the Special Accession Programme for Agricultural and Rural Development (SAPARD) (European Commission, n.d.c). These and some other instruments were merged into IPA in 2007.

3.3 Strategy for the Western Balkans

The Enlargement Strategy was revised by the European Commission in 2006. It reiterated that each candidate country can join the EU, provided all the necessary criteria are met. This time the emphasis was on the "necessary criteria", meaning that the future enlargement depended on the EU's interpretation of the fulfilment of set criteria, and thus also on the absorption capacity and more rigorous conditionality (Mišćević & Mrak, 2017).

Furthermore, there was a larger emphasis on European values, namely on nine norms: peace, democracy, the rule of law, respect for human rights and fundamental freedoms, the idea of freedom, social solidarity, anti-discrimination, good governance, and sustainable development. In the case of the Western Balkans, there was also a regional dimension, meaning that countries need to reach regional agreements to solve bilateral disputes, and prosecute war criminals, responsible for the terror in the region (Mišćević & Mrak, 2017).

This is also done through the SAP, which is the EU policy towards the WB, launched in 1999 and strengthened in 2003 during the Thessaloniki Summit. Stabilisation and Association Agreements (hereafter also as SAA) were signed with each country in the region. These agreements reflect the challenges of each country in relation to the accession to the EU. The goal of SAP is also to improve trade relations in the region and between the candidate country and the EU (European Commission, n.d.c).

As a part of SAP, countries of the WB are given certain benefits, such as duty-free access to EU markets, but also economic and financial assistance for stabilisation, development and

reconstruction. Numerous financial instruments were used in the WB region for its reconstruction. At the end of the 20th century, the two programmes were PHARE and the Obnova programme. CARDS replaced Obnova and amended PHARE. The framework ran from 2000 until 2006, and its budget was €4.65 billion. The main goal of the financial framework was to reconstruct and stabilise the region, promote European values, transition to a sustainable market economy, and foster cooperation (EUR-Lex, 2007c).

IPA replaced CARDS in 2007. The instrument offers financial and technical assistance to some candidate countries (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey). The first instrument lasted from 2007 until 2013 and had a budget of €11.5 billion. Financial assistance had five components, namely cross-border cooperation, human resource development, transition assistance and institution building, regional development, and rural development (European Commission, n.d.d).

IPA II assisted in the period 2014-2020, with an allocated budget of €12.8 billion. IPA II added the strategic aspect, as the Multi-Country Strategy Paper incorporated regional and territorial cooperation in assistance. The aim was to bring candidate countries closer to the EU standards and values, such as democracy, governance, growth and competitiveness, and the rule of law. There was much more focus on conditionality since performance rewards of €78 million were given in 2017 and 2020 for the candidate countries, which made noticeable steps towards alignment with EU rules. Despite the fact that both IPA and IPA II have expired, it is worth mentioning that some of the activities are still ongoing (European Commission, n.d.d).

The EU is currently assisting candidate countries with IPA III, which has a budget of €14.2 billion and is valid from 2021 until 2027. It assists candidate countries of the WB and Turkey to perform administrative, economic, institutional, legal, political, and social reforms, which will further align the country with the EU. IPA III divides the financial assistance into five thematic windows in accordance with the priorities of the EU. These five thematic windows (together with the total amount allocated in million euros) are:

- Rule of law, fundamental rights, and democracy (2,089);
- Good governance, EU acquis alignment, good neighbourly relations, and strategic communication (2,291);
- Green agenda and sustainable connectivity (5,860);
- Competitiveness and inclusive growth (3,080);
- Territorial and cross-border cooperation (485).

From the list above, it is evident that the European Green Deal is one of the main priorities for the Western Balkans. The development of this region is crucial for the development of the European continent (European Commission, n.d.d). IPA III is another example of conditionality used by the EU in order to achieve the eventual Europeanisation of the WB.

The candidate countries are receiving European funds and taking steps toward accession to the EU in exchange for adopting democratic and European values.

The enlargement process was once again revised in 2020, as the Commission adopted the new methodology. The main aim of this revision was to restore credibility in the enlargement process, especially in the WB region. The new methodology is based on four main principles: credibility, dynamism, predictability and stronger political steer. The revision offers candidate countries clarity as to what reforms are anticipated. Methodology further emphasises the merit-based approach, meaning that actual progress of the candidate countries is crucial in negotiations. It has been emphasised that political dialogue between the EU, member states, and candidate countries should take place more often (European Commission, 2020).

One of the biggest reforms in the area of *acquis* is with no doubt the introduction of clusters, which divided 35 chapters into six thematic clusters. The idea was to create more comprehensive negotiation process with the candidate countries (European Commission, 2020). Clusters are further described in the chapter concerning the process of enlargement.

Lastly, the European Commission also introduced the option to go backwards in negotiations in case countries fail to deliver certain reforms, show no progress or show certain level of backsliding. This only further solidified the decision of the Commission to effectively freeze the negotiations with Turkey (European Commission, 2020).

3.4 Strategy for other candidate countries

Besides the countries of the WB (Albania, Bosnia and Herzegovina, Kosovo, which is a potential candidate, Montenegro, North Macedonia, and Serbia), the EU is also negotiating with Georgia, Moldova, Turkey, and Ukraine (European Commission, n.d.a).

EU's relations with Georgia, Moldova, and Ukraine have changed significantly in the past years. Since 2009, these countries have been a part of the Eastern Partnership (hereafter EaP), which is a part of the European Neighbourhood Policy, along with Armenia, Azerbaijan, and Belarus. The goal of this partnership is to strengthen economic and political ties between the EU and its closest eastern neighbours. Moreover, the EU is aiming to help these countries to achieve Sustainable Development Goals and other global policy goals. In 2017, a new agenda beyond 2020 was adopted during the EaP Summit, where 20 new deliverables were set (European Commission, n.d.e). When speaking of spreading the European way of doing things, EaP can be considered both conditionality and socialisation, since the EU is actively and directly promoting European norms, but not only by manipulating the cost-benefit calculations. EU norms can be seen as legitimate norms for the majority of the EaP countries (Schimmelfennig, 2010).

Prior to 2022, Georgia, Moldova, and Ukraine had some aspirations to join the EU, but were not considered to be potential candidate countries. Despite that, there was an Association Agreement and a Deep and Comprehensive Free Trade Area (hereafter also as DCFTA) in place for these countries (since July 2016 for Georgia and Moldova, and September 2017 for Ukraine). The situation regarding potential accession changed on 24 February 2022, when the Russian Federation launched a full-scale invasion of Ukraine. Four days later, Ukraine applied for membership, while Georgia and Moldova applied in March 2022. On June 23rd, 2022, Moldova and Ukraine became candidate countries, while Georgia became a potential candidate (EU Neighbours East, 2024).

The ongoing war in Ukraine can be seen as an opportunity for the EU to further enlarge to the East. The EU is unwaveringly supporting Ukraine by sending the country financial, technical, humanitarian and military assistance. The Ukraine Facility, a new support mechanism, will allocate €50 billion for Ukraine between 2024 and 2027 in the form of grants and loans. Among the aims of the facility is to modernise, recover and reconstruct Ukraine and to support the reforms needed for the accession (European Commission, 2024a)

While, on the other hand, Turkey is a recipient of the IPA III funds, it has never been further away from the accession to the EU. As of September 2024, due to backsliding in democracy, the rule of law, and numerous other issues, the negotiations with the EU are frozen. The negotiations with Turkey have proven that the EU's conditionality can go both ways. Here, one needs to introduce the carrots and sticks system, a system with rewards and punishments (Cambridge Dictionary, n.d.). During previous enlargements, the EU has been mostly handing out carrots, as the country progressed and eventually joined the EU. In the case of Turkey, however, the EU has proven that progressing with negotiations should align with actual progress. Until the situation in Turkey improves, the sticks will be applied, and negotiations will be frozen (European Parliament, 2016).

4 EU ACCESSION CRITERIA

Throughout the history of enlargements, the accession criteria have changed significantly. During the first three enlargements, two basic conditions were that the country needed to be located on the European continent and must comply with the standards and rules of the European Communities. Appendix 2 presents articles 2 and 49 TEU, which lay down conditions and values that need to be respected by countries that wish to join the union (EUR-Lex, n.d.b). Austria, Finland, and Sweden, in a sense, already needed to be aligned with the Copenhagen criteria when they wanted to join the union (European Parliament, 2013). In June 1999, an additional policy was launched for countries in the Western Balkans, namely the Stabilisation and Association Process. It was further strengthened in the Thessaloniki Summit and thus expanded the Copenhagen criteria (European Commission, n.d.c).

4.1 Copenhagen criteria

Between 21 and 22 June 1993, a summit of the European Council was held in the Danish capital, Copenhagen. Several issues were discussed during this summit. Besides the unacceptably high unemployment, a persistent issue at that time, the criteria for countries that wished to join the European Union were laid down (European Council, 1993). They are further divided into political, economic, and institutional. Political criteria include the rule of law, stability of all institutions, which guarantee democracy, respect for human rights as well as the protection of minorities. As stated under economic criteria, a country must have a stable market economy and must be able to cope with the competition and market forces of the European Union (European Commission, n.d.c).

Lastly, the candidate country needs to be compatible with European law. For this purpose, the so-called *Acquis Communautaire*, or simply *acquis*, was established. It is composed of over 108,000 documents, which are divided into 35 chapters (EUABC, n.d.). It is of great importance to ensure that the candidate country is compatible with the provisions of EU law such as the four freedoms, intellectual property law, agriculture... These 35 chapters are further divided into 6 clusters (European Commission, 2023b). Appendix 3 lists all 35 chapters of the *acquis*, classifies the chapter in the cluster, and provides further explanation.

Moreover, the European Union has the discretion to decide when a candidate country has completed all the necessary conditions. It also has the right to decide when a country can join the Union, considering the EU's ability to absorb new members (European Commission, n.d.c).

4.2 Extended criteria

The reasons for the sometimes so-called “Copenhagen Plus criteria” arise from previous enlargements as well as the current situation in the candidate countries, which is visible especially in the countries of the Western Balkans. During the 2004 enlargement, the unresolved borders of Cyprus were seen as an issue, yet this was not seen as an obstacle that would impede Cyprus from joining the EU. The border dispute between Slovenia and Croatia slowed down the accession of the latter in 2013. This has shown that the accession negotiations can be seen as leverage of the member states against the candidate countries. The case of Slovenia and Croatia is not the only instance (Mišćević & Mrak, 2017).

During the previous enlargements, it has sometimes occurred that the alignment with the *acquis* was incomplete when the candidate became a full member, and further harmonisation did not take place. As a result, the accession process is now much more structured, and thus there are now many checkpoints and benchmarks, which must be fulfilled before a country joins the EU (Mišćević & Mrak, 2017). With the establishment of benchmarks, the countries are now able to progress towards the eventual accession but also go backward in case of backsliding in important areas. There are other reasons for the need for more rigorous

criteria, such as the so-called “enlargement fatigue”, which will be discussed further in the chapter that concerns the challenges from the perspective of the EU.

Due to conflicts in the region, the situation in the Western Balkan, especially in countries of former Yugoslavia, was troublesome. Wars left the region shattered and as a result, the EU introduced the progressive SAP in 1999 in order to stabilise those countries and prepare them for accession, as the name suggests. SAAs were signed with each country. These agreements were customised to address the issues of every country. The most common denominators for the criteria were regional reconciliation, independence of media and institutions, resolution of disputes, judicial reforms, combat against organised crime, establishment of the rule of law, as well as resolution of war crimes (Rant, Mrak, & Marinč, 2020). Cooperation with the UN-founded International Criminal Tribunal for the former Yugoslavia (hereafter also as ICTY) was necessary in order to make progress with the negotiations. The tribunal was established in 1993 specifically for the war crimes in the former Yugoslavia and had its closure in 2017 (United Nations, 2017a).

5 PROCESS OF ENLARGEMENT

Enlargement is a long process, which usually lasts a couple of years or even decades. This chapter covers three phases of the enlargement process: obtaining the status of the candidate country, opening the negotiations, and signing the treaty of accession.

5.1 Obtaining the status of a candidate country

Before the third country is granted candidate status, it usually signs an association agreement, a bilateral agreement with the EU that is used for the implementation of necessary conditions for the enlargement (European Commission, n.d.c). When it is deemed ready for the start of the negotiations, the third country submits a formal application. It is up to the Commission to give an opinion on the application. It is then up to the Council to grant the country candidate status. Member states of the EU must make a unanimous decision (European Commission, n.d.f).

Countries from the Western Balkans, however, have a special process for obtaining the candidate status. SAPs are signed in order to stabilise the country. In case the country still has a planned economy, SAP encourages the swift transition to a market economy. In addition, the process aims to promote regional cooperation with the aim of eventual accession. As a result, country gains a status of a potential candidate. When a potential candidate is deemed ready, it is given a candidate status. This decision needs to be made unanimously by the Council (European Commission, n.d.f).

5.2 The opening of the negotiations

Candidate status does not necessarily result in the opening of the negotiations. Even though the country has been granted a candidate status, European Commission can still lay down some key priorities before the actual negotiations on the chapters can start. The Commission must prepare a negotiating framework or mandate for the candidate country, which must be unanimously approved by the Council. Once the framework of the mandate is approved and once the certain progress is shown in the area of key priorities, if there are any, the negotiations can begin (European Commission, n.d.f).

Negotiations take place during intergovernmental conferences, meaning that ministers from each member state, responsible for their sector, negotiate with ministers of the candidate country. Negotiations are divided into six clusters, which are composed of 35 chapters that are depicted in Table 2.

Table 2: Clusters of the acquis and included chapters

Clusters	Included Chapters
1. Fundamentals	23. Judiciary & fundamental rights, 24. Justice, freedom & security, 5. Public procurement, 18. Statistics, 32. Financial control
2. Internal market	1. Free movement of goods, 2. Free movement of workers, 3. Right of establishment & freedom to provide services, 4. Free movement of capital, 6. Company law, 7. Intellectual property law, 8. Competition policy, 9. Financial services, 28. Consumer & health protection
3. Competitiveness & inclusive growth	10. Digital transformation & media, 16. Taxation, 17. Economic & monetary policy, 19. Social policy & employment, 20. Enterprise & industrial policy, 25. Science & research, 26. Education and Culture, 29 Customs union
4. Green agenda & sustainable connectivity	14. Transport policy, 15. Energy, 21. Trans-European networks, 27. Environment & climate change
5. Resources, agriculture & cohesion	11. Agriculture & rural development, 12. Food safety, veterinary & phytosanitary policy, 13. Fisheries & aquaculture, 22. Regional policy & coordination of structural instruments, 33. Financial & budgetary provisions
6. External relations	30. External relations, 31. Foreign security & defence policy

Source: European Commission (2023b).

Clusters are opened as a whole. The Fundamentals are the first cluster to be opened and the last to be closed. Usually, this is a decisive cluster, as its pace usually defines the pace of the entire negotiation process. Before opening the chapter, a screening must be completed. The

Commission, with the help of the candidate country, examines the situation in each policy field. Each year, the Commission prepares a screening report on the current situation in the candidate country, as well as the Enlargement Communication, which presents the enlargement strategy in its entirety. These documents form the so-called enlargement package. Based on the report, the EU can either open the chapter for negotiations or set an opening benchmark, meaning that certain conditions must be met for the chapter to be opened. Before the actual negotiations on each of the chapters, the candidate country must adopt its position, and the EU must adopt its common position, which usually includes the closing benchmarks (European Commission, n.d.f).

The closing benchmarks must be reached by the candidate countries before the negotiations on the chapter are closed. Although some countries open the negotiations at the same time, they may not conclude negotiations at the same pace, something that has happened to Bulgaria and Romania. Moreover, if a country is not showing progress in a certain chapter and is in fact backsliding, meaning that already reached benchmarks are no longer completed, this results in the regression of the negotiations (European Commission, n.d.f).

5.3 Signing the treaty of accession

To close the chapter, every EU country must agree that the closing benchmarks have been reached. Negotiations are closed once all chapters are closed (European Commission, n.d.f).

Upon closing negotiations, the accession treaty is drafted. It contains all the terms and conditions, agreements, necessary deadlines, financial arrangements, and potential safeguard clauses. The accession treaty needs the support of the Commission, the Council, and the Parliament. After the approval of the three main bodies of the EU, it must be signed and ratified by the candidate country. In addition, each EU member state must also sign and ratify the accession treaty in accordance with their legislation, usually by a parliamentary vote or referendum (European Commission, n.d.f).

As the treaty of accession is signed, the candidate can be considered an acceding country. As an acceding country, it is allowed to participate in drafting EU law, yet it only has an observer status with no voting rights. If the treaty is successfully ratified, acceding country becomes a member state on the day specified in the acceding treaty (European Commission, n.d.f).

6 ACCESSION CHALLENGES OF CANDIDATE AND POTENTIAL CANDIDATE COUNTRIES

As of September 2024, there are ten candidate and potential candidate countries in line for the next enlargement of the EU: Albania, Bosnia and Herzegovina, Georgia, Kosovo, Moldova, Montenegro, North Macedonia, Serbia, Turkey, and Ukraine. More than a decade

has passed since the last enlargement of the EU and therefore it is safe to assume that there are some major obstacles that are obstructing the next enlargement. This chapter will provide a brief overview of the negotiations so far for each country and give a better perspective of some of the major challenges for these countries.

The main source for this chapter will be screening reports, which were released in November 2023 by the Commission. The Commission evaluates the preparedness of the country in each chapter. This chapter attempts to cover the two most persistent challenges of each candidate or potential candidate country. Some challenges, such as the economic and environmental situation, protection of national minorities, and foreign direct investment and its influence, may be present in other countries as well, but are, nonetheless, omitted. Appendix 4 briefly presents crucial information (population, size of the country, gross domestic product (hereafter GDP) per capita, and human development index (hereafter HDI)) in comparison to the EU.

6.1 Albania

The EU and Albania signed the SAA in June 2006, and it entered into force in April 2009. In the same month, the country submitted its application to join the EU. In 2010, the Commission gave its opinion on the application and provided an action plan with 12 key priorities for Albania. The Council granted Albania candidate status in June 2014. In March 2020, accession negotiations were opened and by the end of October 2023 the screening of all chapters was completed (European Commission, n.d.g). Even though this issue is common among the majority of candidate countries, the protection of national minorities will only be dealt with in the chapter dedicated to Albania. Moreover, political stability and governance will also be discussed.

6.1.1 Issue I: Protection of national minorities

One of the biggest achievements of the Council of Europe is the adoption of the Framework Convention for the Protection of National Minorities (hereafter also as FCNM). It was adopted in November 1994 and entered into force in February 1998. There are currently 39 parties to the convention, including Albania (Council of Europe, n.d.a). Albania signed the FCNM in June 1995 and it entered into force at the beginning of 2000. The supervision of the implementation is happening in cycles. At the beginning of the cycle, the state submits a report, which is followed by a delegation visit of the Advisory Committee, which is then responsible for preparing an opinion. The national government then makes a comment, which is followed by a final resolution and then by a follow-up dialogue if needed (Council of Europe, n.d.b).

In its opinion, adopted in June 2023, the Advisory Committee comments that there is a lot of mutual respect and intercultural dialogue between Albanians and national minorities, yet

these claims are not backed up with credible data. The legal framework is in place, yet there is a lack of secondary legislation on the matter. Albania is dealing with migration, especially to Western Europe, but also to the capital, Tirana. Human trafficking, especially among national minorities is thus quite common and due to uneven development, especially due to the rise of tourist activity near the coast, people belonging to national minorities often suffer, as the economic and social participation is limited, as well as the maintaining of their culture (Council of Europe, 2023).

Even though Roma and Egyptian minorities are recognised as separate national minorities, policies usually merge these two minorities together, even though they often do not face the same difficulties at the same intensity. Moreover, school segregation is often an issue, something which was also dealt with by the European Court of Human Rights (hereafter ECtHR) in Strasbourg. Moreover, Roma and Egyptian minorities often face discrimination in the labour and rental market, healthcare, etc. In order to have substantial language rights in Albania, the national minority must constitute at least 20% of all citizens in the municipality. The said threshold may be considered discriminatory, as Albania has one of the largest municipalities in the region and thus some minorities may not be proportionally represented. It is also unclear whether this proportion is based on a census or self-identification. It is also hard for national minorities to involve themselves in political life. Roma and Egyptian minorities have no representatives on a national level, while these minorities, together with Greek and Macedonian, have representatives on a local level. There is a lot of room for improvement (Council of Europe, 2023).

The 2017 framework Law on the protection of persons belonging to national minorities, which would enable some of the national minorities to be formally identified as such, has not yet been adopted. The current proposal on the table is not aligned with the Framework Convention. Instead of basing the criteria on the historical data collection, the proposal should focus on language, culture, religion, and traditions. Instead of providing documentation, individuals should have a subjective choice whether they wish to be treated as a national minority. The capacities of the responsible State Committee need to be further strengthened (European Commission, 2023c).

6.1.2 Issue II: Political stability and governance

The work of the Albanian Parliament is often obstructed by deep polarisation, but nevertheless, a lot of reforms towards EU integration were adopted. Unethical political rhetoric, personal attacks, and disruptive behaviour are common in the plenary hall, especially due to the Prime Minister's refusal to attend some of the interpellations, which were requested by the opposition. In general, the Parliament has weak oversight over the executive branch. In order to increase transparency, the sessions of the Parliament are live streamed on social media and there were attempts to create a webpage dedicated to the actions and work of the Parliament, which is still to be implemented. Appointing a new

Ombudsperson and Anti-Discrimination Commissioner is still a priority. Moreover, more should be done to enable the environment for civil societies (European Commission, 2023c).

The Commission anticipates further EU reforms as a result of opening the accession negotiations. The government needs to refrain from adopting measures that are not aligned with EU policies and inform its citizens about the progress in the EU accession negotiations. The completed screening process was fast and smooth (European Commission, 2023c).

Another area that can affect political stability, is the fight against corruption, where Albania has some level of preparation. Even though there were some convictions and financial investigations at a high level, this area continues to present a great concern for Albania. Corruption remains entrenched in the life of politics, judiciary, and business. Albania should further strengthen the fight against corruption on all levels, especially by increasing the institutional capacity of the Anti-corruption Directorate-General in the Ministry of Justice and by revising the composition of the Ethics Commission (European Commission, 2023c).

Connected with the fight against corruption is also the functioning of the judiciary, where Albania is moderately prepared and has shown good progress in the reporting period. The emphasis of the Commission is the improvement of the vetting process for judges and prosecutors. In the case of criminal offences, a follow-up needs to be systematically ensured. There is a large number of backlog of cases, increased workload as well as many lengthy procedures, which limits the accessibility to justice and efficiency of the judicial system (European Commission, 2023c).

6.2 Bosnia and Herzegovina

The EU and Bosnia and Herzegovina signed the SAA in June 2008, and the agreement entered into force in June 2015. In February 2016, Bosnia and Herzegovina applied for membership and three years later, the Commission submitted an opinion with 14 key priorities. In December 2022, the European Council gave the country candidate status and in December 2023, it was decided that the negotiations with the country would be opened once these priorities are reached (European Commission, n.d.h). The main identified issues are the 14 key priorities by the Commission, as well as the stability of the country almost 30 years after the Dayton Agreement, which ended the Bosnian war.

6.2.1 Issue I: 14 key priorities before opening the accession negotiations

In the 2023 report on Bosnia and Herzegovina, we can observe that the country is poorly prepared for accession negotiations, as there are only four chapters where the state is moderately prepared (one of which is between some level and moderately prepared), in 13 chapters the country is in an early stage, and in the rest, it is at some level of preparation.

But before the accession negotiations open, Bosnia and Herzegovina needs to fulfil 14 key priorities (European Commission, 2023d).

The country needs to conduct elections in accordance with EU standards, which is something that still needs alignment. Coordination mechanisms on EU matters, which would deal with the adoption of the EU acquis, as well as the management of IPA III funds, still have not yet been established. There has been no progress in establishing the national programme for the EU acquis. The third key priority, which states that the proper functioning of the Stabilisation and Association Parliamentary Committee needs to be ensured, is completed and the committee held its first session in October 2023 (European Commission, 2023d).

A fourth key priority is to improve the institutional framework on a fundamental level, which should distribute competencies across different governmental levels, reform the constitutional court, ensure non-discrimination and equality... No progress was made on the fourth priority. The country should also seek to promote reconciliation to move past the disputes that have been present since the Bosnian war. While some progress was made in this priority, historical revisionism and the glorification of war criminals are still present. Additionally, new legislation should be adopted to improve the judiciary, and while some reforms were made, some of them are not in line with recommendations (European Commission, 2023d).

There are numerous steps that need to be undertaken against corruption and organised crime, such as the adoption of legislation on conflict of interest and whistle-blower protection, public procurement, de-politicisation, and transparency during the privatisation of public enterprises... Bosnia and Herzegovina has made some progress in the area, it has deployed a liaison officer to the Hague, and the exchange of messages between police bodies has been established... The eighth priority is to ensure effective coordination of border and migration management as well as the asylum system. Despite constraints, such as the budget, there have been some concrete reforms (European Commission, 2023d).

Rights of all citizens should be better protected, and non-discrimination and gender equality should be better ensured. In this area, the laws are not harmonised across the state. A new gender action plan was adopted in October 2023. The right to life and prohibition of torture should be ensured. In the Constitution of Republika Srpska, there is, for example, still a reference to the death penalty, which was repealed in October 2019. A national preventive mechanism against torture and ill-treatment was put in place and thus this priority is seen as completed (European Commission, 2023d).

The eleventh priority is to ensure freedom of association and assembly and thus support the environment for civil society. This priority was almost aligned, yet there is a law, which targets civil society actors as “foreign agents” pending in Republika Srpska, which, if adopted, could mean a backslide in the progress of this priority. Media and journalists should be guaranteed the freedom of expression and protection, while the public broadcasting

system should be financially sustainable. In July 2023, Republika Srpska once more adopted criminal penalties for defamation, while political pressure and threats against journalists continued. The financial sustainability of the public broadcasting system is still not ensured (European Commission, 2023d).

Protection and inclusion of vulnerable groups (persons with disabilities, LGBTIQ persons, children, Romani people, migrants, displaced persons, refugees and asylum seekers, detainees...) should be improved in line with Annex VII of the Dayton Agreement. A lot has been done in this area, but further reforms are needed. The last key priority is a reform of public administration that should, among other things, ensure professional and de-politicised civil service, which is something that still needs to be achieved (European Commission, 2023d).

6.2.2 Issue II: Dayton Agreement after almost 30 years

The General Framework Agreement for Peace in Bosnia and Herzegovina, also known as the Dayton Agreement, was signed in December 1995, after several negotiations between the President of Bosnia and Herzegovina, Alija Izetbegović, the President of Croatia, Franjo Tuđman, and the President of Serbia, Slobodan Milošević, who also represented Bosnian Serbs. Several other global actors were included in the negotiations. The agreement ended the tragic Bosnian war and established a sovereign country of Bosnia and Herzegovina, comprised of two parts: Republika Srpska, mainly populated with Bosnian Serbs, and the Federation of Bosnia and Herzegovina, mainly populated with Croat-Bosniaks. The type of democracy that best describes the system in the newly established country is consociationalism, where each of the three ethnicities is equally represented (Organization for Security and Co-operation in Europe, 1995).

Almost 30 years after the Dayton Agreement, the country remains in poor shape. The agreement did stop the war, which lasted for more than three years, but did not bring prosperity to the newly founded state. Since the decisions need to be taken unanimously, it is hard to perform much-needed reforms. As of 2020, the official unemployment rate is 25%, while the youth unemployment rate is around 66%. The so-called brain drain remains an issue with large emigration, especially of the well-educated youth. The memory of the war, with 100,000 casualties and millions of displaced, is still present, as are some ethnic disputes. There is a lack of national identity, but also a lot of nationalism, which continues to undermine the stability of the state (Rossig, 2020).

One of the recent cases of nationalism happened just recently, in May 2024. One of the biggest stains on the United Nations in recent history is undoubtedly allowing the genocide in Srebrenica to happen. The ethnic cleansing during the Bosnian war is still a topic of debate. At the beginning of 2024, the UN General Assembly discussed whether to commemorate 11 July as the International Day of Reflection and Commemoration of the 1995 Genocide in Srebrenica. In mid-May, the resolution was adopted with 84 votes in

favour, 19 votes against, and 68 abstentions. All countries of former Yugoslavia, with the exception of Serbia, voted in favour. After the adoption of the resolution, the President of Republika Srpska, Milorad Dodik, declared his intentions for the secession of Republika Srpska from the Federation of Bosnia and Herzegovina, thus severely violating the Dayton Agreement. He believed that Bosnian Serbs could no longer live in the country under such conditions. The secession aspirations were heavily criticised by the EU, especially by the High Representative, Josep Borrell. He reiterated that such forms of nationalism are a common occurrence, yet the perspective of Bosnia and Herzegovina in the EU is possible only as a united and sovereign country (RTV SLO, 2024a).

As a retaliatory measure, Bosnia and Herzegovina and especially Republika Srpska blocked EU citizens currently residing in the entity from participating in the European elections. Citizens of Poland, Romania and Slovenia were unable to cast their votes at the embassies, which is the usual practice in accordance with all the adopted declarations on the matter. This action was condemned by multiple political figures across the EU with comments that this should influence the accession negotiations (RTV SLO, 2024b).

6.3 Georgia

The Association Agreement between the EU and Georgia was signed in June 2014, and it entered into force two years later. In March 2022, Georgia applied for membership in the EU. The Commission issued an opinion with 12 key priorities in June 2022. In December 2023, the Council agreed that the country should be given candidate status as relevant steps were taken (European Commission, n.d.i). This chapter will discuss the minor misalignment of Georgia in external policies, the current law on foreign agents, as well as the situation regarding media, which are to some extent connected with the Russian Federation. Moreover, we will touch upon an issue that is present in the majority of candidate countries, chapter 27 of the acquis, environment, and climate change.

6.3.1 Issue I: Ties with the Russian Federation and oppression

While Georgia is considered to be one of the most pro-EU states of the former Soviet Union, there are some instances of alignment with Russia and its regime. It is mostly aligned with the EU when it comes to voting on resolutions in the General Assembly of the UN and other international bodies. Even though the country is cooperating with the EU when it comes to the prevention of sanction circumvention, it has yet to impose sanctions on the Russian Federation and Belarus. It did not, for example, close the airspace to the aggressor, but it has cooperated with regard to special “Donetsk and Luhansk” sanctions. The alignment between the Georgian position and the position of the High Representative of the EU and the Council decisions was only 44%. Some may consider the chapter on external relations as problematic, but here, Georgia is moderately prepared (European Commission, 2023e).

Nonetheless, accusations about the Russian influence on the candidate country are present, especially among Kartvelians, the citizens of Georgia. There have been countless massive protests against the adoption of the Transparency on Foreign Influence Bill, more commonly known as the “Law on Foreign Agents”. It is sometimes also called the “Russian law”, as it copies the one from Russia. In accordance with the legislation, if a non-governmental organisation (hereafter also as NGO) or media receives more than 20% of all funding from abroad, it will be registered as an organisation acting in the interest of a foreign power and thus, it will receive strict audits and may face severe fines. Protesters on the streets were waving the Georgian and EU flags and compared the government to Russians and slaves but were faced with violence and repression by the police. The EU has condemned the bill several times and claimed it moves Georgia away from the accession to the EU. Although the pro-EU President Salome Zourabishvili vetoed the adoption of the law in late May 2024, the Parliament overturned the veto with 84 votes in favour. The opposition left the plenary as a sign of protest (Demytrie, 2024).

Another example of Georgia sliding towards Russia is the possibility of adopting the “Family Values” bill, which would ban the so-called LGBTIQ propaganda, gender reassignment surgery and prevent non-heterosexual people from adopting children, as well as changing their gender in identification documents. Similar legislation was already adopted in the Russian Federation a couple of years ago. The West has also condemned the discussion of passing this legislation, which would severely limit the rights of people belonging to LGBTIQ but also move Georgia away from EU accession (Reuters, 2024).

While the protesters are being oppressed, another form of oppression in Georgia needs to be brought forward. According to the organisation Reporters Without Borders, the situation for journalists and media has worsened in the past year. In 2024, the country was placed 103rd out of 180, whereas a year before it was placed 77th. Press freedom is suppressed by official interference, as well as by physical and verbal attacks on journalists. The landscape is on one hand diverse, but on the other extremely polarised. Although political parties cannot own media networks, the owners of some media houses have personal ties with politicians. Moreover, the authorities often interfere with state-owned media. Topics such as religion, LGBTIQ, and Russian influence remain polemical. It is evident that the majority of the recommendations by the Commission in this regard have not yet been implemented, which could result in stalling the accession negotiations (Reporters without borders, 2024).

Lastly, we must also put the territorial dispute of two Kremlin-backed breakaway regions, Abkhazia and South Ossetia, into the spotlight. Shortly after the collapse of the Soviet Union, these two regions fought for their independence from Georgia. In 2008, there was a brief war between Russia and Georgia in order to claim the independence of these regions. Abkhazia and South Ossetia declared independence, which is recognised only by a few countries, namely Syria, Russia, Nicaragua, Venezuela, and Nauru (Civil.ge, 2023). In August 2023, during the full-scale invasion of Ukraine, former President of the Russian Federation Dmitry Medvedev claimed that the breakaway regions of Georgia could easily

join Russia if there was a good reason for it. Russia strongly opposes the idea of Georgia joining organisations such as the EU or NATO, which is why such statements were made. Without effective Georgian control over these regions, the accession to the EU would be a much harder path, especially if Russia is willing to go to another war over these territories (Chiappa, 2023).

6.3.2 Issue II: Environment & Climate Change

Georgia is only in the early stage when it comes to aligning with the *acquis* on environment and climate change. There are numerous conventions, that need to be followed. Under horizontal legislation, there is for example the Aarhus Convention on access to information, public participation in decision-making, and access to justice in environmental matters. The convention is designed for every person to live in a healthy environment (European Commission, n.d.j). Georgia is a party to the convention but only follows some of the provisions. Enforcing and implementing environmental policy is still an issue (European Commission, 2023e). An environmental impact assessment is in place, but further development is needed. Georgia has not yet ratified the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), which demands parties to assess the environmental impact of an activity at the early stage of planning (EUR-Lex, 2021). The law on environmental liability has been adopted, but it is not yet fully aligned with the EU Environmental Liability Directive (European Commission, 2023e).

Georgia is partially aligned with the *acquis* on air quality. Standards cover all pollutants, which are described by the Directives on ambient air quality. Monitoring is only partially aligned. In June 2023, it approved the technical regulation on emission standards for vehicles (European Commission, 2023e). Georgia is also a signatory to the UN Economic Commission for Europe Air Convention, but it has not yet ratified the last three protocols (two were introduced in 1998, one in 1999). The convention, signed in Geneva, deals with the prevention of air pollution across borders (EUR-Lex, 2020). The development of strategic noise maps and action plans to reduce noise pollution has yet to be implemented. Alignment with waste management *acquis* is also in the early stage. Georgia should further focus on implementing the Waste Framework Directive. The system itself needs to be modernised and reformed further. Limited alignment can be seen in the area of water quality, despite the adoption of the Water Law in June 2023 and the adoption of other acts. The alignment with the nature protection *acquis* is good. The national biodiversity strategy and action plan need to be updated, and administrative and financial capacity strengthened (European Commission, 2023e). Georgia is a party to the Bern Convention on the Conservation of European Wildlife and Natural Habitats, which was adopted in 1979 and is aimed at protecting flora and fauna in Europe (Council of Europe, n.d.c). In order for Georgia to comply with the *acquis* on industrial pollution control and risk management, a lot of investment and legislative work will be needed. The single national pollutant release and transfer register is yet to be established. When it comes to the management of chemicals,

there is much room for improvement (European Commission, 2023e). Georgia must implement the Stockholm Convention on Persistent Organic Pollutants. Adopted in 2004, the Convention aims to reduce and eliminate the release of persistent organic pollutants into the environment. Initially, there were only 12 chemicals, but some chemicals were added afterwards (EUR-Lex, 2004). In addition, Georgia ratified the Minamata Convention on Mercury in May 2023. The convention, which entered into force in 2017, aims to reduce the mining, usage, and disposal of mercury around the globe (UN Environment Programme, n.d.a). Georgia made substantive progress in acquis on civil protection and disaster risk management at all levels. It clearly defined the roles of all actors, established the training division, and upgraded the training programme. Georgia should, however, further strengthen the strategy, development, and modernisation of the civil protection system (European Commission, 2023e).

While Georgia is only in the early stage of development in the climate change acquis, it has made some progress. In April 2023, it adopted a long-term low-emission development strategy, wherein it is set to become climate-neutral by 2050. No climate change law is in place yet. The system for monitoring and reporting greenhouse gas emissions needs to be further developed (European Commission, 2023e). It needs to prepare for the introduction of the EU Carbon Border Adjustment Mechanism (CBAM). The aim of the mechanism is to prevent carbon leakage from the EU from 2026 onwards. The price of carbon emissions should be reflected in the price of the actual imported goods, and thus the EU wants to prevent companies from circumventing the Emissions Trading System (ETS) (European Commission, n.d.k). ETS is another mechanism that Georgia should introduce. It is a cap-and-trade system, which limits the total amount of greenhouse gases emitted by certain industries. Companies get some free allowances and can buy them on the EU carbon market (European Commission, n.d.l). Georgia is yet to implement the CO₂ performance standards for new vehicles and relevant national legislation, which would align with the Directive on carbon capture and storage (European Commission, 2023e). Georgia is the signatory of the Montreal Protocol on substances that deplete the ozone layer. One of the most successful global commitments, adopted in 1987, lists around 100 man-made chemicals that deplete the ozone layer and aims to eventually phase out the production and consumption of such substances (UN Environment Programme, n.d.b). Due to numerous amendments to the protocol, Georgia is not yet fully aligned with it. Moreover, the candidate has established a climate change council to ensure better coordination, yet the council still has not managed to mainstream climate change into policymaking (European Commission, 2023e).

6.4 Kosovo

When Kosovo declared its independence in 2008, the Council underlined that this is a unique enlargement case due to its disputed status as a country. The possibility of an SAA was studied in October 2010, the agreement was signed in July 2014 and entered into force in April 2016 (European Commission, n.d.m). As of September 2024, Kosovo is considered to

be a potential candidate. This chapter will cover two main reasons for the current status, namely the current relations with Serbia and the challenges towards international recognition of Kosovo.

6.4.1 Issue I: Relations with Serbia

The relations between Kosovo and Serbia have been intense for a couple of decades. In 1999, as the war between the government and the separatists broke out, the administration of Kosovo was given to the United Nations, and despite the Kosovar declaration of independence, Serbia refuses to recognise Kosovo as an independent country. There are numerous provocations and escalations of the conflict, one of the major ones for example happened in 2017, when a Serbian train, which had the sign “Kosovo is Serbia” written in 21 languages, arrived in North Mitrovica. There are numerous other provocations, which received a violent response (European Parliament, 2019a).

One of the main challenges towards the normalisation of the relations is the integration of the Kosovan Serbs. According to estimates, 87% of citizens are of Albanian ethnicity, while there are around 8% of ethnic Serbs in Kosovo. The situation is completely different in the four northern municipalities, which are in the vicinity of the city of Mitrovica. There are 80% of Serbs in those four municipalities. Additionally, there are six other municipalities in Kosovo, where Serbs are in the majority. During one of the meetings between Kosovar president Hashim Thaçi and Serbian president Aleksandar Vučić, there was a proposal for border correction, whereby Kosovo would receive Serbian territory with an Albanian majority, while Serbia would receive Kosovar municipalities predominately inhabited by Serbs. The proposal was heavily criticised, as it could present a precedence for future aspirations for border corrections in the WB (European Parliament, 2019a).

One of the EU’s endeavours is to facilitate the dialogue between Serbia and Kosovo. One of the fruits of this dialogue is the Agreement on the path to normalisation between Kosovo and Serbia, which was signed in February 2023 in Brussels. It is accompanied by the Implementation Annex, signed a month later in Ohrid, North Macedonia (European Commission, 2023f). In the ambitious agreement, it was agreed that both countries would establish good neighbourly relations, mutually recognise their respective documents and national symbols, such as diplomas, licence plates, and passports, respect their independence, right to self-determination, autonomy, and territorial integrity in line with the Charter of the United Nations. There should be peaceful settlement of any potential disputes, without the threats and usage of force. Serbia will not object to Kosovo’s membership in any international organisation. Moreover, these countries shall not object or obstruct another when it comes to progression in negotiations to join the EU (European External Action Service, 2023).

This agreement became an integral part of both countries’ accession negotiations. While this agreement is supposed to be binding, both parties are yet to start implementing it. Despite

the dialogue, there was also some negative development. Kosovo sent special police to areas mainly populated with Kosovo Serbs and decided to expropriate some of the land. On the other hand, numerous Kosovo Serbs quit their positions in public institutions such as police, judiciary, and administration, which resulted in local by-elections in April 2023. While the elections were in line with the legal framework, the turnout reached an all-time low, mostly as a sign of boycott. As a result, the situation escalated, as Kosovo Albanian mayors were elected in the northern part of Kosovo, which was against the recommendations of the international community. This triggered violent protests by Kosovo Serbs, which are yet to be condemned by Serbia. In its report, the Commission stated that much more effort needs to be put in order for the agreement to be implemented (European Commission, 2023f).

6.4.2 Issue II: International recognition

Despite the current relations with Serbia, the main issue with Kosovo lies within the beginning of Article 49 TEU. As seen in Appendix 2, where the article is written, one of the conditions is that only a state can join the EU. Despite declaring independence in 2008, Kosovo is still not internationally recognised as an independent state. According to the Kosovar government, 117 countries have recognised this state in the Western Balkans (European Commission, 2023f). At the moment, Cyprus, Greece, Romania, Slovakia, and Spain, five member states of the EU, do not recognise Kosovo. It is anticipated that these countries will halt accession negotiations with Kosovo, which is momentarily only recognised as a potential candidate (Al Jazeera, 2023).

The basis of controversy regarding the recognition of Kosovo could lie in the Resolution 1244 (1999) of the United Nations Security Council (hereafter UNSC). The resolution was adopted in order to stop the raging war, mainly fought between the Yugoslav Armed Forces and Kosovo Liberation Army (hereafter KLA). It demanded that Yugoslavia ends violence in Kosovo and withdraws almost the entirety of its military from the area (some of the Serbian personnel were permitted to return in order to clear minefields and maintain presence at key border crossings...). It also demanded the demilitarisation of KLA, and the return of displaced persons and refugees. With the help of international organisations, such as NATO and its Kosovo Force (KFOR), it established an international civil presence and thus an interim administration for Kosovo in order for citizens to enjoy substantial autonomy within the Federal Republic of Yugoslavia. It is supposed to provide transitional administration and establish democratic self-governing institutions. The resolution placed Kosovo under UN administration, more specifically under the UN Interim Administration Mission in Kosovo (UNMIK) (United Nations Security Council, 1999).

It was believed by the international community that the unilateral declaration of independence was not in accordance with Resolution 1244. As a result, the General Assembly of the UN and then Secretary-General Ban Ki-moon asked the International Court of Justice (hereafter ICJ), whether international law was breached. In its advisory opinion,

ICJ stated that the international law was not breached, as there are no prohibitions against the declarations of independence. It is also not against Resolution 1244, as the framework did not specify the final status of Kosovo, but rather only its interim status. Moreover, there are few obligations in the framework for non-state actors and these obligations do not include prohibition of a declaration of independence. The authors of the declaration represent the people of Kosovo and were not bound by the framework. It is also worth noticing that the advisory opinion has no binding value, despite the fact that it holds important weight in international law (International Court of Justice, 2010).

Due to the non-binding nature and lack of total international recognition, Kosovo lacks membership in numerous organisations. One of such is the UN itself. Membership is open to all peace-loving member states, which must be admitted by the General Assembly upon recommendation of the Security Council (United Nations, n.d.). As the Russian Federation, a close ally of Serbia, is a permanent member of the Security Council, it can veto any recommendation, and thus membership of Kosovo seems unlikely (Al Jazeera, 2023). In its opinion, the Parliamentary Assembly of the Council of Europe called upon the membership of Kosovo in the Council of Europe, as it is making progress in strengthening the rule of law, human rights, and democracy, one of the main conditions for membership in the CoE. After the vote, Serbia threatened to leave the CoE (RTV SLO, 2024c).

6.5 Moldova

Similarly to Georgia, the Association Agreement with Moldova was signed in June 2014 and entered into force in July 2016. An application for membership was made in March 2022 and 9 key priorities were underlined by the Commission in its opinion. Candidate status was given to Moldova in June 2022 and accession negotiations were opened in December 2023 (European Commission, n.d.n). This chapter will cover the breakaway region of Transnistria and a potential breakaway region of Gagauzia, while we will also touch upon the economic criteria.

6.5.1 Issue I: The situation in Transnistria and Gagauzia

Similarly to Ukraine and Georgia, Moldova also has an issue with Russian influence over its territory. The region of Transnistria is already considered to be a breakaway region, while the region of Gagauzia, currently still an autonomous region, presents a major issue for Chişinău, which seeks accession to the EU.

The case of Transnistria is rather interesting but also complicated. In 1992, the country declared independence after a war with Moldova, and in 2006, it held a referendum, where 97% of its citizens wanted to join Russia in the future but maintain independence until that happens. As of September 2024, this breakaway region has not joined Russia and no country recognises its independence, not even Russia. Despite that, Russia continues to pressure

Moldova with its malign influence, especially as the 2024 presidential elections and EU referendum vote are approaching in Moldova. In February 2024, the Transnistrian Congress of Deputies took place, where Russian support was requested amid Moldovan pressures. If Russia declared the independence of the region, this could destabilise Moldova and its chances of EU succession, even though the EU claimed that this issue is not to obstruct Moldovan accession. Despite that, there have been around 2,000 Russian troops stationed in the region since 1992, which would make the accession of Moldova hard to imagine (Kieff, 2024).

The region of Gagauzia also declared independence but rejoined Moldova in 1994 as an autonomous region. The southern region constantly accuses Chişinău of oppression and failure to respect their autonomy. Russian remains the only spoken language of 68.2% of Gagauz, while Russian television channels and conducting business in Russian are not that common and are sometimes prohibited. While the stance of Chişinău is pro-EU, especially after the Russian invasion of Ukraine, Comrat, the capital of the autonomous region, remains strongly pro-Russian. In 2014, as Moldova signed the association agreement with the EU, Gagauzia held a referendum on whether the region should join the customs union led by Russia. A law on deferred sovereignty was also adopted in the region. If Moldova were to join the EU, the region could simply secede once more. While Moldova does not recognise the legitimacy of the law, it has Russian support. The region also strongly opposes a possible unification between Romania and Moldova, which is also something that has been discussed several times. Unlike Transnistria, Gagauzia is more integrated into Moldova, thus escalation of tensions seems unlikely. 70% of the region's budget comes from subsidies, around 42% of exports are to EU member states, while only 8% of Gagauz exports are with Russia and a lot of residents tend to obtain Romanian passports in order to easily migrate to the EU, where they seek work. Russian influence is noticeable but is fading. Despite the fact that there is a large pro-Russian sentiment in the region, the region does not have much influence over the overall Moldovan aspirations to join the EU, as Gagauz only represents 5% of the population. Nevertheless, the Moldovan government will need a clear programme to stabilise the current relations with the region (Ibragimova, 2024).

6.5.2 Issue II: Economic criteria

Economically speaking, Moldova is one of the least developed candidate countries with a GDP per capita (in current \$) of \$5,714.4 in 2022. Only war-torn Ukraine (\$4,534) and potential candidate Kosovo (\$5,340.3) are lower in this regard (World Bank, 2024). The country is between an early stage and some level of preparation when it comes to the existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union, which are the main economic criteria required to join the EU (European Commission, 2023g).

Even though the Russian full-scale invasion of Ukraine has deeply affected the country, the government continued pursuing macroeconomic stability and considerable economic reforms. In the past decade, the economic growth has remained sustainable with an average annual growth of 3.1%. The public deficit (1.5% on average in the period 2014-2019) and debt level were relatively low. One of the main issues present in the Moldovan economy is the over-dependence on Russian gas and oil, which, in recent events, presents a significant issue. Numerous issues such as rising energy and food prices, low household consumption and disposable incomes, as well as war in general, contributed to pessimism as well as high inflation levels in the post-COVID-19 and current wartimes. Several other issues are present such as low productivity and a lack of an exporting-oriented economy (European Commission, 2023g).

The Moldovan environment is not favourable for business, especially due to absurd levels of corruption, the weak rule of law, but also lack of strong institutional capacities and public services. The informal economy is on the rise, while entrepreneurship is plummeting. State-owned enterprises are still largely present in areas such as telecommunication, energy, and transportation, whereas severe privatisation should be considered. Unemployment is rising, especially due to the fact that a high share of people only wants to work abroad (European Commission, 2023g).

In terms of dealing with competitive pressure and other market forces, one of the main factors for the persistent mismatch between the skill level of the workforce on the one hand and employers' requirements on the other is the lack of government investment into education. There is also a lack of investment in research and development as well as physical infrastructure. Foreign direct investment is also low, mainly due to the high level of corruption and lack of potential in terms of doing business. Only about 66% of households have access to the internet and only about 40% of government services are available online, which speaks of low levels of digitalisation. Agriculture remains one of the most important parts of the economy and there is also an enormous lack of productivity. It is, however, worth mentioning that due to the DCFTA, signed in 2016 between the EU and Moldova, the country is closely integrated with the EU, which remains the candidate's largest investor and trading partner. Despite the progress in all areas, Moldova is, at least from the economic perspective, not yet ready to join the EU (European Commission, 2023g).

6.6 Montenegro

The SAA between Montenegro and the EU, which entered into force in May 2010, was signed in October 2007. In December 2008 the country applied for membership in the EU, which was confirmed by the Council in December 2010. Accession negotiations were opened in June 2012. The screening of the last chapter happened at the end of June 2013. By the end of June 2020, negotiations for all chapters were opened and three chapters (Chapters 25, 26, and 30) were provisionally closed (European Commission, n.d.o). This chapter

covers the identification of issues under chapters 23 and 24 of the acquis, which are the chapters dealing with the rule of law and fundamental rights. No new chapters will be provisionally closed until interim benchmarks of these two chapters are reached. In addition, another chapter, which is often common for candidates will be covered, namely the challenge of foreign direct investment.

6.6.1 Issue I: Chapters 23 and 24 of the acquis

Despite the fact that Montenegro is moderately prepared in both chapters 23 and 24, there are a total of 83 interim benchmarks identified by the Commission. The total of 45 benchmarks in chapter 23 (Judiciary and fundamental rights) are further divided into judiciary (18), fight against corruption (14), fundamental rights (11), cooperation with NGO (1), and general (1) (Me4.eu, n.d.a). The total of 38 benchmarks in chapter 24 (Justice, freedom, and security) are divided into regular and irregular migration (4), asylum (4), visa policy (2), external borders and Schengen area (4), judicial cooperation in civil and criminal matters (5), police cooperation and the fight against organised crime (13), fight against terrorism (1), cooperation in the field of drugs (4), and general (1) (Me4.eu, n.d.b).

Key judicial reforms remain to be implemented, Due to polarisation in the political sphere, many courts lacked judges and other staff. The Constitutional Court, for example, had no quorum for half a year. One position still remains vacant. The judiciary has a lot of room for improvement in terms of independence, impartiality, professionalism, and accountability. The Law on Judicial Council and Judges, as well as the Law on State Prosecution Service, need to be better aligned with the acquis and the Venice Commission opinions. Currently, the judicial system can also be described as inefficient, and, therefore, a new strategy for rationalisation is needed. The candidate is making good progress regarding the prosecution of war criminals. The country only has some level of preparation when it comes to fighting corruption. One of the main concerns is high-level corruption, as Montenegro is yet to upgrade its strategic and legislative framework in line with the acquis. Despite the quantitative improvement of the Anti-Corruption Agency, its independence, accountability, proactiveness, and impartiality are not fully guaranteed. In 2022, some high-level corruption cases were unfolded, which confirmed the spread of corruption in state structures, such as law enforcement and judiciary. Investigations should be more effective and systematic. Frameworks for fundamental rights are mostly in place, yet further implementation and amending are needed, especially in the area of non-discrimination. Polarisation and division remain an issue and vulnerable groups such as Roma, Egyptians, LGBTIQ, and persons with disabilities are often still a target of violence, hate speech, and crime. These groups should have better accessibility to justice and enforcement of rights, especially in administrative and judicial proceedings. Some level of preparation was achieved in freedom of expression. A new media law is being drafted by the stakeholders of media, yet the government has failed to prepare a legislative proposal, which would be presented to the Parliament. While national public broadcasters are politically balanced the remaining media landscape remains

polarised, uneven, and full of disinformation. Online harassment and hate speech should be eliminated without disproportionately limiting freedom of expression. Freedom of assembly and association is mostly ensured. Domestic violence remains a persistent issue, while the preventive and protective measures are not in line with international standards (European Commission, 2023h).

The fight against organised crime only has between some and moderate preparation. The efficiency of criminal investigations improved. There was also a reform of human resources, as numerous new posts and positions were opened in the police departments. Organised crime remains deeply infiltrated into state structures, which remains an issue. When it comes to the fight against drug cartels and other drug-related crimes, Montenegrin strategic and regulatory frameworks are not aligned with the EU acquis. The candidate remains a transit country for drugs and is part of the so-called Balkan route. Storage capacity for seized drugs is insufficient. The legal framework for the fight against terrorism is mostly aligned with the acquis. The actual threat of terrorism is relatively low. Similarly to the fight against terrorism, the international cooperation of the judiciary in criminal and civil matters is also mostly aligned with the acquis, yet the speed and efficiency could be further improved. The management of legal and irregular migration is well managed, the system of identifying and registering migrants should, however, be modernised. In the area of asylum, the legislation is also largely aligned. On the other hand, more needs to be done in the area of visa policy, such as implementing a visa regime for 12 countries, which need visas for entry to the EU. The EU acquis is largely aligned with Montenegrin legislation of Schengen and external borders. There have been numerous fruitful operations together with other countries and EU agencies on the matter (European Commission, 2023h).

6.6.2 Issue II: The challenge of the foreign direct investment

Foreign direct investment (hereafter also as FDI), as well as other types of economic aid, such as loans and grants, are modern ways of spreading influence on a foreign country. In the Western Balkans, such influence is seen especially by countries like Russia and China. There are around 61 Chinese projects in Montenegro and while only \$2.8 billion was invested (in comparison to \$21 billion investment in Serbia), this could present a long-term issue regarding accession to the EU (Zeneli, 2022).

Montenegro was one of the first countries in Europe to join the ambitious Belt and Road Initiative, which was launched by the People's Republic of China in 2013. With the help of the initiative, which aims to revive the ancient Silk Road, China is investing heavily in infrastructure, energy, mining, communications, the health sector, education, and cultural centres. In Montenegro, one of the biggest projects is without a doubt the Bar-Boljare highway, where almost \$1 billion has already been invested. This highway, which will connect Serbia with the Adriatic Sea, is one of the most expensive highways in the world,

with an average of \$20 million spent per kilometre of road. It is estimated that an additional \$2 billion will be needed to complete this project (Zeneli, 2022).

As mentioned in the previous chapters, conditionality is one of the main methods of spreading Europeanisation in the Western Balkans. With financial aid, the European Union is conditioning candidate countries to align with the *acquis* and European values. Chinese loans and FDI, however, come with no such strings attached, at least not visible ones. It is thus preferable for these countries to accept such deals, which further halts the integration into the EU.

Some strings are, however, still attached to the Chinese deals. The secretive and single-bid contracts, which are awarded directly to Chinese state-owned enterprises, are usually done with a lack of transparency and international public tender. The level of corruption thus increases. While investments in infrastructure usually result in lower national unemployment, Chinese labour is usually the one building infrastructure in Chinese-led projects. In addition, Chinese companies are then the ones that keep some of the profits, while China obtains control in some of the key industries (Zeneli, 2022). At the same time, this burdens the governments due to economic dependency and financial instability. In 2020, the general government debt as a percentage of GDP amounted to 105.3%. In 2022, this percentage, however, decreased to 69.5%, yet it still represents an issue (European Commission, 2023h).

6.7 North Macedonia

North Macedonia signed an SAA with the EU in April 2001, and it entered into force at the beginning of April 2004, just a week after the country's official application to join the EU. The Council granted North Macedonia the status of a candidate country in December 2005. Despite numerous recommendations by the Commission to open the accession negotiations, the Council only approved them in March 2020. At the beginning of December 2023, the EU completed the screening of all chapters (European Commission, n.d.p). The main issue of North Macedonia towards accession to the EU is without a doubt the neighbourly relations between the candidate country and Bulgaria and Greece, as well as corruption and the deepening of the polarisation.

6.7.1 Issue I: Relations with Bulgaria and Greece

If we take a look at the current progress with the chapters of the *acquis*, none of which have been opened, we can see that two chapters are in the early stage of preparation (chapters 2 and 33), in one chapter North Macedonia has shown some level of preparation (chapter 27) and the rest are either moderately prepared or have a good level of preparation (European Commission, 2023i). Unfortunately, the progress in *acquis* negotiations is not that significant for North Macedonia, since the accession negotiations can easily be blocked by two EU

member states, Bulgaria and Greece. These two countries have several disputes with the candidate country and are actively using their membership and thus veto to their advantage in bilateral negotiations.

The dispute between the Republic of North Macedonia and Greece lies in the name of the candidate country and Greek history. In ancient Greece, Philip II of Macedon was a conqueror. His son, Alexander the Great, also a conqueror, is famous for his conquest of Persia and beyond. Both figures are an important part of Hellenic heritage. Several centuries later, during the Balkan wars (1912-1913), the region of Macedonia was divided mainly between Greece and Serbia, but also Bulgaria. A few decades later, as Yugoslavia collapsed, a new nation was born, and it was officially titled the Former Yugoslav Republic of Macedonia or simply Macedonia. This has caused a lot of tension between the newly founded republic and its southern neighbour, Greece, as it also has a region called Macedonia in the north as well as a claim to Macedon's heritage (Kirby, 2019).

Greece began to block Macedonian aspirations for joining international organisations such as NATO and the EU. The change happened in June 2018, when the Prespa Agreement was signed (entered into force in February 2019). Negotiating parties agreed that the Former Yugoslav Republic of Macedonia was to be renamed the Republic of North Macedonia. The short name shall be North Macedonia. The name of the language would remain Macedonian, while the citizens would also be known as Macedonians or citizens of the Republic of North Macedonia (United Nations, 2018). In addition, monuments, roads, and other infrastructure, that have any relation to Macedon's heritage, would need to be renamed. Skopje Alexander the Great Airport was, for example, renamed Skopje International Airport, while the Alexander the Great Motorway is now known as the Friendship Motorway (Kirby, 2019). In return, Greece would support the accession of North Macedonia to NATO, which happened in March 2020, when North Macedonia became the 30th member of the alliance (NATO, 2020). Moreover, it was also agreed that Greece would not block the accession negotiations of North Macedonia to the EU.

In May 2024, a new president of North Macedonia, Gordana Siljanovska-Davkova, and her right-wing government were inaugurated. During her first speech, she omitted the usage of the word "North", when addressing the country North Macedonia, thus disregarding the Prespa Agreement. As a result, the Greek ambassador left the inauguration. Ursula von der Leyen, the President of the European Commission congratulated Siljanovska-Davkova as she was elected the new president but called upon further reforms and respect for existing agreements, especially the Prespa Agreement (RTV SLO, 2024d).

It can be said that the historical facts are the issue between North Macedonia and Bulgaria as well. In the Middle Ages, some of the territory that currently belongs to North Macedonia was under the administration of the Bulgarian kingdom. As a result, there are numerous historical figures such as King Samuel, Cyril and Methodius (the authors of the Cyrillic

alphabet), and Clement and Naum (disciples of Cyril and Methodius), whose national identity is disputed (Nikolov, 2022).

As Bulgaria was obstructing Macedonian aspirations to international organisations, the Treaty of friendship, good-neighbourliness, and cooperation between the Republic of Bulgaria and the Republic of Macedonia was signed in the capital of North Macedonia in August 2017. The focus of the treaty was to establish a joint historical commission, which would examine the historical facts. They have also agreed to protect national minorities, not to interfere in internal affairs, and to foster mutual respect, understanding and cooperation (United Nations, 2017b).

While one cannot say that the treaty was the end of the accession obstruction, some progress was made in finding a compromise. Common labels were found for some of the figures. For example, King Samuel is now considered to be the ruler of the medieval state, which many modern scholars consider as a Bulgarian kingdom, despite the fact that it had a centre in present-day North Macedonia (Nikolov, 2022).

6.7.2 Issue II: Corruption and polarisation

According to Transparency International and its Corruption Perceptions Index, the situation regarding corruption is slightly improving. In 2023 the country was in 76th place out of 180 countries, when it comes to corruption, which is an improvement from the year 2020 when the country was in the 111th place (Transparency International, 2024). There are numerous cases of corruption, one of the most prominent being the case of Makedonski Telekom, a multimillion case of corruption against three individuals who were acting as managers of the telecommunication company. North Macedonia has a 47% stake in the company. Charges were made in 2011, yet in December 2023, the case reached its statute of limitations (Magleshov, 2023). Another scandal happened in 2016, when 56 politicians, accused of corruption, received a presidential pardon from President Gjorge Ivanov. Among these politicians were Prime Minister Nikola Gruevski, opposition leader Zoran Zaev... The presidential pardons were followed by massive anti-government protests and snap elections (BBC, 2016). During his time as Prime Minister, Zoran Zaev was also mentioned in the case of extortion, where individuals close to the Macedonian government were extorting a businessman Orce Kamcev. During one of the phone calls, Zaev was mentioned as someone, who would not cause any problems in preventing the coercion. There were several calls for his resignation, even though he denied involvement in extortion (Marusic, 2019). The Commission deems that North Macedonia is between some and moderate level of preparation in the fight against corruption (European Commission, 2023i).

The report by the Commission also suggests that the frequent change of governments and polarisation in the Parliament is preventing the proper functioning of the democratic institutions. Numerous reforms, needed to join the EU, are delayed and there is little to no consensus between parties. Not only is polarisation present in the Parliament of North

Macedonia, but also in the media, which is facing severe pressures, while journalists are dealing with both verbal and physical violence (European Commission, 2023i).

6.8 Serbia

Despite the fact that the negotiations for SAA between Serbia and the EU started in October 2005, the agreement was not signed until April 2008, due to a lack of Serbian cooperation with the ICTY. Serbia submitted its application to join the EU in December 2009, and in March 2012, it was confirmed as a candidate country. In September 2013, the SAA entered into force. Three months prior to that, the negotiations opened with Serbia. In March 2015, the screening of all chapters was completed and as of September 2024, 22 chapters were opened. Chapters 25 and 26 were closed in December 2016 and February 2017 respectively (European Commission, n.d.q). While one of the main obstacles is without a doubt relations with Kosovo, this challenge was already extensively discussed in the section regarding Kosovo. This chapter will cover the current Serbian division between the West and the East and the current state of democratic and judiciary processes.

6.8.1 Issue I: Between the West and the East

Despite the fact that Serbia is a candidate country, there are a lot of doubts about whether the country itself is willing to actually join the EU. In one of the latest public opinion surveys, conducted in 2023, 33% of surveyed Serbs expressed their willingness to join the EU, 33% would vote against the accession in the potential referendum, while 17% would not vote in the referendum and the remaining 17% had no opinion on the matter. It is, however, true that the affirmative vote gained some support in comparison to December 2022, when 30% were in favour. Nonetheless, the survey was mainly conducted in a traditionally pro-EU Belgrade. If we compare the results with other WB countries (Albania: 95.5% in favour; Kosovo: 94%; Bosnia and Herzegovina: 76% and North Macedonia: 74%), we can observe a relatively negative sentiment in Serbia (Antonijević, 2023).

Two main reasons were identified for such a low aspiration of Serbs to join the EU. The first reason is without a doubt a strong historical alliance with the Russian Federation. Russia, a protector of Orthodox Christians and Slavic nations in the WB, helped Serbia when it sought independence from the Ottoman Empire in the 19th century. Moreover, Russia entered World War I on the Serbian side, once Austria-Hungary declared war on Serbia after the failed ultimatum. The Russian influence in the Balkans faded a bit during the Cold War but returned after the collapse of Yugoslavia. While some countries in the region distanced themselves from the Kremlin after the Russian invasion of Ukraine, ties with Serbia remain strong. Serbian President Aleksandar Vučić recently signed a three-year gas supply deal with Russia, despite the fact that the EU imposed numerous sanctions on the Russian Federation. Some analysts, however, claim that the annexation referendums in Donetsk, Luhansk, Kherson, and Zaporizhzhia, may have angered some Serbian nationalists, as these

referendums may give legitimacy to the independence aspirations of Kosovo (McBride, 2023).

In 2024, Serbia commemorated the 25th anniversary of the war in Kosovo and thus the 25th anniversary of NATO's aerial bombing campaign against former Yugoslavia. Several hundreds of people were killed, and a lot of important infrastructure was destroyed. NATO's intervention was crucial towards the end of the war, as Serbia lost control over its former province. The intervention severely damaged the relations between Serbia and the West. Serbia vowed to never join NATO and remains one of the few European countries that is momentarily not in the organisation. During the commemoration of the anniversary, numerous Russian flags were seen, as well as the letter Z, which shows solidarity with the Russian troops in Ukraine. Ever since the conflict, Serbia has not imposed any sanctions on Russia (Euronews, 2024).

Despite the vocal support for Ukrainian territorial integrity and its alignment with the EU, when it comes to passing the UN resolutions regarding the EU, Serbian alignment with the EU regarding the common foreign, security, and defence policy (hereafter also as CFSP), chapter 31 in the *acquis* remains moderate. As of August 2023, the alignment rate with relevant statements of the High Representative of the EU and relevant Council Decisions was only 51%. Moreover, in October 2023, a Free Trade Agreement was signed between Serbia and China, which presents another concern to the EU. Serbia is still not a member of the World Trade Organisation (WTO), which is one of the conditions for progress in chapter 30 (external relations) of the *acquis* (European Commission, 2023j).

6.8.2 Issue II: The state of democratic and judiciary processes in Serbia

Elections, which happened in 2020, were boycotted by the opposition, but despite that the Parliament, which was formed in August 2022 also includes the opposition. Despite that, the polarisation of politics remains high (European Commission, 2023j). In May 2023, there was a school shooting in the primary school in Belgrade. Ten were murdered and six injured. While Serbia has a comparatively low number of shootings, it has one of the largest numbers of weapons per 100 people, 39.1 in 2019 to be exact (Gregory & Maricic, 2023). Polarisation was further deepened following this tragic event. There was a large number of protests, so-called "Serbia against violence", supported by several opposition parties. While the freedom of assembly was guaranteed, there was a large number of verbal attacks towards protesters by coalition politicians as well as the media that downplayed the actual number of protesters. Some of the protesters were sanctioned (European Commission, 2023j).

The Parliament can be considered pluralistic, yet besides polarisation, there are a lot of tensions between the coalition and opposition, there is no annual work plan with sessions being announced with the minimum advance notice, which is not in accordance with the ordinary rules of procedure that are also outdated. Citizens' initiatives and interpellation are not dealt with, which is another parliamentary stain. Breaches of the code of conduct, most

commonly usage of offensive language, are only sometimes addressed in the Parliament, but in most cases only against the members in the opposition (European Commission, 2023j).

Serbian electoral framework has improved, but nonetheless, further reforms are needed. Recommendations of the Office for Democratic Institutions and Human Rights at the Organisation for Security and Cooperation in Europe (OSCE/ODIHR) and the bodies of the CoE need to be implemented. When the new Ombudsman was appointed, he did not gain support from all parties in the Parliament and was not appointed on time. Even though the new government was appointed on time in October 2022, this happened seven months after the election. Further efforts are needed to facilitate better relations between the government and the civil society. The fact that strategic lawsuits against public participation (SLAPP) are on the rise severely obstructs the said efforts (European Commission, 2023j).

While some progress was made in the area of judiciary, Serbia still only has some level of preparation in this area. There are a lot of delays and challenges in the areas of accountability, impartiality, efficiency, and professionalism, while the recruitment, promotion, and transfer of judiciary staff still need to be revised as it is not modernised. One of the main concerns is that Serbia refuses to comply with the judgements of the ICTY, while some convicted war criminals are publicly praised and supported by the media and politicians (European Commission, 2023j).

According to the recent Corruption Perceptions Index by Transparency International, Serbia is in 104th place out of 180 countries (Transparency International, 2024). In the fight against corruption, Serbia also has only some level of preparation, whereas limited progress was made in the last year. Five recommendations were made by the Group of States against Corruption (hereafter GRECO) and some steps were undertaken in order to achieve them. The national anti-corruption strategy and an action plan still need to be implemented. Strong political will and improved criminal justice are needed to prevent corruption (European Commission, 2023j).

6.9 Turkey

The EU-Turkey Association Agreement (Ankara Agreement) was signed in September 1963 and entered into force in December 1964. During the Luxembourg Council summit in 1997, Turkey was declared eligible to become an EU member and in December 1999, it became a candidate country. Negotiations were formally opened in October 2005. Chapter 25 was opened and closed in June 2006. Due to backsliding in terms of progress and human rights, the negotiations have been frozen since the beginning of 2019 (European Commission, n.d.b). This chapter will cover the main issues, which are actively obstructing the accession negotiations between Turkey and the EU. These challenges are related to the Republic of Cyprus, the current Turkish situation regarding the rule of law, human rights, and democracy, as well as the migration crisis, which has changed the pace of the negotiations.

6.9.1 Issue I: The situation in Cyprus

The ongoing refusal of Turkey to recognise the Republic of Cyprus is without a doubt the main obstacle for Turkey to join the EU. As briefly covered in the subchapter “Copenhagen Criteria and the Big Eastern enlargement”, the Republic of Cyprus does not have full territorial integrity over the entirety of the island. Turkey refuses to recognise the republic and blocks the country from entering important international organisations such as the Organisation for Economic Co-operation and Development (hereafter OECD). Turkey is not cooperating with Cyprus on numerous challenges, such as terrorism. Furthermore, it continues to perform military exercises in the maritime area of Cyprus and is increasing its military presence in the occupied area (European Commission, 2023k).

As agreed in the Ankara Agreement and the Additional Protocol of 1970, Turkey and the EU established a customs union in 1995. The agreement was modified several times in order to make adjustments to the enlargements of the EU. This also happened in 2005 following the enlargement of 2004. Turkey has failed to implement the modification of the Additional Protocol to the Ankara Agreement. The main reason for the failure to comply is the fact that the Republic of Cyprus became a member of the EU and Turkey refuses to exercise the four fundamental freedoms with the aforementioned member state. As a result of this breach of the Ankara Agreement, the Council decided that eight negotiating chapters of the acquis would not be opened (European Commission, 2023k).

Lastly, another dispute between the Republic of Cyprus and Turkey happened in 2019. Turkey was accused of unauthorised drilling activities in the Eastern Mediterranean, in the area that belongs to Cyprus under international law. Strict sanctions were imposed on two Turkish citizens and are still being imposed (European Council, 2023b).

The ongoing issue has been dealt with by the United Nations Security Council and other respective bodies of the UN on numerous occasions. Several UNSC resolutions were passed on the topic, such as, but not limited to Resolutions 541, 550, 789, and 1251. While the international community recognises only the Republic of Cyprus, Turkey is advocating for a two-state solution and rejects such clauses, which were put in the resolutions of the UNSC. The most problematic area is considered to be Varosha, where there have been several attempts at illegal settlement by Turkey (European Commission, 2023k). As a result, the UNSC deployed the United Nations Peacekeeping Force in Cyprus (UNFICYP) in 1964. The mission has been extended on an annual basis. The last extension happened in January 2024. Turkish Cypriots are repeatedly attacking the peacekeeping convoys and are strongly opposing the idea of the peacekeeping mission in the first place (United Nations, 2024).

6.9.2 Issue II: The rule of law, human rights, democracy and dealing with the migration crisis

The situation in Turkey regarding the rule of law, human rights, and democracy has been alarming in recent years. The Commission believes these values are in the early stage and are still backsliding. In terms of the judiciary, certain rulings of the European Court of Human Rights have not been implemented, and numerous structural deficiencies were detected. The selection of judges remains biased and there is a clear lack of uniformity, objectivity, and pre-established criteria. There are also a lot of politically motivated cases against the opposition, which remains of great concern (European Commission, 2023k).

The human rights situation is also quite problematic. There were 20,115 cases pending at the ECtHR against Turkey in 2022, which puts Turkey in the first place in that category. In comparison in 2022, the second place was held by Russia with 16,742 cases pending (Statista, 2023). One must, however, mention that the Russian Federation is no longer a member of the CoE. Critics of the current regime, such as journalists, academics, lawyers, and writers are being accused of terrorist-related activities and are standing trials for it. Turkey should also do more to combat violence and discrimination, especially against the LGBTIQ community. Recently, the president decided to withdraw from the Istanbul Convention, a convention on preventing and combating violence against women and domestic violence. Hate speech and hate crimes against minorities of different religions remain a problem. There were several cases, in which security forces were accused of killings, which were later not investigated. Prisons, which are usually places of severe torture and ill-treatment, are severely overcrowded, despite the fact that the number of prisons increased. The overall assessment by the Commission is that the overall situation with human rights continues to deteriorate (European Commission, 2023k).

Two major events have shaped the situation in Turkey in regard to fundamental human rights, namely the failed coup d'état (July 2016) and major earthquakes (February 2023). These two events were followed by the introduction of the state of emergency, which further centralised the government and gave it even more power. After the failed coup d'état, Turkey was considering reintroducing capital punishment, which caused major outrage around the world. The European Parliament called upon freezing the accession negotiations with Turkey (European Parliament, 2016). While negotiations did not stop at that time, this happened two years later, as the Council of the EU stated that Turkey is moving away from the EU and thus no further chapters can be opened (European Commission, 2023k).

Migration remains one of the key issues of the EU. Just in 2022, there were around 159,000 refugees that arrived in Europe. Nonetheless, this is a relatively small number compared to the peak of the migrant crisis in 2016, when 5.2 million refugees from countries like Syria, Iraq, and Afghanistan migrated to the EU (The UN Refugee Agency, n.d.). The migrant crisis in Europe was a direct effect of the Syrian civil war, the home country of the majority of refugees seeking asylum in the EU.

The majority of those refugees migrated through Turkey in order to reach the European coast. This is the main reason behind the action plan by the EU and Turkey, reached back in 2016. It was agreed that every irregular migrant that arrived from Turkey to Greece after the agreement would return to Turkey. Moreover, for every Syrian refugee that was returned to Turkey, another Syrian refugee would be resettled in the EU. Turkey would also prevent the establishment of new migrant routes to the EU from Turkey. Among other things, both the EU and Turkey will also work to improve the humanitarian situation in Syria. In return, it was said that the accession negotiations were to increase the pace, as some of the chapters would be opened and the upgrade to customs union and visa liberalisation were to be considered (European Parliament, 2019b). Since 2011, €6 billion has been allocated to the Facility for Refugees in Turkey. 3.3 million Syrian refugees were relocated back to Turkey (European Commission, 2023k).

This can, to some extent, present an issue in terms of accession negotiations or the negotiating power of the EU to be more precise. The sticks and carrots system and thus conditionality can be seen as a one-way system, meaning that one side needs to have either sticks or carrots to condition the other side. Once the other side does not deem the reward or punishment as valuable, the system is weakened. In a way, this happened in 2016 with the agreement between the EU and Turkey. In order to avoid the humanitarian catastrophe in Europe, the agreement was reached with several rewards for Turkey, including financial aid and progress in negotiations. The transformative power of the EU was thus weakened. As a result, Turkey is moving away from the EU membership, especially due to further and further misalignment in the *acquis*.

6.10 Ukraine

The Association Agreement with Ukraine was signed in March 2014 and entered into force in September 2017. Ukraine applied to become a member state of the EU several days after the Russian full-scale invasion of the country in February 2022. In June 2022 it was granted candidate status by the Council and shortly after it was given seven key priorities, which must be undertaken. In December 2023, the accession negotiations were opened (European Commission, n.d.r). The main obstacle to Ukrainian accession is without a doubt the current war between Russia and the candidate country. Moreover, there are numerous other areas, where multiple reforms will be needed, such as the market economy, and the fight against organised crime and corruption, which will be further discussed in this chapter.

6.10.1 Issue I: Russian full-scale invasion of Ukraine

The history between Russia and Ukraine is complex. After the fall of the Soviet Union, Ukraine gained independence. In December 1994, Ukraine, Russia, the UK, and the USA signed the Memorandum on security assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons or the Budapest Memorandum. It

was agreed that Ukraine would remove its nuclear arsenal, and, in exchange, the remaining parties would respect Ukrainian sovereignty, independence, and external borders (United Nations, 1994).

The so-called Budapest Memorandum was violated by Russia in February 2014, as it occupied the Crimean Peninsula. Russian President Vladimir Putin claimed that the peninsula is rightfully Russian territory, which would simply return to the federation. Immediately after the occupation, the separatist movements rose and demanded autonomy of the region. A referendum on the status of Crimea was held in mid-March, despite the lack of its international recognition. A week later, Putin signed a decree that ratified the Agreement on the Admission of the Republic of Crimea to Russia. The illegal annexation of the region has severely violated Ukrainian territorial integrity (Crimea Platform, n.d.).

Almost exactly eight years later, in February 2022, Putin declared a special military operation towards Ukraine. He claimed that Ukraine needed to be demilitarized and denazified, which remains the official excuse for the full-scale invasion. Russia has occupied four regions of Ukraine, namely Kherson, Zaporizhzhia, Donetsk, and Luhansk, and, similarly to the case of Crimea, announced a referendum of independence in these regions which was followed by illegal annexation. Numerous atrocities happened during the two years of conflict, one of the most noticeable being the Bucha massacre and numerous bombings of hospitals and power grids (European Commission, 2023l).

The response of the West was firm and strong. The EU and its allies are supplying Ukraine with financial aid and military support. It has imposed sanctions on numerous individuals, companies as well as Russia. The Ukrainian Facility of €50 billion was established for the period 2024-2027 in order to reconstruct Ukraine (European Commission, 2024a). Millions of refugees found haven in the EU, while there are almost 6.5 million Ukrainian refugees on a global level (The UN Refugee Agency, 2024).

Even though the war is still raging, more than two years after its start, and even though there is martial law in place, Ukraine has stepped forward in accession negotiations. Ukraine has already completed 4 out of 7 key priorities and has shown good progress in the remaining three. Recent opinion polls show that around 90% of Ukrainians support the accession to the EU (European Commission, 2023l).

But despite all the efforts, it is hard to imagine that Ukraine will join the EU under current circumstances, under the current war. Here, one can identify an issue, which is similar to the ongoing situation in Cyprus. Ukrainian regions, currently occupied by Russia are de jure still part of Ukraine, yet de facto, in terms of control, administration, accessibility, and other practicalities, the regions of Crimea, Donetsk, Kherson, Luhansk, and Zaporizhzhia are under the Russian Federation. Due to the de facto governance of Russia, enacting *acquis* of the EU in these regions would be nearly impossible. Due to the Russian influence in the occupied regions, the accession needs to be postponed until the end of the conflict.

It is currently impossible to predict the ending of this conflict. There are numerous factors that need to be included in the calculations, such as the result of elections to the European Parliament and the USA elections. Currently, the USA and the EU are the biggest supporters of Ukraine. The Republican President-elect, Donald Trump will start his mandate in 2025, while the new European Parliament is more right leaning, which could worsen the support to Ukraine. Russian President Vladimir Putin once more expressed the possibility of peace talks. His intentions are likely not oriented towards peace, but rather to present Ukraine and its President Volodymyr Zelensky as the ones that do not want to negotiate, but also to give the right-wing parties an option to reconsider supporting Ukraine militarily. Even if the negotiations do take place, likely conditions to stop the Russian aggression will be to recognise occupied territories as Russian territories and the promise of Ukraine to remain a neutral state, thus stopping the accession negotiations to both the EU and NATO. This would put Ukraine in a rather unfavourable position, and it is unlikely that such a peace offer is to be accepted. The EU will likely actively help Ukraine, yet the accession currently seems quite unlikely (Paton Walsh, 2024).

6.10.2 Issue II: Economic criteria and other reforms

Due to the Russian aggression, it is hard to anticipate progress in the majority of areas, but nonetheless, Ukrainian advancement in accession negotiations is rather impressive. Economic criteria remain one of the biggest issues for Ukraine. Taking into account the Russian invasion and the previous structure of the economy, Ukraine still does not have a functioning market economy. It is nearly impossible to manage monetary policy, economic governance, and regulatory and institutional environment in the current conditions. While the government has shown resilience in the area, a lot will be needed to move towards the market economy. The macroeconomic performance was poor even before the invasion, as the country had low investments, the population was ageing and there was too much reliance on low-value-added sectors. Despite the wartime conditions, policymaking was predictable, transparent, and stability-oriented. Financial stability and confidence in the domestic currency were maintained. The war also had an impact on the deterioration of public finances. The labour market was severely affected by the displacement of people as well as the destruction of capital, thus the activity rate was relatively low and unemployment relatively higher compared to the EU level, which was, however, visible also before the war. The capacity to cope with competitive pressure and market forces within the EU is also in the early stage of preparation (European Commission, 2023I).

Corruption is another area, where Ukraine struggles. One of the steps, recommended by the Commission is also to strengthen the fight against corruption. It is vital to effectively fight against it on the highest level, where some progress has been made, as there were some convictions of people previously considered untouchable. Moreover, the national anti-corruption strategy was adopted in June 2022 along with other important legislation. While there is a steady and continuous effort of the anti-corruption institutions, its outcome needs

to be systemic and irrevocable in the long term. As a result, the Commission in its report claims that Ukraine has some level of preparation in the prevention and the fight against corruption (European Commission, 2023l).

In the current wartime, Ukraine also has some level of preparation in the fight against organised crime. While the country has invested in the strategic and institutional framework, as well as technical means and reasonable knowledge, and has good international cooperation, Russian aggression, and martial law had a large impact on the efficiency of the implemented systems. There has been a shift of institutions towards the defence of the country and the investigation of crimes committed by the Russians. As a result, the overall capacities and legal framework are still in poor shape. In addition, more emphasis should be on serious financial crimes, such as money laundering (European Commission, 2023l).

7 PROGRESS OF CANDIDATE AND POTENTIAL CANDIDATE COUNTRIES IN EU ACCESSION NEGOTIATIONS

The discussion of the previous chapter revolves around the issues present both within the chapters of the *acquis* and beyond. This chapter will, however, analyse the current progress within the *Acquis Communautaire* in a more systematic, quantitative manner. The progress of each candidate and potential candidate country will be compared by looking at the current preparedness of the country in each chapter. Additionally, we will take a look at the clusters of the *acquis* and try to comprehend, which clusters present the biggest difficulties for the candidate countries.

7.1 Data and research methodology

Despite the fact that some countries have not yet opened any of the clusters and the fact that some countries have some chapters frozen, the Commission has graded the progress and preparedness of each chapter in their annual reports on each candidate and potential candidate country. As seen from Appendix 5, there are five stages of preparedness, ranging from “early stage” to “well advanced”. In addition, countries can be ranked somewhere between the two stages of preparedness. Depending on the progress in the observed period, countries can progress to the next stage, remain in the same stage or be demoted.

In order to make a comprehensive analysis, we have codified the qualitative rankings of preparedness into a quantitative score as is shown in Table 3.

Table 3: Explanation of the codes used in the codification of progress of (potential) candidate country

Code	Explanation of progress
1	Early stage
1.5	Between early stage and some level of preparation
2	Some level of preparation
2.5	Between some level of preparation and moderately prepared
3	Moderately prepared
3.5	Between moderately prepared and good level of preparation
4	Good level of preparation
4.5	Between good level of preparation and well advanced
5	Well advanced

Source: Own work.

“Early stage” was given a score of 1, while the stage “well advanced” was given a score of 5. There were some instances where the preparedness was between two main stages. For example, the mid-stage “between early stage and some level of preparation” was given the arbitrary score of 1.5, even though one needs to acknowledge that by definition the word “between” is somewhere between the two stages and not necessarily exactly in the middle of the stages. It is, however, important to understand that the score ranking of preparedness is a subjective ranking on the ordinal scale, meaning that the difference between “some level of preparation” and “early stage” does not necessarily equal the difference between “moderately prepared and “some level of preparation”. The existence of the score 1.5 is therefore established purely for simplification of the codification.

We have selected the first 33 chapters of the acquis, since the remaining two chapters (chapter 34: Institutions and chapter 35: Other issues) are, in most cases, opened after the conclusion of all six clusters. Due to the current status of Kosovo, the scores of this country for chapters 31 and 33 are not available and have thus been excluded from the analysis. Another limitation is the fact that the preparedness of a country in a chapter does not necessarily reflect the actual progress of the country. Despite the fact that, for example, Turkey is above-average in most clusters, negotiations in numerous chapters are frozen, resulting in a stalemate in the actual progress.

After the codification of the stages, the analysis will be divided into two parts. Firstly, we will calculate the mean, median, minimum, maximum, the first and third quartile, and standard deviation scores for each (potential) candidate country across all negotiating chapters. After receiving these values, we will observe and compare the progress between (potential) candidate countries. The goal is to explain where the main differences between countries are. Secondly, we will group the chapters into clusters and obtain the mean, median, minimum, maximum, first and third quartile, and standard deviation score for each cluster across all (potential) candidate countries. We will then compare the clusters in order to observe where progress is most difficult to achieve.

7.2 Comparison of candidate and potential candidate countries by the progress in the chapters of the acquis

After the coding of data, which can be seen in Appendix 5, we have prepared Table 4 with all the previously mentioned descriptive statistics, which can be found below.

Table 4: Descriptive statistics of the progress in chapters by (potential) candidate countries

	Average	Median	First Quartile	Third Quartile	Minimum	Maximum	Standard Deviation
Albania	2.74	3	2	3	1	4	0.64
Bosnia and Herzegovina	1.67	2	1	2	1	3	0.59
Georgia	2.12	2	2	3	1	3	0.65
Kosovo	1.98	2	1.25	2.5	1	3	0.72
Moldova	1.92	2	2	2	1	3.5	0.60
Montenegro	3.12	3	3	3.5	2	4	0.62
North Macedonia	3.03	3	3	3	1	4	0.69
Serbia	3.05	3	3	3	2	4	0.58
Turkey	2.91	3	2	4	1	5	1.08
Ukraine	2.27	2	2	3	1	4	0.87

Source: European Commission (2023).

We can observe that the highest average (3.12) in preparedness is Montenegro. This country of the Western Balkan region is a serious candidate for accession, yet the EU will likely not close any other chapters before reaching interim benchmarks in chapters concerning the judiciary, fundamental rights, justice, freedom and security. Nonetheless, if we compare Montenegro with other countries, we can see that it has below-average preparedness only in chapters 13, 19, and 29.

If looking strictly at the total mean average of all chapters, Serbia is the next candidate to enter the EU, with an average of 3.05 and only three chapters below the average of all chapters (chapters 23, 24 and 31). The country is mostly moderately prepared to join the EU, but the question remains, whether the country is even willing to enter the EU and whether the EU is ready to accept countries with questionable democratic and judiciary values.

As soon as the bilateral issues between North Macedonia on one side, and Bulgaria and Greece on the other side are resolved, this Western Balkan country will have more chances for accession with a total average score of 3.03. In comparison to other candidates, North Macedonia only has two chapters below average (chapter 2 and 33). It remains to be seen, how the current political situation will impact the aforementioned bilateral negotiations and further alignment with the acquis.

Turkey's total alignment with the acquis can be given the score of 2.91 yet it is also the most dispersed country and the only one that has reached a "well advanced stage" in three chapters (chapter 6, 21 and 25). It has an above-average level of preparedness in 24 chapters of the

acquis. The development of Turkey cannot be ignored, economically speaking this is the most developed country among the ten states (World Bank, 2022). However, due to the current situation regarding Cyprus, as well as other controversies, it is highly unlikely that only the alignment with the acquis will actually result in accession to the EU.

The next candidate country in terms of mean average is Albania, with an average of 2.4 and 26 chapters with an above-average level of alignment. The most problematic chapter overall is chapter 28, Albania's only chapter in the "early stage" of preparation.

A country with similar dispersion but a bit lower mean average (2.27) is the war-torn Ukraine with nine chapters with an above-average stage of preparedness. The most problematic chapters, where Ukraine has only an "early stage" of preparation are chapters 2, 11, 19, 32 and 33. One must, however, understand that Ukraine has only recently started to align with the acquis, since it was not considered a candidate country before the Russian illegal full-scale invasion, which is also one of the main reasons for the slow pace of the progress.

The next four countries are, similarly to Ukraine, countries that have only recently gained candidate status or are only potential candidates. A bit above the "some level of preparation" (2.12) is Georgia with six chapters above the average level of alignment and five chapters in the "early stage" (chapters 2, 8, 11, 27, and 33). As mentioned in the subchapter dedicated to Georgia, the issue in regards to the environment and climate change, as well as current backsliding in democratic values, is impeding the chances of joining the EU in the near future.

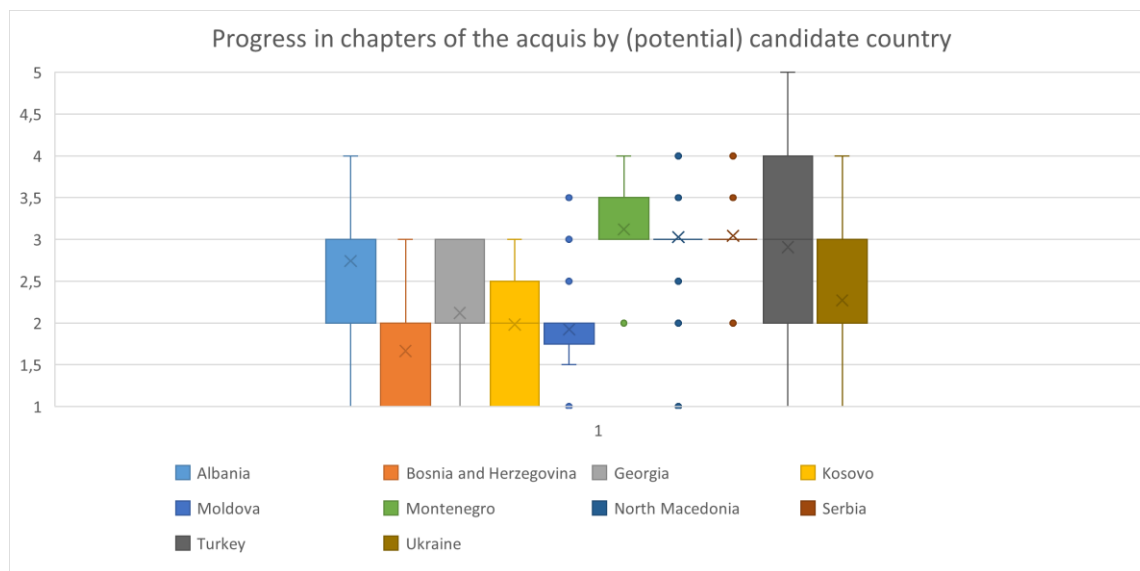
Even though two chapters are excluded from the analysis of the preparedness of Kosovo, this not fully recognised state and potential candidate is above Moldova and Bosnia and Herzegovina in the total average rating with a grade of 1.98. In the case of Kosovo, eight chapters are above-average, and eight chapters are in the "early stage" of preparation. It is evident that Kosovo has a long way towards accession, yet before the actual beginning of the negotiations, its disputed status will need to be resolved.

Close to Kosovo is Moldova with the rating of 1.92. This country is on average below the "some level of preparation", with only chapters 30 and 31 being above the average of all included countries. Both chapters belong to the external relations cluster. Seven chapters are in the "early stage" of preparation. While Moldova has only recently gained candidate status, it is obvious that lots of progress will need to be made in numerous areas. Moldova needs to improve its economy and resolve the question of internal territorial integrity.

The least prepared country for accession is Bosnia and Herzegovina with the total average of alignment of 1.67. This country in Southeastern Europe has three chapters above the average of all listed countries (chapters 2, 4, and 7) and has 13 chapters in the "early stage" of preparation. Until the key priorities are sorted out, this country will not begin accession negotiations, which are further impeded by the current governance and external relations.

In order to better visualise and compare the current progress of each (potential) candidate country, we have also prepared box plots, which can be seen in Figure 1 below.

Figure 1: Progress in chapters of the acquis by (potential) candidate countries



Source: European Commission (2023).

As seen from the figure above, the edges of the box plot depict the third quartile (upper edge) and first quartile (lower edge). The X within the box plot depicts the average, while the line inside the box plot depicts the median. The whiskers of the box plot depict the maximum (upper whisker) and the minimum (lower whisker). One must also acknowledge the dots outside the box plots of Moldova, Montenegro, North Macedonia and Serbia. Since whiskers only include values within the distance of the interquartile range multiplied by 1.5, these dots can be seen as outliers. In the case of Montenegro, chapters 2, 13, 19, 27 and 33, which have a score of 2, are outliers. Despite the fact that the progress of Montenegro is the most evident among the (potential) candidate countries, these chapters will require the most advancement.

We can also observe that the progress in chapters by Turkey is the most dispersed one, which can be seen with the largest box plot as well as the highest standard deviation (1.08). Standard deviation can be a quite useful indicator in this case, as it shows whether the country is progressing with the same pace in all chapters, which is the case for Bosnia and Herzegovina (0.59) and Serbia (0.58), or whether it is showing progress in some chapters, while clearly lagging behind in other chapters, which seems to be the case also with Ukraine (0.87).

7.3 Comparison of progress between six clusters of the acquis

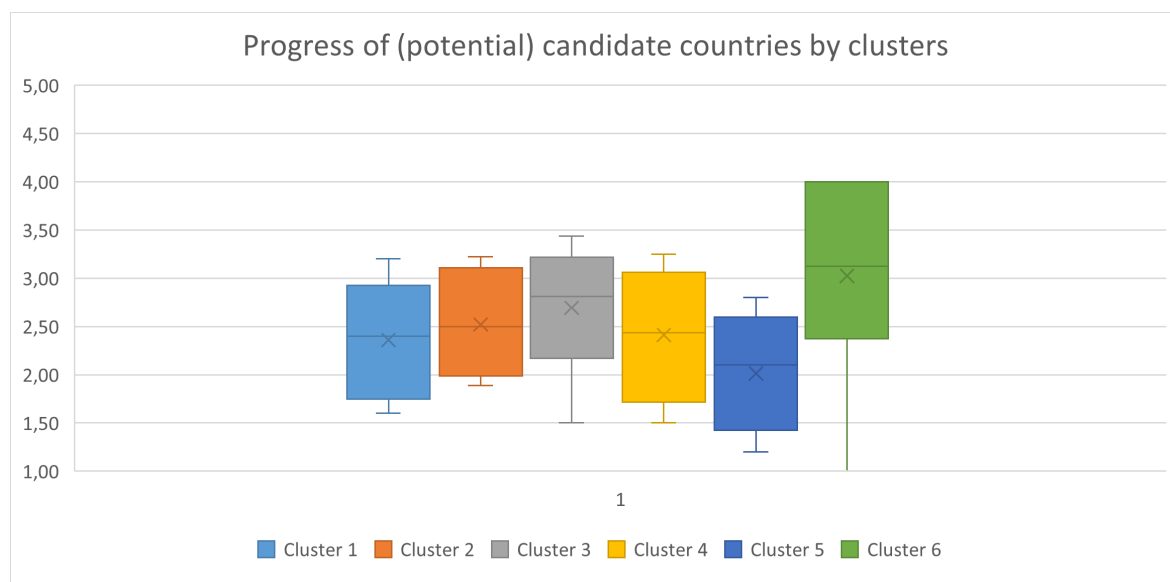
Additionally, we wanted to analyse which clusters of the acquis are the hardest to align with. Appendix 6 shows the comprehensive table of average progress in each cluster. Table 5 shows the average, median, first and third quartile, minimum, maximum and standard deviation of each of the six clusters. Figure 2 visually presents and compares all six clusters.

Table 5: Descriptive statistics of the progress of (potential) candidate countries by clusters

	Average	Median	First Quartile	Third Quartile	Minimum	Maximum	Standard Deviation
Cluster 1	2.36	2.40	1.80	2.90	1.60	3.20	0.62
Cluster 2	2.52	2.50	2.01	3.06	1.89	3.22	0.51
Cluster 3	2.69	2.81	2.28	3.14	1.50	3.44	0.58
Cluster 4	2.41	2.44	1.78	3.00	1.50	3.25	0.65
Cluster 5	2.01	2.10	1.53	2.55	1.20	2.80	0.58
Cluster 6	3.03	3.13	2.63	3.88	1.00	4.00	0.93

Source: European Commission (2023).

Figure 2: Progress of (potential) candidate countries by clusters



Source: European Commission (2023).

Candidate and potential candidate countries have shown the greatest alignment in the sixth cluster, external relations, where they are on average a bit more than moderately prepared. The preparedness is the worst in the fifth cluster, resources, agriculture and cohesion, where no country has on average reached a moderate level of preparation. The averages of the

remaining four clusters are between “some level of preparation” and “moderate level of preparation”.

After calculating the average level of preparation in each cluster, we have compared the result of each country in comparison with the total average. In this regard, Montenegro and North Macedonia are the only two candidates with an above-average result in all clusters. Besides the sixth cluster, Montenegro’s most aligned cluster is the fourth cluster, green agenda and sustainable connectivity. The third cluster, competitiveness and inclusive growth, is the second most aligned cluster of North Macedonia (the first one being the sixth cluster).

Albania, Serbia and Turkey have one cluster, in which the alignment with the *acquis* is below the total average. Albania has shown the worst alignment in the fourth cluster, which is also the one below the average of all ten countries. While the fifth cluster is the worst in the case of Serbia and Turkey, the alignment of both countries in this cluster is still above the total average. They are both below average in the sixth cluster. This can be easily explained, especially in the case of Serbia, because of its connection with the Russian Federation and its overall diplomacy between the West and the East.

Ukraine is the candidate country with two above-average clusters, fourth and sixth cluster. It is poorly aligned in the other chapters, yet it is evident that the external relations of Ukraine have good alignment with the EU. The EU is strongly supporting Ukraine and thus one could even claim the opposite, that the foreign policies of the EU have good alignment with Ukrainian policies. Ukraine has shown the weakest alignment in the first cluster, fundamentals, and the fifth cluster, both being below “some level of preparation”.

The sixth cluster is the only cluster, where Moldova’s alignment is above the total average. Despite the situation in the extremely pro-Russian regions of Transnistria and Gagauzia, the Moldovan government is oriented towards the West. The alignment in all other chapters is however poor, with the fifth cluster being just slightly above the “early stage”. As seen in the subchapter dedicated to Moldova, it is evident that the situation in the country is far from ideal, and a lot needs to be done in order to prepare the country for the potential accession.

Bosnia and Herzegovina, Georgia, and Kosovo have poor performance in the last reporting period. The alignment of these countries in all six clusters of the *acquis* is below the average of the ten candidate and potential candidate countries. The preparedness in the fifth cluster is especially concerning for Bosnia and Herzegovina, and Georgia. While the sixth cluster is the most problematic for Kosovo, one must acknowledge that, due to its disputed status, the Commission does not acknowledge chapter 31 for Kosovo, meaning that only chapter 30 is taken into account for this cluster. One must, however, recognise that the candidate status was only recently granted to Bosnia and Herzegovina, and Georgia, and Kosovo remains a potential candidate. The future developments will show whether these countries will even become full members of the EU.

In conclusion to this chapter, one needs to reiterate that the progress in alignment with the *acquis* does not necessarily mean the actual progress in negotiations. We have observed the situation of both Serbia and Turkey, countries that are among the most aligned candidates, yet there is little likelihood that the accession will happen in the near future due to other factors. Despite the fact that the EU officials have claimed on several occasions that the future of Ukraine is in the EU, this country has to make a lot of progress in the area of alignment. Even though countries like Montenegro and North Macedonia are above-average in all the clusters, they have a long road ahead before being in the “well advanced” stage of alignment.

The fact that only the sixth cluster can be considered above the “moderately prepared” stage could also be concerning. On the other hand, however, one also needs to acknowledge that it is hard to provide objective rankings to some of these chapters. Even though it is up to the EU to provide the rankings to these chapters and decide how to proceed with the negotiations, the situation can change on an annual basis. Based on the current rankings, it is hard to anticipate when the next enlargement is expected.

8 ENLARGEMENT CHALLENGES FROM THE EU AND THE MEMBER STATE PERSPECTIVE

As observed from the candidate’s perspective, some of the major issues towards enlargement are the maintenance of good neighbourly relations, territorial integrity, political stability, and economic and environmental criteria. These issues are present in the majority of the candidate and potential candidate countries. On the other hand, there are some challenges from the perspective of the EU, which will be covered in this chapter. The major challenge is without a doubt the enlargement fatigue and the need to revise the Treaties. In addition, there are also some suggestions to amend the entire accession procedure. This chapter will also present the recent persistent issue of the shift to the right, especially after the recent European elections, and the new Commissioner for enlargement, Marta Kos. Lastly, this chapter will take a look at the sentiment of the EU citizens towards enlargement.

8.1 Enlargement fatigue

Enlargement fatigue can be described as a growing uncertainty and hesitation of the EU member states when it comes to enlargement. Several factors have contributed to the current situation, such as the belief that the candidate countries are not yet prepared to face the obligations of becoming members of the Union, the belief that further enlargements will weaken the institutions and the efficiency of the EU... The phrase gained importance after the enlargement of 2004, but it was present throughout the enlargement process. As mentioned, the application of the UK was vetoed several times, and the member states were reluctant to accommodate Greece and Spain into the EU (O’Brennan, 2013).

There is a certain belief that accommodating more countries in the EU would destabilise the Union, yet one must consider the already existing institutional crisis, which has been present for the past two decades. It began as France and the Netherlands rejected the EU Constitution in 2005, which was seen as an outrageous move by two countries that are traditionally deemed as strong supporters of European integration. Afterwards, the crisis deepened with the economic crisis of 2008, whereas numerous countries, especially Greece and Ireland, were facing severe consequences of weak economic and financial institutions (O'Brennan, 2013). The peak of the EU crisis occurred during Brexit. After an exit referendum in 2016, the UK left the Union in early 2020 (European Council, 2023a).

One of the main drivers of the enlargement fatigue is also the accession of Bulgaria and Romania. Despite certain promises of these two countries to follow the reforms after joining the EU, these reforms never took place and there are still several reforms, which need to be implemented. Despite the post-accession supervision mechanism called the Cooperation and Verification Mechanism, these two member states are still fighting a high level of corruption among other issues. It can thus be understandable to some extent that the EU now demands full alignment with its *acquis*. It can also be said that the Western Balkans region suffers from being in proximity to Bulgaria and Romania. Some believe that geographical position is not the only thing in common, but rather also similar values, such as perception of corruption, clientelist networks... Some sceptics believe that if Bulgaria and Romania, which are among the most developed countries in the region, failed, then the failure of the rest of the Balkans is inevitable (O'Brennan, 2013).

The case of Romania and Bulgaria also presents another issue, which goes beyond the enlargement fatigue, but remains one of the arguments for people who oppose the enlargement. Bulgaria has one of the lowest GDP per capita in the EU (European Union, 2024). It is, however, much higher or at least comparable to all candidate countries as seen in Appendix 4. There is a legitimate fear that the EU will eventually lose its competitiveness on the global level, especially when competing with countries like the USA and China. It can be said that the loss of competitiveness is a slow, but constant movement, which does not happen overnight. A change in priorities of economic policies will be necessary to prevent the loss of being a global economic player (Jenko, 2024). From the economic perspective, it is thus questionable, whether the enlargement to the WB and further east is even needed. One may argue that the accession of countries like Switzerland, Norway, and Iceland would make more economic sense, yet these countries have refused accession on several occasions. Despite the enormous potential that the candidate countries currently hold, the need for enlargement is a legitimate worry of the sceptics.

There are also some concerns regarding the rule of law and democracy in the case of some member states, which belong to the Visegrad group. Members of the European Parliament have condemned Hungary on several occasions for the erosion of democracy, the rule of law, and systemic undermining of the founding values of the EU. A similar situation was also prevalent in Poland, where the independence of the judiciary was in question (European

Parliament, 2024a). These countries sometimes obstruct the constructive work of the Parliament and other EU institutions. There is a fear that similar obstruction could continue or even strengthen in case of enlargement, which is why the accession process is postponed until further reforms are implemented in order to ensure respect for fundamental EU values.

The constant postponement of the enlargement, especially in the Western Balkans, has some severe implications on the accession progress of these countries as well. After more than two decades after the Thessaloniki Summit, where the place of WB countries in the EU was promised, only Croatia joined the EU. Despite the fact that the EU has successfully used conditionality as a transformative power in the region, its effects are slowly fading. Monetary gains of aligning with the *acquis* are still present, yet the final goal of conditionality, the accession to the EU, seems unattainable (O'Brennan, 2013). The result of a failed promise is the slower pace of aligning with the *acquis* as well as seeking allies and financial support elsewhere. One example is China, which has already invested heavily in the region and is constantly funding several projects. In 2020, it invested a total of \$80 billion in the region, the majority of funds were given to Serbia (\$21 billion). As discussed previously, Chinese loans and grants are not conditioned on Europeanisation and thus are much more favourable in the region (Zeneli, 2022).

Another change in the pace of the negotiations happened in February 2022, as the Russian Federation started a full-scale invasion of Ukraine. This act of aggression quickly opened the possibility of enlargement towards Ukraine, but also Georgia and Moldova. Despite the fact that it is believed that these accessions will not happen in the near future, there is a feeling of double standards when comparing the progress of these countries with the WB region. Bosnia and Herzegovina, for example, applied for membership in February 2016 and was only granted candidate status in December 2022 (European Commission, n.d.h). On the other hand, Ukraine applied for membership in February 2022, was given candidate status in June 2022, and had accession negotiations opened in December 2023 (European Commission, n.d.r). Even though one needs to understand the current situation in Ukraine and support the country in times of unjustifiable war, it seems that the Balkans remain a forgotten region. Despite the difference in pace, it is evident that the Russian aggression sped up the enlargement process as a whole.

8.2 Revision of the Treaties

Whenever an enlargement took place in the EU, it was preceded by the revision of the Treaties. This was evident, especially before the enlargement of 2004, when the Treaties of Amsterdam and Nice were adopted. While several countries deem this a necessary step, some countries are not fond of it (Bergmann, 2022).

The main issue, which divides several countries, is abandoning the unanimity and thus removing the veto power of the member states in the Council. The removal of veto power would mean that the voting by the qualified majority would prevail. Under the current

composition of the EU, voting by the qualified majority means that a proposal must receive a vote in favour of 55% of all member states (currently 15 members out of 27), while these states must represent at least 65% of the total EU population. Moreover, for a proposal to fail, at least four member states must be against or abstain (European Council, n.d.a). In accordance with the current procedure, the unanimous vote takes place during the discussion of sensitive topics, which are: common foreign and security policy, citizenship, EU membership, harmonisation of national legislation on indirect taxation, EU finances, some of the provisions under justice and home affairs, and social security and social protection. In the case of a unanimous vote, abstention does not result in a vote against (European Council, n.d.b).

On one hand, the loss of veto would result in a certain amount of sovereignty, especially in small countries that have smaller populations and thus would not be heard in the decision-making process (Bergmann, 2022). On the other hand, one should question the efficiency of the EU decision-making with the presence of unanimity. This can be seen by the recent obstruction of Hungary when a Ukraine Facility of €50 billion was discussed. In December 2023, just a couple of hours after the opening of accession negotiations with Ukraine, where Hungary abstained, Hungary vetoed the Ukraine Facility, which further postponed the delivery of much-needed help to the war-torn country (Lukiv & Parker, 2023). The Ukraine Facility was later adopted at the beginning of the year 2024 (European Commission, 2024a).

Due to the ordinary legislative procedure, whereas its detailed explanation is beyond the scope of this thesis, the adoption of a legislative procedure can take several years. A lot of proposals from the current Commission will be dealt with by the new composition of the Parliament, which was elected in June 2024. In Appendix 7, one can find statistics regarding the legislative proposals of each priority of the 2019-2024 Commission based on the Legislative train schedule of the European Parliament (European Parliament, n.d.). It can be said that the procedure takes time due to the fact that all stakeholders need to be heard and due to the sole structure of the ordinary procedure. It is, however, likely that the procedures will take even more time after the potential future enlargement, as there will be more stakeholders, more diverse opinions, and more member states with veto power. The EU will have to make a balancing decision between the sovereignty of nations and the efficiency of the whole.

In regards to the amendments to the Treaties, a new step was made in November 2023. In order to make the EU more efficient, several reforms, which are a follow-up to the Conference on the Future of Europe, were proposed by the Parliament. Among other things, it was proposed that the Council makes more decisions via qualified majority voting and ordinary legislative procedure. Moreover, the Commission would be reformed. It would be renamed to the Executive, where there would only be 15 Commissioners in the college on a rotating basis. The EU would have more say in the areas of energy, foreign affairs, external security and defence, external border policy, and cross-border infrastructure (European Parliament, 2023b).

This is an important step towards the reform of the EU, yet it is hard to believe that further action will be taken in the near future. Firstly, the proposal barely passed the simple majority vote in the Parliament in November 2023. The report was passed with 305 votes in favour, and 276 votes against, and there were 29 abstentions (European Parliament, 2023b). After the European elections that happened in June 2024, the Parliament is even more right-leaning and despite the fact that the left and centre parties can still form a majority, it now has a stronger voice of far-right members that traditionally oppose the loss of sovereignty, believe that there should be “less Europe”, and would thus oppose any further deepening (Cokelaere, 2024). Secondly, the said report would need to also pass in the Council, where each country has an equal vote. It is highly unlikely that the Treaties would be amended in the sense that the sovereign member states would further empower the EU at the cost of their own rights, despite the fact that this may improve efficiency and improve the overall preparedness to accommodate the next enlargement.

8.3 French non-Paper on reforming the accession process of the EU

In 2019, France adopted a non-paper on reforming the European Union accession process. In the paper, one of the founding members of the EU reiterated the support of the Western Balkan countries (at that time, Ukraine, Georgia, and Moldova were not yet candidates) to join the EU yet claimed that the benefits of the current accession process are insufficient. France has thus suggested several reforms of the entire process, based on four principles: gradual association, stringent conditions, tangible benefits, and reversibility (Republic of France, 2019).

Negotiations would be based on the policy blocks instead of the chapters of the *acquis*. Candidate countries would also follow the pre-established schemes, where appropriate. Countries would move to the next stage after completing precise criteria. It was proposed that there would be seven stages of policy blocks. As countries progress, they may start to participate in different EU initiatives and programmes, and benefit from certain funding, such as increased funding for pre-accession instruments and participation in other structural funds. In the end, the goal is accession, which needs to be decided based on tangible economic and social convergence objectives. EU institutions would assess all the necessary criteria, which would be easily and objectively verified. Nonetheless, these indicators would be inspired by other international organisations, such as GRECO, CoE, Venice Commission, OECD, World Bank... One of the main changes in the accession negotiations would be the reversibility of the negotiations. If a country no longer meets certain requirements of the policy block, it would not be able to progress, would lose certain benefits, potentially move backward, or even receive a general suspension in negotiations (Republic of France, 2019).

Political governance should also be strengthened according to the French non-Paper. The Commission would assess the situation of all, even closed policy blocks. The evaluation would also be done by the member states. Moreover, the regular summits between the

European Council and the governments of the candidate countries would be held. There, common issues, such as justice and home affairs, and economic and regional cooperation, would be discussed (Republic of France, 2019).

Enlargement fatigue is evident in the case of the French non-Paper, as the Republic of France believes that the current enlargement process does not work sufficiently. Even though the current proposal has not yet been adopted by the Commission, it would result in tougher negotiations and perhaps even a slower pace of the accession process. Nonetheless, in August 2023, the current French President Emmanuel Macron claimed that the EU should reform to accommodate more than 30 members. He reiterated full support for Ukraine in both the fight against Russia and EU integration (Caulcutt, 2023).

8.4 The rise of the extreme right-wing

European elections to the European Parliament happen every 5 years. In June 2024, the latest elections took place. There were several estimations that the Parliament would lean more to the right after the elections, which did happen, yet not to such an enormous extent. The difference in comparison with the previous composition of the Parliament is, however, visible. Appendix 8 shows this comparison. An additional 15 seats were allocated to some of the member states, but nonetheless, the majority of these new seats were allocated to the right-wing parties, as seen in the appendix (European Parliament, 2024b).

There were also some rotations on the right-wing of the Parliament. Identity and Democracy Group (hereafter ID) ceased to exist and was replaced with Patriots for Europe (hereafter PfE), a group that consists of 30 MEPs from the National Rally party, which gained the majority in France and 11 MEPs from Fidesz, the leading party in Hungary. PfE is currently the third largest group in the European Parliament. Europe of Sovereign Nations (hereafter ESN) is also the new group of this term. It mostly consists of 14 MEPs from a far-right party, Alternative for Germany, the party that was recently removed from ID due to its extreme nationalistic views. Compared to ESN and PfE, European Conservatives and Reformists Group (hereafter also as ECR) are located closer to the centre. Its main party is the Brothers of Italy, followed by one of the biggest Polish parties, Law and Justice (European Parliament, 2024b).

Despite the rise of far-right parties, it can be said that the biggest winner of the elections is the centre-right Group of the European People's Party (Christian Democrats) (hereafter EPP), as they gained ten additional seats and remain the biggest party in the Parliament. The Group of the Progressive Alliance of Socialists and Democrats (S&D), Renew Europe Group, and Greens/European Free Alliance (Greens/EFA) lost several seats in the Parliament. The Left also gained some seats in comparison to the previous term but remains one of the smallest groups in the Parliament. Despite that, these groups can still form a majority together with the EPP, meaning that far-right policies can still be blocked (European Parliament, 2024b).

Nonetheless, cooperation with the right-wing groups, especially ECR is not excluded. Such potential cooperation already sparked controversy. But it seems that the move to the right is inevitable. What can also be considered problematic is that France and Germany, traditional drivers of European integration, are now less stable and more right leaning, which could impact the enlargement negotiations (Jenko, 2024). French President Macron called early elections, while the same was demanded from German President Olaf Scholz (Jerič, 2024).

The two main groups on the right, ECR and PfE, are, however, divided when it comes to some policies, including the enlargement process (Jerič, 2024). It can be said that there are two factors, namely the mere existence of the EU and the relations with Russia. ECR still defends the EU but would reform it by giving more sovereignty to the member states. They oppose deepening but support widening. On the other hand, ID's successor firmly believes in the dissolution of the EU and thus opposes the idea of further widening as well as deepening. They believe that enlargement could pose a threat to European Christian nations. On the other hand, there are some national parties that strongly support Russia, such as the Hungarian Party led by Viktor Orban and others, usually connected with PfE. ECR usually rejects the ties with the Kremlin (Pérez, 2024).

The case of Hungarian Fidesz is quite specific, as they strongly oppose further enlargement to the East, as they believe that Ukraine, Moldova, and Georgia do not yet meet the conditions to join the EU. On the other hand, they support the accession process of the Western Balkan. Here, one must mention especially strong ties with Serbia and Bosnia and Herzegovina which are strong Hungarian allies. The other side of right-wing parties is, however, of the opinion that Ukraine is the last standing fortress between the EU and Russian threat and therefore strongly supports the Ukrainian bid for accession (Pérez, 2024). Moreover, in the previous term, ID has launched a petition to stop the accession negotiations with Turkey. Among the reasons is the fact that the country is led by an autocrat, but also that the accession could lead to an uncontrollable stream of migrations, something that ID strongly opposed (Identity and Democracy, n.d.).

The enlargement process under the new European Parliament will be strongly challenged. With the shift to the right, it is evident that some changes are certainly happening. Yet it all depends on whether the EPP will form new alliances with the right or whether old alliances will be kept. The disappointment with the left-wing policies is likely the main reason for the shift to the right, especially on the national level. This may thus be the biggest challenge towards the next enlargement of the EU.

8.5 Emphasis on enlargement in the new college of the European Commission

After the European elections, the Parliament elects the new President of the Commission, who then forms the college of commissioners. In July 2024, Ursula von der Leyen was re-elected as the President of the Commission for the 2024-2029 term (European Parliament, 2024c).

In September 2024, she announced the new college of Commissioners, which was confirmed by the European Parliament at its plenary session in November 2024 (European Parliament, 2024d). In the previous term, the commissioner responsible for enlargement, was Olivér Várhelyi from Hungary. One needs to acknowledge that in the previous term, one commissioner was responsible for both neighbourhood policy and enlargement, meaning that enlargement was not considered a priority for the Commission, at least not when the Commission was formed (European Commission, n.d.s).

Due to the situation in Ukraine, the standpoint of the Commission changed drastically in 2022. This can be directly reflected in the new college of commissioners as there is now a commissioner solely for enlargement. Slovenian Commissioner Marta Kos obtained the position. Slovenian Prime Minister, Robert Golob, claimed that this is a historic moment for Slovenia, as a Slovenian will be responsible for peace and stability in the region. In addition, the commissioner will also be responsible for the restoration of Ukraine, which gives even more historic value to the decision of the President of the Commission (RTV SLO, 2024e).

Even though Commissioners should be impartial, when it comes to nationality, one needs to acknowledge the commitments of Slovenia in the area of enlargement. Slovenia, which was formerly part of Yugoslavia, is committed to ensuring peace and prosperity in the region of the Western Balkans. Despite numerous challenges in the area of enlargement, some positive developments could be anticipated under the new Commission.

8.6 The opinion of citizens towards the enlargement

Eurobarometer can be considered a polling instrument of the EU institutions, especially the European Commission and the European Parliament. Several surveys are published on a regular basis regarding various topics. Standard Eurobarometer is conducted twice per year and deals with general trends, opinions on the Commission's priorities, and current important events. One of the questions of the Standard Eurobarometer is also the stance of citizens on enlargement. There are also other Eurobarometers, such as Flash Eurobarometer or Special Eurobarometer. Enlargement has not appeared as a topic of a Flash or Special Eurobarometer since 2009, meaning that the topic may not be of such relevance in recent years (European Union, n.d.b).

Appendix 9 shows the most recent opinion on enlargement, which can be found in the Standard Eurobarometer 101 – Spring 2024. People were asked whether they agreed with the following statement: “Further enlargement of the EU to include other countries in future years”. About half (51%) of all surveyed citizens would support the enlargement, while 38% are against it. Citizens of Spain and Lithuania are the most prominent supporters of enlargement. Austria, France, Germany, and Belgium are the only countries where more people oppose enlargement than support it (European Commission, 2024b).

One must be aware of the current sentiment in these countries, especially in Austria, Germany, and France, which was also evident during the European elections. After several migration crises, which were, especially according to some demagogic statements, poorly handled by the left-wing ruling parties, many believe that a change is needed. This resulted in the rise of parties such as the National Rally in France, or Alternative for Germany in Germany. Especially the latter was involved in several scandals, from calls for remigration to collusion with China and Russia (Cole, 2024). Even though the party lost some support, it finished second in German polls during the European elections. Some may claim that enlargement to the Western Balkans and further to the East could result in more uncontrolled migration and therefore more “cheap labour” from countries that are currently less developed. Despite the fact that 51% of EU citizens support enlargement, this negative sentiment cannot be ignored.

Appendix 10 shows the sentiment towards enlargement from the last enlargement (2013) onwards on the EU level. Data from 21 Standard Eurobarometers was collected in order to see possible trends. After Croatia joined the EU, the majority of EU citizens opposed the further enlargement. This could be related to the institutional and economic crisis of the EU as well as the disappointment with previous enlargements (O'Brennan, 2013). In the past 11 years, however, the tides changed, and the future enlargement was starting to gain support.

The peak of this sentiment can be seen in the Standard Eurobarometer 97 – Summer 2022, when it reached 57% (European Commission, 2022a). It is of vital importance to remember that just a few months before conducting this survey, Russia began an unprovoked full-scale invasion of Ukraine and, afterwards, the country was granted candidate status (European Commission, n.d.r). The Russian invasion shaped public opinion towards enlargement. This is also clear from the Flash Eurobarometer 506, which was conducted to analyse public opinion on the situation in Ukraine. Among the questions was also: “How much do you agree or disagree with each of the following statements? ‘Ukraine should join the EU when it is ready’”. 30% of all EU citizens totally agree with the statement and 36% tend to agree. 22% either totally disagree or tend to disagree. Probably the most interesting result came from Hungary, where only 15% of citizens totally agree with the statement, which yet confirms the Hungarian sentiment towards the Ukrainian accession (European Commission, 2022b). Ever since the Standard Eurobarometer of Summer 2022, the support for enlargement has been slightly falling and in Spring 2024, 51% of citizens supported enlargement (European Commission, 2024b). Therefore, one can say that there is still a generally positive sentiment towards enlargement.

9 CONCLUSION

The European Union can be seen as a symbol of integration and peace, and enlargement is one of its greatest mechanisms to achieve that across Europe. The enlargement process has been constantly changing to reflect substantially diverse circumstances faced by different

countries entering the EU in the past. The largest change to the enlargement process happened in 1993 when the Copenhagen Criteria were adopted to accommodate a sizable number of Eastern European formerly communist countries entering the EU. Since then, the main conditions of the process remain stable institutions that guarantee democracy, the rule of law, and human rights, as well as the protection of minorities, a functioning market economy, and compatibility with EU law, something that is defined by the *Acquis Communautaire*. Extended Copenhagen criteria were added to the current round of the enlargement process, relating to the Western Balkans, addressing challenges observed during previous enlargements and the specific circumstances of Western Balkan countries, particularly with respect to the resolution of border disputes, regional reconciliation, judicial reforms, and cooperation with international tribunals. Despite these changes, there are calls for further amendment of the enlargement process.

The enlargement process has markedly slowed down in the recent decade, and there are many reasons for this change of pace. If we take a look at the issues and challenges from the EU perspective, we find issues such as the rise of right-wing groups in the national and European Parliaments. These parties cannot properly align, when it comes to enlargement and finding a proper compromise within the EU, where unanimity is necessary, thus, this presents an issue. Moreover, there is the need to amend the Treaties, which is something that has been done before every enlargement in order to accommodate new members.

The biggest reason is enlargement fatigue, the belief that due to the institutional crisis and lack of absorption capacity, the EU is not ready to accommodate new members. Moreover, the enlargement fatigue also claims that the candidate countries themselves are not ready to cope with the obligations of EU membership. This is, to some extent true for the current candidate countries, Albania, Bosnia and Herzegovina, Georgia, Moldova, Montenegro, North Macedonia, Serbia, Turkey, and Ukraine, as well as the potential candidate Kosovo. The main issues are the situation regarding the rule of law, respect for democracy, and judicial independence. There are also some economic and environmental concerns. Some countries struggle to maintain good neighbourly relations. The most noticeable example is Turkey, as its accession negotiations are frozen due to its relations with Cyprus and Greece. Some issues are also present in North Macedonia, as Bulgaria and Greece have a lot of leverage over bilateral disputes with the candidate. There is also an issue between Serbia and Kosovo and its aspirations to become an independent country. Moreover, countries like Ukraine, Bosnia and Herzegovina, Georgia, and Moldova suffer from a lack of territorial integrity. This is the most prominent issue in Ukraine, which is currently struggling with the war against the Russian Federation. It is, however, true that the Russian aggression changed the pace of the enlargement negotiations. Georgia, Moldova, and Ukraine, as well as Bosnia and Herzegovina, became candidate countries since the beginning of the aggression. Moreover, the invasion changed the perception of EU citizens towards enlargement, as more than half of all citizens now agree that enlargement should happen in the near future, whereas the support for enlargement was much lower after the enlargement of 2013. Nonetheless, the

analysis of the progress of the candidate and potential candidate countries in the alignment with the *acquis* has shown that a lot of further progress needs to be made in this area in order to be fully compatible with EU standards.

Despite the fact that more than 20 countries have already joined the EU in the past, the enlargement process is still not over. More than 20 years after the Thessaloniki promise to the Western Balkan countries, it is clear that the strategy towards enlargement should change. The effect of conditionality is slowly losing its importance, especially in the Western Balkans, as there are other sources of economic growth and the loss of patience, as the final accession of some countries seems like a distant aspiration.

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APPENDICES

Appendix 1: Povzetek (Summary in Slovene language)

Evropsko unijo mnogi vidijo kot simbol miru in integracije. Širitev EU pomaga pri širitvi evropskih idealov po celotni Evropi. Mehanizem pa se je v zadnjemu desetletju precej upočasnil, za kar je mnogo razlogov. Eden izmed izzivov z vidika EU je premik EU in njenih članic na desno, kjer se politične skupine ne morajo uskladiti glede širitvenega procesa, kar predstavlja problem v Svetu, kjer se take odločitve sprejemajo soglasno. Izziv je prav tako sprememba Pogodb EU, kar se je zgodilo pred vsako širitvijo.

Proces širitve se je skozi zgodovino spreminjal, največja sprememba je nastala leta 1993 v Kopenhagnu. Merila za pristop so takrat postale stabilne institucije, ki varujejo demokracijo, zagotavljajo pravno državo in spoštovanje človekovih pravic ter zaščito manjšin. Prav tako mora imeti država delujočo tržno gospodarstvo in usklajenost s pravom EU, kar ureja tako imenovani *Acquis Communautaire*. Četudi veljajo za države Vzhodnega Balkana tudi dodatna merila, obstajajo pozivi k spremembi celotnih pristopnih pogajanj.

Širitvena utrujenost ostaja glavni razlog za upočasnitev pogajanj. Mnogi namreč verjamejo, da zaradi krize institucij EU in absorpcijske sposobnosti EU ni sposobna sprejeti novih članic. Prav tako nekateri verjamejo, da države kandidatke niso pripravljene za pridružitve. To do neke mere drži za trenutne kandidatke: Albanijo, Bosno in Hercegovino, Črno goro, Gruzijo, Moldavijo, Severno Makedonijo, Srbijo, Turčijo in Ukrajino, kot tudi za potencialno kandidatko Kosovo. Glavni problemi teh držav so pravna država, zagotavljanje demokracije, neodvisnost sodstva in nekateri izzivi na področju ekonomije in varstva okolja. Eden izmed problemov je ohranjanje dobrih sosedskih odnosov, kjer prednjači Turčija, ki ima zaradi odnosov s Ciprom in Grčijo zamrznjena pristopna pogajanja. Bolgarija in Grčija pa izkoriščata pristopna pogajanja s Severno Makedonijo za reševanje bilateralnih sporov. Prav tako je spor med Srbijo in Kosovom glede neodvisnosti slednje še vedno eden izmed glavnih problemov obeh držav. Države kot so Bosna in Hercegovina, Gruzija, Moldavija in Ukrajina imajo težave glede ozemelske celovitosti. To še posebej velja za Ukrajino, ki je trenutno v vojni z Rusijo. Vendar je ruska agresija pospešila širitven proces, saj so Gruzija, Moldavija in Ukrajina, kot tudi Bosna in Hercegovina od začetka agresije postale kandidatke. Ilegalna invazija pa je spremenila tudi stališče državljanov EU do celotnega procesa, saj več kot polovica sedaj podpira širitev, medtem ko je bil ta odstotek po zadnji širitvi leta 2013 precej nižji. Analiza napredka držav kandidatk in potencialnih kandidatk glede poravnave s kriteriji iz Kopenhagna pa je pokazala, da je prostora za napredek še veliko, v kolikor želijo te države biti usklajene s standardi EU.

Četudi se je več kot 20 držav v preteklosti že pridružilo EU, proces širitve še ni končan. Od vrha v Solunu, kjer je EU poudarila, da Zahodni Balkan sodi v EU, je minilo več kot 20 let. Jasno je, da se mora strategija širitve spremeniti. Vpliv pogojevanja na Zahodnemu Balkanu počasi izginja, saj so države našle alternative za gospodarsko rast in počasi izgubljajo potrpežljivost za izvedbo prepotrebnih reform. Končna pridružitve EU je za nekatere države zgolj še oddaljena želja.

Appendix 2: Articles 2 and 49 TEU

Article 2

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article 49

Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

Source: Treaty on European Union (1992).

Appendix 3: Chapters of the Acquis Communautaire

Chapter	Cluster	Summary
1: Free movement of goods	Internal market	There should be a free flow of goods from one part of the Union to another. Two approaches are accompanied: old (imposing precise product specifications) and new (imposing general product requirements). Harmonised European product legislation needs to be transposed into national one.
2: Freedom of movement for workers	Internal market	Every EU citizen has a right to work in another EU country and must be provided with the same working conditions, social and tax advantages. There should also be a coordination for national social security provisions for insured person and their family.
3: Right of establishment and freedom to provide services	Internal market	EU national and legal persons have the freedom to provide cross-border service, which cannot be hindered by national legislation (with some exceptions provided by the Treaties). There should also be mutual recognition of qualifications and diplomas with a minimum required training curriculum.
4: Free movement of capital	Internal market	Removal of almost all restrictions on movement of capital, cross border payment and transfer of securities within the EU, and between member states and third countries. This chapter also includes directive on the fight against money laundering and terrorist financing. Administration and enforcement should have an effective capacity.
5: Public procurement	Internal market	The chapter includes general principles of transparency, equal treatment, non-discrimination and free competition. Specific EU rules for the coordination of the award of public contracts are applied.
6: Company law	Internal market	The chapter includes rules on the formation, registration, merger and division of companies. Financial reporting is clearly defined and International Accounting Standards mandatory for some entities of public interest. Additionally, specific rules are defined for audits.
7: Intellectual property law	Internal market	The chapter includes harmonised rules for legal protection of copyright, trademarks, designs, industrial property rights and related rights with specific provisions in several areas. It establishes Community trademark and design.
8: Competition policy	Internal market	Anti-trust and state aid control policies are covered in the chapter. Member states must cooperate with the Commission to enforce these rules.

(table continues)

Appendix 3: Chapters of Acquis Communautaire

(continued)

Chapter	Cluster	Summary
9: Financial services	Internal market	The chapter defines rules for authorisation, operation and supervision of financial institutions such as banking, insurance, investment services... Institutions can operate across the EU by establishing branches or on a cross-border basis in accordance with the home country control.
10: Digital transformation and media	Competitiveness & inclusive growth	Specific rules on electronic communications, information society services, and audio-visual services are included. The aim is the removal of barriers in the cross-border telecommunications, promotion of competition and safeguarding consumer interests. Alignment with the Television without Frontiers Directive is required. Private broadcasting should be on EU standards and countries should have the capacity to participate in EU programmes Media Plus and Media Training.
11: Agriculture and rural development	Resources, agriculture & cohesion	One of the longest chapters includes rules for the effective function of common agricultural policy (CAP), such as application of the integrated administration and control system (IACS). Member states must be able to apply the legislation on direct farm support schemes.
12: Food safety, veterinary and phytosanitary policy	Resources, agriculture & cohesion	The chapter covers detailed rules in the area of food safety, such as hygiene rules, veterinary field, vital for safeguarding animal health, welfare, and phytosanitary field, such as quality of seed, animal nutrition and harmful organisms.
13: Fisheries and aquaculture	Resources, agriculture & cohesion	The chapter requires participation in common fisheries policies, which covers areas such as market policy, fleet and resource management, state aid control... Fisheries agreements and conventions with non-EU parties need to be adopted.
14: Transport policy	Green agenda & sustainable connectivity	The chapter promotes safe, environmentally and user friendly, and efficient transport services in sectors of road transport, railways, inland waterways, aviation, combined and maritime transport. It provides technical, safety and social standards, security, market liberalisation and state aid control.

(table continues)

Appendix 3: Chapters of Acquis Communautaire

(continued)

Chapter	Cluster	Summary
15: Energy	Green agenda & sustainable connectivity	Rules and policies regarding competition and state aids, the internal energy market, energy efficiency and nuclear energy and its safety are included in the chapter to improve competitiveness, security of energy supplies and protection of environment.
16: Taxation	Competitiveness & inclusive growth	The area of indirect taxation, namely value-added tax (VAT) and excise duties, and direct taxation, namely some areas of taxing income from savings of individuals and of corporate taxes, are covered. Code of Conduct for Business Taxation must be applied as well as administrative cooperation and mutual assistance between member states.
17: Economic and monetary policy	Competitiveness & inclusive growth	The chapter covers specific rules about the independence of central banks, prohibition of direct financing of the public sector by the central banks... Economic policies need to be coordinated between the member states that are subjected to the Stability and Growth Pact on fiscal surveillance. Conditions for the adoption of Euro are also laid down.
18: Statistics	Fundamentals	Statistical infrastructure must be based on impartiality, transparency, reliability, confidentiality of individual data and dissemination of official statistics. The chapter covers methodology, classifications and procedures for data collection in numerous areas.
19: Social policy and employment	Competitiveness & inclusive growth	The chapter sets minimum standards in areas such as labour law, health and safety at work, antidiscrimination, and equality. Employment strategy is financed by the European Social Fund.
20: Enterprise and industrial policy	Competitiveness & inclusive growth	This chapter sets strategies for promoting competitiveness. It wants to improve the business environment of SMEs. Policies aim to change based on best practices, consultations, recommendations.
21: Trans-European networks	Green agenda & sustainable connectivity	This chapter covers networks such as transport, telecommunications and energy infrastructure with the aim to capture the benefits of internal market by improving interconnection and interoperability of the national networks.

(table continues)

Appendix 3: Chapters of Acquis Communautaire

(continued)

Chapter	Cluster	Summary
22: Regional policy and coordination of structural instruments	Resources, agriculture & cohesion	This chapter defines the rules regarding Structural and Cohesion funds. Rules regarding public procurement, competition and environment must be respected when projects are selected and implemented.
23: Judiciary and fundamental rights	Fundamentals	The country must have an independent and efficient judiciary, courts must have impartiality, integrity and a high standard of adjudication. Judiciary must be trained and funded properly and should not have external influences. There must be a fair trial, and fundamental rights must be respected. Countries must also fight corruption
24: Justice, freedom and security	Fundamentals	This chapter mainly covers issues such as border control, visas, asylum, external migration, police cooperation in customs and judicial areas, fight against terrorism, organised crime, and field of drugs. Schengen acquis is also part of this chapter, yet it is connected with the separate decision of the Council.
25: Science and research	Competitiveness & inclusive growth	This chapter requires member states to have sufficient capacities to effectively participate in the EU's Framework Programmes in the areas of science and research.
26: Education and culture	Competitiveness & inclusive growth	This chapter is limited, since this area is the competence of the member states. The chapter thus covers conclusions, agendas, frameworks, programmes and recommendations from the EU institutions.
27: Environment and climate change	Green agenda & sustainable connectivity	This chapter covers several policies and over 200 major legal acts in the areas of the horizontal legislation, water and air quality, nature protection, risk management, industrial pollution control, waste management, noise, forestry, chemicals and genetically modified organisms (GMOs).

(table continues)

Appendix 3: Chapters of Acquis Communautaire

(continued)

Chapter	Cluster	Summary
28: Consumer and health protection	Internal market	Safety of consumer goods and protection of the economic interests of consumers are covered in this chapter. Dispute resolution mechanisms, consumer information, and education must be in place. Public health is also covered.
29: Customs union	Competitiveness & inclusive growth	EU Customs code, combined nomenclature and everything related to tariffs and duties are included in this chapter. Member states must have capacities for ensuring the functioning of the customs union.
30: External relations	External relations	The member states must show alignment with external relations of the EU, thus having multilateral and bilateral commercial commitments and autonomous preferential trade measures, in place, as well as aligned humanitarian aid and development policies.
31: Foreign, security and defence policy	External relations	Here, the vital policies are the CFSP and European security and defence policy (ESDP). They consist of declarations, actions and agreements. States must be aligned with EU statements and agree to impose sanctions and restrictive measures to third countries when required.
32: Financial control	Fundamentals	Internationally recognised frameworks and standards must be adopted by the member states. The chapter sets rules on internal and external audits and covers the countermeasures against fraud and counterfeiting.
33: Financial and budgetary provisions	Resources, agriculture & cohesion	The correct calculation, collection, payment and control of customs, agricultural duties and sugar levies are required by member states. These then form the EU budget or own resources of the EU.
34: Institutions	/	New member state must be prepared to operate in the EU and must have sufficient capacity to participate in bodies of the EU.
35: Other issues	/	This chapter is opened at the end of the negotiating process in case any other issues, which are not covered in other chapters, arise.

Source: European Commission (no date).

Appendix 4: Population, size, GDP per capita and HDI of candidate countries in comparison with the EU

	Population	Size (km ²)	GDP (PPP) per capita (in \$)	HDI
Albania	2,832,439	28,748	19,496.2	0.789
Bosnia and Herzegovina	3,210,847	51,209	20,950.2	0.779
Georgia	3,728,282	69,700	22,063.4	0.814
Moldova	3,435,931	33,846	16,301.7	0.763
Montenegro	626,485	13,812	28,324.6	0.844
North Macedonia	2,085,679	25,713	21,304.5	0.765
Serbia	7,149,077	88,361	25,061.8	0.805
Turkey	85,816,199	783,562	38,355.2	0.855
Ukraine	36,744,634	603,500	16,003.1	0.734
EU	448,387,872	4,223,262	57,285.5	*

*Joint HDI is not available. For comparison, Denmark is the highest ranked (0.952) and Bulgaria is the lowest ranked (0.799)

Source: European Union (2024), UN Development Programme (2023), World Bank (2022), Worldometer (2023a, 2023b).

Appendix 5: European Commssion report with codified progress of chapters (November 2023)

	Albania	Bosnia and Herzegovina	Georgia	Kosovo	Moldova	Montenegro	North Macedonia	Serbia	Turkey	Ukraine	Average of all candidate countries
Chapter 1	2.5	1	2	2.5	2	3	3	3	4	3	2.60
Chapter 2	2	2	1	2	1	2	1	3	1	1	1.60
Chapter 3	3	1	3	3	2	3	3	3	1	2	2.40
Chapter 4	3	3	3	3	2.5	3	3	3	3	2.5	2.90
Chapter 5	3	2	2	2.5	2	3.5	3	3	3	2	2.60
Chapter 6	3	2	2	2	1.5	4	4	4	5	2	2.95
Chapter 7	3	3	2	3	2	4	3	4	4	2	3.00
Chapter 8	2.5	2	1	2	2	3	3	3	2	2	2.25
Chapter 9	3.5	2.5	2	3	2	3	3	3	4	2	2.80
Chapter 10	3	1	2	2	2	3	3	3	2	3.5	2.45

(table continues)

Appendix 5: European Commission report with codified progress of chapters (November 2023)

(continued)

	Albania	Bosnia and Herzegovina	Georgia	Kosovo	Moldova	Montenegro	North Macedonia	Serbia	Turkey	Ukraine	Average of all candidate countries
Chapter 11	2	1	1	2	1	3	3	2	2	1	1.80
Chapter 12	2	2	2	2.5	2	3	4	3	2	3	2.55
Chapter 13	3	1	2	1	1	2	3	3	3	2	2.10
Chapter 14	2	2	2	1	2	3.5	3	4	3	2	2.45
Chapter 15	3.5	1	2	2	2.5	4	3	3	3	4	2.80
Chapter 16	3	2	2.5	2	2	3	3	3	3	2	2.55
Chapter 17	3.5	1	3	3	2	3	3.5	3.5	2	3	2.75
Chapter 18	3	1	2	2	2	3	3	3	3	2	2.40
Chapter 19	3	2	2	1	2	2	3	3	2	1	2.10

(table continues)

Appendix 5: European Commssion report with codified progress of chapters (November 2023)

(continued)

	Albania	Bosnia and Herzegovina	Georgia	Kosovo	Moldova	Montenegro	North Macedonia	Serbia	Turkey	Ukraine	Average of all candidate countries
Chapter 20	3	1	3	3	2	3.5	3	3	3	2	2.65
Chapter 21	2	2	2	2	2	3.5	4	3	5	2	2.75
Chapter 22	3	1	1.5	1	1	3	3	3	3	2	2.15
Chapter 23	2.5	2	2	1.5	2	3	2.5	2	1	2	2.05
Chapter 24	2.5	2	2	1.5	2	3	3	2	3	2	2.30
Chapter 25	2	2	3	1	3	4	4	4	5	3	3.10
Chapter 26	3	1	3	2	2	4	3	4	3	2	2.70
Chapter 27	2	1.5	1	1	1	2	2	2	2	2	1.64
Chapter 28	1	1	2	1	2	3	3	3	4	2	2.20

(table continues)

Appendix 5: European Commission report with codified progress of chapters (November 2023)

(continued)

	Albania	Bosnia and Herzegovina	Georgia	Kosovo	Moldova	Montenegro	North Macedonia	Serbia	Turkey	Ukraine	Average of all candidate countries
Chapter 29	3	2	3	3	2.5	3	4	4	4	4	3.25
Chapter 30	4	2	3	1	3	4	3	3	3	4	3.00
Chapter 31	4	2	3	NA	3.5	4	4	3	2	4	3.28
Chapter 32	3	2	2	2	1	3	3	3	4	1	2.40
Chapter 33	2	1	1	NA	1	2	1	2	2	1	1.44

Source: European Commission (2023).

**Appendix 6: European Commssion report with codified progress of clusters
(November 2023)**

	Cluster 1	Cluster 2	Cluster 3	Cluster 4	Cluster 5	Cluster 6	Average of all clusters
Albania	2.90	2.61	2.94	2.38	2.40	4.00	2.87
Bosnia and Herzegovina	1.60	1.94	1.50	1.63	1.20	2.00	1.64
Georgia	2.00	2.00	2.69	1.75	1.50	3.00	2.16
Kosovo	1.80	2.39	2.13	1.50	1.63	1.00	1.74
Moldova	1.60	1.89	2.19	1.88	1.20	3.25	2.00
Montenegro	2.90	3.11	3.19	3.25	2.60	4.00	3.17
North Macedonia	3.00	2.89	3.31	3.00	2.80	3.50	3.08
Serbia	2.80	3.22	3.44	3.00	2.60	3.00	3.01
Turkey	3.20	3.11	3.00	3.25	2.40	2.50	2.91
Ukraine	1.80	2.06	2.56	2.50	1.80	4.00	2.45

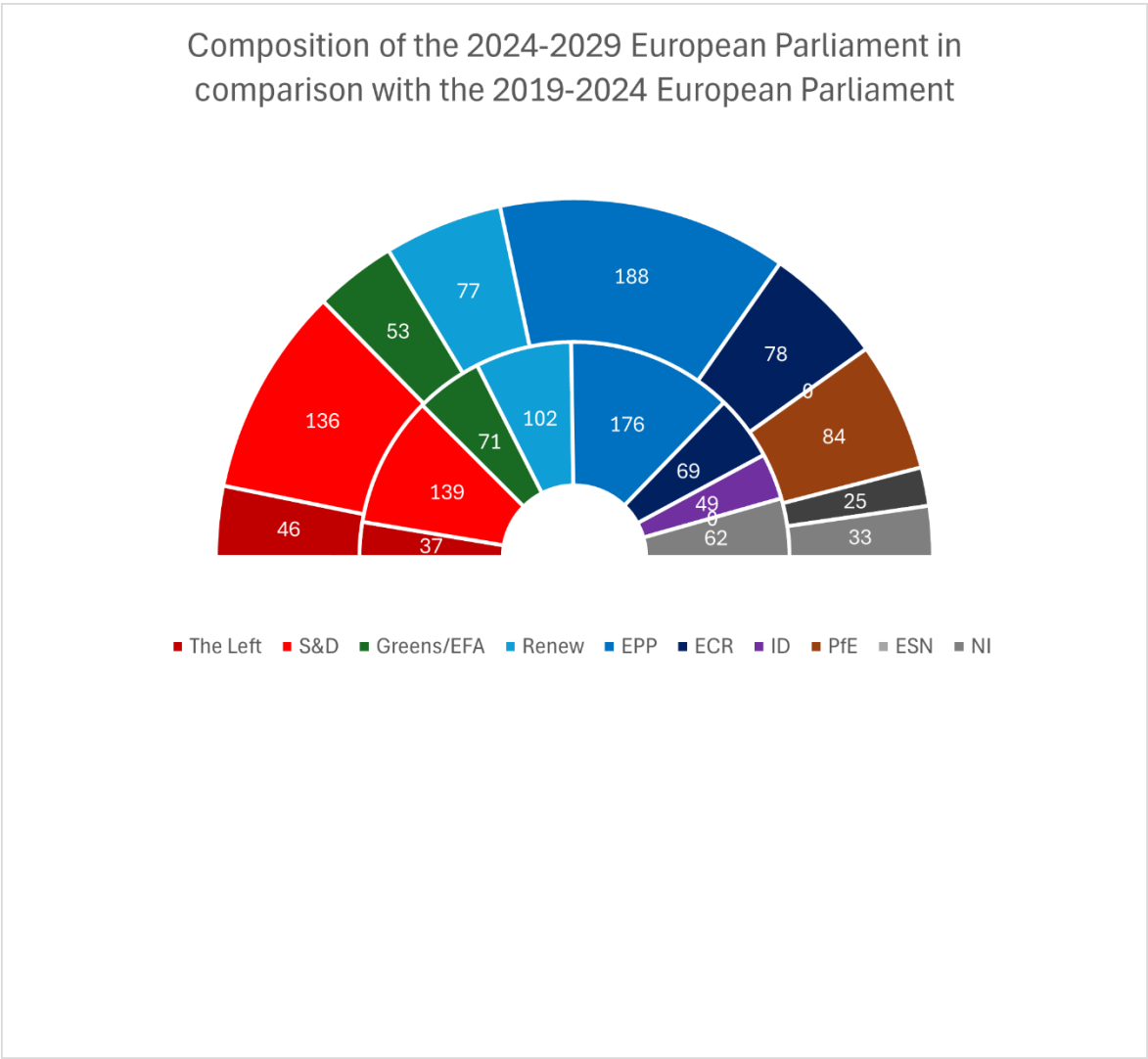
Source: European Commission (2023).

Appendix 7: Legislative proposals of each priority of the Commssion (2019-2024) based on the stage towards adoption

The legislative act is:	announced	tabled	blocked	close to adoption	adopted/completed	withdrawn
A EUROPEAN GREEN DEAL	31	27	5	24	76	5
A EUROPE FIT FOR THE DIGITAL AGE	28	12	4	14	51	5
AN ECONOMY THAT WORKS FOR PEOPLE	15	26	11	15	70	6
A STRONGER EUROPE IN THE WORLD	13	4	6	0	54	2
PROMOTING OUR EUROPEAN WAY OF LIFE	13	17	1	8	60	1
A NEW PUSH FOR EUROPEAN DEMOCRACY	9	12	1	4	38	1

Source: European Parliament (no date).

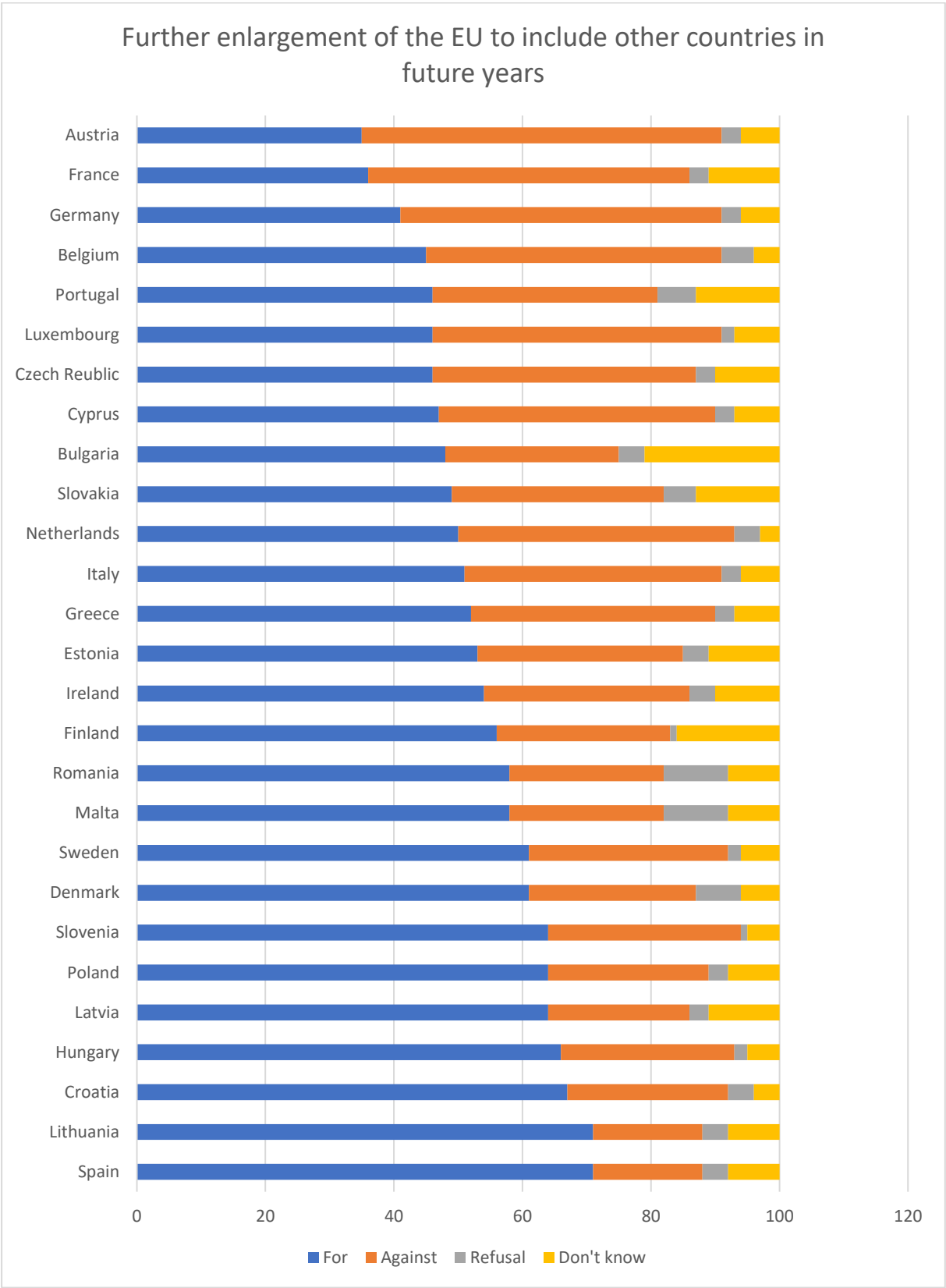
Appendix 8: The composition of the 2024-2029 European Parliament in comparison with the 2019-2024 European Parliament



*Internal pie chart represents the composition of the 2019-2024 European Parliament (after the exit of MEPs from the UK), External pie chart represents the composition of the 2024-2029 European Parliament

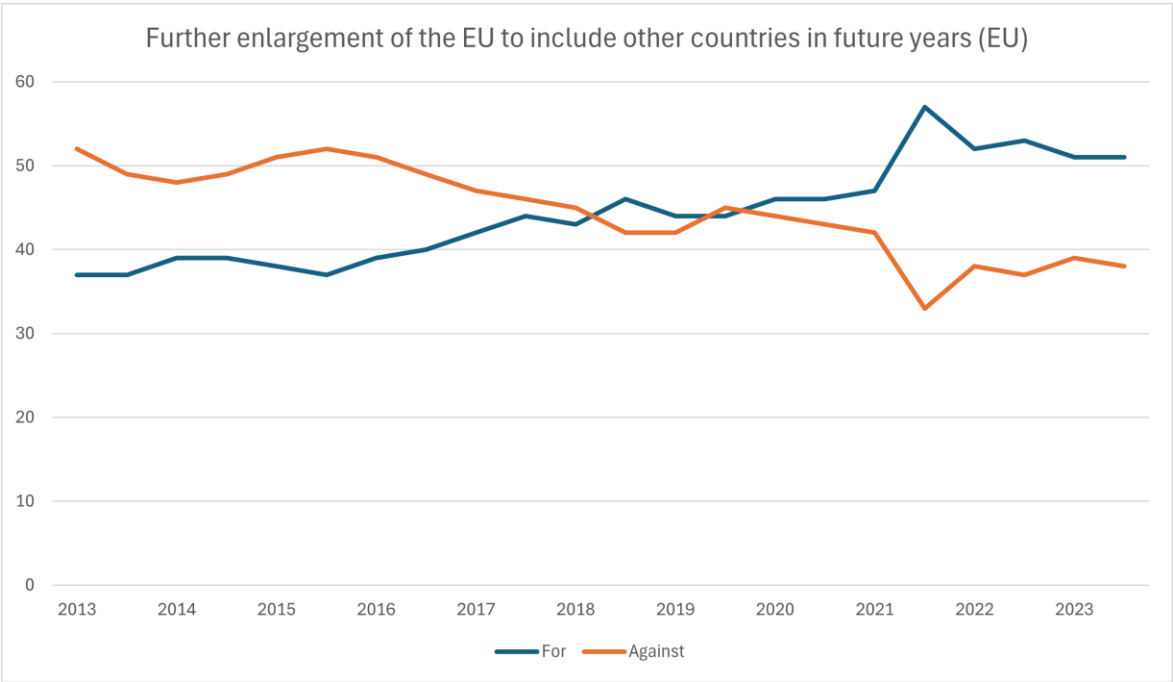
Source: European Parliament (2024).

Appendix 9: Standard Eurobarometer 101 – Spring 2024: Further enlargement of the EU to include other countries in future years



Source: European Commission (2024).

Appendix 10: Approval of future enlargements from Standard Eurobarometer 80 – 101 (2013-2024) (EU level)



Source: European Commission (2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024).