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## THE ENLARGEMENT OF THE UNION

On 1 July 2013, Croatia became the 28th Member State of the European Union. Since then no other countries have joined the EU, and the UK left the EU on 31 January 2020. Accession negotiations are being conducted with Montenegro, Serbia and Turkey. Albania and the Republic of North Macedonia are also candidate countries, while Bosnia and Herzegovina and Kosovo are potential candidate countries.

### LEGAL BASIS

- Article 49 of the Treaty on European Union (TEU) establishes which states may apply;
- Article 2 of the TEU describes the EU's founding values.

### OBJECTIVES

The EU's enlargement policy aims to unite European countries in a common political and economic project. Guided by the Union's values and subject to strict conditions, enlargement has proved to be one of the most successful tools in promoting political, economic and societal reforms, and in consolidating peace, stability and democracy across the continent. Enlargement policy also enhances the EU's presence on the global stage.

### BACKGROUND

#### A. Conditions for accession

Any European state may apply to become a member of the Union if it respects its common values and is committed to promoting them (Article 49 of the TEU). The Copenhagen criteria, established by the European Council in 1993 in Copenhagen, are essential in any candidate or potential candidate country's EU integration process. They include:

- The stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- A functioning market economy and the ability to cope with competitive pressure and market forces within the EU;
- The ability to take on the obligations of membership, including by adhering to the aims of political, economic and monetary union, and adopting the common



rules, standards and policies that make up the body of EU law (the *acquis communautaire*).

In December 2006 the European Council agreed on a 'renewed consensus on enlargement', based on 'consolidation, conditionality and communication' and on the EU's capacity to integrate new members.

#### **B. The EU's integration capacity: institutional arrangements**

Successive enlargements formed a substantial part of the institutional negotiations that led to the adoption of the Treaty of Lisbon. The EU had to adapt its institutions and decision-making processes to the arrival of new Member States and ensure that enlargement would not come at the expense of efficient, accountable policymaking. The Treaty of Lisbon introduced profound changes to the composition and work of the main EU institutions. Some of these changes reflected the need for a sustainable set of rules that do not require new amendments with every new enlargement.

#### **C. Process**

A country that wishes to join the EU addresses its application to the Council, which asks the Commission to submit an opinion. The European Parliament is notified of this application. If the Commission's opinion is favourable, the European Council may decide – by unanimity – to grant the country candidate status. Following a recommendation by the Commission, the Council decides – again by unanimity – whether negotiations should be opened. The sum of EU legislation (the *acquis communautaire*) is divided into more than 30 policy chapters. Before actual negotiations start, the Commission delivers a 'screening' report for each chapter. On the basis of the Commission's recommendation, the Council decides by unanimity whether or not to open new negotiation chapters. Whenever progress is judged satisfactory, the Commission may recommend 'provisionally closing' a chapter. The Council again decides by unanimity. When negotiations on all the chapters are completed, the terms and conditions – including possible safeguard clauses and transitional arrangements – are incorporated into an accession treaty between the EU Member States and the acceding country. Only after Parliament's consent and the Council's unanimous approval can the accession treaty be signed. It is then submitted by all contracting states for ratification, in accordance with their constitutional requirements (i.e. ratification by parliament or referendum).

### **PAST ENLARGEMENTS**

Country	Member since	Particularities
Belgium France Germany Italy Luxembourg Netherlands	1958	Original signatories to the 1957 Treaty of Rome.
Denmark Ireland	1973	



United Kingdom <sup>[1]</sup>		
Greece	1981	Greece's accession consolidated democracy in the country.
Portugal Spain	1986	This enlargement consolidated democracy in Portugal and Spain.
Austria Finland Sweden	1995	
Cyprus Czech Republic Estonia Hungary Latvia Lithuania Malta Poland Slovakia Slovenia	2004	Intended to reunite the continent after the fall of the Berlin Wall and the collapse of the Soviet Union, this enlargement was launched by the European Council meeting of December 1997. Negotiations were conducted separately with each country, based on a single negotiating framework.
Bulgaria Romania	2007	The pace of reform in Bulgaria and Romania did not allow these countries to join in 2004. A 'cooperation and verification mechanism' in key areas – judicial reform, the fight against corruption and the fight against organised crime (the latter applying only to Bulgaria) – was put in place to monitor progress after accession.
Croatia	2013	The accession negotiations with Croatia were subject to the stricter conditionality established in December 2006 by the European Council's 'renewed consensus on enlargement'.

## FUTURE ENLARGEMENT

### A. Western Balkans

Relations with the Western Balkans fall within the framework of the Stabilisation and Association Process, launched in 1999. It is based on bilateral stabilisation and association agreements.

Croatia's accession to the EU on 1 July 2013 constitutes a significant incentive for other countries in the region. Building on the experience with Croatia, the Commission proposed further improvements to its negotiating approach in its 2011-2012 'Enlargement Strategy', including a stronger emphasis on rule-of-law issues. This means that negotiating chapters on judicial reform and fundamental rights (chapter 23) and on justice, freedom and security (chapter 24) are opened at an early stage in all future negotiations and that they are the last to be closed. This approach was reaffirmed and reinforced in the Commission's communication of 5 February 2020

[1]The United Kingdom left the EU on 31 January 2020 (at 11 pm GMT).



entitled 'Enhancing the accession process – A credible EU perspective for the Western Balkans', which introduced a revised methodology for enlargement to the Western Balkans. It is also part and parcel of the Economic and Investment Plan for the Western Balkans, which was published as part of the Commission's 2020 enlargement package.

To date all 33 screened negotiating chapters with Montenegro have been opened, but only three have been provisionally closed. Serbia has opened 18 out of 35 negotiating chapters, of which two have been provisionally closed. Since December 2019, Serbia has not opened any new chapters. In its Western Balkans Strategy, published in February 2018, the Commission stated that both Montenegro and Serbia could join the EU by 2025, while acknowledging that this perspective was 'extremely ambitious'.

In June 2018, the Council agreed on the possible opening of accession negotiations with both North Macedonia and Albania in June 2019, provided the necessary conditions were fulfilled. However, both in June 2019 and October 2019 the Council failed to green-light the opening of accession negotiations. In March 2020, the Council finally decided to open accession negotiations with both countries (with a set of conditions for Albania). In July 2020, the Commission presented the draft negotiating frameworks – the first to take into account the 'revised methodology for enlargement to the Western Balkans' – to the Member States. Almost a year and a half later, accession negotiations with North Macedonia and Albania – both of which have been candidate countries for many years – have not yet been opened. This is mainly due to issues between North Macedonia and Bulgaria related to identity, language and history.

Bosnia and Herzegovina (BiH) and Kosovo are potential candidate countries. In the case of BiH a shift of focus to economic governance allowed the entry into force of the Stabilisation and Association Agreement (SAA) with the EU on 1 June 2015. On 15 February 2016, BiH submitted its membership application. In May 2019, the Commission published its opinion – including a list of 14 key priorities – on the basis of BiH's replies to a comprehensive questionnaire. An SAA between the EU and Kosovo entered into force on 1 April 2016. Kosovo is also conducting an EU-facilitated dialogue with Serbia that should lead to a legally binding comprehensive agreement on the normalisation of their relations, a *conditio sine qua non* for the successful integration of both Serbia and Kosovo into the EU.

## **B. Turkey**

Turkey applied for EU membership in 1987 and was declared a candidate country in 1999. Negotiations were opened in October 2005. Eight chapters are blocked, and no chapter will be provisionally closed until Turkey applies the 'Additional Protocol to the Ankara Association Agreement' to Cyprus. Opening other chapters has been opposed by individual EU Member States. After a standstill of more than three years, a new negotiating chapter was opened in November 2013. Another was opened more than two years later, in December 2015. On 18 March 2016, Turkey and the EU reaffirmed their commitment to implementing their joint action plan to stem the flow of irregular migrants to the EU and to re-energising the accession process. This led to the opening of an additional chapter in June 2016. However, in light of the dramatic deterioration of the rule of law in Turkey, in particular in the aftermath of the July 2016 attempted coup, the accession process with Turkey is *de facto* frozen. EU-Turkey relations have



further been exacerbated by Turkey's foreign policy choices, its unilateral actions in the Eastern Mediterranean, and its positions and initiatives on the Cyprus issue.

### **C. Iceland**

Iceland applied for EU membership in July 2009 and negotiations were opened in June 2010. As a well-established democracy and a member of the European Economic Area (EEA), Iceland made rapid progress in its negotiations with the EU. However, general elections in 2013 ushered in a new government, which froze accession negotiations. In March 2015, the authorities asked the EU to no longer consider Iceland a candidate country, without, however, officially withdrawing Iceland's membership application. Successive governments have maintained this approach.

## **ROLE OF THE EUROPEAN PARLIAMENT**

Under Article 49 of the TEU, Parliament must give its consent to any new accession to the EU. It also has a significant say over the financial aspects of accession: its budgetary powers give it direct influence over the amounts allocated to the Instrument for Pre-accession Assistance (IPA).

Parliament's Committee on Foreign Affairs appoints standing rapporteurs for all candidate and potential candidate countries. Parliament expresses its positions on enlargement in the form of annual resolutions responding to the Commission's latest annual 'country reports'. It has been facilitating rapprochement between political parties in North Macedonia and Serbia. Last but not least, it maintains regular bilateral relations with the parliaments of all candidate and potential candidate countries through its delegations, which, on average, meet their counterparts twice a year.

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