



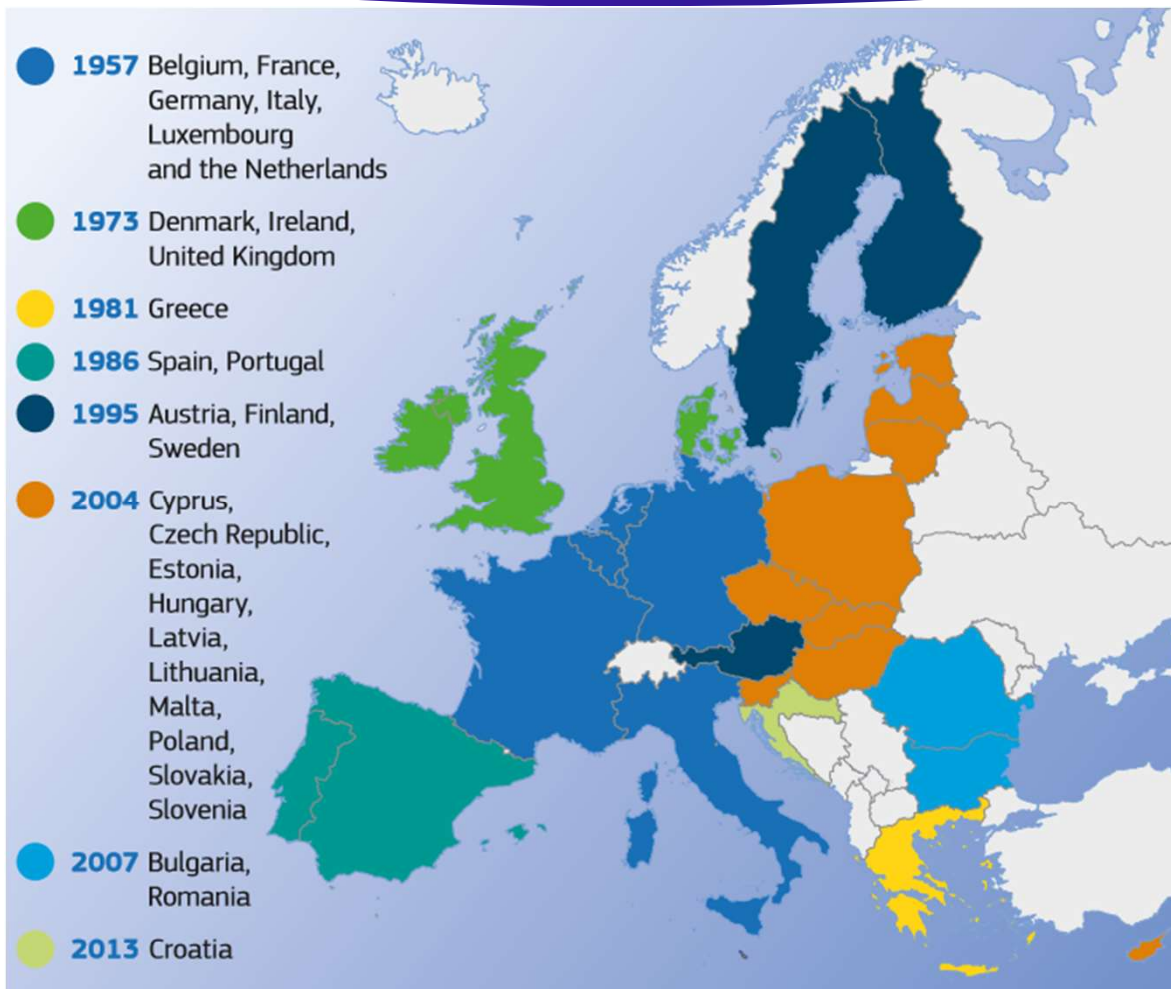
# EU Enlargement

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“ Enlargement policy is the EU’s most powerful tool of structural foreign policy in its immediate neighbourhood ”

K. SMITH: ENLARGEMENT, THE NEIGHBOURHOOD, AND THE EUROPEAN ORDER

# EU Enlargement





**Who can  
join the EU?**

# Treaty provisions

## Article 2 – Treaty of the European Union

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.

## Article 49 – Treaty of the European Union

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.

# Accession Criteria

- ★ The **Treaty on European Union** sets out the conditions (Art. 49 TEU) and principles (Art. 6(1) TEU) to which any country wishing to become an EU member must conform
- ★ Certain criteria must be met for admission
- ★ These criteria (known as the **Copenhagen criteria**) were established by the Copenhagen European Council in 1993 and strengthened by the Madrid European Council in 1995

# Copenhagen Criteria

- ★ **Political criteria**: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities
- ★ **Economical criteria**: a functioning market economy and the ability to cope with competitive pressure and market forces within the EU

# Copenhagen Criteria

★ **Acquis criteria**: ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the '*acquis*'), and adherence to the aims of political, economic and monetary union

▶ for EU accession negotiations to be launched, a country must satisfy the first criterion



# Involved EU Organs to decide upon Membership



**The European Commission:** the executive body, which takes care of the general day-to-day running of the European Union.



**The European Parliament:** directly elected every five years by citizens who have voting rights in the Member States.



**The Council of the European Union:** made up of the Member States' governments. It is where national ministers from each EU country meet to adopt laws and coordinate policies.

# Steps to Membership

01.



The country submits an application to the Council, declaring its wish to become a member of the EU.

02.



The European Commission, which closely monitors the enlargement countries, submits an opinion on the application.

# Steps to Membership

03.



On this basis, the Member States' governments need to decide unanimously if they accept and grant the applicant country candidate status.

04.



After certain conditions are met, the accession negotiations are opened, which again is done only with the agreement of all Member States.

# Steps to Membership

05.



The country must now work to implement the EU's laws and rules. All EU Member States must agree that the country has met all of the necessary requirements and that it has adopted EU standards.

06.



Once the negotiations on all areas have been finalised, the Commission must give its opinion on whether or not the country is ready to become a Member State.

# Steps to Membership

07.



Based on these recommendations, the Member States need to decide unanimously whether to close the process and sign an Accession Treaty with the country concerned. The existing Member States and the upcoming member all sign the Treaty. The European Parliament must give its consent as well.

08.



Only after the Accession Treaty has the formal approval of all existing Member States can the country become an EU Member State.

# Accession Negotiations

- ★ Negotiations take place between ministers and ambassadors of the EU governments and the candidate country in what is called an **intergovernmental conference**
- ★ Negotiations under each chapter are based on the following elements:
  - ★ **Screening**
  - ★ **Negotiating positions**

# Accession Negotiations

## Screening

- ★ Commission carries out a detailed examination, together with the candidate country, of each policy field (chapter), to determine how well the country is prepared
- ★ findings by chapter are presented by the Commission to the Member States in the form of a **screening report**
- ★ conclusion of this report is a recommendation of the Commission to either open negotiations directly or to require that certain conditions – opening benchmarks – should first be met

# Accession Negotiations

## Negotiating positions

- ★ before negotiations can start, the candidate country must submit its position and the EU must adopt a common position
- ★ for most chapters, the EU will set closing benchmarks in this position which need to be met by the Candidate Country before negotiations in the policy field concerned can be closed
- ★ chapt. 23 & 24 are opened on basis of action plans, with interim benchmarks to be met based on their implementation before closing benchmarks are set



# Chapters of the acquis

- ★ Chapter 1: Free movement of goods
- ★ Chapter 2: Freedom of movement for workers
- ★ Chapter 3: Right of establishment and freedom to provide services
- ★ Chapter 4: Free movement of capital
- ★ Chapter 5: Public procurement
- ★ Chapter 6: Company law
- ★ Chapter 7: Intellectual property law
- ★ Chapter 8: Competition policy
- ★ Chapter 9: Financial services

# Chapters of the acquis

- ★ Chapter 10: Information society and media
- ★ Chapter 11: Agriculture and rural development
- ★ Chapter 12: Food safety, veterinary and phytosanitary policy
- ★ Chapter 13: Fisheries
- ★ Chapter 14: Transport policy
- ★ Chapter 15: Energy
- ★ Chapter 16: Taxation
- ★ Chapter 17: Economic and monetary policy
- ★ Chapter 18: Statistics

# Chapters of the acquis

- ★ Chapter 19: Social policy and employment
- ★ Chapter 20: Enterprise and industrial policy
- ★ Chapter 21: Trans-European networks
- ★ Chapter 22: Regional policy and coordination of structural instruments
- ★ Chapter 23: Judiciary and fundamental rights
- ★ Chapter 24: Justice, freedom and security
- ★ Chapter 25: Science and research
- ★ Chapter 26: Education and culture
- ★ Chapter 27: Environment

# Chapters of the acquis

- ★ Chapter 28: Consumer and health protection
- ★ Chapter 29: Customs union
- ★ Chapter 30: External relations
- ★ Chapter 31: Foreign, security and defence policy
- ★ Chapter 32: Financial control
- ★ Chapter 33: Financial and budgetary provisions
- ★ Chapter 34: Institutions
- ★ Chapter 35: Other issues

# Concluding negotiations

## ★ Closing the chapters

no negotiations on any individual chapter are closed until every EU government is satisfied with the candidate's progress in that policy field, as analysed by the Commission

## ★ Accession treaty

contains the detailed terms and conditions of membership, all transitional arrangements and deadlines, as well as details of financial arrangements and any safeguard clauses

## ★ Acceding country




once the treaty is signed, however, the candidate becomes an acceding country, i.g. it is expected to become a full EU member on the date laid down in the treaty, providing the treaty has been ratified

# Candidate Countries

Candidate Country	Membership negotiations started?
Albania	27.06.2014 (Chapters: 0 open / 0 closed)
North Macedonia	-
Montenegro	29.06.2012 (Chapters: 25 open / 3 closed)
Serbia	01.03.2012 (Chapters: 12 open / 2 closed)
Turkey	03.10.2005 (Chapters: 15 open / 1 closed)

Potential Candidate Country	
Bosnia and Herzegovina	-
Kosovo	-

# Candidate Countries



	Land Area (1,000 km <sup>2</sup> )	Population (million)
Albania	28	2.9
Bosnia and Herzegovina	51	3.8
The former Yugoslav Republic of Macedonia	25	2.1
Kosovo	11	1.8
Montenegro	13	0.6
Serbia	77	7.1
Turkey	783	77.7
European Union	4,356	508.2

Figures are for 2015. Source: Eurostat

# State of the Union in 2018



## STATE OF THE UNION | 2018

*"Europe can export stability, as we have done with the successive enlargements of our Union. For me, these are and will remain success stories – for we were able to reconcile Europe's history and geography. But there is more to be done. We must find unity when it comes to the Western Balkans – once & for all. Should we not, our immediate neighbourhood will be shaped by others."*

President, Jean-Claude Juncker

#SOTEU





# Western Balkan Strategy

The EU's relations with the Western Balkan countries take place within a special framework known as the **stabilisation and association process**, which has 3 aims:

- ★ stabilising the countries politically and encouraging their swift transition to a market economy
- ★ promoting regional cooperation
- ★ eventual membership of the EU

# Western Balkan Strategy

The process helps the countries concerned build their capacity to adopt and implement EU law, as well as European and international standards. It is based on an ever-closer partnership, with the EU offering a mixture of:

- ★ trade concessions (duty-free access to EU markets)
- ★ search for available translations of the preceding
- ★ economic and financial assistance
- ★ assistance for reconstruction, development and stabilisation
- ★ stabilisation and association agreements on a contractual basis with the EU, entailing mutual rights and obligations

# Relations with the EU

Candidate Country	Relation with the EU
Albania	<a href="https://eeas.europa.eu/delegations/albania/6953/albania-and-eu_en">https://eeas.europa.eu/delegations/albania/6953/albania-and-eu_en</a>
North Macedonia	<a href="https://eeas.europa.eu/delegations/former-yugoslav-republic-macedonia/1457/former-yugoslav-republic-macedonia-and-eu_en">https://eeas.europa.eu/delegations/former-yugoslav-republic-macedonia/1457/former-yugoslav-republic-macedonia-and-eu_en</a>
Montenegro	<a href="https://eeas.europa.eu/delegations/montenegro_en">https://eeas.europa.eu/delegations/montenegro_en</a>
Serbia	<a href="http://europa.rs/?lang=en">http://europa.rs/?lang=en</a>
Turkey	<a href="https://www.avrupa.info.tr/en/eu-and-turkeys-history-711">https://www.avrupa.info.tr/en/eu-and-turkeys-history-711</a>

Potential Candidate Country	
Bosnia and Herzegovina	<a href="http://europa.ba/">http://europa.ba/</a>
Kosovo	<a href="https://eeas.europa.eu/delegations/kosovo/1387/kosovo-and-eu_en">https://eeas.europa.eu/delegations/kosovo/1387/kosovo-and-eu_en</a>

# Candidate Country: Albania



# Status Albania 2018

- ★ **Key Priority 1:** reform of the public administration with a view to enhancing its professionalism and de-politicization
  - ▶ (+) implementation of public administration reform has continued
- ★ **Key Priority 2:** further action to reinforce the independence, efficiency and accountability of judicial institutions
  - ▶ (+) thorough and comprehensive justice reform is being implemented
- ★ **Key Priority 3:** further determined efforts in the fight against corruption, including towards establishing a solid track record of proactive investigations, prosecutions and convictions
  - ▶ (+/-) remains a long-term objective that continues to require further structured and consistent efforts

# Status Albania 2018

- ★ **Key Priority 4**: further determined efforts in the fight against organised crime, including towards establishing a solid track record of proactive investigations, prosecutions and convictions
  - ▶ (+/-) remains nonetheless a long-term objective that continues to require further structured and consistent efforts
- ★ **Key Priority 5**: take effective measures to reinforce the protection of human rights, including of Roma, and anti-discrimination policies, as well as implementing property rights
  - ▶ (+/-) broadly in line with European standards

# Candidate Country: North Macedonia



# Status North Macedonia 2018

## Political criteria:

- ★ Country has finally overcome its most severe political crisis since 2001 and is undergoing fundamental changes in a more inclusive and open political atmosphere
- ★ Civil society continued to play a constructive role in supporting democratic processes and ensuring greater checks and balances
- ★ Country is moderately prepared with the reform of its public administration
- ★ Judicial system has reached some level of preparation to start restoring the independence of the judiciary



# Status North Macedonia

## 2018

- ★ Corruption remains prevalent in many areas and continues to be a serious problem
- ★ More needs to be done to effectively fight certain forms of crime such as money laundering and financial crimes
- ★ Legal and institutional framework for protection of fundamental rights is largely in place and reforms have enhanced compliance with European human rights standards

### Economic criteria:

- ★ Economy has made some progress and is moderately prepared to cope with competitive pressures and market forces within the EU

# Candidate Country: Montenegro



# Status Montenegro 2018

## Political criteria:

- ★ Low level of trust towards the electoral framework and the prolonged parliamentary boycott by the entire opposition since the October 2016 parliamentary elections
- ★ As regards governance, there is a need to strengthen transparency, stakeholders' participation, and the government's capacity to implement reforms
- ★ Strong political will is still needed to effectively address the de-politicisation of the public service and the optimisation of the state administration, as well as to ensure efficient implementation and financial sustainability of reforms

# Status Montenegro 2018

- ★ Legislative framework on the judiciary aimed to increase its independence and professionalism has yet to be fully implemented
- ★ Corruption is prevalent in many areas
- ★ Further results are needed in the fight against money laundering and trafficking in human beings
- ★ More efforts are needed in strengthening the institutional framework and effective protection of human rights
- ★ No progress was made concerning freedom of expression

## **Economic criteria:**

- ★ Some progress in developing a functioning market economy

# Candidate Country: Serbia



# Status Serbia 2018

## Political criteria:

- ★ Parliament still does not exercise effective oversight of the executive
- ★ Actions which limit the ability of the parliament for an effective scrutiny of legislation must be avoided
- ★ Need for implementing reform targets, professionalise and depoliticise the administration
- ★ The scope for political influence over the judiciary remains a concern
- ★ Corruption remains prevalent in many areas and continues to be a serious problem

# Status Serbia 2018

- ★ New strategy and action plan to prevent and fight trafficking in human beings were adopted
- ★ Still no initial track record of effective financial investigations, as well as of investigations, prosecutions and final convictions in money laundering cases
- ★ Implementation of fundamental rights has to be assured across the country, including the protection of minorities
- ★ No progress was made on freedom of expression
- ★ Still no full normalisation of relations with Kosovo

## **Economic criteria:**

- ★ Good progress in developing a functioning market economy

# Candidate Country: Turkey





# Status Turkey 2018

## Political criteria:

- ★ Broad scale & collective nature, and the disproportionality of measures taken since the attempted coup under the state of emergency, such as widespread dismissals, arrests, and detentions, continue to raise serious concerns
- ★ Emergency decrees have notably curtailed certain civil and political rights, including freedom of expression, freedom of assembly and procedural rights
- ★ Capacity of Turkey to ensure an effective domestic legal remedy in the sense of the European Court of Human Rights has been further undermined

# Status Turkey 2018

- ★ Presidential system lacking sufficient checks and balances as well as endangering the separation of powers between the executive and the judiciary
- ★ Serious backsliding in the areas of public service, human resources management, accountability of the administration
- ★ Serious backsliding for independence of the judiciary
- ★ No progress in the fight against corruption
- ★ Serious backsliding on the freedom of expression
- ★ Good progress in the area of migration and asylum policy

## Economic criteria:

- ★ Well advanced functioning market economy

# Pot. Candidate Country: Bosnia-Herzegovina



# Status Bosnia Herzegovina 2018

## Political criteria:

- ★ Electoral framework remains to be amended
- ★ Constitution remains in breach of the ECHR
- ★ Adoption of legislation stemming from the Reform Agenda, was negatively affected by tensions between ruling coalition parties
- ★ Country wide public administration reform strategy is being developed and remains to be adopted
- ★ Revision of the criminal procedural code should be in line with international standards and should not undermine the ability of institutions to tackle serious organised crime, corruption or other rule of law challenges

# Status Bosnia Herzegovina 2018

- ★ Corruption is widespread and remains an issue of concern
- ★ Significant efforts are needed regarding financial investigations and improving capacities for countering terrorism as well as enhancing cooperation with neighbouring countries on border management issues
- ★ Strategic, legal, institutional and policy frameworks for the observance of human rights are in need of substantial improvement, as political pressure and intimidation of journalists still continued

## Economic criteria:

- ★ Still at an early stage of establishing a functioning market economy

# Pot. Candidate Country: Kosovo



# Status Kosovo 2018

## Political criteria:

- ★ Continuing political fragmentation and polarisation have adversely affected the role of the Assembly and have impacted the effectiveness of the government
- ★ Attempts by members of the Kosovo Assembly in December 2017 to abrogate the Law on Specialist Chambers and Specialist Prosecutor's Office have raised serious concerns
- ★ Continued politicisation of the public administration remains a concern, and adversely affects the efficiency and professional independence of the public administration
- ★ Judiciary vulnerable to undue political influence; rule of law institutions need sustained efforts to build up their capacities

# Status Kosovo 2018

- ★ Corruption is widespread and remains an issue of concern
- ★ Law enforcement agencies struggle to effectively fight organised crime in the north of Kosovo
- ★ Legal framework broadly guarantees the protection of human and fundamental rights in line with European standards, but more needs to be done to effectively guarantee the rights of persons belonging to minorities
- ★ Threats and attacks against journalists have continued
- ★ No normalisation of relations with Serbia

## **Economic criteria:**

- ★ Early stage of developing a functioning market economy



# Eastern Partnership

- ★ The **Eastern Partnership (EaP)** is a joint initiative involving the EU, its Member States and six Eastern European Partners: **Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova** and **Ukraine**
- ★ **Specific dimension of the European Neighbourhood Policy (ENP)** aiming at building a common area of shared democracy, prosperity, stability and increased cooperation
- ★ Heads of state or government from the EU member states and the six Eastern Partner countries meet every other year in Eastern Partnership Summits (last: 2020)

# Eastern Partnership

- ★ The **European Neighbourhood Policy (ENP)** was developed as a framework for relations with the EU's neighbouring countries in 2004
- ★ Eastern Partnership engagement is focused on the four **priority areas of cooperation**, agreed at the 2015 Riga Summit:
  1. **Stronger governance**: strengthening of institutions and good governance
  2. **Stronger economy**: economic development and market opportunities
  3. **Better connectivity**: interconnectivity; mobility
  4. **Stronger society**: people-to-people contacts

# Eastern Partnership

The pursuit of tangible results has resulted in 20 deliverables of Eastern Partnership cooperation for 2020:

- ★ Modernised transport connections through the Trans-European Transport Network (TEN-T)
- ★ Increased political ownership of energy efficiency
- ★ Easier access to finance for small and medium-sized enterprises (SMEs), including to lending in local currency
- ★ Establishing ways of reducing roaming tariffs between partners by conducting a study
- ★ Increased trade opportunities
- ★ Greater outreach to grassroots Civil Society Organizations
- ★ More support for youth

# Partner Country: Ukraine



# Ukraine as partner of the EU

- ★ The **EU-Ukraine Association Agreement** was signed in June 2014 by EU Heads of State and Government and Ukrainian President Petro Poroshenko
- ★ On 16 September 2014, the Association Agreement was ratified by the Ukrainian Parliament and consent was given by the European Parliament, enabling the provisional application of the relevant provisions of the Association Agreement from 1 November 2014, and the parts related to the **Deep and Comprehensive Free Trade Area** from 1 January 2016
- ★ No **EU accession perspective** for Ukraine mentioned

# Ukraine as partner of the EU

- ★ Association Agreement (AA), including its **Deep and Comprehensive Free Trade Area (DCFTA)** is the main tool for bringing Ukraine and the EU closer together, promoting deeper political ties, stronger economic links and respect for common values
- ★ Since spring 2014, Ukraine has embarked on reform programme, aiming to stabilise its economy and improve the livelihoods of its citizens
- ★ Since 2014 the EU has pledged a package of €13.8 billion to support the reform process, with strong conditionality on continued progress

# Ukraine as partner of the EU

- ★ **Priority reforms** include
  - ★ fight against corruption
  - ★ reform of the judiciary
  - ★ constitutional and electoral reforms
  - ★ improvement of the business climate and energy efficiency
  - ★ reform of public administration, including decentralisation

# Ukraine as partner of the EU

## Possible benefits for Ukraine:

- ★ Stabilising the country's politically and encouraging its swift transition to a market economy
- ★ Additional financial assistance granted through the multi-country 'umbrella programme': the incentive-based mechanism that rewards progress towards building deep and sustainable democracy by supplementary financial allocations ('more for more')
- ★ Promoting its regional cooperation
- ★ Eventual membership of the EU





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For any questions or  
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