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Normative Dynamics and Strategic Expansion: Compliance with the Copenhagen Criteria in EU Legislation

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Introduction

Relevance

"The European Union does not have to choose between deepening and enlarging, but between enlargement and its dissolution." With this expression Klaus Hänsch, former president of the European Parliament, expressed the need for continued expansion of the European Union. Today, in the context of the conflict in Ukraine, this issue turns out to be of crucial relevance, as the very question of European integration has taken on a much greater value than mere economic welfare; in fact, it has become a struggle of values for which one is willing to fight, to such an extent that the European continent itself seems, on the contrary, to be more disunited. Therefore, it is increasingly relevant to analyse the role that the European Union is trying to assume, being increasingly linked to its own identity factor, to the fact that very often it has been said that "the EU is an economic giant but a political dwarf." Ian Manners himself pointed out that the EU is a Normative Power, which is, a civilian power, a new kind of actor that transcends the traditional geopolitical canons of military power.[1]

The theoretical relevance of the thesis lies precisely in the fact that the results obtained in the course of the study go a long way toward broadening the understanding of the topic, shedding light on the states' experience of integration processes with the EU and their political attitude to cope with it. This thesis combines into a unicum the EU Governance systems, including the Copenhagen Criteria, that are implemented in the specific enlargement cases. Given the topical nature of this issue, its relevance remains exceptionally high due to its impact on the structure of the European continent. The decision to pursue integration with the European Union carries significant implications for other integration systems associated for instance with the Russian

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[1] Manners, Ian. *The Concept of Normative Power in World Politics.* 2009.

Federation and consequently, this polarization affects the security, economic, political, and value structures of the countries involved.

Literature Review

In this Thesis was necessary to deal with university-type texts in order to draw information and to describe the historical-legal framework of the issues analysed. More specifically, the handbook of EU Law, by Ugo Villani[2], Maria Giulia Amadio Viceré's book on "The European Union's Engagement with the Southern Mediterranean"[3], and Andreas Staab's[4] book also on the EU, which clarified the basics covered on the European Union. In addition, all relevant treaty texts, accessible through documents available online, provided an empirical Research base that was thoroughly analysed.

After a legal historical excursus, throughout all the drafting periods were considered the academic works of well-known scholars who have contributed to the debate on this issue, including the aforementioned Manners[5] and others like Atkin[6], Leonard[7], Siddi[8], etc., were taken as inspiration as well as sources. Other scholars such as Dimitrova[9], Emerson[10], Mirel[11], Pierini[12] e Buras[13] have contributed meaningfully to the debate of the EU as Normative Power and the EU enlargement process.

[2] Villani, Ugo. *Istituzioni di Diritto dell'Unione Europea*. Caccucci Editore, 2020.

[3] Amadio Viceré, Maria Giulia. *The European Union's Engagement with the Southern Mediterranean*. 2024.

[4] Staab Andreas. *The European Union Explained*. 2020.

[5] Manners, Ian. "The Concept of Normative Power in World Politics". 2009.

[6] Atkin, Nicholas. "The Fifth French Republic". 2005.

[7] Leonard, Mark. "The geopolitics of EU enlargement." *European Council of Foreign Relations* (2023).

[8] Siddi, Marco. "The Role of Power in EU–Russia Energy Relations: The Interplay between Markets and Geopolitics." *Europe Asia Studies* (2018).

[9] Dimitrova, Antoaneta L. "Understanding Europeanization in Bulgaria and Romania: Following Broader European Trends or Still the Balkan Exceptions?" 2020.

[10] Emerson, Michael. "A Template for Staged Accession to the EU." European Policy Centre, 2021.

[11] Mirel, Pierre. "European Union-Turkey: From an Illusory Membership to a 'Privileged Partnership.'" *Fondation Robert Schuman,* 2017.

[12] Pierini, Marc. "Turkey's European Goals: Prospects and Impediments as Seen From Brussels." *Carnegie Europe,* 2023.

[13] Buras, Piotr. *Partnership for Enlargement: A New Way to Integrate Ukraine and the EU's Eastern Neighbourhood*. Council of Foreign Relations, 2022.

Dimitrovna addressed the integration of two countries as much as subject to instability due to a socialist past that saw as necessary an integration process that had to adapt to the normative and political changes required by European integration. Emerson, on the other hand, pointed out that during the criteria used to judge a state in accession, more stages should be added, suggesting a more gradual accession, addressing challenges in a more manageable way. Mirel and Pierini addressed the issue of relations with Turkey, addressing the country's problems and the lack of political alignment over the long term that has been experienced. Here again the idea of strategic partnership and not full accession came up, leading the reader to understand that Turkey is not quite capable of dealing with a full integration process with the EU such that all points of negotiation are met. Finally, Buras pointed out that in the Eastern Neighbourhood, it is crucial to strengthen the partnership with countries such as Ukraine to define and balance their strategic interests. These contributions enrich the understanding of EU enlargement dynamics, going beyond purely technical and legal aspects to explore broader political and geopolitical implications. Nonetheless, the above thesis remains fundamental because it offers a much more up-to-date analysis, being not only sufficient to understand what the EU's priorities are among candidate countries, but also posing a final gist to the current conditions of the state of potential EU enlargements.

Research Question

This thesis aims to answer the following research question:

"To what extent are accession criteria, including the Copenhagen Criteria, shaped by contemporary political interests?"

To address this question, the thesis will examine how contemporary political interests influence accession criteria, with a focus on the Copenhagen Criteria, which set the basic conditions for a country's entry into the European Union.

Aim and Tasks of the Research

The aim of the following thesis is to analyse according to a legal-historical framework the integration processes that have already occurred, are occurring, and may occur in the coming years. An initial discussion of the history of the European Union will be essential to introduce the past rhythms of integration that may be taken up in the future. Particular attention will then be paid to European "foreign policy," or rather, to the external action of the EU, which especially with regard to the foreign neighbourhood plays precisely this role of integration. The so-called "Copenhagen criteria" will be considered and the cases of the accession countries will be analysed. On the cases considered, a comparative method will be applied in order to better clarify what the EU's priorities are.

Object and Subject of research

The Object of research will be, the European Union, more specifically the phenomenon of enlargement policy of the European Union. A phenome that has several necessary tools to analyse, first and foremost the expansion as a whole had during the time with the various constituent treaties and then now that hand by hand integrates through the institutions of competence its own neighbourhood.

The Subjects of course is the level of compliance with the Copenhagen Criteria being implemented on the different countries being considered. The priority that is given to some countries over others for momentary policy issues due to the interests of the European institutions.

Scientific Innovation and Practical Significance of the Research

The work of this thesis will add significant value to the European Studies debate, as it will address the issue of European enlargement from a critical perspective. An attempt will be made to address major current issues through a legal historical

perspective of European institutions. The current megatrend we are experiencing presents challenges for the European Union that will need to be approached with caution. The research conducted for this thesis will be useful in drawing conclusions to predict what the next expansion will be or if there will be one. The European Neighbourhood appears to be a matter of great difficulty for the European Union because average Europeans are not used to think globally, very often unconscious, politically motivated policies are implemented that do not reflect the national interests of member countries. This thesis would like to address these issues with a realist approach and greater awareness.

Empirical Research Base

The research base used for this thesis is based on legal texts to properly address the EU Legislative landscape. The thesis includes citations of founding treaties of the European Union such as: Treaty of Rome[14], Euratom[15], Single European Act[16], Treaty of Maastricht[17], Treaty of Amsterdam[18], Treaty of Nice[19], Treaty of Lisbon[20] etc. This thesis makes use of verified official sources, in addition to Treaties, along with other legal texts such as Memoranda[21], Constitutions[22], Reports[23], official statements of politicians[24][25][26] and websites of the institutions taken under consideration[27][28]. Newspaper articles as well as interviews useful for understanding the topic under

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[14] *Treaty establishing the European Economic Community*, 1957, European Union.
[15] *Treaty establishing the European Atomic Energy Community*, 1957, European Union.
[16] *Single European Act*, 1986, European Union.
[17] *Treaty on European Union*, 1992, European Union.
[18] *Treaty of Amsterdam amending the Treaty on European Union*, 1997. European Union.
[19] *Treaty of Nice amending the Treaty on European Union*, 2001. European Union.
[20] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.
[21] *Меморандум Козака: Российский план объединения Молдовы и Приднестровья. 25 ноября 2003 года*.
[22] *Конституция Республики Молдова 1994 года с поправками по состоянию на. 2006*.
[23] "Public Opinion Survey: Residents of Moldova." 2019.
[24] Scholz, Olaf. "Speech by Federal Chancellor Olaf Scholz at the Charles University in Prague on Monday, 29 August 2022". 2022.
[25] Prodi, Romano. Address given by Romano Prodi on Turkey's application for accession 2004.
[26] Erdogan: Time will prove the EU made a big mistake." *CyprusMail*. 2023.
[27] OECD. Explorations in OEEC History. 2009.
[28] The Diplomatic Service of the European Union. "Critically assess and analyse the notion that the EU is a Normative Power." 2016.

consideration were drawn from internationally recognized sources. Given the current and evolving subject matter, this approach was necessary due to the topic's direct influence on both the present and the future developments. Therefore, to ensure a comprehensive and up-to-date perspective, it was necessary to consider topical sources. Articles were consulted from authoritative newspapers in several languages, including English, Russian, Italian and Spanish. Thus, newspaper articles from sources such as: BBC[29], The Economist[30], Politico[31], TASS[32], Al-Jazeera[33], LeMonde[34], CNBC[35], etc. This variety of sources was used to ensure that the conclusions were in line with the criteria of the scientific method and reflected a full range of opinions and information.

Structure of the Dissertation

The structure of the thesis will be divided into two parts:

- The first chapter is based more on the history of EU integration processes, with many treaties analysed from a legal perspective. Second, an initial consideration of the well-established cases of Turkey and the Western Balkans.

- The second chapter, in addition to dealing with particular attention to current events and the various attempts at eastward enlargement, will attempt to address, also critically to fuel academic debate, the affairs of Ukraine and the EU's entire eastern neighbourhood, thus seeking to understand that role the EU is taking on in responding to the challenges of the international community.

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[29] Karpyak, Oleg. "Ukraine's two different revolutions." *BBC* (2013)
[30] The tiny statelet of Transnistria is squeezed on all sides." *The Economist* (2024).
[31] It's time for Bulgaria and North Macedonia to move forward." *POLITICO* (2022)
[32] Парламент Молдавии назначит президентские выборы на 20 октября." *ТАСС* (2024)
[33] Bora, Birce. "Turkey's constitutional reform: All you need to know." *ALJAZEERA* 2017.
[34] Jégo, Marie. "Turkey's Erdogan covets key mediator role in Ukraine conflict." *LeMonde* (2022).
[35] Russia can't reach a pro-Russian region in Moldova easily — but there are ways it can cause trouble." *CNBC* 2024

The choice of case studies is important to give a comparative idea and answer through the practical cases the research question of what the priorities are for the EU in integrating within itself the candidate states of the European neighbourhood.

Chapter 1. European Union Historical Evolution

Let's start with some history, the establishment of state or parastatal entities that encompassed the entire European territory can be traced back to historical periods remote from the founding of the EU. The first such body can be considered the Roman Empire, which, however, did not share the same geographical extent as the European Union being centred on the Mediterranean Sea.[36]

In any case, the idea of a united Europe began to take hold in 1924, with the first pro-European movements, with Count Richard Coundenhove - Kalergi founding an association called the Pan-European Union, whose purpose was to preserve Europe, on the one hand, from Soviet domination and, on the other, from the economic dominance of the United States. The project had attracted a variety of visions, among which stood out some that later marked the future construction of the European institutions. From Aristide Briand with his confederationalist ideas, given the then still unconquerable presence of nationalisms, to the vision that united somewhat all, that of Spinelli, Rossi and Colorni, that is, the federalist type. The vision had as its goal to ensure peace, with the approach expressed in the Ventotene Manifesto and with the goal of immediate political union. The countries themselves were to give up their sovereignty, leading to the "European Federation" with its own army, its own currency, its own institutions and its own foreign policy.[37]

Jean Monnet, too, despite the common goal with the second vision, had his own, namely that of functionalism which aimed to gradually build a situation of integration

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[36] Cardini, Franco. *Europa: le radici e la storia.* 16 May 2017
[37] Villani, Ugo. *Istituzioni di Diritto dell'Unione Europea*. Caccucci Editore, 2020.

among European countries through forms of cohesion and solidarity. He is considered nowadays one of the founding fathers of the European Union.[38] The visions have, as mentioned above long inspired a variety of thinkers around the European continent but the dramatic events of World War II postponed the possible formation of a European Union.

In fact, the first major effort to reunite European nations was undertaken after World War II, driven by a determination to quickly complete the reconstruction of Europe and eliminate the possibility of new, future conflicts among its nations. The first major effort to bring the nations of Europe together under a European organization was the founding of the OEEC (Organization for European Economic Cooperation), created in 1948 at the urging of George Marshall, who, in enunciating a plan of aid for the reconstruction of war-torn Europe, called for the creation of an institution to take on the task of administering that aid.[39]

Another European organization of intergovernmental character was also founded in 1949, which raised great hopes for further European integration. This time it was the Council of Europe, initially composed of only ten members. It focused early and primarily on human and democratic values, rather than on economic or trade issues, and was always considered a forum in which sovereign governments could choose to work together, without precisely supranational authority.[40]

Treaties

However, the treaty that established an early embryo of the European Union was the ECSC, the European Coal and Steel Community Treaty.[41] The ECSC came into being as a supranational community and thus no longer as an international organization. The novelty was mainly in the transfer of sovereign powers from member states to entities, precisely the supranational communities. At the origin of the European Coal and Steel

[38] Jean Monnet: The Unifying Force Behind the Birth of the European Union." European Union.
[39] OECD. Explorations in OEEC History. 2009.
[40] "Profile: The Council of Europe." *BBC*, 2010.
[41] Villani, Ugo. *Istituzioni di Diritto dell'Unione Europea*. Caccucci Editore, 2020

Community was Robert Schuman's famous declaration, which contained the proposal, addressed first of all to Germany (in relation to the historic France-Germany clash), but also to the other European states that wished to join, to pool, under a High Authority, all of their coal and steel production, while ensuring their free movement, in order to foster solidarity between the two states mainly involved.[42] The organizational apparatus would have consisted of a High Authority, composed of independent personalities who would have both executive and regulatory powers vis-à-vis the member states but subject to judicial review at the European level, a Common Assembly, composed of representatives of the peoples of the member states, the Special Council of Ministers and the Court of Justice

This proposal was accepted by six states, and in April 1951, they signed the Treaty establishing the ECSC, which provided for the creation of a common market for coal and steel products, conditions of competition to be met such as the elimination and prohibition of duties and quantitative restrictions on the movement of such products among the member states, state aid and subsidies.

European leaders Alcide De Gasperi from Italy, Jean Monnet and Robert Schuman from France, and Paul-Henri Spaak from Belgium understood that coal and steel were the two essential industries for war, and they believed that by tying their national industries together, future war between their nations would become much less likely. These men are among those officially recognized nowadays as the founding fathers of the European Union.[43]

First attempts to cooperation: from the European Defence Community (EDC) to the Single European Act (SEA)

The same states that signed the ECSC Treaty signed another one in Paris in 1952, establishing the EDC i.e., the European Defence Community, which involved the

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[42] "Schuman Declaration May 1950." European Union.
[43] "From War to Peace: The Founding Fathers, the Pioneers Who Launched European Integration." European Union, 2024.

creation of a European army, an institutional apparatus of a mechanism to react to any aggression against a member state. However, this treaty never entered into force as it was not ratified by France.

This failure, led to the revival of the integration process that led to the signing in Rome in March 1957 of the Treaty Establishing the European Economic Community, the EEC, and the European Atomic Energy Community, the EAEC (Euratom), signed by Belgium, France, Italy, Luxembourg, the Netherlands and West Germany.[44]

The EEC was mainly economic and commercial in nature, like the ECSC, but unlike the latter it had no sectoral but general intervention. It thus established a customs union, the elimination of duties, quantitative restrictions and any other obstacles to trade in goods between member states, as well as obstacles to the free movement of persons, services and capital among them. The EEC therefore set out to intervene mainly in those segments of the economy that were weaker, in those fragile social strata and in geographical areas lagging behind in development. As for the EAEC, it was established with the aim of helping to raise the living standards of the member states and have trade with other countries developed.

With the advent of the French Fifth Republic, France began to have tensions with both Algeria and domestic political issues. It was understood that the country, as a victor in World War II, needed to eliminate influence from outside and thus limit supranational power.[45]

Following the Historical Timeline of Key Events, in 1973 the Community experienced an enlargement with the entry of Denmark, Ireland, and the U.K. Norway had negotiated to join at the same time, it was, however, rejected by the Norwegians themselves who voted no to membership through a referendum. In 1975, outside the community, the so-called Trevi Group was created: a forum of senior officials from the interior and justice ministries of the member states. Although not part of the community

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[44] *Single European Act, 1986, European Union*.
[45] Atkin, Nicholas. "The Fifth French Republic". 2005.

apparatus, the Trevi Group set the precedent for the third pillar of the European Union, "Justice and Home Affairs," created by the Maastricht Treaty. 1979 also saw the proclamation of the first direct and democratic elections to the European Parliament by universal suffrage.[46]

1981 was another year of enlargement whereas the European Community was joined by Greece and, in 1986, Spain and Portugal. Same period (1985) when the Schengen Agreement was created and were established the open borders without passport controls between the majority of member states.[47]

Implementation of the Treaties: from the Maastricht Treaty to the Lisbon Treaty

Essentially it was from the 1980s that the process that later led to the present European Union was set in motion. One of the most significant steps was, of course, the signing of the Single European Act, which came into force on July 1, 1987, and followed a Treaty, approved by the European Parliament in 1984, known as the Spinelli Treaty. It stipulated that the Parliament and the Council of the Union should jointly exercise legislative power and that a law could only be adopted if approved by both.

Although this treaty was a failure, it nevertheless formed the basis for the Single European Act, which: established European cooperation in foreign policy matters, based on mutual information, cooperation and coordination among states. It also gave the Council the ability to adopt an act even against the will of Parliament because it set a specific date by which the EEC would have to adopt the measures necessary for the completion of the internal market through the realization of four fundamental freedoms of movement: goods, persons, services, and capital. The creation of a customs union by abolishing customs duties and setting a common tariff with respect to trade with third countries.[48]

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[46] Staab Andreas. *The European Union Explained*. 2020.
[47] "Schengen Agreement and Convention." EU Lex, 1985.
[48] *Single European Act*, 1986, European Union.

The backbone of today's European Union was the Maastricht Treaty of February 7, 1992, and entered into force on November 1, 1993. The Maastricht Treaty brought together all three original European Communities (ECSC, EEC AND and EAEC) and was based on three pillars:

1- -the first, represented by the European Communities,

2- -the second consisted of the Common Foreign and Security Policy (CFSP),

3- the third was related to justice and home affairs (JHA).

With the entry into force of the Maastricht Treaty, as many as 4 treaties coexisted: the TEU containing the CFSP and JHA regulations, the European Economic Community Treaty later renamed the European Community, the Euratom Treaty and the ECSC Treaty.[49]

In the first pillar the institutions, procedures, source system and supranational character proper to the Community fully operated. In the other two pillars, on the other hand, the intergovernmental character prevailed, in which mainly the member states, represented by their respective governments. A key historical development with this Treaty was the transition to a single European currency, the Euro. This treaty also showed a marked sensitivity to the rights of the individual by establishing a European citizenship, consisting of a legal status due to every citizen of a member state of the Union. Two other innovations of the Treaty were applied:

- A new procedure for adopting Community acts called "co-decision," which meant that the act was adopted only if there was the common will of both the European Parliament and the Council on its text.

- And the acceptance of a model of European integration that was not necessarily uniform for all member states called "differentiated integration" or flexible by allowing some countries to remain outside certain agreements.

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[49] *Treaty on European Union*, 1992, European Union.

In doing so, the development of these treaties led to the 1995 accession of other new members including Austria, Finland and Sweden. Once again, however, Norway's accession was rejected by a nationwide referendum.[50]

Significant innovations were made by the 1997 Treaty of Amsterdam, which came into force in 1999, proclaiming the principles of freedom, democracy, respect for human rights and the rule of law, and including as an objective the promotion of a high level of employment. Changes were made to the second pillar, but most importantly, a partial "communitarization" of the third pillar is carried out in the sense that matters belonging to it are taken out of the TEU and come under the EC Treaty. The third pillar thus reduces its scope to only police and judicial cooperation in criminal matters.[51]

Indeed, the EU found itself during the 1990s dealing with the simultaneous dual need to deepen and widen. The collapse of the Soviet bloc and the regained sovereignty of countries in the area of socialist influence created a dangerous and unexpected vacuum in the world order, opening the possibility for new tensions and conflicts in Europe.

Moreover, pursuing the goal of "peacekeeping and strengthening international security", the EU's foreign policy has conformed to, among others, the principles of the Charter of Paris, i.e., the Stability Pact for Central and Eastern Europe, signed in Paris in May 1995, which was conceived in a preventive diplomacy context to help regulate border and minority tensions in the CEE.[52]

The quota by Klaus Hänsch's at the start of this work was used in this regard from his report on the strategy of the European Union: "The Union must choose not between deepening or enlarging, but between enlarging or dissolving." Here, then, in Nice, in December 2001, an agreement was reached to equip the EU's command bridge with the minimum requirements necessary to prevent a total blockade of institutions.[53] However, the decision-making mechanism of Nice did not consider the need for a more

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[50] "The 1995 Enlargement of the European Union." European Parliament, 1995.
[51] *Treaty of Amsterdam amending the Treaty on European Union*, 1997. European Union.
[52] "Stability Pact for South-Eastern Europe." *European Commission, 1999*.
[53] *Treaty of Nice amending the Treaty on European Union*, 2001. European Union.

dynamic and incisive machine, aspiring to lead all member states in the new roles imposed by post-9/11 international politics.

Indeed, in the 2004 the European Union experienced the largest enlargement with the official accession of the 10 new members such as the former Warsaw pact countries of Poland, Hungary, Czech Republic, Slovakia and even the former USSR Republics of Estonia, Latvia and Lithuania. Then other new entries like Malta, Slovenia and Cyprus. Cyprus will be aftermaths judicated as a controversial new entries too in relation with Turkey (We will see this aspect in the next paragraphs on Turkey). This was a year that profoundly marked the EU by giving a profound boost to integration on the entire continent.[54]

With the Treaty of Rome of 2004, the intention was to create a European Constitution with a text drafted by a Convention composed of representatives of governments, the Commission, the European Parliament and national parliaments, bringing about a transparent and open participatory process as never before. The last word, however, still remained in the hands of governments, which is why the Constitution did not enter into force since ratification by all member states was required. Ratification that never took place.[55]

On December 1, 2009, the Treaty of Lisbon came into force, given the failure of the European Constitution and the need to update the international organization to the new entry boom, the three pillars that had been solidified over the past 50 years were unified with it: the European Community (EC), Judicial and Police Cooperation in Criminal Matters (JPC) and the Common Foreign and Security Policy (CFSP).[56]

Unlike the European Constitution, which aimed to unify the Treaty on the European Union and the Treaty on the European Community into a single treaty, the Lisbon

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[54] "Enlargement: Facts and Figures." *European Council*, 2004.
[55] "European Council Fails to Agree on Constitutional Treaty." *Eurofound*, 2003.
[56] Villani, Ugo. *Istituzioni di Diritto dell'Unione Europea*. Caccucci Editore, 2020

Treaty preserved the separation into two separate treaties but intervenes to modify them.

The Treaty on the European Community was called "Treaty on the Functioning of the European Union" (TFEU). And the unification of the European Community and the European Union into the European Union alone (TEU). It should be noted that the division into two treaties has produced an often confusing and disorderly regulatory framework, as the regulation of certain matters is contained partly in the TEU partly in the TFEU. However, the Lisbon Treaty was survived by the EAEC (Euratom) Treaty, albeit with amendments to bring it in line with those introduced by the TEU and TFEU.

The following is a brief list useful for subsequent analyses of the contents of the treaty:

- Abolition of the 3-pillar structure.

- The CFSP area remains subject to specific rules that emphasize its purely intergovernmental character. Treaty structure:

- Establishment of a President of the Union elected for a term of 2 1/2 years by the European Council;

- Establishment of a High Representative of the Union for Foreign Affairs and Security Policy, holding the office of President of the Council of "

Foreign Affairs" and as Vice-President of the Commission.

- The powers of the European Parliament in budgetary matters and the adoption of acts of the Union are increased, becoming, co-decision, the ordinary legislative procedure (increase of democratic legitimacy); - The legal value of the Nice Charter of Fundamental Rights is guaranteed.

- Definitive abandonment of a merely economic and mercantile view of the Union.[57]

All these reporting features have a descriptive value useful for understanding the European Union. The historical value we place on the principles that have matured

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[57] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.

over time should make clear the direction this international organization is taking. Indeed, the evolution of the European Union will be marked by the number of successive new entries, despite the fact that BREXIT had a strong and negative impact on the EU. So much so that more than evolution one could speak of devolution in the utmost years. The above thesis, as already anticipated preserves an analytical character of a legal-historical type. Here we analyse not the economic nor sociological effects of EU evolution, so we limit ourselves, especially in this chapter, to factual assessment of the events that happened with the Treaties that formed the European Union. Below, in the next section we can find a brief excursus of the legal mechanisms that are foundations and serve as a lantern for the European Union, which precisely is judged as Normative Power.[58]

Legal mechanisms of EU External Action: Principles, Values, and Institutions

The Lisbon Treaty plays a crucial role in the European Union's interactions with non-EU countries. It brings together several rules under a common framework known as "external action" (as stated in Article 3(5), Article 21 and subsequent articles of the Treaty on European Union, and Article 205 and subsequent articles of the Treaty on the Functioning of the European Union). On the global stage, the EU appears as a legally recognised entity with the ability to represent itself externally, and with established principles and objectives to pursue. Articles 15(667), 17(168), and 27(269) of the Treaty on European Union (TEU) provide explanations of the institutional bodies that represent the EU outside its borders.[59] These bodies include the High Representative for the Common Foreign and Security Policy, the European Commission, and the President of the European Council. However, Article 21 of the Treaty on European Union (TEU) regulates principles and objectives. The principles that characterise the EU's foreign activity include equality, solidarity, respect for human dignity, democracy, the rule of law, the universality and indivisibility of human

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[58] Manners, Ian. "The Concept of Normative Power in World Politics". 2009.

[59] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.

rights and fundamental liberties, and respect for international law and the UN Charter.[60] The European Union's external action encompasses various domains, including common commercial policy, development cooperation, economic, financial, and technical cooperation with third countries, humanitarian aid, associations with third countries or international organisations, relations with international organisations, Common Foreign and Security Policy (CFSP), and the solidarity clause. In relation to these domains, it is crucial that the performance of different functions and modes of operation adheres to the principle of coherence, also known as consistency. This means that the Union must ensure that there is coherence between the many areas of external activity, as well as between these areas and other policies. The Council, the Commission, and the High Representative of the Union for Foreign Affairs and Security Policy are responsible for ensuring this uniformity. The EU must ensure that the objectives it wants to achieve in the sectors align with the aforementioned values. The EU, through its external action, aims to safeguard the values, fundamental interests, security, independence and integrity of the EU; to consolidate and support democracy, the rule of law, human rights and the principles of international law;[61] to preserve peace, prevent conflict and strengthen international security, in accordance with the purposes and principles of the Charter of the United Nations, as well as the principles of the Helsinki Final Act and the objectives of the Charter of Paris, including those relating to external borders; to promote the sustainable development of developing countries economically, socially and environmentally, with the primary objective of eradicating poverty; to encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade; to contribute to the development of international measures to preserve and improve the quality of the environment and the sustainable management of the world's natural resources in order to ensure sustainable development; to assist populations, countries and regions affected by natural or man-made disasters; and to

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[60] European Union. Aims and Values. URL: https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en.

promote an international system based on greater multilateral cooperation and good global governance. The European External Action Service (EEAS) is a significant operational tool of the European Union, which was established through a Council Decision on July 26, 2010. The European External Action Service (EEAS) was founded on December 1, 2010, and commenced operations on January 1, 2011. As a result of the precise guidelines outlined in the Lisbon Treaty and the gradual approach that has consistently defined European foreign policy cooperation, the EEAS has experienced a similarly slow development.[62] However, it lacks clear operational guidelines for achieving practical objectives and strategic activities. Regarding its structure, the directions are unambiguous, and the incorporation of operational mechanisms, which existed before the Lisbon Treaty, makes the EEAS a highly pertinent service. The central administration of the organisation consists of the High Representative and a quadrumvirate, which includes an Executive Secretary-General, an Administrative Director-General, a Political Director, and an Assistant Secretary-General for Interinstitutional Affairs. The EU Special Representatives are vital components of the EEAS, as they serve as representatives of the High Representative in countries and regions that are marked by crisis or conflict. Their role includes advocating for the goals and interests of the Union and actively participating in initiatives aimed at strengthening peace, stability, and the enforcement of legal principles. Furthermore, the crisis management institutions that were formerly situated in the General Secretariat of the EU Council have now been included into the EEAS. The structures encompassed in this list are the Military Committee (EUMC), the Operational Centre for the Conduct of EU Military Missions (OPS Centre), the Military Staff (Military Staff), the Crisis Management and Planning Department (CMPD), the Civilian Planning and Conduct Capability (CPCC), and the Security Policy and Conflict Prevention Division, which is the most recent addition. Ultimately, the Treaty mandates that the Service must collaborate with the diplomatic services of the member states. The EU has exclusive and competing powers in

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[62] Creation of the European External Action Service." *European External Action,* 2021.

commercial and financial cooperation with third nations, as well as in humanitarian aid agreements and development cooperation. Additionally, the EU shares its powers with member states in all other areas of external concern. An essential principle that should be highlighted in EU action when it comes to shared competence with member states is the idea of subsidiarity.[63] This principle argues that the EU should only intervene in areas that are not under its exclusive jurisdiction. The intervention of the Union occurs when the member states are unable to sufficiently meet the objectives of the planned action, either centrally or at the regional and local level, but these objectives can be better realised at the Union level. Although granting states more freedoms in pursuing specific goals, this approach can also lead to slower organisational and decision-making processes, increased uncertainties, and frequent failures in foreign policy matters, as the EU lacks a unified and homogeneous identity. Member states, with their diverse strategic, political, economic, military, and civilian capabilities, have challenges in reaching consensus and maintaining coherence in the EU's foreign actions. As previously said, the current worldwide upheavals and developments include Brexit, anti-Europeanism, migrant crises, terrorism, and international tensions.

Application of the Copenhagen Criteria on EU Candidate Countries

Since we will look at potential enlargements in the following chapters, let us now analyse the legal basis, the criteria that establish the parameters that an EU candidate state must meet. These criteria, called the Copenhagen criteria, while following principles that had already emerged in previous enlargements, they were defined at the Copenhagen European Council held in 1993, with in mind at the time the idea of regulating the enlargement of the European Union towards the countries of Eastern Europe, which, as we have seen, were members of the former socialist bloc and joined the EU in 2004 and 2007.[64]

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[63] "Division of Competences within the European Union." *Eur Lex.*
[64] "Criteri di adesione (criteri di Copenaghen)." *Eur Lex.*

The admission procedure is regulated by Article 49 TEU, which provides for two stages. The first takes place within the framework of the European institutions, while the second involves the member states.[65] It follows from this provision, first of all, that the procedure begins at the initiative of the state that wishes to join the European Union. It, moreover, prescribes two requirements for accession: one of a geographical nature, that is, that the candidate state belongs to the European continent, and the other of a political nature, that is, that that state respects and promotes those values, set forth in Article 2 TEU, on which the Union is founded.[66] The first criterion is the subject of a mere observation by the competent institutions of the Union, although the Commission has made it clear that the notion of a European state is not exhausted in a geographical vision, but also involves the consideration of historical and cultural elements, which help to shape the European identity; the second implies a judgment, an evaluation by those institutions.[67]

The Council acts unanimously, which implies that the accession of a new member is subject to the consent of all member states. The Council's pronouncement follows the Commission's opinion and Parliament's approval.

Different is their legal value. The Commission's opinion is mandatory, in the sense that for the accession procedure to be valid, the Council is legally required to consult the Commission; but the Commission's opinion does not bind the Council, which may depart from it. On the contrary, the approval of the European Parliament means that the Council's deliberation is subject to its consent. During the accession process, the candidate country is required to demonstrate its ability to meet the accession criteria the so-called Copenhagen criteria and to assume the rights and obligations inherent in EU membership.[68]

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[65] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.
[66] European Union. Aims and Values. URL: https://european-union.europa.eu/principles-countries-history/principles-and-values/aims-and-values_en.
[67] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.
[68] "Accession to the EU." *European Commission.*

Depending on the specific situation, the candidate country will have to complete a profound reform process, for example, improving its infrastructure and administrative capacity in light of the implementation of new legislation in accordance with the body of law and standards of the European Union (referred to as the acquis). In order to meet the conditions for accession, candidate countries and potential candidates will need to pay close attention to the implementation of major reforms in the areas of rule of law, the economy, and the functioning of democratic institutions and public administration. Throughout the accession process, the Commission shall examine and assist the candidate country and potential candidates in the reform process by providing financial and technical assistance to prepare them for accession to the European Union.

The last part of the rule under consideration (inserted by the Lisbon Treaty) referring to the eligibility criteria agreed upon by the European Council, codifies a technique that has been tested with satisfactory results regarding the most recent accessions. It consists of predetermining criteria with which candidates must comply progressively, over the course of a pre-accession phase, under the supervision of the Commission, which monitors compliance.

Once the Council has decided to accept the application for membership, a second stage takes place, culminating in the conclusion of an agreement between the acceding state and the member states, containing the conditions for admission and adjustments to the Treaties (Art. 49 para. 2).[69] The applicant state's entry into the Union takes place only when the accession agreement enters into force; and this entry into force is subject to ratification by the contracting states. In practice the two stages of the accession process make to overlap and conclude simultaneously, with the Council's decision to accept the applicant country's application and the adoption of the accession agreement.[70]

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[69] *Treaty of Lisbon amending the Treaty on European Union*, 2007. European Union.
[70] "Accession to the EU." *European Commission.*

The Substance of the Copenhagen Criteria: Defining the Path to EU Accession

Having established the legal framework and procedural steps involved in the EU accession process, it is now crucial to delve into the substantive content of the Copenhagen Criteria. These criteria, which define the essential benchmarks for EU candidate countries are divided into three categories.

Among the criteria as we have, starting with the political ones the protection of democratic institutions plays a key role. Democratic governance is an essential requirement and is achievable through free and fair elections, transparency, accountability. Civic sense in countries that must align with these criteria must be developed and protected. The development of freedom and the right to assembly is also essential.[71]

Another critically important factor is the rule of law. The rule of law is the constitution that is not only written but implemented and strengthened where all are equal before the law. Reforms of the judiciary, fighting corruption and ensuring that the judiciary is independent and impartial are necessary for the development of this criterion. As for human rights, obviously states must protect these rights through their own policies and practice. To do this sometimes requires reforms, including constitutional reforms, to defend the rights of certain minorities. Although this is a basic requirement, very often the European institutions themselves have been found to be subject to criticism regarding discrimination against certain minorities in EU member states. A prime example turns out to be the substantial Russian minorities in Latvia, Estonia, and Lithuania. Here, too, political requirements are easily maligned by value judgments that often find their own time. The issue of minority protection like that of freedom of speech also finds cause for discussion here until greater political interests take over the topic.[72] How far these criteria are manipulated by interests that go beyond objective

[71] European Council. "EU Enlargement Policy." 2024. URL:
https://www.consilium.europa.eu/en/policies/enlargement/

[72] Best, Marina. "The Ethnic Russian Minority: A Problematic Issue in the Baltic States." Verges: Germanic and Slavic Studies in Review, 2013. URL:
file:///C:/Users/valen/Downloads/EthnicRussianMinoritiesInTheBaltics_Best_Verges-GermanicAndSlavicStudiesInReview_2013.pdf

needs to square the requirements we will discuss later in this thesis by considering case studies, where countries that implement similar "discriminatory attitudes" are even judged   ahead   of   others. Changing criterion to economic ones, in detail to meet the criteria it is necessary for the state to accede in the European Union to have a functioning market economy that includes the elimination of state monopolies and privatization of state-owned enterprises.

In addition, economic stability is essential especially at the macro level, so knowing how to control inflation, keeping exchange rates stable, and reducing tax debts. Also among the essential features is a stable banking system that reflects international standards. In addition, the country system must demonstrate that it is capable of competing with other states' markets in the large EU market. The country must be able to integrate into the EU's internal market, particularly in areas like goods, services, capital,   and   labour. The adoption instead of the Acquis Communautaire would be an alignment as we have seen legislative, and that is related to the implementation of EU Law, comprendo legislative aspects from the environment to competitiveness within the state. Capacity building here is essential because state building i n these cases requires a very long, intensive and arduous process requiring many resources. To do this also requires policy harmonization, thus the adoption of EU policies in multiple areas, from consumer protection, public procurement, environmental protection, transport, and agriculture. Usually, to go along with all this newness requires not only reforms, but also the creation of new organs to regulate it all.[73]

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[73] European Council. "EU Enlargement Policy." 2024. URL:
https://www.consilium.europa.eu/en/policies/enlargement/

Case Studies

After dealing in detail with the history of the European Union and paying attention on the principles and criteria by which the European Union has developed and could continue to develop, let us consider the various enlargement case studies that at the legal historical level have marked the various European enlargement processes. The Balkan region or as the case of Turkey in the first place, offer very important insights that are necessary to analyse in order to understand in which direction the European Union may or may not develop in the coming years.

Turkey's EU Membership Odyssey

It jumps out at the outset that the Copenhagen criteria were relatively taken into account with regard to Turkey, since the role of candidate state was granted (in the 1999) to a country that has for 97 percent of its territory present on the Asian continent.[74] Despite this on its territory there were events that marked the formation of Western identity, with the advent of the Turks and the fall of Constantinople, the territory of present-day Turkey, the Anatolian Peninsula lost its European identity.

From that time on, as the centuries passed, Western culture and the Christian religion became increasingly minority in Turkey, kept alive only by more or less mistreated minorities who were granted limited civil rights and who were openly persecuted with the collapse of the Ottoman Empire. Indeed, numerous massacres occurred against Armenians, Assyrian Christians and Greeks.[75]

Since its emergence as an independent state from the ashes of the Ottoman Empire in the aftermath of the conclusion of World War I, Turkey under Mustafa Kemal Atatürk, referred to as the father of the Turks did in fact implement a policy geared toward a political and cultural rapprochement with the West.[76]

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[74] "A Tale of Two Continents." *Al Jazeera*, 2004.

[75] Othman, Geries. "Ohran Pamuk, the Armenian Genocide and Turkish Nationalism." *Asianews,* 2009.

[76] Turkey and EU." *Embassy of the Republic of Turkey*.

Atatürk imposed the adoption of the Latin alphabet instead of the Ottoman-Arabic alphabet, the use of the (original) Turkish vocabulary from Central Asia (proper also from countries east of Turkey) is favoured over Persian and Arabic, to recover a language closer to its origins. Ataturk laid the groundwork for a new Turkey looking westward, a Turkey that fully espoused Western values with its reforms. The orientation toward it was also marked by an early interest in the European Union project. In spite of this, a number of events happened during the accession journey that made the process of membership less and less realistic to become freezed.

Turkey had applied for EU membership in 1989 but did not become an official candidate until 1999.[77] Five years later, Turkey's aspirations seemed close to being realized. Then-President of the European Commission Romano Prodi at the EU Parliament in the fall of 2004 had declared that "Turkey sufficiently fulfilled the political criteria and recommended the start of negotiations for its admission to the European Union." On December 17, 2004, the European Council summit held in Brussels, in accordance with the principle of consensus, unanimously decided on a date for the start of negotiations (October 3, 2005) and recommended that the European Commission prepare a "Framework for Negotiations with Turkey".[78] However, the adoption of this decision did not imply guarantees for their speedy, let alone successful, conclusion. Sociological polls conducted in the fall of 2004 showed that most residents in the countries of "old Europe" - surveyed in Austria, Germany, Luxembourg and France - were against the expansion of the European Union at the expense of Turkey's entry into it. Only in Great Britain and Spain was Turkey's accession to the EU viewed positively.[79] In public opinion, doubts about the feasibility of Turkey's EU integration process became a reflection of the inherent concerns of EU citizens regarding immigration, worries about the labour market situation, fears about the spread of Islam, etc. Some politicians had even expressed the view that Turkey was a predominantly non-European country. For example, former French President Valéry Giscard d'Estaing

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[77] Türkiye." *European Commission,2024.*
[78] Prodi, Romano. Address given by Romano Prodi on Turkey's application for accession 2004.
[79] Soler i Lecha, Eduard. "Turkish Membership of the EU and the Fears of European Public Opinion." *IEMED.*

had said that he "opposed Turkey's accession because it had a different culture, a different approach, a different way of life." Opponents of Turkey's admission first sought to give an extremely broad interpretation of the "Negotiating Framework" (formally endorsed by all EU governments), on the basis of which negotiations for Turkey's EU membership began in October 2005. Some European leaders stress that "These negotiations are a time-limited process, the outcome of which cannot be guaranteed in advance". In particular, French political scientist Thierry de Montbrial noted, "These negotiations are usually very long and detailed. And when it comes to a country as large and complex as Turkey, it is obvious: the duration and even the outcome of the negotiations are difficult to predict in advance."[80] This interpretation already given at the time meant EU-Turkey negotiations might not only be about membership, but also about other alternative interactions. Some countries have begun to speak of a "privileged partnership" or "special relationship," meaning that Turkey can successfully cooperate with Europe on trade, immigration and energy supply, but at the same time should not be allowed to participate in European decision-making mechanisms. The reasons for this policy lie in the fear of the significant financial burden on the EU if Turkey is admitted and the reluctance to deal with Turkish immigration, but mostly in political reasons. Paris and Berlin do not want to see a change in the balance of power within the EU and a weakening of the positions of Germany and France in the bodies that determine policies and develop the strategic course of the EU.[81]

Of course, such a policy on the part of the EU could not fail to elicit quite justified criticism from Turkey, first for the prolongation of the negotiation process and the attempt to redirect its ultimate goal from Turkey's EU membership to the choice of various alternative modes of bilateral cooperation. Replacing the goal of the negotiations, which for Ankara from the beginning was and is full EU membership,

[80] Chenal, Alain. "Updating the Debate on Turkey in France on the 2009 European Elections' Time." *[Title of Journal or Website]*, 2011.

[81] Mirel, Pierre. "European Union-Turkey: From an Illusory Membership to a 'Privileged Partnership.'" *Fondation Robert Schuman*, 2017.

with some alternative arrangements could not but affect the growth of Euroscepticism in Turkey. According to opinion polls, the number of Turkish citizens who believe that Turkey's EU membership will have a positive impact on their country has dropped from over 70 percent to 42 percent in the last years. The following factor also played a role in the growth of negative attitudes toward the country's European integration: the enlargement of the European Union at the expense of the former member states of the Warsaw Pact organization in 2004 was quite possible and did not cause a volume of political obstacles comparable to the obstacles Turkey faces on the road to EU membership.[82] Moreover, Turkey has half a century of NATO membership experience and is well integrated into the bloc's system of operation. However, for the political leadership of the EU, the countries of the former socialist camp (both post-Soviet and post-Yugoslav areas that we will analyse later), are more favoured than Turkey.[83] Therefore, the countries that oppose Turkey's accession to the EU should have strong arguments to support their views on this issue. Among the main reasons hindering Turkey's accession to the EU is the state's insufficient level of economic development given that according to the Copenhagen Criteria, the economic criterion is one of the key aspects since the existence of a reliable market economy with the ability to cope with market forces and competitive pressure within the Union is part of the acquis communautaire criteria established for accession to the Union.

In addition, the low level of welfare of the population, as well as censures regarding the insufficient development of democratic institutions in the sphere of human rights and freedom of speech according to the European interpretation of these concepts show how Turkey is far away the accession to the EU (according to the Copenhagen criteria).

Like other candidates for membership, Turkey expects a strong boost to its economic development, firstly through economic subsidies and secondly through the possibility for its citizens to work freely in EU countries. Turkey's accession to the EU will have even greater implications for the Union itself than the previous wave of enlargement in

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[82] Visier, Claire. "Euroscepticism in Turkey: European Ambiguity Fuels Nationalism." *IEMED, 2006.*
[83] Pierini, Marc. "Turkey's European Goals: Prospects and Impediments as Seen From Brussels." *Carnegie Europe,* 2023.

2004. With a high population, Turkey's GDP per capita is about 4 times lower than the EU average. While not being among the most developed countries in Europe and while claiming extensive financial support from the EU, if it becomes a member state, Turkey will be the most populous country in Europe, according to the latest census with a population larger even than Germany, which is the largest donor country.[84] This will enable it to claim a large number of seats in the European Parliament and the EU Council of Ministers, influencing both the EU's domestic and foreign policies, and this raises concerns among some EU leaders, primarily Germany and France. In addition, European analysts tend to view Turkey's political system, especially after the reforms implemented by Erdogan after the attempted coup in 2016, as authoritarian, considering the army's traditionally important role in the country's political life.[85] To confirm this point of view, European policymakers cite as an example the practice of public statements by senior officers of the Turkish military, and in particular the Chief of Staff, on political topics, as due to the wide media coverage these statements can serve to influence the political process within the country.

However, in the period between 2000 and 2005, numerous transformations in the political sphere were implemented in Turkey. The volume of reforms can only be compared to the modernization of Turkey in the European image and the adoption of legislation close to the European one in the 1920s during the government of Kemal Ataturk. Nevertheless, to meet the so-called "Copenhagen criteria," the Turkish government adopted nine packages of legislative reforms-so-called "adaptation measures." Together, these changes transformed about a third of the articles of the country's Constitution. For example, international human rights legislation was adopted, the death penalty was abolished, women's rights in the country were improved, new guarantees against torture were introduced, and measures were taken to reform Turkey's prison system. Previous restrictions on freedom of speech, especially in the media, have also been significantly eased. The implementation of

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[84] "Estimated Population of Selected European Countries in 2023." *Statista*
[85] Bora, Birce. "Turkey's Constitutional Reform: All You Need to Know." *Al Jazeera,* 2017.

these reforms, of course, indicates the general liberalization not only of the political sphere of Turkish society, but also the overall transformation of the state toward greater conformity with European standards.[86] However, the events of the protest in 2013 and then in 2016 brought many examples to support the viewpoint opposing Turkey's entry into the European Union because of the inconsistency of its political system. An important role is played by the fact that many European states regard Turkey as a culturally and historically alien state (mainly because of the predominance of Islam in this country). Undoubtedly, the identity of the concepts of "Christian world" and "Europe" was true only in the past, but even today the concept of Christian Europe is still relevant for quite a few Christian Democrats, who are united at the European level in one of the largest groups in the European Parliament - the European People's Party. For them the main criterion for EU enlargement is often still the religious factor, that is, the predominance of the Christian population in the candidate countries. From this point of view, the basis for Turkey's full membership in the EU is questioned, especially in light of the growing policy of curbing the growing role of Islam in European life.[87] However, the main reasons for concerns are still economic: there are doubts about the ability of the EU budget to pay significant subsidies to Turkey in the context of the economic crisis, in the context of the post-pandemic economic crisis and the current inflation seen in the Eurozone due to the conflict in Ukraine and the resulting rise in gas supply prices.

The competitiveness of the Turkish economy within the single economic system of the European Union is also questioned. In addition, there are major concerns about the flow of cheap labor into the European labor market, which is likely to lead to a decrease in the average wage level in Europe. The problem of integrating migrants from the Middle East into European countries will only get worse in the near future. A further influx of Middle Eastern migrants threatens not only the normal functioning of the Schengen zone, but also the stability of the European social space. In addition to the

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[86] (EU Acquis and Harmonization of Local Authorities in Turkey: An Analysis)
[87] Harding, Gareth. "Bordering on the Ridiculous: Why Turkey Is Not a European Country." *Politico*, 2002.

economic problems, there are numerous political obstacles to Turkey's accession to the EU. First, these are the unresolved problems of the Kurdish minority in Turkey and the issue of the status of Cyprus. It is precisely the Cyprus problem that has been repeatedly cited as one of the most important by several European countries.[88]

Cyprus began to play a negative role in EU-Turkey relations only after 2004, when the Republic of Cyprus became part of the pan-European space. Until then, the main obstacles on Turkey's road to the EU were mainly the EU's claims in the field of human rights in Turkey and the peculiarities of that state's political system. But the adoption of the decision on the accession of the Republic of Cyprus to the EU (later judged wrong by German Chancellor Angela Merkel created significant difficulties in the negotiation process with Turkey. However, it is extremely difficult for Turkey to make unilateral concessions and give in completely to EU proposals.[89] The issue is too painful both in terms of security and, more importantly, national pride and prestige. In an interview with Euronews, R. Erdogan said the following: "The EU bears a great responsibility for the current impasse in Cyprus. It made a historic mistake by accepting South Cyprus." Schroeder sharply criticized EU policy, saying that Northern Cyprus has been treated immorally. We are not speculating on this issue. EU members will still remember the mistake they made. History will put everything in its place"[90] One way or another, despite the mutual efforts of the parties involved, the issue of settlement negotiations around the island of Cyprus remains unfinished and continues. Cyprus remains unfinished and continues to negatively affect relations between the EU and Turkey. An equally serious problem is the fact that Turkey does not recognize the Armenian genocide during World War I. Strong contradictions on this issue have been a major difficulty in negotiations between the EU and Turkey. The defence of Turkey's position on the 1915 Armenian genocide is usually reinforced by Ankara's support for Azerbaijan in the "One Nation and Two States", which has a number of unresolved

[88] The Unresolved Cyprus Problem." *Le Petit Juriste,* 2015.
[89] Mirel, Pierre. "European Union-Turkey: From an Illusory Membership to a 'Privileged Partnership.'" *Fondation Robert Schuman,* 2017.
[90] Erdogan: Time will prove the EU made a big mistake." *CyprusMail*. 2023.

issues with Armenia (e.g., the still very tense Nagorno-Karabakh issue).[91] Undoubtedly, such political disputes and the parties' mutual unwillingness to compromise are not conducive to a win-win solution. Moreover, only in recent years has Turkey begun to gradually resolve the Kurdish minority problem-for example, the ban on teaching ethnic minority languages, including Kurdish, has been lifted and the state of emergency in unstable areas of the country has been lifted. But in addition to international political and economic issues of relevance to Europe and the Mediterranean region, geopolitical issues at the intercontinental level play an important role. Opponents of Turkey's accession to the EU fear a possible increase in U.S. influence on the geopolitical situation in Europe, as Turkey, which has a large population, has long been an important ally and conductor of U.S. policy in the European region and in the future will be able to implement pro-American decisions through the European Parliament. Washington has traditionally paid great attention to cooperation with Ankara, which plays an important military and political function in the defence of NATO's southern flank. Turkey has not lost its strategic importance since the Cold War period, and the United States continues to regard it as an important ally contributing to the expansion of U.S. influence in the Middle East and Persian Gulf region. Turkish military installations played an important role in terms of logistical and military support during U.S. operations in these regions in 1991 and 2003. Turkey can also serve as an example for the spread of democracy throughout the Middle East and North Africa, serving as a model of development for Muslim countries in the region.[92] At the same time, supporters of Turkey's EU membership argue that, with a large economy and NATO's second army, Turkey will strengthen the EU's position as a participant in international relations globally. Given Turkey's geographic location, economic, political, cultural and historical ties in regions rich in useful resources, it is directly in the European Union's geopolitical sphere of influence: the Eastern Mediterranean and Black Sea coasts, the Middle East, the Caspian Sea and Central Asia. Proponents of membership also argue that Turkey has met most of the conditions

[91] (Gafarlı, 2020)
[92] Kirac, Ziya Kivanc. "The United States of America Effect on Turkey - European Union Relations." *Procedia*.

for EU membership, such as great progress in human rights protection to meet the conditions for membership. Of course, supporters of Turkey's EU membership also rely on economic factors. First, the EU considers Turkey to be one of the most important political players in the Middle East region and considers it a transit country for the transportation of energy resources. Turkey participates in many UN, OSCE and NATO peacekeeping operations, plays a mediating role in conflict resolution in the region and is an important country in the EU's energy transportation network. It is important for the European Union to maintain a partnership with Turkey based on its political and regional security and energy interests. Second, Turkey is proving to be an attractive country for European investors, as the country's economic conditions allow investors to invest and make profits. In addition, Turkey represents a large market for European producers, which is industrially underdeveloped compared to Western European countries and lacks its own innovative technologies. Therefore, from this viewpoint of the problem, the EU can benefit economically. The above issues are taken into consideration in the negotiation process with Turkey, where they serve as the main counterarguments for opponents to the country's EU membership. Despite the numerous internal reforms Turkey has implemented to meet EU requirements (modernization of civil legislation, equalization of the rights of men and women, amendments to the Criminal Procedure Code, abolition of the death penalty), the situation has not changed significantly from the start of accession negotiations at the end of 2005 to the present and is still far from being completed.[93] Moreover, the current trends should be taken into consideration especially in the current period of crisis inherent in the conflict in Ukraine. Turkey over the years, despite its partnership with the EU and membership in NATO, has developed very strong relations in the multilateral sphere with other actors of diametrically opposed interests, such as, for example, Russia.[94] Turkey's position therefore has become not only geographically but also politically straddling two worlds, which goes beyond economic interests of

[93] Gigani, Mariam. "EU Struggles to Renew Ties with Turkey." *Euranet,* 2024.
[94] Siddi, Marco. "The Role of Power in EU–Russia Energy Relations: The Interplay between Markets and Geopolitics." *Europe Asia Studies* (2018).

necessity given the economic situation in the country. Erdogan's Turkey has developed a conception of diplomacy and mutual interest with its interlocutors on the basis of its national strategy in an attempt to gain material or strategic advantage on any negotiating table.[95] Turkey did not act by imposing sanctions on the Russian federation with the conflict in Ukraine, and rather by using its neutrality in a broad sense as an attempt to offer a platform for dialogue and a window for open negotiations with Russia.[96] One of the examples was the diplomatic platform in Antalya and the opportunity offered at the beginning of the conflict by Russia and Ukraine in reaching an agreement in Istanbul to finalize the direct conflict with Russia in its early days in March 2022.[97] Openness in dialogue with authoritarian regimes, Turkey's aspirations to the Great Game in the Middle East, Africa and Central Asia have made the country increasingly prone to authoritarian tendencies. The coup attempts and subsequent presidentialism reforms in Turkey have strengthened Erdogan's bureaucracy making him less and less ready for dialogue with the opposition and its subsequent marginalization. The cultural trends of Islamization, authoritarianism, the reversal led by Erdogan, and the ongoing regression in the areas of democracy, rule of law, and fundamental rights show that the current direction of the Turkish republic is not in the EU, so much so that, in June 2018, the Council noted that the accession negotiations with Turkey had effectively reached an impasse and that opening or closing other chapters could not be considered.

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[95] Jégo, Marie. "Turkey's Erdogan covets key mediator role in Ukraine conflict." *LeMonde* (2022).
[96] Turkey's Refusal to Go Along with Sanctions on Russia and Its Transformation into a Russian 'Transit Hub.'" *European Parliament,* 2022.
[97] No Progress" as Top Russia, Ukraine Diplomats Talk in Turkey." *Al Jazeera,* 2022.

Western Balkans and the EU: Progress and Challenges

As a next step, now we will consider another case such as the Western Balkans. The Western Balkans are made by a number of newborn States from the collapse of the Jugoslav State. These States, despite of the fact that they were united in a one nation, are so different, so also the relations with the European Union will be in each case specific. We mentioned earlier in fact, the Balkan countries are in a poised position but are trying to participate more actively in the European integration processes given their geographical proximity and rather strong trade and economic ties with countries with the EU. Some, such as Croatia and Bulgaria, have long since joined the EU, in 2013 and 2007 respectively, nevertheless, to ensure the stability of the region there is still so much to be done especially with the states that still in the Western Balkans turn out to be non-part of the EU, but their integration would be of interest to the EU itself.[98]

The conditions for the accession of countries to the EU are always defined by the "Copenhagen criteria," according to which the candidate country, as we have already seen, must form a market economy capable of competing in the pan-European market, promise the stability of democratic development of the state, ensure the legal order, respect for human rights and the rule of law. The Geographical case is not an issue here, because the Balkan region is invaluably in Europe.

It is well known from the experience of other countries (including Bulgaria and Romania) that as soon as reforms gain momentum, it becomes necessary to fulfil rather complicated obligations in the field of reducing agricultural production, reforming a number of economic sectors, which generally leads to a decline in living standards." Therefore, to achieve the goal of integration with the European Union, it is necessary to achieve a level of economic development such that the costs associated with membership are not too high.[99]

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[98] European Commission. "A Credible Enlargement Perspective for and Enhanced EU Enlargement with the Western Balkans." 2018. [PDF file]. URL: link.
[99] Dimitrova, Antoaneta L. "Understanding Europeanization in Bulgaria and Romania: Following Broader European Trends or Still the Balkan Exceptions?" 2020.

Despite the complicated and contradictory history of relations with the European Union with the Western Balkans, for a number of reasons, and unlike other countries in the Balkan region, they were involved later in the European integration process. In the 1990s, the region was seen by the EU as an external factor of instability and the Western Balkan countries had no realistic prospects for association with the EU. Integration took a back seat to the need to prevent the further spread of crisis phenomena in the region and to stabilize the situation in the Balkans. In June 1999, the EU launched a program for the Balkan states, "the Stability Pact for Southeastern Europe", international initiative that combined the efforts of the Balkan countries, the EU, the United States, Russia, and international and financial organizations. As part of the implementation of the Pact, the Western Balkan countries were offered to establish a new type of contractual relationship with the EU, which would provide for the possibility of their future membership in the Union, provided that the so-called Copenhagen criteria were met.[100] Great importance was attached to bilateral and multilateral relations in the subregion. Beginning in the 2000s, the period of economic recovery of the Western Balkan countries began and the need to intensify the process of integrating the countries of the region with the EU was placed on the agenda. On the one hand, the EU expresses its interest in the need to include the countries of the region in its membership, on the other hand, the unstable and weak state of the region's economies can become a negative factor for the development of the EU itself. The EU therefore seeks to transform the states in the region and make their economies more competitive and their political systems more stable through targeted economic and financial assistance and additional support mechanisms. This was announced early on, in 2000, at the Zagreb Summit, where a mechanism for preparing for accession-the Stabilization and Association Process was developed.[101]

This mechanism was of three main elements:

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[100] "Stability Pact for South-Eastern Europe." *European Commission, 1999.*
[101] (STABILISATION AND ASSOCIATION PROCESS, 1999)

- Stabilization and Association Agreements (SAA), which create a framework for cooperation between the EU and third countries. The agreements are drafted on an individual basis for each state and include a range of measures: cooperation with the EU in various areas, harmonization of national legislation with European legislation, development of regional cooperation, establishment of a free trade zone with the EU, etc.[102]

- Community Assistance for Reconstruction, Development and Stability (CARDS), aimed at developing infrastructure, supporting democratic reforms and social programs, and eliminating the negative consequences of instability in the region of the 1990s.[103]

- Autonomous trade measures, so-called trade concessions, aimed at developing the economies of countries in the region through the removal of tariff and non-tariff barriers to trade. Inclusion in the EU economy, however, is not limited to the possibility of participating in the current mechanism of financial reallocation within the common budget, but also means participating in trade between members. it also means participating in trade between member states and in investment exchange." It is in this part that the main economic and legal benefits of European integration lie.[104]

Indeed, the model of building a competitive economy on a pan-European model entails a number of serious costs, including: costs associated with adopting European norms and policies (institutional reforms); costs associated with aligning norms and policies with European ones (acquis Communautaire); costs associated with EU member state status (budget contributions, allocation of aid programs); and costs associated with modernizing the economy (increased requirements for the quality of goods and services, use of labour, environmental protection, etc.).

At the same time, the accession of countries in the region to the EU may add a number of specific negative consequences. First, the inability of the products of the countries

[102] "Stabilisation and Association Agreement." *European Commission*.
[103] "The CARDS Programme (2000-2006)." *EUR-Lex, 2000*.
[104] "Autonomous Trade Measures." *European Commission, 2000*.

in the region to compete with those of other EU member states. In addition, under conditions of open borders and high unemployment in the countries of the region, the problem of labour migration is exacerbated. The economically active part of the population-young people and highly skilled personnel-leave the region in search of work, exacerbating the "brain drain" problem. Secondly, the free movement of capital may lead to the relocation of production facilities and assets under the control of European investors, which obviously will not contribute to the strengthening of economic stability in the countries of the region. Particularly problematic is the transfer of enterprises from state to private ownership, which may lead private owners to close production facilities.

Third, the adaptation of technological processes to European norms and environmental standards may have a negative impact on the industry, given its subsidized nature and strong competition from Western multinationals. Finally, the deepening of the gap between the most developed and least developed EU countries, which in a context of open borders for free movement of labour and capital can seriously aggravate the situation in the Western Balkan countries, but at the same time solve some of the problems of the more successful EU countries.[105]

As a rule, the EU adopts an individual approach when accepting new members, but in the case of the Balkan states, the regional dimension has also been considered, which implies that regional reconciliation and cooperation, on the one hand, and the rapprochement of each state with the EU, on the other hand, form a whole. Therefore, in addition to the individual component of the Stabilization and Association Process, the regional approach also plays a significant role in the EU's integration strategy towards the Western Balkan countries.[106] As part of the regional approach, one can also consider the participation of the Western Balkan countries in the Central European Free Trade Agreement (CEFTA), signed in 1992 by Hungary, Poland, Slovakia and the

[105] "A Criticism to the EU Competition Policy as an Important Contribution to Overcome Slow Economic Growth in EU Countries." Diritto.it, n.d. URL: https://www.diritto.it/a-criticism-to-the-eu-competition-policy-as-an-important-contribution-to-overcome-slow-economic-growth-in-eu-countries/
[106] European Union External Action. "The EU and the Western Balkans: Towards a Common Future." 2022. Link.

Czech Republic, whose main purpose is to develop intra-regional trade and combine efforts to prepare for integration into the European Union.[107] From the very beginning, the signatory countries viewed the agreement not as the creation of an independent integration bloc, but as a kind of preparatory phase for EU membership." In September 1995, CEFTA acquired the status of an open body, for which membership requires

- The existence of a trade treaty with the EU or the status of an associate member of the European Community;
- Membership in the World Trade Organization/General Agreement on Tariffs and Trade;
- The existence of bilateral free trade agreements with each of the CEFTA member countries." Initially, member countries did not plan to accept new members, but later the possibility was given to non-EU countries meeting the above requirements. This contributed to the increase in the number of CEFTA member countries, which constantly changed due to the withdrawal of some countries and the accession of others. In all cases of withdrawal from the agreement, countries became EU members.

The current members of CEFTA are: Albania, Bosnia and Herzegovina, North Macedonia, Moldova, Montenegro, Serbia and the partially recognized state of the Republic of Kosovo. Previously, the organization included Bulgaria, Czech Republic, Croatia, Hungary, Poland, Romania, Slovakia, and Slovenia, which withdrew its status upon accession to the European Union.[108] This integration project was created with the prospect that it would cease to exist if the necessary goals were achieved, primarily the founding countries' accession to the EU. Later, CEFTA was reformatted into a kind of integration platform for the Western Balkan countries as an intermediate stage of preparation for EU membership. In general, it can be said that under CEFTA the

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[107] "CEFTA." *Treccani.*
[108] Ibidem

countries have managed to intensify intra-regional trade relations and cooperation with the European Union.[109]

The Thessaloniki Summit analysed the actions of the integration strategy towards the countries in the region and decided that the Western Balkan countries should join the European Union, which can be considered as a kind of starting point in the path of European integration of the countries in the region. The general scheme of EU membership for the Western Balkan countries was defined as the starting point.[110]

The general scheme of EU membership for the Western Balkan countries is as follows: the preliminary stage begins with the signing of the "Stabilization and Association Agreement," then the country submits an application for EU membership, and provided the development of relations and fulfillment of the Copenhagen criteria are positive, the country is recognized as a candidate for EU membership, after which it is officially granted candidate status. The next stage is realized through negotiations with the candidate country on the so-called 35 sections/chapters of the negotiation dossier. If the negotiations are successfully concluded, the candidate country is recognized as a candidate for EU membership. If negotiations are successfully concluded, the country becomes a member of the EU with the consent of all member states.

Currently, relations between the EU and candidate countries are much more complex. At present, the EU's relations with the Western Balkan countries are at different stages of the pre-accession process, as the countries have achieved different results in the integration path. Here are some brief analysis on the general situation of each of the countries.[111]

Bosnia and Herzegovina, Albania and Macedonia have been granted candidate status, Serbia and Montenegro are in negotiations, and as we said Croatia became a full member of the EU on July 1, 2013. Based on the European Commission's 2014-2015

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[109] "Support to Regional Economic Integration." *CEFTA*.

[110] "The Thessaloniki Summit: A Milestone in the European Union's Relations with the Western Balkans." *European Commission,* 2003.

[111] "Albania." *European Council,* 2024

Reports on the Preparatory Process for the Integration of the Western Balkan Countries into the European Union, it is possible to identify some intermediate results of the rapprochement of individual countries in the region with the EU, with a focus on the economic component. Albania's rapprochement with the EU began with the signing of the Stabilization and Association Agreement in 2006, which was ratified by all EU members only in 2009. The same year, the country submitted an official application for EU membership, and it was not until June 24, 2014 that Albania received official status as a candidate country. European Commission reports show that Albania has made relative progress in implementing the required changes, particularly in reforming the political system, but organized crime and corruption remain serious problems. Regarding the country's economic situation, the documents are ambiguous. Negative factors include significant debt obligations, low diversification of production, a significant share of the shadow sector of the economy, and rising unemployment. Positive factors include: some employment growth, low inflation, continued GDP growth, reduced technical barriers to trade, and relative stability in the banking system, while credit and debt risks persist. Some progress has been made in education, transportation and energy infrastructure.

○ Talking about the Negotiations for a Stabilization and Association Agreement with Bosnia and Herzegovina. This began in 2005 and an interim agreement was signed in 2008. In June 1, of 2015 the Stabilization and Association Agreement entered into force, replacing the Interim Agreement in force since 2008. Bosnia and Herzegovina applied for EU membership on February 15, 2016 and on December 15, 2022, the European Council endorsed the decision to grant the status of EU candidate country to Bosnia and Herzegovina.[112]

According to the European Commission's latest reports, the country has made little progress both politically and economically. Based on most economic conditions, negative factors hindering further progress are the high unemployment rate, rising debt, although its level is around 40-45 percent of GDP, problems with infrastructure

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[112] Wahl, Thomas. "Granting EU Candidate Status to Bosnia and Herzegovina." *Eucrim,* 2022.

development, and the maintenance of an outdated production structure. Positive factors include some improvements in the development of the business environment, moderate inflation, and a reduction in the budget deficit, largely due to higher tax rates in Republika Srpska.[113]

○ North Macedonia In 2004, concluded the Stabilization and Association Agreement with the EU and was granted official candidate status as early as 2005.

According to the latest reports of the European Commission, due to the political crisis in the country, there is a serious distortion of the real results of reforms in building sustainable political institutions. The economic situation is ambiguous. On the one hand, there is a slight increase in economic activity, a continuous inflow of foreign direct investment, further diversification of production, growth in foreign trade, and qualitative changes in the structure of exports (increase in the share of high value-added goods). On the other hand, a serious problem remains the public debt, which has exceeded 65 percent, the high unemployment rate (28 percent), as well as the state of transportation and energy infrastructure in need of modernization. Where in general, moderate progress has been made in several areas, with the exception of environmental protection, regional issues, free movement of natural persons, science, and education.[114]

With Bulgaria there are some historical issues linked to a national identity problem. Despite the fact that Bulgaria was the first country to acknowledge the independence of the Republic of Macedonia, the majority of its academicians and the general public do not regard the Macedonian language and nation that emerged after the Second World War as distinct from Bulgarian proper. The Macedonian constitution was amended twice (in 1995 and 2018) to formally exclude any potential territorial aspirations towards neighbouring countries as part of the efforts to resolve the Macedonia name dispute with Greece. Certain Macedonian politicians also assert that the majority of the population in Bulgaria is comprised of subjugated ethnic Macedonians, and therefore,

[113] "Bosnia and Herzegovina." *Council of Europe,* 2024.
[114] "North Macedonia." *European Council,* 2024

Bulgarian territory is considered a component of a larger Macedonia. In August 2017, Macedonia and Bulgaria executed a friendship treaty to enhance their complex bilateral relationship. In 2018, a joint commission was established to provide a platform for the discussion and debate of contentious historical and educational issues. For a year, this commission has made minimal progress in its work. In October 2019, Bulgaria issued a "Framework position" warning that it would halt the accession process unless North Macedonia met its demands regarding anti-Bulgarian ideology in the country, and ultimately over a "ongoing nation-building process" that is based on historical negationism of the Bulgarian identity, culture, and legacy in the broader region of Macedonia. Bulgarian politicians assert that North Macedonia is the sole country in NATO that is an EU candidate and whose politics are founded on communist historical and linguistic dogmas that are recognised by ASNOM. Bulgaria advises the EU to refrain from using the phrase "Macedonian language" during the accession negotiations and instead use the term "Official language of Republic of North Macedonia" in relation to the Macedonian language. This reaffirms that Bulgaria does not recognise the language as distinct from Bulgarian. This is widely perceived as a direct assault on the national identity and language of North Macedonia. Bulgaria submitted an explanatory memorandum to the Council of the European Union in September 2020, which delineated its framework position regarding North Macedonia's accession. Bulgaria's refusal to approve the European Union's negotiation framework for North Macedonia on 17 November 2020 effectively halted the official commencement of accession talks with this country. The reason for this was the slow progress in the implementation of the 2017 Friendship Treaty between the two countries, as well as state-supported or tolerated hate speech and minority claims against Bulgaria. The veto was condemned by certain intellectuals and criticised by international observers. In November 2020, Alpha Research conducted a survey of 803 individuals from various regions of Bulgaria. The results indicated that 83.8% of Bulgarians were opposed to the accession of North Macedonia to the EU until the historical dispute was resolved.

Only 10.2% of Bulgarians supported the accession, while the remaining individuals did not have an opinion.[115]

○ In the case of Serbia, the country signed the Stabilization and Association Agreement with the EU in 2008, applied for EU membership in 2009, and received official status as a candidate country in 2012. In June 2013, the country began the negotiation process. European Commission reports show some progress, particularly successes in reforming the judiciary, public administration, fighting corruption, and protecting human rights and freedoms. The country's economic situation is characterized by several trends: economic growth rates are recovering, but at the same time unemployment remains high, the budget deficit is still high, public debt continues to grow, and the inflow of foreign direct investment is declining. The situation is complicated by a number of problems involving the judiciary, public administration, the fight against corruption, and the protection of human rights and freedoms. The situation is complicated by a number of institutional problems (legal system, corruption, privatization). The country is still in the early stages of transformation in the areas of financial control, agriculture, social policy and employment, while significant progress has been made in regional policy, business and intellectual property legislation.[116]

○ Montenegro, two years after declaring independence in 2006, the country was declared independent. years after declaring independence in 2006, Montenegro applied for EU membership. Sin and 2012, the parties began a negotiation process. As of July 2016, the country is negotiating 24 chapters of the negotiation file, while the remaining 11 chapters are still open. European Commission reports on building sustainable political institutions in Montenegro show significant progress, including reform of the judiciary and public administration. In economic terms, there has been an improvement in the situation. In economic terms, there has been an increasing inflow of foreign direct investment, successful privatizations, easier market access for new entrants, and low

[115] It's time for Bulgaria and North Macedonia to move forward." *POLITICO* (2022)
[116] "Serbia." *European Council,* 2024

levels of state intervention in the economy. At the same time, the unemployment rate is quite high (around 20 percent) and the budget deficit and public debt are growing. Negotiations on financial, budget, food and social policies have had some success. In all other areas, progress has been made.[117]

In general, it can be seen that the progress of the Western Balkan countries toward the European Union is uneven. The countries in the region are characterized by a market economy and a market economy. The countries in the region are characterized by unresolved political and economic problems, including high levels of public debt, budget deficits, high unemployment rates (Macedonia - 28%, Bosnia and Herzegovina - 27.6%, Serbia - 18.9%, Montenegro - 18%, Albania - 17.5%); particularly alarming is the youth unemployment rate (averaging about 60% in the region) and its continuing upward trend.[118] The assessment of the economic parameters of the Western Balkans' preparations for accession to the European Union concludes that little progress has been made in almost all the countries of the region In addition, the Western Balkans region is affected by disruptive factors at both regional and national levels: increased risk of economic instability; weakened economic independence of the countries in the region; low level of economic and financial security; high share of shadow economy; significant role of external factors and interference of third countries in domestic political and economic issues; negative impact of the migration crisis on the countries in the region; lack of consolidation; and low level of economic and financial security in the region.

The possibilities of EU membership for Bosnia and Herzegovina and Macedonia are severely limited by the weakness of their economic and social development and the presence of latent ethnic conflicts. and were it not for Serbia, its accession could be considered a major success in the integration of the Western Balkans into the EU, given the country's economic and strategic importance. however, this development is unlikely in the near future for a number of reasons, including unsatisfactory socio-economic

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[117] Montenegro." *European Council,* 2024
[118] *EU Candidate Countries' & Potential Candidates' Economic Quarterly (CCEQ).*

and political reforms, the unresolved Kosovo problem, and strong ties with Russia. In the Western Balkan countries, Montenegro has the best chance of becoming the next member of the European Union, due to successful political reforms, increased investor interest, and the country's effective position in the eurozone and the EU Common Market economic space.[119] Prospects for European integration of the Western Balkan countries are different and depend not only on the (still insufficient) readiness of the countries in the region to join the EU, but also on the readiness of the EU to accept them. In October 2014 The European Commission did not recommend the implementation of any enlargement policy measures in the Western Balkans in the near future. It highlights the fact that throughout the term of the current European Commission committee, none of the Western Balkan countries will be ready to join the EU. This means that the EU enlargement process can no longer be continued. No means that the EU enlargement process is somewhat suspended and the integration of the Western Balkan countries is temporarily postponed. It is although the strategic goal of most Western Balkan countries is EU membership, the EU integration process of these countries may be delayed indefinitely due to their difficult economic situation, difficulties in the negotiation process and problems within the EU itself.

The countries of the Western Balkan region seek to actively participate in the processes of European integration, which implies the fulfilment of numerous obligations, including the formation of a competitive market economy, reform of a number of economic sectors, alignment of national legislation with EU legal standards, etc. n other words, in order to minimize the costs of EU membership, the countries in the region must achieve a certain level of economic development, which they have not yet achieved. The unsustainable and weak state of the countries in the region has not yet been resolved. o unsustainable and weak state of the region's economies can become a negative factor for the development of the EU itself, therefore, in relation to the countries of the Western Balkans, the EU applies not only an individual but also a

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[119] European Commission. "A Credible Enlargement Perspective for and Enhanced EU Enlargement with the Western Balkans." 2018. [PDF file]. URL: link.

regional approach, which implies the participation of the countries of the region in CEFTA in order to develop intra-regional economic ties, liberalize trade and intensify cooperation with the EU. 'Inclusion of countries in the trade and investment agreement is not an issue. 'Inclusion of countries in trade and investment within the EU entails not only economic benefits, but also costs. most significant are related to the modernization of the economy, high competition from products from other EU countries, uncontrolled labour migration, closure of enterprises unable to sustain competition and meet the necessary environmental standards, etc. path of integration into the EU, the countries in the region have achieved different results due to unresolved political and economic problems, including high unemployment, public debt and budget deficits, difficulties in the negotiation process, and problems within the EU.

Chapter 2 - Institutional shifts and the evolving role of the EU in response to emerging crises

We enter the landscape of Geopolitics, which is very useful for understanding the actual role the EU plays in the international community. According to Manners, the EU represents a new and distinct type of actor within the international system and transcends the anarchic and selfish behaviour of states. In fact, the EU compared to traditional state actors who act according to a realist paradigm with security concerns make a fundamentally different identity prevail in the EU based on principles such as "peace, freedom, rule of law, democracy, human rights, social solidarity, anti-discrimination, sustainable development and good governance."[120]

In this chapter based on the development on the ground that this international organization is experiencing, we will try to analyse the development of European integration on the eastern flank as well, which has marked the same self-perception that the European Union has developed with the conflict in Ukraine.

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[120] European External Action Service. *Critically Assess and Analyse the Notion that the EU is a Normative Power.* 2016.

Conceptual turn to the "geopolitical EU"

Undoubtedly, the new round of armed conflict in Ukraine has become a powerful catalyst that has prompted the leaders of many EU member states to take more decisive action in areas of joint activity where the Union had previously been slow or even passive. The remarkable speed with which candidate status was granted first to Ukraine and Moldova, and then to Georgia, may seem at first glance to be a manifestation of impulsiveness or even opportunism.

At the same time, discerning experts are not inclined to reduce the Union's forthcoming plans to expand its spatial borders exclusively to the "Ukrainian case" (despite its importance), but emphasize the deeper prerequisites of these intentions, linking them to the existential interests of the EU as an ever-expanding entity. and to the future of the united Europe as such.[121]

In this regard, it is noteworthy that a new round of discussions on plans for the admission of new members to the EU began before February 24, 2022, and was not limited to consultations, but led to the adoption of important policy documents, notably the "enlargement package. " In addition, attempts to "incorporate", in one form or another, enlargement issues into the agenda of various events with the participation of European leaders and to discuss this topic in various formats-from bilateral meetings, informal summits, new informal platforms[122], new international platforms, to regular EU sessions persist and have become an indicator that EU enlargement should be seen as more than a routine bureaucratic process.[123]

In the relatively recent past, such insistence might have seemed inexplicable, and the idea of forcing new members especially from the Eastern Partnership into the orbit of the European Union would have been considered inappropriate and even dangerous.

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[121] Leonard, Mark. "The geopolitics of EU enlargement." *European Council of Foreign Relations* (2023).

[122] European Council. *Informal Meeting of Heads of State or Government, Granada, 6 October 2023.*

[123] Enlargement Package: European Commission Assesses and Sets Out Reform Priorities for the Western Balkans and Turkey." European Union, 2021

Against the backdrop of the EU's complex internal turmoil, crises of trust and stability, not least caused by the previous waves of enlargement in 2004 and 2007, the question of the accession of its eastern or southern neighbours would logically have had to be postponed to the very distant future, given their prematurity of choice. Collectively, Brussels was expected to further deepen its partnership with them, but it was unlikely that these states would become an integral part of it, since they were all considered external actors to the EU, mainly under the responsibility of the European External Action Service, which is in charge of external relations, and to a lesser extent the Directorate General in charge of Enlargement and Neighbourhood Policy (DG NEAR). This ambivalent behaviour of the EU, promising likely (and even current) candidates membership in a "bright future," has had a discouraging effect on them, making them feel apathetic (Serbia) or even bitter (Turkey). Having felt the impact of the inconsistent and evasive decisions of the European structures, they have also actively sought alternatives to European integration (or at least additions to it) in the form of deeper cooperation with other partners - Russia, China, Middle Eastern countries. The European Union, are the influence of growing Eurosceptic groups, has thus acquired not only an internal but also an external "Eurosceptic contour" in the form of states on the European periphery that doubt the value of integration. Critics have begun to talk seriously about the crisis of the European Neighbourhood Policy (ENP) and the related concept of a "ring of friends," instead of which the Union, in the words of Austrian Foreign Minister A. Schallenberg, the Union has proven A "ring of fire" of challenges and threats stretching from Ukraine through Nagorno-Karabakh to the Sahel area. "[124]

The so-called EU neighbours have had the opportunity to observe with regret the extremely unpleasant picture of the Arab Spring, the uncontrolled influx of refugees from Syria, Afghanistan, Libya, and the Horn of Africa into the Old Continent, and the

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[124] Brzozowski, Alexandra. "Gradual Integration Best Path to EU Membership, Two Ministers Say." Euractiv, 2023.

extremely contradictory and inconsistent position of Brussels on issues that have been unresolved for years now, beginning with Ukraine and ending with Palestine.[125]

Further uncertainty about Europe's future was also brought about by the EU's not entirely successful policy in the Euro-Atlantic direction: relations between the EU and the US seemed irreparably damaged from the outside.

Brexit heavily determined Britain's geopolitical weight on the EU, undermining its EU political and economic positions and affecting its international image as the world's most successful integration group. Paradoxically, it was precisely the union's internal structural and functional problems, multiplied by a series of external challenges and crises-financial and economic (2008), migration (2015), Brexit (2016), transatlantic (Trump presidency), pandemic (2020) and politico-military (2022)-that stimulated the desire of European elites for further spatial expansion. The slowdown in the EU's federalization processes has marked the limits of the growth of integration "in depth" but not "in breadth," and member states and especially the Union's institutions demonstrate a seemingly long-lost unanimity on the issue of accepting new recruits into their ranks.

European public opinion is also in favour of enlargement in general, although the balance of power between supporters and opponents of this process remains unstable and may shift in one direction or the other. According to Eurobarometer data in mid-2023, 53 percent of respondents were in favour of admitting new countries to the EU, 37 percent were against, and 10 percent were undecided. Despite this, researchers at the European Council on Foreign Relations (ECFR) are still optimistic, recalling that 25 years ago - in 1999 - the level of support for enlargement was only 44 percent, almost 10 percentage points lower than today.[126]

[125] Lynch, James. "When Soft Power Is Spent: Gaza, Ukraine, and Europeans' Standing in the Arab World." European Council on Foreign Relations, 2024.
[126] Buras, Piotr. "Catch-27: The Contradictory Thinking About Enlargement in the EU." Council of European Foreign Relations, 2023.

It is important to note that the very concept of enlargement is being reformulated and is gradually acquiring the character of a "cross-cutting" issue that permeates many spheres of the EU's functioning (economy, politics, security) and guides the course of further changes in its internal architecture - reform of institutions, redistribution of influence among member states, parameters of the Union's relations with external actors (especially Russia, the United States and China). Future EU enlargement, when viewed from this perspective, becomes an integral element of the Union's "strategic autonomy." The interpretation is now quite broad, not limited to the geographical borders of the EU as currently constituted, but should also include closely related neighbouring spaces (the Balkans, some republics of the former Soviet Union), which for many years have been connected to the Union through a network of various bilateral and multilateral partnership formats. For the countries in this network, the very fact that Brussels has prioritized its plans for further EU enlargement obviously opens up new opportunities. Perhaps for the first time in their relations with the European Union, they have the opportunity to join full membership rather than the institutions of competence to relate to them such as the Eastern Partnership, the Western Balkans Strategy, and bilateral Agreements. This is particularly important considering that the usual focus of these forms of partnership on primarily technical issues of cooperation has prevented them from realizing their full potential.[127] Substitute accession programs lacked a strategic vision of the future prospects of specific target participants, be they post-Soviet countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine) or republics of the former Yugoslavia (Serbia, Montenegro, North Macedonia, Kosovo, Bosnia and Herzegovina), and did not fully take into account their political specificities.

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[127] Nuova strategia dell'UE in materia di allargamento." *Official Journal of the European Union*, 2023.

Discussions about the new enlargements

Observing this drift of its neighbours toward a multi-vector policy, Brussels has obviously drawn important conclusions for itself and is now trying to avoid the mistakes of the past by not prolonging the already lengthy procedures for preparing potential candidates for candidate status and candidates for full membership.

In practice, it is not so easy to overcome these obstacles, especially if one takes into account the fact that the EU's intensified efforts on the tasks related to further enlargement inevitably aggravates the eternal question of the compatibility of two rather difficult to reconcile sets of requirements for potential future members: the political (the still Copenhagen criteria) and the economic (Maastricht criteria). Achieving a balance between these sets of requirements has always been a difficult task for the EU, which has solved it differently each time, depending on current priorities. Although democracy and market economy are usually listed in quotes in EU documents, the correlation between them is far from always observed even in countries that are longtime members of the Union, let alone aspirants to join the European family. EU institutions often criticize in financial and economic terms even relatively stable members of the Union on purely political issues (rule of law, respect for minority rights, corruption, etc.), which calls into question the practical effectiveness of the principle of conditionality (conditionality) so widely and long applied by the European bureaucracy.

This circumstance, of course, does not mean that the EU is losing the threads of managing "Europeanization" and that the various mechanisms of "sanctions and rewards" against some "problematic" members (Poland, Hungary) no longer work. On the contrary, the Union is actively using them, thus demonstrating to future candidates ethe flexibility of its diplomacy. The oft-tried approach of granting membership "in advance," with the expectation that future members will fulfil their commitments to Brussels, remains in place. This practice is no longer as widespread as it was in the early 2000s, but its use "on a sample basis," as demonstrated by the already analysed example of Croatia's admission to the Union (2013), allows the EU to maintain the

necessary level of interest in membership even among neighbours who have not met all the requirements for membership. At the same time, EU institutions and leaders are sending a clear signal to potential candidates that they intend to assess the overall relevance of potential "young Europeans" in terms of geopolitics and geostrategy, as well as their commitment to democracy and the market - in terms of concrete benefits in strengthening the EU's international influence and positioning. Not surprisingly, as early as late 2019, Ursula von der Leyen, when she was elected to head the European Commission, proposed transforming it into a geopolitical commission. This crucial EU institution would thus "strengthen the EU's capabilities as an international actor and help shape a global order based on multilateralism."[128]

Aware of its vulnerable sides, Brussels openly declares its intentions not only to strengthen its economic ties and promote its interests in different regions of the world, but more importantly to create its own domestic sources of economic growth without allowing excessive external economic (and with it political) influence, both within individual EU members and in neighbouring countries. These intentions include the protection of critical infrastructure (telecommunications, energy facilities), the localization of production within the Union, and, in the external circuit, the protection of transport corridors, value-added chains, and the hedging of risks of price fluctuations and instability in world commodity markets.[129]
The EU's attempts to counter Russian energy projects and Chinese transport and logistics initiatives in Europe are accompanied by the European institutions' promotion of large-scale cooperation programs with partners, especially in the EU's immediate vicinity.

In this context, the EU's new and ambitious programs - Global Portal, Horizon Europe, Re- PowerEU, Next Generation EU - take a clear geo-economic and geopolitical orientation, setting a broad framework for EU-based international cooperation in the

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[128] _The von der Leyen Commission's Priorities for 2019-2024._ European Parliament.
[129] Ülgen, Sinan. "Rewiring Globalization." _Carnegie Endowment for International Peace_, 2022.

fields of energy, digital economy, transport, education, science, and aiming to achieve the EU's main objective of regaining its status as a global powerhouse. It also encourages neighbours (and possibly potential members) to join EU external security initiatives through the Common Security and Defence Policy (CSDP), which allows third countries to participate in EU operations and missions. Since the first CSDP mission in 2003, more than 45 third countries have participated in EU-led missions. At times, third countries have been among the largest contributors to specific missions-Turkey, for example, was the second largest contributor of personnel deployed to the EUFOR Althea mission in Bosnia and Herzegovina in 2013.[130] These examples signal a securitization of some EU policies and even a review and tightening by the Union of its familiar, but at the same time "Soft" and sometimes insufficiently

"Soft" and sometimes insufficiently effective "Normative Power."

Earlier, Brussels politicians had stressed the perniciousness of zero-sum games in international relations, including in relation to the EU's eastward enlargement (and NATO enlargement). Moreover, in the early 2000s, in view of the EU's major enlargement to Central and Eastern Europe, the possibility of gradually establishing mutually beneficial cooperation with Russia in a "shared neighbourhood" had not been denied. Now, however, such assumptions of the distant past have been definitively supplanted by the discourse of geopolitics. Signs of the EU's transition to a more realistic strategic thinking and view of the international environment are increasingly evident, and European officials are showing an unprecedented willingness to act more in the logic of the American theory of "offensive realism" than in the style of liberal institutionalism, which they hold dear. In practice, this means an attempt by the EU to control the actions of rival international actors, depriving them of advantages, pushing them out of the spheres of their geopolitical interests, and thus overtaking them in capacity   (power)   building.

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[130] Dobrescu, Madalina. "Explaining third-country participation in CSDP missions: the case of the association trio–Ukraine, Georgia and Moldova." 2023.

Taking into account the still insufficiently high level of the Union's military capabilities and its limited capacity as an actor, this "European-style" offensive realism can be realized in softer forms, and the enlargement policy can be one of the factors in weakening the EU's potential adversaries, along with sanctions and limiting access to European markets for goods, services and capital. This kind of political and economic version of the purely military concepts implies the erection of artificial barriers to the penetration of "unfriendly" external actors, primarily Russia and China, into the EU's space and its controlled neighbouring orbit. Moreover, the EU has shown some success in countering Russian and Chinese influence on its members, as evidenced by the positive example of the "withdrawal" of the Baltic states (Lithuania, Latvia, Estonia) from the 17+1 cooperation format with China-the Eastern European component of the One Belt, One Road (OBOR) strategy. Less obvious and more controversial are the Union's achievements in "separating" from the Eurasian integration processes the ENP member states located both south and east of Europe. This is largely due to the gradual stratification of the Eastern Partnership and the separation from it of the most likely candidates for EU membership - the "European trio" (Ukraine, Moldova, and Georgia) with the simultaneous marginalization of other participants (Belarus, Armenia, and Azerbaijan), which for a variety of reasons (conflicts, nature of the regime in power) are clearly not ready for European integration even in the distant future[131] Accordingly, the EU institutions assessed the potential of each partner taking into account the peculiarities of the current situation, targeting those program participants that had already concluded association agreements with the EU, had entered the "waiting room" for further European integration procedures and had legislated their European intentions. In the Balkan area, the Union uses more financial levers and in the Eastern European area also political levers, given the traditional strong dependence of the "trio" countries on Russia and the traditional strong dependence of the "trio" countries on Russia. In the direction of the Balkans, the Union is using financial leverage to a greater extent,

[131] Buras, Piotr. _Partnership for Enlargement: A New Way to Integrate Ukraine and the EU's Eastern Neighbourhood_. Council of Foreign Relations, 2022.

and in the direction of Eastern Europe also political leverage, given the traditionally high dependence of the countries of the "trio" on Russia and, in recent years, on China, whose influence in the post-Soviet space has become more tangible. And if the once close economic ties between Kiev, Chisinau and Moscow are now minimized, and relations with Beijing ended before they began, before they could turn into anything more substantial than mere declarations of strategic partnership, the situation with Tbilisi is different. The Georgian authorities are not only actively developing cooperation with China, having also given it the character of "strategic ", but are also filling it with concrete content. The areas of Georgian-Chinese cooperation include not only the economic component (Free Trade Area Agreement, participation in OPOP projects), but also the political component (Global Security Initiative), which undoubtedly causes concern to Georgia's European partners Brussels is forced to respond to these trends, trying not to disappoint Tbilisi in its "European choice" and sending clearer signals of readiness to put Georgia on the waiting list for EU membership.

A new methodology for enlargement

Despite the EU's willingness to give individual countries in the post-Soviet or Balkan space carte blanche to join the Union, the enlargement process cannot be fuelled by the determination of candidate countries or European institutions alone. Geopolitical concerns are not an indulgence for potential members, nor a reason for the EU to abandon a values-based approach to European integration. Moreover, the political will of the participants in this process should be based on well-developed technology and methodology. This was announced by the European Commission as early as February 2020 and has since been actively discussed both in the cabinets of European structures and in the national governments of individual EU members.[132] The "classical method" of enlargement, which has been repeatedly applied by the

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[132] *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*. European Commission, 2020.

Union, involves the candidates' full acceptance of the conditions and rules of the negotiating chapters (acquis chapters/negotiating chapters). To gain membership, candidate countries must undertake extensive reforms, making these norms part of their legislation. In practice, however, candidates have often implemented such reforms only "cosmetically," mixing previously undemocratic institutions and creating hybrid regimes of "illiberal democracy. "[133] In essence, the new methodology is designed to ensure the irreversibility of democratic reforms in candidate countries, preventing them from reversing transformations after achieving desired EU membership. The accession of new countries should not only be a technical process but also a political one, and an inclusive one at that. In addition to the European Mission, the EU Council and individual member states should be more involved in working with the candidates. To speed up the negotiating process, the Commission proposes to group the negotiating chapters into six thematic blocks: foundations; internal market; competitiveness and inclusive growth; green agenda and sustainable development; resources, agriculture and cohesion; and external relations. Negotiations on each block will be opened as a whole-after initial indicators are met-rather than on individual chapters. Negotiations on core issues will be opened first and closed last, and progress on them will determine the overall pace of negotiations.

 The time lag between the opening of the cluster and the closing of individual chapters should   be   limited,   preferably   within   one   year.[134] In this way, the procedure becomes clearer and more predictable, and the European Commission has a sufficiently powerful tool to influence the candidates, incentivizing them to move toward the required reforms and explaining the negative consequences if there is a lack of progress in meeting the requirements of the European institutions. Incentives can include accelerated integration and "phasing-in" of certain EU policies, markets and programs and provide for increased funding and investment. Similarly, the Commission proposes tougher measures that would proportionately punish any serious

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[133] *A New Approach to EU Enlargement*. European Parliament, 2020.
[134] *A More Credible, Dynamic, Predictable and Political EU Accession Process - Commission Lays Out Its Proposals*. European Commission, 2020.

or prolonged stagnation or setbacks in the implementation of reforms. Negotiations could be suspended in some areas and, in the most serious cases, completely. Chapters already closed could be reopened; benefits of greater integration, such as access to EU programs, could be suspended or withdrawn; and the volume and intensity of EU funding could be adjusted downward.[135]

In an effort to develop the proposed methodology, experts at the Center for European Policy Studies (CEPS), close to EU structures, identified four stages that accession candidates must go through before attaining the desired status as an EU country. Each of them-"initial," "intermediate," "new member state," and "ordinary accession"- should be accompanied by a system for evaluating achievements, enabling candidates to move closer to the desired goal and EU institutions to monitor this movement along the entire integration path. The proposed scheme should maintain the main features of the current enlargement model, based on 35 EU negotiating chapters, but at the same time equip it with a system of not only qualitative but also quantitative evaluations - from 1 to 5 points. From the experts' point of view, this "rating" will create a clear basis for regulating the conditions for the candidate countries to pass all the mentioned stages, and the European Commission's assessments should also be monitored and controlled by civil society.[136]

The adoption of the above recommendations by the government institutions of the Union depends on many factors, primarily on the ability of analysts to communicate their views to decision makers and their willingness to take into consideration the experts' suggestions. However, it is already evident that CEPS is not alone in its assessments and methodological developments, and concepts of differentiated integration are gradually gaining acceptance in other influential think tanks in the EU and its individual countries. The idea of making the EU more flexible is also being taken up by political leaders of the EU's largest countries. - France and Germany. Thus, in his speech in Prague in August 2022, Chancellor O. Scholz explicitly stated that the enlargement of the EU depends on its institutional

[135] ibid
[136] Emerson, Michael. "A Template for Staged Accession to the EU." European Policy Centre, 2021.

transformation and the spread of the practice of voting on the most important issues in the European Council by qualified majority instead of by unanimous consent.[137] A much more cautious and even sceptical attitude toward such initiatives is expressed by the southern and especially central and eastern European states, which fear a decrease in their political weight in the EU in the face of further strengthening of the power of the Franco-German tandem. With the further eastward enlargement of the Union, their concerns will be considered in one way or another by Paris and Berlin. It is likely that in their efforts to find a compromise within the European Council, they will still Favor a "step-by-step approach" to enlargement, based on the visible merits of each individual candidate, rather than a "frontal push" eastward, as was the case in 2004.[138] Such caution on the part of the EU's eastern or southern European wings is unlikely to be due solely to a fear of further tension in the Union's relations with Moscow. Ultimately, enlargement as such will lead to another rather powerful phase of shifting the balance of power to the east of the European continent and, in general, to a reconfiguration of the current EU architecture. The prospect of enlargement - near or far - will inevitably change the axis of relations between different parts of Europe, its countries and subregions: large and small, rich and poor, east and west. For some countries currently in the EU, this prospect may seem both promising and daunting. Obviously, the path of the former Soviet republics to EU membership will not be quick and easy. Their accession process will undoubtedly require complex compromises, internal agreements and harmonization of positions. The consensus principle may slow down or complicate such decisions, especially if EU members have different views on enlargement. Even here, however, EU leadership and individual heads of state can be resourceful, given the example of "constructive abstention" by those who disagree with the common Brussels line. From a global perspective, EU enlargement will depend on many factors: the global balance of power, the decrease or increase in geopolitical and geoeconomic turmoil,

[137] Scholz, Olaf. "Speech by Federal Chancellor Olaf Scholz at the Charles University in Prague on Monday, 29 August 2022". 2022.
[138] European Council. "European Council Meeting." 2022. URL: https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf

and the increase or decrease in globalization and interdependence. One way or another, it is necessary to recognize that European integration has been forged for many decades in the context of crises, and the policy of expansion to previously unstable European countries and regions has been and remains a response to these crises. At the same time, it is important to note that the "democratization" of the individual parts of the now unified European body was rather a secondary goal for the EU (and its predecessor Communities), while geopolitical considerations were at the forefront. In this respect, the current enlargement debate differs from all previous ones except in rhetoric, in which the once politically incorrect notion of "geopolitics"- as well as the related, not-so-defined expression of "strategic autonomy"-is legalized in the legal field and used widely in speeches and documents. Both concepts are meant to increase publicity when it comes to changing the narrative, where the EU's recent partners (Russia, China) are "verbally" relegated to being its adversaries (or rivals), and potential new members (even with their own significant internal problems) are seen as geopolitical assets that, if the EU is disadvantaged, could go to its "enemies"- Moscow, Beijing or anyone else. This is something Brussels is clearly unwilling to allow.

it is clear even now that the Union itself is at the crossroads of important decisions that will determine the fate of the European project as such. The choice of instruments for its salvation, whether through integration, geopolitics or a symbiosis of the two, is ultimately a testing ground. Previous experiences have demonstrated the EU's ability to strike the right balance between values and interests, but, as we know, the results of successful investments in the past do not guarantee a return in the future.

After the above, with this geopolitical perspective in mind, subsequent case studies including Ukraine, Moldova and Georgia will be analysed to give a concrete overview of the progress achieved in integration with the EU from a legal-historical perspective here as well.

Case studies

"Between Brussels and Moscow: Moldova's Tumultuous Path to EU Integration"

The relevance of the issue of European integration of the republic of Moldova grows every year, especially with the conflict in Ukraine, since candidate status, as we have already seen, was granted simultaneously to these two countries.[139] To reiterate, Moldova's President Maia Sandu officially signed the application for EU membership on the 3rd of march 2022 and the following June 17, the European Commission published its opinion in favour of granting official candidate status to Ukraine and Moldova, and on June 23, 2022 in Brussels, the European Council granted candidate status to join the European Union. The candidate status along with nine areas of reform required by the European Commission were a prerequisite to give the green light to start accession talks. Chișinău is working to implement these nine conditions to the best of its ability such as in December 2023, EU leaders decided to formally open accession negotiations with Moldova.[140]

The country's current president, has made this the workhorse of her term in office and, without exaggeration, has achieved more impressive, albeit formal, results than all her predecessors combined. Maia Sandu officially signed the application for membership in the European Union. Achieving the goal of membership in the European Union, despite many difficulties and doubts, the Moldovan leadership has shown that it is willing to sacrifice relations with its traditional and main partner, the Russian Federation. Despite the path taken in integration, there are many criticisms submitted to the Moldovan establishment concerning problems of corruption and rule of law. It is noteworthy, for example, that from March 2022 to December 2023 the country was subjected to the much-criticized

[139] Baccini, Federico. "EU Countries to Vote on June 21 for Formal EU Accession Process for Ukraine and Moldova." EUNews, 2024.

[140] Three crucial elections on Moldova's European path. ISPI, 6 June 2024. URL: https://www.ispionline.it/en/publication/three-crucial-elections-on-moldovas-european-path-176411

emergency regime, which allowed the authorities to ignore the democratic norms laid down in the constitution.

Twenty years ago, when the Kozak Memorandum for the resolution of the Transnistria/Pridnestrovian conflict and relations between Chisinau and Moscow cooled, European integration was included in the program of the then Party of Communists of the Republic of Moldova.[141] In other words, even the most pro-Russian party at the time was in favour of Moldova's European integration. However, the so-called "Kozak Memorandum" did among many things create effects on the country's economy and the "economic blockade" by Brussels, Kiev and Chisinau of Transnistria and the resulting ban on the export of Moldovan wines, its relevance increased out of all proportion. The events have taken Moldova in the international political situation from a "forgotten" country to a significant part of the joint neighbourhood" of Russia and the EU.

In fact, it is since 2007, when Romania became a member of the EU, that Moldova has been a neighbour to an EU member country. Moreover, the establishment of Romanian citizenship has become a new geopolitical factor linking Moldova to the EU. To obtain it, it was not even necessary to know the Romanian language. But this citizenship gave the right to work in the EU. That is why for several years it was in high demand. To date, about 1 million Moldovan citizens have managed to obtain it.[142] Most of them work in EU countries. At the end of 2007, when the Communist Party was still in control of power, Moldova had the highest ever support for the idea of European integration: 76.2 percent. It makes sense that the Communists were soon ousted from power by pro-European parties. A series of parliamentary elections brought a bloc of parties called the Alliance for European Integration (AEI) to power afterwards ga Chisinau in 2009. The bloc included political forces that had enjoyed a pro-European and pro-Romanian image in the history of post-Soviet Moldova. The long-term strategic goal of the new government was declared to be European Union membership,

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[141] *Меморандум Козака: Российский план объединения Молдовы и Приднестровья. 25 ноября 2003 года*
[142] "Commissioner Malmström on Visa-Free Travel for Moldova." European Commission, 2014.

and Brussels was called upon to "rethink" Moldova as a European state, whose government "proceeds from the premise that European integration is the main requirement of the country's domestic and foreign policy".[143] In Brussels, the creation of the AEI was perceived as bringing the country closer to Europe.

Voronin's lack of harmony with the EU was because he had not pursued an inconsistent policy when he was president from 2001 to 2009. First he tried to negotiate the resolution of the Transnistrian conflict behind the backs of the West, then, at the insistence of the same West, he cancelled the signing of the "Kozak Memorandum," the adoption of which gave the possibility of uniting the country, and thus entered into a serious confrontation with Russia, hoping to survive in it, counting on the economic and political support of the EU and the US. Without clear guarantees for Moldova's gradual integration into the EU.[144]

In 2007-2009, Voronin relied on the tactic of behind-the-scenes negotiations with Moscow, trying to convince it to pressure Tiraspol in exchange for accepting Russian conditions. The Voronin government's inconsistency in the European direction led Brussels to characterize its policy as "paper Europeanization."

For its part, the European Union, which established its presence in the Black Sea region after the accession of Romania and Bulgaria in 2007, has increased its focus on Ukraine and Moldova, which have become its immediate neighbours. However, there is no consensus in European capitals on what should underlie the EU's strategy toward these countries: whether the goal should be membership or whether security considerations and so-called "neighbourhood stabilization" should take precedence.

However, there are an increasing number in Brussels who believe that Moldova should have a clear "European perspective." Previously, Brussels viewed Moldova primarily in the context of a policy to stabilize the situation of its immediate neighbours, viewing

[143] Socor, Vladimir. "Moldova's Alliance For European Integration: a Team of Rival Parties." *Eurasia Daily Monitor*, vol. 2011.

[144] "Reported Transnistria Deal is Unlikely." *Oxford Analytica*, 2007.

the Transnistria conflict as a significant threat to its own "soft" security.[145] The conflict in Moldova also became a good opportunity to test the political-military and civilian resources of global creativity in the framework of the Common Foreign and Security Policy, which was developed in 2003 through the launch of the first peacekeeping missions.

Transnistria has long been perceived in Europe as a source of smuggling, as an option of an authoritarian regime that prevents Moldova from moving toward a stable European level of development. An EU Special Representative for Conflict Management in Transdniestria was appointed in Chisinau to coordinate efforts to move forward in the negotiation process. In late 2005, Brussels also took the initiative to send its own mission to the Transdniestria section of the Moldovan-Ukrainian border. The mission's task was to monitor the flow of goods, particularly to stop financial flows from smuggling, perceived as one of the pillars of the Smirnov regime. In addition, the mission was to assist in conflict resolution. However, the EU failed to achieve a fundamental change in the situation.[146]

In spite of this, the steady rapprochement with the EU allowed Moldova in 2014, to obtain visa-free travel to the Schengen area. This seemed to be an achievement of the then ruling pro-European Alliance and Prime Minister Filat himself. This concession from Brussels was a way to keep Moldova in its geopolitical embrace. Under the influence of the conflict in Ukraine, the events in Crimea and Donbass, the level of support for the Western development vector among Moldovans began to decline rapidly, reaching a critical level of 38 percent in October 2015. However, the opening of "visa-free travel" allowed Europeans to gradually reverse the trend unfavourable to them: in autumn 2017, the number of supporters of European integration prevailed again over to the alternative integration with Russia in the Eurasian Economic Union. At the same time, "visa-free travel" offered many Moldovans the opportunity to Europeanize privately. According to the most conservative estimates, some 600,000

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[145] *Statement by President von der Leyen on the Commission's Opinions on the EU Membership Applications by Ukraine, Moldova, and Georgia.* European Commission, 2022.

[146] EU Lex. *Border Assistance Mission to Moldova and Ukraine.* EU Lex, 2024

Moldovans have since moved to the EU. These are among the youngest and most able-bodied citizens. Other events have shown that "visa-free travel" has not been a success of the Filat government at all. The ruling Alliance lost political support from the EU in 2014, and in 2015 the current Action and Solidarity Party, led by Maia Sandu and in a bloc with Andrei Nastase's DA Platform, began its rise in the Moldovan political landscape. In 2016, M. Sandu, who was only gaining popularity, lost the presidential election to Igor Dodon. In fact, his rise to power was prevented by oligarch Plahotniuc, who rightly feared for his position in Moldova. Sandu did, however, with Western support, become head of government in 2020, defeating Igor Dodon in the subsequent 2021 elections. The secret of Sandu's success is the unconditional support of the EU. Thanks to it, Sandu has managed to accumulate the votes of all those who believe in European integration as a way out of Moldova's stalemate. In fact, Sandu's rating was linked to the EU's rating in Moldova and grew proportionally. But it turned out that the reverse dependence also works: the decline in Sandu's rating dragged the EU's rating down with it. In 2020-2021, the EU's rating exceeded 70 percent. And today, social polls conducted by pro-government agencies also provide data on the declining popularity of the idea of European integration at 55 percent. However, as of recently, opinion polls published in Moldova cannot be considered reliable.[147] According to the latest estimates, today the figure of 35-38% support for European integration is reliable, which roughly corresponds to a similar low during the outbreak of the conflict in Ukraine in 2014.[148]

Local elections in November 2023 indirectly confirm this dependence. Only 305,000 Moldovans voted for the ruling party, while in 2020, Sandu won the presidential elections with a result of 943,000, and in the 2021 parliamentary elections his party received 775,000 votes. In other words, the incumbent authorities' electorate has shrunk by 2.5-3 times in three years. This difficult result cannot be hidden from the Western partners. For their part, organizational conclusions should have been followed,

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[147] Cichowlas, Ola. "Moldova Is Hanging by a Thread." *Politico*, 2015.
[148] (Public Opinion Survey: Residents of Moldova, 2019)

but with their indifferent support for Maia Sandu and PAS they have reached an internal political stalemate. The upcoming presidential elections in Moldova must register catastrophic changes in public sentiment for the incumbent authorities.

The defeat of Sandu's team in the local elections is particularly notable because the European Union has given maximum political support to the incumbent regime, which means that the idea of European integration, with the help of which Moldovan politicians are losing its appeal.[149] It becomes clear that to correct this situation, Brussels must make radical new concessions to activate Moldova's movement toward the EU.

The reforms implemented to integrate the Republic of Moldova into the European Union turn out on the basis of official documents to be a success for Joseph Borell who openly stated the following: "Moldova has made further progress in its EU accession reforms and has shown impressive resilience." [150] According to the European institutions, welcoming Moldova is possible even though there are objective difficulties at the level of ties, due to democratic institutions, rule of law, corruption, etc. despite these difficulties, let's see where the Republic of Moldova did some progresses according to the EU institutions in reforming the country's system. Moldova, in fact, has made significant strides in reforming spheres such the Judicial one. There were made also steps forward in anti-corruption, acquiring assets to fight the huge phenomenon of money laundering in the country. In the context of Public Administration, the Moldovan Government undertook efforts to increase transparency, reduce bureaucracy and improve efficiency of public services.[151] Talking about Human Rights, according the EU were made some efforts

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[149] Volintiru, Clara. "What We Learned from Moldova's Local Elections." _2023_.

[150] European Commission. Press Release. Commission proposes to open EU accession negotiations with Bosnia and Herzegovina and updates on progress made by Ukraine and Moldova. Brussels, 2024. URL: https://ec.europa.eu/commission/presscorner/detail/en/IP_24_1423

[151] European Commission. "EU Enlargement Package 2023." 2023. URL: https://docs.rferl.org/sh-SH/2023/11/09/01000000-0a00-0242-c181-08dbe1043ba3.pdf

too in this case, even though from the majority of the population this is not the case, because they can feel the same violations also in the case of the current government.

Indeed, in June 2022, Moldova has already received candidate status, and in December 2023 Brussels decided to start negotiations for Moldova's accession to the EU. The question of whether these initiatives will be sufficient can only be answered by what will be the geopolitical implication of the conflict in Ukraine. The factor of the Russian military operation in Ukraine could frustrate European efforts. Since February 2022, the Moldovan population has been watching the trend with fear.[152] It is clear to everyone, including from polls, that the Moldovan population is nevertheless still deeply anchored in pro-Russian values, and thus despite the enormous economic investment that the EU has made in recent years, a significant segment of the population looks to Russia with great interest and support. Moreover, the theatre of war in Ukraine has brought the conflict closer to Moldova's borders. And for the people of Moldova, the fact that the country is preparing for possible escalation is evident. Indeed, military exercises are being held in the country, armaments are being supplied, a Western military base is being built near Chisinau, the authorities are actively imposing on the population the idea of abandoning the country's constitutional neutrality[153] and joining NATO, as well as demonstratively cutting ties with the Commonwealth of Independent States (CIS). The international support that current President Sandu now faces is in a dilemma. President Sandu must either face strong unpopularity what she did with Filat in 2015, that is, withdraw her support and endorse another political project without solid guarantees of success, or persist in her choice and try to install an unpopular figure for a second term.[154]

The fact remains that future presidential elections in the Republic of Moldova will definitively mark the direction of the country. Moldova's elections and the date for the referendum on whether to join the EU have been marked as October 20, 2024. Not only

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[152] Milligan, Ellen. "Moldova's Breakaway Strip Sparks New Tensions on Ukraine's Border." *Bloomberg*, 2024.

[153] "Moldova (Republic of)'s Constitution of 1994 with Amendments through 2006." 2006. URL: https://www.constituteproject.org/constitution/Moldova_2006.pdf

[154] *Relations with the Republic of Moldova*. NATO, 2023

will it be necessary to reconfirm the presidency for Sandu, but at the same time there will also be a vote in the Referendum on whether or not to join the European Union. Following the results of the referendum, it is proposed to supplement the preamble of the Constitution with the words "reaffirming the European identity of the people of the Republic of Moldova (RM) and the irreversibility of the RM's European path, proclaiming integration into the European Union as the strategic goal of the RM." The Basic Law will also contain a paragraph introducing "the priority of EU regulations over contrary provisions of national laws."[155]

Maia Sandu also received several criticisms here not only being head of state a citizen of a foreign state, possessing dual citizenship with Romania[156], but also using the referendum on EU membership to capitalize consensus for himself, proclaiming himself precisely as the pro-European candidate.[157] Surely this strategy of political technology will be able to give its effects despite the tension in the country, and the growing tension not only with Tiraspol, capital of the self-proclaimed and pro-Russian state of Pridnestrovians but also the autonomous region of Gagauzia, also very pro-Russian, where almost unanimously declares that if there is a further rapprochement with the EU and Romania, it too may break away. In any case, Moldova's future is marked by the central government's weakness in acting autonomously, which demonstrates the need to leverage much stronger partners to ensure the country's internal stability. It remains clear that by not maintaining a dialogue with Moscow, Moldova will not be able to regain control of the separatist region. The process of integrating the separatist region to Moldova would turn out to be possible only with Moscow's consent, but Moldova's establishment itself would have to be able to demonstrate that it can dialogue at high levels for negotiations not only with the top leadership in Brussels but also in Moscow. Although until now Moldova has been in this poised position, thanks in part to its own neutral status, a possible initiation of EU membership could provoke the categorically opposed segments of the population not

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[155] Парламент Молдавии назначит президентские выборы на 20 октября." ТАСС (2024)
[156] Майя Санду, "Санду отказалась считать проблемой свое румынское гражданство," 2020.
[157] "Maia Sandu – Moldovan President Interview." 2024.

only present in Tiraspol, but also in Gagauzia[158] and the remaining part of the country including the capital. This would lead to further polarization in the country, especially in light of the conflict in Ukraine, especially if hypothetically Russia is interested in reaching as far as Tiraspol, piercing through all of Ukraine and reconnecting the self-proclaimed pro-Russian separatist state with which it has lost air contact since 2014.[159] Although military escalation is gaining momentum, it remains clear that a possible extension of the conflict to other countries can be provoked through chain reactions.[160] It is up to the governments of neighbouring states, including the Moldova in question, to know how to find that golden line, dialogue with everyone to preserve the integrity of their state and ensure their country's prosperity in the long run as relations with the EU evolve.

Ukraine's European Integration: A Critical Juncture Amidst Conflict and Reform

Historical background

Relations between the European Union and Ukraine date back to the early 1990s and were governed by the Partnership and Cooperation Agreement, which was signed in 1994 and entered into force in 1998.[161] Ukraine later declared its intention to obtain associated country status. At the time, under the presidency of Leonid Kuchma, Ukraine pursued a policy of equidistance between Moscow and Brussels and welcomed the EU limiting its interest in Ukraine to issues that could also benefit Ukraine, such as planning for energy resource supplies transferred through Ukrainian territory, or changes in the financial sector and heavy industry, and in parallel the EU providing funds to the countries of the former USSR. Although the EU recognized Ukraine's European aspirations and at the 2000 Nice summit deemed Ukraine's membership desirable, France and Germany opposed it, arguing that it might at the time have

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[158] Ibragimova, Galiya. "Will Gagauzia Become Moldova's Second Breakaway Region?" *Carnegie Politika*, 2024.
[159] Russia can't reach a pro-Russian region in Moldova easily — but there are ways it can cause trouble." *CNBC* 2024
[160] (Russia can't reach a pro-Russian region in Moldova easily — but there are ways it can cause trouble, 2024)
[161] (Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, 1998)

retaliation   with   Russia.[162]

The Orange Revolution of 2004/2005 served somewhat to intensify relations given the pro-European nature of the protests; this mobilization coincided with EU enlargement in Central Europe and the subsequent launch of the Eastern Partnership. However, the lack of clear signals from Brussels on the feasibility of accession dampened Ukrainians' pro-European views. At the same time, the failure of major economic, political and social reforms and a lack of qualitative transformation of the country's elites, long awaited by both revolutions (the Orange and the Euromaidan revolutions of 2014)[163], reaffirmed the EU's reluctance to deepen integration, at least by then. Cooperation between Brussels and Kiev was channelled into three regional programs: the Black Sea Synergy (since 2007)[164], the Eastern Partnership (since 2009)[165], and the Energy Community (since 2011)[166]. Kiev feared that these initiatives would become substitutes for real integration. Nevertheless, negotiations for an association agreement were launched in 2007 and lasted until 2014; the agreement entered into force on September 1, 2017. Based on political association and economic integration, the agreement set Ukraine on a strategic path of systemic socio-economic reforms. Cooperation focused on three areas: trade liberalization, energy sector and visa liberalization. As with NATO, Russia's events in Crimea were rejected by the EU and deemed "illegal."[167] Brussels proceeded to implement a series of sanctions regimes against Russia, but these proved ineffective.[168] The 2018 annual summit discussed the possibility of strengthening EU (as well as NATO) relations with Ukraine in support and support for its independence, sovereignty and territorial integrity.[169] However, despite the expectations of the Ukrainian side, no binding decision on progress toward integration was made. Discouraged by insufficient progress on reforms, the EU

[162] Dulska, Anna. "Prospects for Ukraine's Euro-Atlantic Integration." 2022.
[163] Karpyak, Oleg. "Ukraine's Two Different Revolutions." BBC, 2013.
[164] "Black Sea Synergy." European External Action, 2024.
[165] "Eastern Partnership." European External Action, 2022.
[166] "Energy Communities." *European Commission*, 2024
[167] "Russia's Illegal Annexation of Crimea: EU Extends Sanctions for Another Year." EU Neighborhood Policy East, 2024
[168] Dulska, Anna. "Prospects for Ukraine's Euro-Atlantic Integration." 2022.
[169]ibidem

reiterated its reluctance to accept Ukraine into its fold. In February 2019, the Minister of Integration estimated that the Association Agreement was 42 percent complete. In response to EU requirements, Ukraine proposed a two-year plan covering integration with the EU's energy market and digital economy, as well as cooperation in justice, freedom and security. Regarding the latter, the focus was on cyber and cyber issues, sustainable development of critical infrastructure, the fight against international organized crime, border sealing and migration control, and Ukraine's participation in programs to improve it defines capabilities. The development of joint research and academic exchange activities, including the possibility of joining the "Horizon Europe" program, and the training of civilian and military officials according to European standards was also envisaged. Ukraine also proposed to make progress in the certification of Ukrainian industrial products to be marketed in the EU and called for increased import quotas and reduced tariffs for its products. These were all measures that were supposed to regularize Ukraine's orientation in a subsequent and possible future integration process.[170]

What is happening nowadays in Ukraine, with the conflict now protracted, both since 2022 with the involvement of Russia and the military escalation, and with the minor format since 2014 in the minor conflict confined to the Donbass region and the Russian Spring throughout Ukraine, makes it necessary to have an even more in-depth analysis of the phenomenon that happened in this country since it ultimately had and is having a very big influence on the whole of Europe and therefore the world.[171] Therefore, a much closer look at the European integration process related to Ukraine in all senses is necessary, evaluating multiple levels of integration: national, regional and global. The question of its forms, pace and timing is moving from the theoretical to the practical, from the distant to the urgent.

The European rhetoric of the Ukrainian conflict has soured on Russia after 2022. From the very beginning especially, the European institutions have implemented a much

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[170] ibidem

[171] Masters, Jonathan. "Ukraine: Conflict at the Crossroads of Europe and Russia." Council on Foreign Relations, 2023.

more extremist and unrestrained rhetoric on the tongue. One example is yet another meeting that took place between the delegations of the European Commission (EC) with members of the Council of Ministers of Ukraine (CMU) in 2023, European Commission President Ursula von der Leyen said: "This visit is unlike any other [...] This is a family reunion…"[172]

The emergence of such rhetoric from EU leaders suggests that they initially, as we have seen, doubted Ukraine's ability to withstand the challenges it faced from 2022 with Russia's involvement in Ukraine. The EU understood that the country would not survive if it was not supported. There is also a realization that the country cannot recover without it. There is a growing consensus among European policymakers that the EU's role in the new world order will also depend on how, when, and how the crisis in Eastern Europe ends.[173] The EU and its member states, with few exceptions, have taken Ukraine's side and do not seem willing to change their position. At the time of writing this thesis, the EU has imposed 14 sanctions packages against Russia in the areas of transport, trade, visa policy, banking and energy, etc.[174]

The Ukrainian issue has been repeatedly discussed in the EU in various forms. The view has been expressed that the country needs not only to rehabilitate its economy, but to rebuild its capital on different principles, partly due to the fact that this economy is already largely extraterritorial, i.e., delocalized and dependent on external factors.[175] Disagreements remain only on how to do it: with Ukraine as a candidate country or as a member of the EU.

[172] *Opening Remarks by President von der Leyen on the Occasion of the Meeting Between the College and the Government of Ukraine.* European Commission, 2023.

[173] Buras, Piotr. "Catch-27: The Contradictory Thinking About Enlargement in the EU." Council of European Foreign Relations, 2023.

[174] "L'UE adotta il 14° pacchetto di sanzioni nei confronti della Russia per il proseguimento della sua guerra illegale contro l'Ucraina." *European Commission*, 2024.

[175] Dienes, Alexandra. "A Worthwhile Investment." IPS, 2024

How the Copenhagen criteria are being implemented in Ukraine.

On February 28, 2022, Zelensky proposed accelerating Ukraine's accession to the EU. On March 1, the European Parliament (EP) supported this request by an overwhelming majority of votes (624 to 13). On March 10, 2022, the Council of the European Union (CJEU) urged the European Commission not to delay the decision.[176] The reaction of member states was less unanimous: the Netherlands, Denmark, Sweden and Portugal were sceptical, believing the country was not yet ready. Poland, Lithuania, and Ireland not only supported but also proposed accelerating Ukraine's accession to the EU. Some member states expressed the view that it would be appropriate to favour Ukraine over other candidates.[177] The European Commission compiled these positions into a document containing the conditions for candidate status, which was later supplemented with elements related to the "Acquis Communautaire" section.

On June 16, 2022, German Federal Chancellor Olaf Scholz, French President Emmanuel Macron and Italian Prime Minister Mario Draghi arrived in Kiev. They were later joined by Romanian President Iohannis Klaus.[178] The content of the talks with the Ukrainian president has not been disclosed, but as early as June 17, 2022, in the document "Recommendation of the European Commission on Ukraine's Status for EU Accession," the EC assessed Ukraine's compliance with its commitments in the Association Agreement (AA) and Comprehensive Free Trade Agreement (CFTA) and "on the basis of its ability to meet the Copenhagen criteria in 1993 set by the EU.[179] As we have seen earlier on this thesis, the "Copenhagen criteria," serve to give parameters that the accepted country should follow including: institutions that guarantee democracy, respect for the law, respect for human and minority rights; a functioning market economy, competitive in the EU market, ready to take on and fulfil the obligations of a member state, being European and the EU should be able to

[176] "Ukraine." *European Commission*, 2024.

[177] Besch, Sophia. "Ukraine's Accession Poses a Unique Conundrum for the EU." *Carnegie Endowment for International Peace*, 2023.

[178] Kottasová, Ivana. "Leaders of Europe's Biggest Countries on Kyiv Mission to Smooth Tensions." *CNN*, 2022.

[179] European Commission. "European Neighbourhood Policy and Enlargement Negotiations." 2024. URL: https://neighbourhood-enlargement.ec.europa.eu/european-neighbourhood-policy/countries-region/ukraine_en

integrate it.[180] All these criteria are rather general in nature. The EC, however, has therefore developed a new methodology for enlargement. The adoption process is divided in the document into 35 sections and 6 clusters.[181] Each of them defines the conditions for the start and conclusion of accession negotiations. After granting candidate status and during the accession negotiations, the EC regularly assesses the candidate's progress in each of the chapters and relates them to both the Copenhagen criteria and the recommendations on objectives, which are closely interrelated. It should be noted that six of the recommendations relate in one way or another to the state of the economy. The severity or, conversely, the leniency of the assessments is also strongly influenced by the political environment, so often compliance, that is, adherence to these criteria can vary by far to suit the preferences of the moment. This was the case, for example, with Bulgaria and Romania in 2007 or Croatia in 2013. As we have seen on several occasions, On June 24, 2022, the decision to grant Ukraine the candidate status, and the transition to accession negotiations was subject to seven conditions.[182] Although the EU did not define them as requirements and did not promise reciprocal steps, Kiev preferred to interpret them that way, and there were increasing calls in member states to meet these conditions and move to negotiations on Ukraine's EU membership.[183]

Consultations continued in the fall and early winter of 2022. On September 11, 2022, Head of Government D. Shmygal announced his intention to meet all conditions by the end of the year and proceed to accession negotiations. On September 15, 2022, he discussed the issue with Ursula von der Leyen in Kiev. Amidst the political and ideological optimism there are also very specific recommendations put forward, for example, by the Venice Commission.[184] Among the recommendations are some that distinguish the need the strengthening of the rule of

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[180] "Criteri di adesione (criteri di Copenaghen)." *Eur Lex.*

[181] "Opinion on the EU Membership Application by Ukraine." European Commission, 2022

[182] Sydorenko, Sergiy. "Seven EU Requirements for Ukraine: Accession Negotiations Getting Closer." *European Pravda*, 2023.

[183] Opinion on the EU Membership Application by Ukraine." European Commission, 2022

[184] "On Amendments to Certain Laws of Ukraine Concerning the Consideration of the Expert Assessment of the Council of Europe and Its Bodies on the Rights of National Minorities (Communities) in Specific Spheres." Venice Commission, 2024.

law very often undermined by alarming levels of corruption.[185] Here are some proposed directions to Ukraine listed below:

- Intensify the vetting of candidates for the Supreme Judicial Council (SJC) by the Ethics Council and select appropriate candidates for the Commission for High Qualifications of Judges of Ukraine.[186]
- More actively identify and investigate corruption cases, appoint a new head of the Specialized Anti-Corruption Prosecution Office (SAP) and the director of the National Anti-Corruption Bureau of Ukraine. As for progress, the head of the SAP, D. Shmygal, was appointed in this regard on July 19, 2022, who hastened to declare that "Ukraine would now implement all seven EU recommendations." Although the conditions relating to the fight against money laundering and comprehensive legal reform have not yet been fully met, Ukrainian experts believe that this can be done relatively quickly, taking into account the developments already underway.[187]

- Achieve compliance of Ukraine's national anti-money laundering legislation with the standards of the Financial Action Task Force, develop and approve a strategy for reform of the entire law enforcement sector as an important factor of national security. So far, no progress has been made, but there is a glimpse of movement in a positive direction. Work continues on a number of bills (on the basis of sanctions policy, amendments to the Criminal Code and the Code of Criminal Procedure). An interdepartmental group in the Office of the Attorney General has drafted a plan to reform the law enforcement sector.

- Develop and adopt a law limiting the influence of big money owners on politics, considering the recommendations of the Venice Commission. This law was adopted. The Venice Commission was to give its opinion on it. According to information received by Ukrainian journalists, the draft of this document contains a number of key

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[185] "On the Prevention of Threats to National Security Related to the Excessive Influence of Persons with Significant Economic and Political Weight in Public Life (Oligarchs)." Venice Commission, 2023,
[186] Compilation of Venice Commission Opinions and Reports Concerning Courts. Venice Commission, 2023.

remarks and places the EC, which gave a positive opinion on this fifth recommendation, and the Ukrainian state administration in front of the task of radically revising the law or even canceling it. Now, according to Ukrainian experts, the law must be revised. At Kiev's request, approval of the Venice Commission's opinion was postponed until the middle of this year.
- Legally protect the media from partisan influences. On December 13, 2022, the Ukrainian Supreme Council (Rada) adopted a media law, which was signed by the president on December 29, 2022. Its provisions have been substantially improved, including considering the findings of the EC and the CJEU.[188]
- Complete the legal framework for national minorities. The relevant law was adopted on December 13, 2022. According to Ukrainian and European experts, it meets the requirements of the Convention for the Protection of Minorities. At the same time, they pointed out that the law was not sent to the Venice Commission and was adopted hastily without thorough consultations with representatives of the minorities concerned, which raised doubts from countries with significant minorities on the territory of Ukraine, including Hungary, Romania, and Russia.[189]

- Implementation of the main provisions of the AA and CFTA continued in 2022. On July 26, 2022, the EU delegation in Kiev published a report on Ukraine's implementation of the CA. The document highlighted Brussels' readiness to support the country on its European path and help it with reconstruction. 'Despite the challenges,' the document emphasized, 'the reforms implemented in this context now enable a new phase of relations to begin with confidence'.[190]

Regarding the timing of Ukraine's accession to the EU, the opinions of member states and experts are still divergent. From the whole spectrum of assessments and judgments, three points of view can be distinguished.

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[188] Ukraine: IFJ Calls on the Government to Revise New Media Law. International Federation of Journalists, 2023.
[189] Opinion on the Law on National Minorities (Communities). Venice Commission, 2023.
[190] Joint Staff Working Document: Association Implementation Report on Ukraine 2022. European Commission, 2022.

Firstly is that the start of the relevant procedure should be accelerated as much as possible after assessing the implementation of the measures envisaged by the CA. For example, Anna Luhrmann, State Secretary of the Foreign Office of the Federal Republic of Germany, believes that it is possible to start negotiations for Ukraine's admission in the near future. After which in 2024 these negotiations were actually opened[191]

At the same time, there is the possibility of depriving the candidate country of previously granted incentives in case of serious stagnation or backwardness in the implementation of reforms. Importantly, one of the forms of incentives could be "closer integration" of candidate countries and their 'gradual inclusion' in specific Brussels policies, including participation in the single market and EU programs, as has been the case over the past year. Until recently, the idea of "partial membership" had not been put into practice, but the EU agrees that there should be a "move toward gradual integration" between the community and the candidate countries "in a reversible and results-based manner".[192]

Ukraine after all has made significant progress in some areas, while others have been a failure. For example, ambassadors of EU member states meeting in Brussels disagreed on the use of the term "progress" in the assessment of Ukraine's fulfilment of the seven conditions, proposing to replace it with "efforts," and insisted on this point. This episode, as the diplomats told New York Times correspondents, showed that the EU, despite all that has happened, is still not abandoning its policy toward Ukraine, which is to give hope for the future by avoiding false promises. On the other hand, U. von der Leyen did not refrain from using the word "progress." "You continue to make impressive progress in implementing the seven steps set out in the Commission's opinion," she told the summit on Feb. 3, 2023. - Europe is with you for as long as it

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[191]"EU Launches Membership Talks with Moldova and Ukraine." Al Jazeera, 2024.
[192] "European Council Conclusions on Ukraine, the Membership Applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and External Relations, 23 June 2022." European Council, 2022.

takes, until the day the Ukrainian flag is raised where it belongs: in Brussels, at the heart of the European Union".[193]

In light of everything up to 2024, the Ukrainian establishment still sees no alternative to the country's accession to the EU. They believe that accelerating the process of European integration is in Ukraine's national interest and poses no threat to anyone.[194] Many Western experts believe that the formation of a new European and global security system, which everyone needs, would be facilitated by a rapid cessation of hostilities and the pursuit of bilateral and multilateral relations that would allow Ukraine and Russia to develop in cooperation and in a coupled mode of modernization in the European and Eurasian space.[195]

Conclusion: prospects for further enlargement and its potential impact on EU normative consistency.

We have in this thesis dealt with several case studies in depth, and although there would be much more to say, it becomes clear in a general way what megatrends are emerging in the European neighbourhood nowadays. The European Union per se, by the nation states, is seen nowadays as a Bureaucratic Leviathan, in this regard the famous words of Franz Josef Strauss, another German politician and president of the CSU in Bavaria, who is very famous for characterizing European integration, with these famous words: "The Ten Commandments contain 279 words, the American Declaration of Independence 300 and the provisions of the European community on the import of candy exactly 25,911." Surely in addition to a smile, these words provoke a thought known to all, to the fact that something fascinating and supranational is being built between such different countries but still very often made misleading by an

[193] "Joint Statement Following the 24th EU-Ukraine Summit." European Council, 2023.

[194] Onuch, Olga. "Ukrainians' Unwavering Path Toward the EU." Carnegie Endowment for International Peace, 2024.

[195] Kortunov, Andrey. *Beyond the Conflict in Ukraine: Towards New European Security Architecture*. 2024. *Russian International Affairs Council*.

innumerable amount of documents that often cripple the Organization itself. Perhaps it is also for this reason turned by a desire for self-esteem, that we can observe today with what certainty some policies are being applied, by European leaders themselves. There is almost a desire to play the great game of geopolitical powers and have a greater geopolitical rule to overcome the reductive concept of Normative Power so much proclaimed   by   Manners. As we have well seen during the formation and enlargement process, the EU has equipped itself with some very powerful mechanisms, including the European External Action Service in 2010, the first diplomatic service to be multinational and the largest in the world. With an innumerable amount of resources, the European institutions in fact turn out to be very influential both internally and externally. But beyond global relations, the primary interest certainly turns out to be the European neighbourhood, which is very often unstable, with regional or local conflicts tending to play a destabilizing effect on European states. Beside the conflict in Palestine, the instability of Libya, Syria, and Nagorno Karabakh, which are not the subject of analysis in this thesis, as we have seen, however, the EU has tried its hand at other conflicts, such as the Cypriot conflict, accepting Cyprus and making it a Member State in 2004. Despite the fact that Nicosia does not fully control the territory of the island of Cyprus, due to the presence of the independent and Turkish-recognized republic, Northern Cyprus. The division of the island nowadays seems to be de facto final and as such without a way out certainly in the short term, as well as with Kosovo, which despite having been recognized as an independent country by the majority of EU member states, could again remain an unresolved issue in the long run, especially in relations with Serbia, which out of principle of sovereignty, rightly condemns the illegal military occupation of its territory. Serbia and Turkey are two states in antinomy with each other but both with even more complicated relations with the European Union. Wanting to draw some comparative results, we see how historically the Cyprus and Kosovo conflicts have irreversibly triggered the attitude these two states have toward the Western European powers, as well as the European Union. There are, as we have seen, countries that are faster or more resultant on the path to accession, while others are not. This is because

in the European Union, despite very clear Copenhagen criteria, sometimes has preferences directed toward states that, in addition to their imminent geographical location, have characteristics more closely related to European powers. We can say with certainty that Turkey's candidate member status has indeed been an odyssey, an odyssey that has never ended, and indeed paralyzed because of the lack of mutual interest that Turkey has, as we have noted, been held against it over the past 25 years. Even though Ataturk, the father of the Turkish Republic gave the roots, as well as spurred the new country that arose from the ashes of the Ottoman Empire, toward a European direction, nowadays, Turkey, despite still having Ataturk as its main and absolute point of reference, is no longer so openly interested in or directed toward greater ties with the West. But rather after the events of 2016 and the presidentialism reforms led by President Erdogan, have made the country undoubtedly more authoritarian and with a more centralized vertical of power. It is clear, therefore, that for sheer political matters the European Union has preferences that are certainly going in the direction of the Western Balkans and the post-Soviet area (Ukraine, Moldova, and Georgia), and thus this country (Turkey) will see itself overtaken for the umpteenth time by someone else.

Now it is left to be seen which country will be the next to join or whether there will be conditions for the next wave of expansion. For sure, as can also be understood from the thesis, that the European institutions are preparing the conditions for a next expansion, but for sure this attempt will not be in the short term, as for sure the current Ukrainian establishment would hope, also for ideological issues. Ukraine is another pivot country in unresolved geopolitical issues between major powers. Certainly, as we have seen, historically, the events that took place in the fledgling state of Ukraine have also made relations here with a key partner of the European Union irreversible, which is undoubtedly the Russian Federation. In addition to being the largest state in the world, it is also the largest on the European continent, a European country of European values with Russian also being the most widely spoken language on the continent, and economically, again with a significant portion of European economy. It is apparent that

to unite Europe without considering Russia would be, as the British say, like ignoring the elephant in the room.

All these statements are made to answer yet another research question posed at the outset of this thesis: To what extent are accession criteria, including the Copenhagen Criteria, shaped by contemporary political interests?"

Certainly, political interests are marked by an agenda that over the years continues to be geared toward containing Moscow's influence on the European continent. After World War II, with the advent of the Cold War, primarily Western European institutions and integrations were created to consolidate American influence and unite the states under its influence against Moscow of the then Soviet Union. Nowadays, despite the fact that modern Russia has abandoned the ideology that divided it from the rest of the West, political interests due to the same geopolitical containment goals lead European institutions to be oriented to influence some objective criteria to match current policy. and thus generating a polarization These policies throughout post-Cold War history have recreated an inevitable polarization, for as we have said, the presence of the EU and Russia, has given the contiguous neighbourhood the need to affix choices, making conflict of interest and direct confrontation inevitable. And that is one of the reasons why the post-Soviet states under consideration, Moldova and Ukraine are still internally divided due to various preferences in the population. Considering the Brexit as well, and all these long-term conflicts make it clear how necessary it is to pacify tempers with diplomatic activity aimed at dialogue, only then can a system of common integration be found that reflects the interests of all. Wanting to draw the gist of our discussion, on the basis of all this, it can be said that at the political level the candidate countries considered furthest from accession are Turkey, Serbia and Bosnia. Although politically the establishments of other countries such as Ukraine, Moldova, Albania, Montenegro are pro-European there are still objective impediments that make accession impossible. At the legal level, the Copenhagen criteria's are not just a regulatory tool, but represent

a system of values that the European Union requires of its members to ensure internal cohesion based on democratic, economic and human rights principles. However, as has become apparent throughout this thesis, the application and interpretation of these criteria have not always been uniform or free of contingent political influences. The case of Turkey, again taken as an example, highlights how, despite progress in meeting the formal criteria, geopolitical and cultural compatibility considerations have significantly affected the slowing of its accession process. The Kosovo issue and the division of Cyprus also demonstrate that the European Union has, in some cases, exercised flexibility toward states with complex internal situations, favouring a pragmatic approach aimed at ensuring regional stability.

On the other hand, the recent granting of candidate status to Ukraine and Moldova signals a clear direction of the EU toward the integration of post-Soviet countries, driven also by the current geopolitical context. This trend reflects a strategic vision of the Union, which again sees eastward expansion not only as an opportunity to consolidate its borders, but also as a means to strengthen its influence in a contested region.

However, as the analysis shows, there are states that, while manifesting a clear pro-European orientation, face structural and political obstacles that make membership a distant goal. In this context, the EU must carefully balance the strict application of the accession criteria with the need to maintain internal coherence and regional stability.

In conclusion, although the EU's expansion continues to be a powerful tool for stabilizing and promoting political values, it must meet the challenges of an increasingly multipolar and complex world. The next wave of accessions will inevitably be shaped by a delicate balance between the legal imperative of compliance with established criteria and the political dynamics influencing European geopolitics. As pointed out, the path to European integration is not only a matter of legal compliance, but also a political choice that requires foresight and compromise.

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