

THE IDEA OF A ‘GRADUAL ENLARGEMENT’ PROCESS



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Abstract

A European cooperation that can (re)unify the geographical and cultural facets of Europe has been the dream and vision since its very early foundation in the wake of the Cold War. Even starkly different visions have all formulated the reunification as the ultimate political objective of Europe. Therefore, the continuous enlargements, based on geopolitical realities and possibilities, has accompanied the evolution of the European integration until the ‘Big Bang’ or the ‘great enlargement’ of East-Central Europe in 2004, 2007, and 2013. Further enlargements pose more serious economic and geopolitical difficulties, and the prolonged processes have created dilemma vis-à-vis the candidate countries in the Western Balkan and Eastward regions. In light of this historical context, this study aims to examine the concept and objectives of ‘gradual integration’. It evaluates the positions of both the supranational institutions as well as the individual Member States while drawing a conclusion on the potential ways forward.

Keywords: multi-speed Europe, concentric circles of Europe, enlargement strategies, Western Balkans, Eastern enlargements, frontiers of Europe

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1. Introduction

1.1. *Enlargement(s) in Geopolitical Context*

The foundation and early evolution of the European cooperation were defined by multiple underlying factors, including internal and external ones, as well as by complex reasons encompassing economic, civilisational, and defence-related factors. Considering the tragic and striking experience of the Second World War, among the major motivations for European integration was to prevent the rearmament of Germany and the outbreak of another destructive war on European soil. At the same time, the rapid economic relaunch of the Western half of the Old Continent turned out to be essential after the unprecedented devastation of the Second World War. In this regard, external geopolitical forces were equally decisive in the concrete realisation of the longstanding idea of an institutionalised European cooperation.¹ Consequently, geographical and geopolitical considerations have been present since the very beginning of the European cooperation.

The World Wars began a process of transition from a Eurocentric international society and system of international relations and law,² changing the destinies of European countries that began to be heavily influenced by emerging non-European superpowers.³ This was further reinforced by the disintegration of colonial systems – the process of decolonisation that supported a European integration process. These external factors significantly contributed not only to the beginning and realisation of European construction in the 1950s but also to one of its long-term geographical aspirations and visions. Beyond safeguarding the European civilisation, as the Christian democratic foundation supporting the European cooperation wished to pursue, the aim was to encompass the entire geographical continent of Europe. According to a key phrase in the Schuman declaration, '[i]t proposes that Franco-German production of coal and steel as a whole be placed under a common High Authority within the framework of an organisation open to the participation of the other countries of Europe'.⁴ On the one hand, this provision envisioned a European future that is based on institutional cooperation within an organisational structure. On the other hand, these words also served as an 'invitation letter' to all those countries who share the common European civilisational heritage and roots in the hope that they could join and accede in the future. Robert Schuman repeated this thought in 1963 when he pointed out the responsibility of establishing the European cooperation in a way that is 'not only for the interest of the free peoples but will also have a place for the

1 See for example, Isaacson and Even, 2012, pp. 513–520; Middelaar, 2011, pp. 194–222.

2 See Bederman and David, 2002, pp. 111–112.

3 See Bertoincini and Chopin, 2010, p. 55.

4 See European Union, 1950.

peoples of the East'.⁵ This early wisdom was also codified in the Rome Treaty of 1957 that kept open the possibility of accession to any 'European country'.⁶ The political objective (*finalité politique*) of economic integration of the initial six Member States was to uphold the aspiration of a European reunification amid an unfolding Cold War.

Largely due to the 'spirit' of this initial 'invitation letter', the alliance of the six founding Member States went far beyond the industrial (mining: coal and steel community) and economic dimensions: they have had to face and consider other European nations that sought to join the expanding project of European integration. The early wisdom and vision of the Founders set the stage for a solid plan and the evolving strategy for the future enlargement of Europe. The questions of the European Union's (EU) 'entry gate', membership criteria, and external frontiers have been the focal points of European politics ever since. Furthermore, the weight and the stake of these questions have increased significantly as the cooperation has become more attractive partly due to the prosperity and economic success of the so-called 'thirty glorious years' (*les trente glorieuses*)⁷ and partly because the integration – for reasons not attributable to the same – has become synonymous with peace and stability.

The first major geopolitical – and enlargement-related – question was whether the United Kingdom (hereinafter UK) would be member of the cooperation. The UK secured a seat at the peace conferences that ended the war and remained the strongest European country, but it did not become part of the initial process of integration because of a suspicion of the unfolding supranational structures.⁸ Only in 1961 did the UK decide to announce its intention to join the European cooperation. However, the accession process was prolonged. The political veto of President Charles de Gaulle as well as the difficult and cumbersome negotiation process during the following decade revealed that the cooperation is not only a complex legal system built on treaties but also a political alliance depending on the will of individual Member States and their interests. With the first enlargement in 1973, the question was whether the nine Member States⁹ can represent or speak on behalf of Europe¹⁰ and if so, is there and what is the self-definition and identity of their cooperation?

5 Robert Schuman wrote the followings in the France Forum (November 1963): '*Nous devons faire l'Europe non seulement dans l'intérêt des peuples libres, mais aussi pour pouvoir y recueillir les peuples de l'Est qui, délivrés des sujétions qu'elles ont subies jusqu'à présent, nous demanderaient leur adhésion et notre appui moral*'. See Schuman, 1963.

6 Art. 237 of the Rome Treaty: '*Tout État européen peut demander à devenir membre de la Communauté. Il adresse sa demande au Conseil le quel, après avoir pris l'avis de la Commission, se prononce à l'unanimité*'.

7 The expression '*Les Trente Glorieuses*' was invented by Jean Fourastié referring to the unprecedented post-war economic growth of the European integration. See for example: *economie.gouv.fr*, no date.

8 Middelaar, 2011, pp. 232–234.

9 The United Kingdom, Ireland and Denmark joined the European cooperation in 1973.

10 Middelaar, 2011, pp. 243–244.

Based on this logic, the nine Member States adopted the first declaration on the ‘European Identity’ in 1973 in Copenhagen.¹¹

Democracy is one of the central features of European identity, which was reinforced in practice when Greece as well as Portugal and Spain joined the European integration, in 1981 and 1986, respectively, after the fall of dictatorial regimes in the nations. By the end of the 1980s, the European cooperation constituted a club of 12 European democracies.

The tectonic shifts for the European cooperation arrived in 1989 with the fall of the Berlin Wall and with the collapse of the Soviet Union. This historic moment had dual consequences. On the one hand, the initial ‘invitation letter’ of Robert Shuman could be fully ‘delivered’ as the largest obstacle of the original objective of the European cooperation was removed. On the other hand, the East-Central European countries that aspired for membership but were isolated by the Iron Curtain for decades had significantly different historical experiences, visions, and expectations than the original six, 12, or 15 nations, including the accessions of Austria, Finland, and Sweden in 1995. New and even more complex conditions have been defined with the Copenhagen criteria of 1993; as Vaclav Havel wrote with much criticism and reference to the slow and cumbersome accession process, while the former order, the old *status quo* collapsed, the new order has not been built up.¹² Furthermore, the Balkan war of the 1990s and the inability of European powers to handle and settle this crises reminded the European leadership of the still existing limitations of their geopolitical opportunities and capabilities. It was (or would have been) a reminder for the importance of the integration process in the European continent and the need to define the frontiers of Europe as well as rethink the role and objective of the institutionalised cooperation in Europe.

As a consequence of the tectonic shift of 1989, the Eastern enlargements in 2004, 2007, and 2013 were part of the achievements of original political objectives and occurred following a monolithic approach – also called the ‘Big Bang’ or the ‘great enlargement’.¹³ At the same time, however, the Eastward enlargement also continued to present the most visible tensions and gravest challenges for the European cooperation in the decades to come: Can the cooperation become a geopolitical reality beyond market realities and what are the frontiers of Europe? How far can the enlargement go? What would be the most suitable method for further enlargements? Can further enlargements take another ‘Big Bang’ approach or should they involve a more piecemeal process? These are the dilemmas and questions the EU, along with its Member States, must increasingly face in the 2020s.

11 Centre virtuel de la connaissance sur l’Europe, no date.

12 See Middelaar, 2011, pp. 269–270; Havel, 1994.

13 See for example: Zalan, 2020.

1.2. Strategies and Challenges in Previous Enlargements

The entry gateway to the European cooperation has become of strategic importance. More than just being a symbol, the gateway forged the Member States into a community and allowed them to think about and determine its own political perception. It indicates a point of alignment for those who wish to become the members of this cooperation. Specifically, it has carried the promise of cooperation that would gradually encompass the geographical breadth of Europe. Even though the European cooperation began as a market integration initiative, the enlargements have been a market- or economy-related question only to a lesser extent. The principal stake and challenges of enlargements have been security and geopolitics and have always involved geographical considerations. Consequently, the strategies and challenges should be primarily measured and evaluated in light of these geopolitical considerations.

The primary stake behind the accession of the UK was the question of European security in the face of an intensifying Cold War in the early 1960s. President Charles de Gaulle's idea and plan were to build an independent security architecture together with the UK and thus create nuclear deterrence capabilities for European defence purposes. However, in the meantime, the UK chose to ally with the United States by signing a defence agreement. In light of these events, France de facto vetoed the accession in January 1963 and concluded the Elysée Treaty with West Germany the same month.¹⁴ The UK was only admitted to the community nearly a decade later in 1972, which highlights the security stake of the enlargement in the 1960s.

Even though the tectonic shifts of the change of regimes fulfilled the dreams of millions on both sides of the Berlin Wall and the Iron Curtain, it also brought serious dilemmas to the surface and centre of European politics. The three neutral countries that joined in 1995 – Austria, Finland, and Sweden – were not unfamiliar in the context of European integration as they had been part of the European Free Trade Association. Their membership was, to a large extent, a direct consequence of the collapse of the Union of Soviet Socialist Republics (USSR) and the dissolution of the two European blocks. By contrast, the accession of the East-Central European countries recently liberated from Soviet occupation and transitioning to market economies posed a more serious challenge. The European integration has been a major gravitational force to them and their participation would permit the extension of the territory of the EU to the territory of the continent, as well as permit the European construction to assume a European geopolitical role. Nevertheless, much of the East-Central European countries were unfamiliar to the old Member States.¹⁵ With the introduction of the complex system of the Copenhagen criteria in 1993, the East-Central European countries were required to undergo a 'metamorphosis' to be able to

¹⁴ See Middelaar, 2011, pp. 231–234.

¹⁵ The difficulties of the mutual understanding were eloquently told by Milan Kundera in the novel entitled *'Un Occident kidnappé: Ou la tragédie de l'Europe centrale'*. See Gallimard, 2021.

approach and pass through the gateways more than a decade later. In the meantime, this has indicated a dynamic and a major shift towards the importance of the rules and conditions based on the identity of the member countries.¹⁶ The Copenhagen criteria strengthened the dynamic whereby the conditions and rules are expected to create a European identity and serve as an entry gate into the cooperation.

The Eastward enlargements of the 2000s, albeit of historical significance and marking a major milestone in the evolution of the history of the European cooperation, raised at least as many questions as it answered. Ultimately, even though it occurred as a monolithic enlargement and countries were admitted as a group (the so-called Big Bang expansion), the Eastward enlargements raised the question of where the frontiers of Europe are located and how far the enlargement can continue. Are there geographical or civilisational frontiers in Europe? The question of frontiers necessarily includes the question of self-definition. At the same time, the continuous enlargements and their different timings and phases increased the heterogeneity of the composition of the community in terms of countries' historical experiences, the underlying reasons for their accession, as well as their ultimate expectations from the cooperation. This increasing heterogeneity has led to the adoption of various mechanisms that allowed the differentiation in terms of certain types of fields of cooperation and exemptions or the clause of 'opting out'. Such exemptions included, for example, the adoption and introduction of the 'Schengen area' or the common European currency. This set the stage for 'enhanced cooperation' or 'closer cooperation' and the idea of a 'multi-speed EU' that is now subject to various debates.¹⁷ This also raised the question of whether subsequent enlargement could follow the same method, or rather take a nuanced and piecemeal approach. These considerations have also influenced current enlargement strategies.

1.3. A Brief Assessment of Previous Enlargements: Successes and Failures

While the enlargements were always subjects of geopolitical considerations and compromises, each one of them increased the economic successes of the community as a whole. Enlargements contributed to the stabilisation as well as to the expansion of the market economy throughout Europe. They successfully created the conditions for a functioning single and internal market that brought economic prosperity and steady development to all the Member States until recently.¹⁸ Even though disparities between regions and countries remained, the advantages offered by market

16 Middelhaar, 2011, pp. 242–243; At the Copenhagen European Summit of 14 and 15 December 1973, the Heads of State or Government of the nine Member States of the enlarged European Community affirm their determination to introduce the concept of European identity into their common foreign relations. See Declaration on European Identity (Copenhagen, 14 December 1973).

17 See for example, the recently concluded discussion on the Future of Europe or the report of the Franco-German working group on the EU institutional reform.

18 About the logic of neofunctionalism on continuous enlargement and its critical evaluation see Börzel and Tanja, 2005, pp. 217–236.

integration justified the original assumption according to which the economies of European countries are more successful together within the framework of market integration than separately. Furthermore, the enlargements always required a transition to democratic systems and thus contributed to the stabilisation of the region. Prime examples of this were the Southern enlargements that included Greece in 1981, along with Spain and Portugal in 1986, as well as the Eastward enlargements of the 2000s. Thus, the European cooperation is a 'club of democracies' that represents both an accession requirement and a 'trademark' of the community.¹⁹

Because of these provisions, as well as economic and other benefits, the accession has gained traction. Consequently, the perspective of the accession has also served as a powerful foreign policy tool for the European cooperation. It has been functioning as a 'positive conditionality', being a powerful incentive for market and institutional reforms. Owing to the conditions and reference points, some of the objectives concerning the framework and process of accession were also to stabilise the surrounding countries and regions; act against or counterbalance malign influences; and form a zone of security, which is among the core questions of the Western Balkan enlargement. Consequently, there have been magnetic forces on both sides that propelled the enlargement process: the achievements and success of the cooperation mainly as a single market and welfare model on the one hand and the need for expansion for both economic and security reasons on the other. This overall dynamic, which has been at the heart of the European cooperation, fuelled the successful enlargement process.²⁰

Nevertheless, the euphoric moment of the change of regimes in 1989–1990 set a high expectation within the European cooperation but especially in those countries who were newly liberated under the Soviet rule, as they looked for economic prosperity and a way to preserve their national independence and identity. The end of the Cold War opened a window for the European cooperation to become a more autonomous 'geopolitical reality'. These expectations were 'codified into' the Maastricht Treaty that extended the focus and scope of the legal foundations of the European cooperation. The differences and difficulties of the Eastern enlargement were multifarious, ranging from political-institutional to socio-economic factors, as well as to the question of identity.²¹ What seemed to be the reunification of the continent on the one hand has been criticised as the dilution of the original project on the other: it has been criticised as it poses a threat to the original European cooperation both in terms of identity and across economic and social dimensions.

In addition, the long crises period of the 2010s revealed the shortcomings and failures of the cooperation and its enlargements in achieving geopolitical and security objectives, including with the migration crises and Brexit and the weak or hesitant responses of the EU to these crises, and the outbreak of the Russo–Ukrainian

19 Middelbaar, 2011, pp. 379–383.

20 Bertoincini and Chopin, 2010, pp. 57–63.

21 See also, Foucher, 2006, pp. 86–114.

War in the 2020s as well as the inability of the European cooperation to take part in settling this conflict.

1.4. The Idea of the ‘Gradual Enlargement’

The (re)unification of Europe as a result of the Eastward enlargement process in the early 21st century signified a ‘historical duty’ and also marked a historic achievement and the fulfilment of the aspiration of the founders of the European cooperation by ending the artificial division of the old continent and expanding market integration as well as economic and infrastructural reforms. At the same time, as the borders of the EU have become closer to the borders of geographical Europe, they have posed new challenges and questions about its relationship with its new neighbours and its geopolitical position in the world. Furthermore, even as the Cold War ended, the question and pressure nevertheless increased on the EU *vis-à-vis* whether and how to assume a geopolitical role and create a European narrative or vision in the aftermath of the Cold War era. It also raised the question of responsibility for the European continent and in turn, for the security of the European integration process and its achievements. Meanwhile, because of the Eastward enlargement, the EU has become much more diverse as a result of a multitude of different approaches, attitudes, and historical experiences that have made its operation and decision-making process much more complex in the early 21st century.

In light of these developments, one of the defining questions of the European cooperation was how to ensure the security of the EU that is now bordered by unstable governments and countries. This dilemma was exacerbated by the outbreak of the ethnic conflicts and the prolonged Balkan War of the 1990s. One of the envisaged solutions was to extend the process of enlargement and include these neighbouring countries in the EU even if their performance had not entirely met with the Copenhagen criteria. Accordingly, the Copenhagen European Council of 2002, in which Member States made the decision to admit 10 new members, also confirmed the commitment of the EU that the five Balkan countries were entitled to accede to promote prosperity and stability in Europe.²² This would give rise to a new concept called ‘gradual or phased integration’. In the context of strengthening and institutionalising neighbourhood relations, this commitment also appeared in Art. 7a of the Lisbon Treaty.²³ In contrast to previous enlargements, the novelty of this concept is to forge a close

22 The Western Balkans’ countries have become part of the ‘Stabilisation and Association Process’ during the Copenhagen European Council, see Copenhagen European Council of 12 and 13 December 2002, para. 23.

23 Art. 7a of the Lisbon Treaty ‘1. The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterized by close and peaceful relations based on cooperation. 2. For the purposes of para. 1, the Union may conclude specific agreements with the countries concerned. These agreements may contain reciprocal rights and obligations as well as the possibility of undertaking activities jointly. Their implementation shall be the subject of periodic consultation’.

and peaceful relationship by securing reciprocal rights continuously before full membership and therefore contributing to stability in the region.²⁴

2. Origins and Concept of 'Gradual Integration'

Specifically, 'gradual integration' would aim to accommodate the expectations and level of preparedness of both the community and the candidate member. Therefore, in a larger context, the political and theoretical origins of the concept of 'gradual integration' are rooted in what has been called 'variable geometry Europe' or 'multi-speed European integration'. The academic and political discourse on the 'variable geometry Europe' began in the 1970s²⁵ but considerably strengthened in the face of the collapse of the Soviet Union and the possible Eastward enlargement of the European integration. The main institutional and decision-making dilemma that these debates aimed to highlight was how to reconcile and facilitate a compromise between the expected large increase of Member States and the process of consensus-seeking to facilitate and guarantee the efficient operation of the EU.

Indeed, one of the defining characteristics of the European integration since its early years has been that the Member States do not conceive their respective memberships in the same way as they have convergent but dissimilar expectations based on their historical experiences, economic outlooks, and national identities.²⁶ This early experience had its impacts not only on the functioning but also on the expected future evolution of the European integration. From this perspective, the expected Eastward enlargement and 'the reunification of the continent' would not only double the number of Member States but also increase the heterogeneity, variety of viewpoints, and different identities within the community. This development induced a new political and academic discourse on the institutions and mechanisms that could help manage the increased heterogeneity of the European community with the dual objectives of proceeding with the enlargement and simultaneously preserving the dynamic of the integration.

Considering the dissimilar expectations of Member States as well as the diverse objectives of a 'multi-speed Europe', a more flexible concept of integration gave rise to ambiguities. Accordingly, during the preparatory phase of the Amsterdam Treaty revision in 1997, rival concepts and proposals were introduced and discussed. One of the proposals was based on a Franco–German document authored by Edouard

24 See also: Bickerton, 2021, p. 6.

25 The German Chancellor, Willy Brandt spoke about a two-speed Europe as early as 1974 as a way to reconcile the differences and facilitate a more dynamic integration process. See for example, Marieni, 2015.

26 Middelaar, 2023, pp. 11–41.

Balladur, Wolfgang Schauble, and Karl Lamers, proposing the concept of ‘variable geometry Europe’ that envisioned ‘concentric circles of Europe’ with a core Europe (*Kern Europa*) at its centre.²⁷ This idea has been based on the logic that a core part of the integration could provide a more efficient magnetic effect to move forward both the integration and enlargement process. By contrast, the concept of ‘flexible Europe’ was put forward by former British Prime Minister John Major in his Leiden speech in September 1994.²⁸ The fundamental logic of this view was to generalise the system of opt-outs and exemptions while favouring intergovernmental and sometimes *ad hoc* procedures instead of a unified institutional system.

As a result of these theoretical and policy debates, the Amsterdam Treaty revision of 1997 first institutionalised the concept of the ‘variable geometry Europe’ by introducing the mechanism of ‘enhanced cooperation’.²⁹ The cornerstones but also the confines of such forms of cooperation are that they must serve the objectives of the Founding Treaties; develop within the existing treaty framework; and last but not the least, remain open to Member States that wish to join at a later stage. These criteria of application of enhanced cooperation aimed to avoid such pitfalls as the erosion of the institutional system or the fragmentation of the ‘*acquis communautaire*’. However, they aim to preserve the dynamism of the European integration process. The Schengen *acquis* – which began on an inter-state basis – has become part of such ‘enhanced cooperation’ proposed by the Amsterdam Treaty.³⁰ The Lisbon Treaty (TEU) also contains this mechanism, and further examples for its use are the establishment of the European Public Prosecutor’s Office, the law on divorce and legal separation, or the unitary patent protection. As a result of the institutionalisation of ‘enhanced cooperation’, the European integration has been compared to a lake with deeper and shallow parts: while the deeper areas indicate stronger and wider consensus, the shallow parts reveal existing differences that still remain.³¹ The European integration thus carries the characteristics of a multi-speed Europe. Related to but beyond the scope of ‘enhanced cooperation’ has been the concept of ‘transitional arrangements’ that have offered gradual application of the ‘*acquis*

27 See for example, Blatter, 1994. The Germans were in favour of the ‘core Europe’ concept whereby the most active and willing Member States take the leadership of the Community while France proposed the concept of the ‘concentric circles of Europe’. See Bertoncini and Chopin, 2010, p. 78.

28 The Rt. Hon. Sir John Major KG CH, 1994.

29 Under the current treaty structure, Art. 20 of the Treaty on European Union and Title III of the Treaty on the Functioning of the EU regulate the ‘enhanced cooperation’ that is a procedure where a minimum of 9 EU Member States are allowed to set up advanced integration or cooperation in a particular field within the EU, when it has become clear that the EU as a whole cannot achieve the goals of such cooperation within a reasonable period.

30 In the face of objections from several Member States, including especially the United Kingdom, the Schengen Treaties of 1985 and 1990 were originally concluded as international treaties outside the institutional framework of the European integration. The flexible approach of the ‘enhanced cooperation’ provided the opportunity to include the ‘Schengen *acquis*’ in the framework of the European cooperation. See also, Middelaar, 2011, pp. 261–269.

31 ‘Multi-speed Europe’ is making a comeback, along with the constitution. See Economist, 2007.

communautaire' based on an agreed timetable during successive enlargements.³² Even though the Brexit vote in 2016 was a moment of separation, it also gave a renewed impetus to the policy and academic discourse on a future 'multispeed Europe' that would allow more room of flexibility. In the aftermath of the decision of the UK to leave the EU, the European Commission presented a white paper in 2017 that outlined a multi-speed Europe led by the 'coalition of willing' as one of the scenarios for the future of Europe.³³

Since the 2010s, the EU has been, again, facing a dilemma and the prospect of new enlargements, mainly to the Western Balkans, including Montenegro, Serbia, Albania, North Macedonia, Bosnia and Herzegovina, and potentially Kosovo, as well as to further Eastward nations, especially Ukraine, Moldova, and Georgia.³⁴ The Copenhagen European Council of 2002 showed the determination and as early as 2003, the EU–Western Balkans Summit Thessaloniki offered the prospect of accession and a future in the EU for the Western Balkan countries.³⁵ The European Council decided to open negotiations with Montenegro and Serbia in 2012 and 2014, respectively. The enlargement process has been reinvigorated in recent years. North Macedonia and Albania opened accession negotiations in 2022. Furthermore, the screening sessions were completed with both Albania and North Macedonia by the end of 2023. The European Council decided to open accession negotiations with Bosnia and Herzegovina in 2024. Kosovo is a potential candidate country and has yet to open accession negotiations.

On the East, Ukraine and Moldova are candidate countries since 2022 and Georgia has become a candidate country in 2023. In 2023, the European Council decided to open negotiations with Ukraine and Moldova and the first intergovernmental conferences opening the negotiations with both countries were held on 25 June 2024.³⁶ The European Council granted candidate status to Georgia in December 2023. However, for reasons related to the course of action taken by Georgia, the accession process has *de facto* halted since spring 2024.

The questions and dilemmas that were raised during the preparation of the Amsterdam Treaty are somewhat similar to the ones that are currently posed regarding the concept of 'gradual integration'. The retrospective element(s) of the debates on the current and future Europe is also emphasised by Chris Bickerton.³⁷ The report of the Franco–German working group on the EU institutional reform entitled 'Sailing on High Seas: Performing and Enlarging the EU for the 21st century' published in September 2023 (hereinafter, Franco–German paper) devoted large sections to

32 See Serre and Wallace, 1997.

33 See White Paper on the Future of Europe (Reflections and scenarios for the EU27 by 2025), pp. 20–22.

34 See for example, The Conference on the Future of Europe, 09 May 2022.

35 See Declaration of the EU – Western Balkans Summit Thessaloniki, 21 June 2003 (C/03/163).

36 See European Council, 2024.

37 He calls his reflection as a 'Groundhog-Day-style time loop'; see Bickerton, 2021, p. 1.

outline proposals on how to make the European institutions ‘ready for enlargement’.³⁸ The starting point of this academic paper is that there has not been major reforms in the institutional setting and arrangement of the European cooperation since the 1950s, even though the number of Member States increased several times and further enlargement of up to 10 new members is expected. Such an enlargement will greatly influence the decision-making process of European institutions, and a major challenge or purpose of the reforms is, once again, to find a balance between the increased number of Member States and the efficient operations of the European integration. The idea of a ‘European integration of concentric circles’ has been re-verberated as the paper proposes envisioning the future of European integration in four distinct tiers, each with a different balance of rights and obligations.³⁹ The Franco–German paper is even more nuanced than the policy discourse leading up to the Amsterdam Treaty when it points out that a balance should be struck among the increased capacity to act; the power and influence of small, medium, and large Member States; the democratic legitimacy of decision-making; and the protection of legitimate national interests.⁴⁰ Furthermore, as the Franco–German paper acknowledges, this balance is to be found during the process of ‘gradual’ or ‘staged’ integration that is to be addressed below.⁴¹

The current enlargement process can be placed in the larger context of the European Neighbourhood Policy (hereinafter ENP) and the Stabilization and Association Process (hereinafter SAP). The ENP, established in 2004, aims to create closer relations with Southern and Eastern neighbouring countries of the EU. The four principal areas of the ENP include democracy, rule of law and human rights, economic development, and security alongside migration and mobility.⁴² The ENP is characterised by a differentiated approach and includes, among others, the states that are candidate or potential candidate countries for EU membership. Meanwhile, the SAP only concentrates on the Western Balkan countries. It was already adopted by the Helsinki European Council in 1999 and offers a framework and agreement for future accession.⁴³ The Stabilization and Association Agreements (hereinafter SAAs) are based on the adoption of certain differentiated areas of the ‘*acquis communautaire*’.⁴⁴ The SAAs were expected to bring Western Balkan countries closer to the requirements

38 The report of the Franco-German working group on the EU institutional reform entitled ‘Sailing on High Seas: Performing and Enlarging the EU for the 21st century’ has been published on the 18th September 2023, see Franco-German Working Group, 2023.

39 See Franco-German Working Group, 2023, pp. 34–35.

40 See Franco-German Working Group, 2023, p. 18.

41 See Franco-German Working Group, 2023, p. 37.

42 European Union, no date.

43 Helsinki European Council, 1999.

44 European Union, 2000.

of the '*acquis communautaire*' on the single market with the help of EU financial, technical, and administrative support.⁴⁵

The various association agreements have been providing frameworks for third countries for the partial integration process throughout the history of the European cooperation.⁴⁶ However, there is one major difference between the 'gradual integration' process and the association relationship that lies in their ultimate objectives: while the former's goal is to achieve EU membership, the latter offers an alternative to membership. This difference has some practical implications. Candidate countries must accept and adopt the entire demanding conditions of the single market even before accession to be able to participate in this market. One of the assumptions of the 'gradual integration' is that tangible benefits should be produced quickly for the candidate countries. A recently published policy paper by the Jacques Delors Institute underlines the enlargement process as a geopolitical necessity for the EU to stabilise its neighbourhood. Meanwhile, a 'monolithic' accession process – similar to the early 2000s – would destabilise the EU and detract from the fundamental principles and result in unreasonable risks.⁴⁷ Instead of a binary approach of the candidate–member relationship, a two-stage integration process idea was introduced by Pierre Mirelin 2018⁴⁸ and further developed by, among others, the European Policy Centre (CEP), Belgrade, and the Centre for European Policy Studies (CEPS), Brussels,⁴⁹ starting with single market entry and continuing subsequently with other policies and access to the institutions.

Even though the details and applicability concept of 'gradual integration' is subject to current and ongoing political debates and also part of the policy and academic discourse, it can still refer to quite different ideas and plans. The common denominator of these ideas is to insert intermediate stage(s) in the accession process and break the monolithic nature of the accession by granting 'associate member state' status. At the core of this idea is the objective to allow progressing towards accession in stages according to reforms achieved in each 'candidate' or 'associate' state, and each stage grants access to increased financial funds and/or participatory rights in EU institutions, while establishing a consolidation phase at the end of the negotiations before full membership. Again, this approach *de facto* proposes candidate countries a pathway towards full membership in line with the concept of an 'à la carte Europe' or 'concentric circles of Europe', which, however, is not the end goal but rather a transition phase of the accession process. The major assumption

45 The EU also concluded Deep and Comprehensive Free Trade Agreements (so-called DCFTAs) with Ukraine, Moldova and Georgia without offering the prospect of accession. The DCFTAs contain provisions on integration into the single market. European Commission, no date; and see European Commission, 2024.

46 See for example: EU Monitor, no date.

47 See Macek, 2023.

48 Mirelin, 2018.

49 See European Policy Center, no date.

underlying this approach is to better motivate candidate countries, as their pace of convergence is slower than that of the East-Central European countries in the 1990s and early 2000s. A further assumption is to favourably shape public opinions around enlargement both in Member States and candidate countries alike by ‘socialising’ the stakeholders of the European polity, including the institutions, Member States, and candidate countries and their citizens, to accession.

The theoretical ideas nevertheless differ and take various forms. On the one hand, the differences lie in the various stages and the corresponding advantages, obligations, and participatory rights in the institutional setting. One of the major proposals differentiates four stages: from initial accession to intermediate accession, and new Member States to conventional Member States. The access to EU budget funding would increase at each stage so as to continuously provide incentives for the completion of integration while, symmetrically, each stage would lead to greater participation or integration into EU institutions.⁵⁰ On the other hand, a further difference relates to whether the stages are ‘monolithic’ and represent unified blocks or they can reflect or perhaps vary according to common policies or the idealised progress of candidates. Can this latter differentiation lead to an even more competitive integration by providing more incentives? The exact order of the ‘gradual integration’, especially the exact sequence of the phases of market (economic) and political integration, also remains subject to debate. As highlighted above, economic integration without a political dimension already exists. What combinations of these areas could lead to better results on both sides while securing complete integration as the end goal of the process? The proposals might vary according to the combinations of these ideas. However, the concrete ways and methods by which the EU can ensure this remains an open question. Similarly, the structure and steps of the ‘gradual integration’ that can provide impetus for accelerating the negotiations are still open and remain part of the common learning process.

The 2020 revised Enlargement Methodology has offered to candidate countries and potential candidates enhanced avenues for ‘gradual integration’ into selected EU policies, also known as the ‘accession before membership’ proposal.⁵¹ It is within this framework that the European Council called for the application of a ‘gradual integration’ in June 2022. It envisions a phased or incremental approach to the enlargement process that would allow candidate countries to integrate into specific policies and sectors before achieving full membership.⁵² The ‘gradual integration’ aims to streamline the enlargement process by eliminating some of the political factors during the technical and intermediary negotiations. Accordingly, it aims to introduce qualified majority voting for certain intermediary and technical phases, such as opening of the clusters.⁵³ The process of ‘gradual integration’ is generally

50 Emerson et al., 2021.

51 European Parliament, 2020.

52 See European Council, 2022.

53 Hackaj, 2025.

designed to be merit-based and reversible, implying a 'phasing-in' into individual EU policies and the single market to provide 'tangible incentives for reforms'. By contrast, if the reform process is cumbersome or stagnates, the benefits could, in theory, be reversed.⁵⁴ Thus, a conditionality is applied throughout the integration process. Meanwhile, one of the rationales behind introducing the process of 'gradual integration' on the part of the EU stems from geopolitical considerations that are specific to some of these regions. Unlike the first Eastward enlargement and the inclusion of 10 East-Central European countries, which was widely regarded as a 'historical duty' in the aftermath of the collapse of the Soviet Union, the enlargement to Western Balkans but especially to further East and Caucasian countries raise more nuanced, delicate, and complex questions from a geopolitical viewpoint. These areas are regarded as frontiers of Europe in a civilisational and geographical sense, and historical experiences show that these regions are also under the influence of Russia and party of China.⁵⁵ The process of gradual integration is believed to offset these influences and would also allow the EU to take a more cautious approach. In addition, another rationale behind introducing the concept of 'gradual integration' has been to provide new impetus to the slow and cumbersome accession process of the Western Balkan countries and offer faster access to the single market or to other specific policy areas such as European Networks of Transport and of Energy (TEN-T and TEN-E).

2.1. Different Aspects of 'Gradual Integration'

The gradual integration process either before or after membership can help prevent a deadlock situation in which candidate countries are required to remain in a 'waiting room' for too long and also uphold their interests by providing tangible incentives for future reforms and aspirations. In this way, the process can also mitigate the loss of enthusiasm that candidate countries can experience, which can especially be the case in the Western Balkan countries. Meanwhile, it can also uphold the geopolitical interests of the EU while safeguarding the achievements and integrity of the European cooperation both as a single market but also as a community of laws and values. Consequently, even though the strict conditions for accession known as the Copenhagen criteria remain non-negotiable, embodying the 'fundamental first' principle, the gradual integration process would pose different challenges to the

54 See European Commission, Enhancing the accession process – A credible EU perspective for the Western Balkans [Brussels, 5.2.2020 COM(2020) 57 final].

55 These regions used to be part of the ancient Silk Road that connected China and the Roman Empire while also has become the destination of the One Belt One Road initiative launched in 2013. See Middelaar, 2022.

different areas of cooperation.⁵⁶ In light of the gradual enlargement, the most important clusters of the various aspects of enlargement are explored below.⁵⁷

2.1.1. Questions Related to Market Integration (the Internal Market)

Market integration and the internal market are the core part of the EU for multiple reasons. On the one hand, the construction of an internal market was the initial objective of the integration process set out in the Rome Treaty of 1957. On the other hand, the market integration has led to economic success, functioning as a cement of the community and tying together the Member States and their respective markets. One of the fundamental assumptions and justifications of the European integration is that Member States are more successful economically when together than when separated. Among others, the ‘flexible Europe’ approach proposed by the UK in the course of the preparation for the Amsterdam Treaty reflects this idea and would have made the single market the core factor requiring the full commitment of each and every Member State. Similarly, the European Commission lists the EU single market as the primary and most important sector that could be considered for the ‘gradual integration’ approach. Accordingly, the proposed idea is that individual candidate countries may be able to participate in and benefit from at least partial integration into the EU’s economic core even before their accession. However, the EU could and previously did offer participation in the internal market without membership via trade and association agreements. For example, Norway, Iceland, and Liechtenstein are part of the single market without being members of the EU. Together with the EU, they form the European Economic Area (EEA), which has a mechanism that secures the adoption of the single market legislation in a quasi-automatic way in Norway, Iceland, and Liechtenstein. As the single market legislation constantly progresses, the EEA provides a mechanism through which these three European Free Trade Association (EFTA) countries adopt new legislation. Furthermore, the EU has concluded a large number of individual sectoral agreements with Switzerland, allowing the country partial access to the single market without the prospect or objective of accession.

By contrast, in the case of ‘gradual integration’, the progressive integration into the EU single market is a facilitator and not an alternative to accession; it aims to dynamise this process especially in the case of Western Balkan countries. In the context of ‘gradual integration’, the key intermediate stage of the accession process would be the integration to the internal market. The expected economic success and the possibility of speeding up the transition period for their economies are among

⁵⁶ European West Balkans, 2025.

⁵⁷ The new enlargement methodology of 2020 step-by-step integration into the European Union became linked to candidates’ performance within the six thematic policy clusters of multiple (33) negotiating chapters: (1) fundamentals, including rule of law, (2) internal market, (3) competitiveness and inclusive growth, (4) green agenda and sustainable connectivity, (5) resources, agriculture, and cohesion, and (6) external relations. See EWB, 2025.

the main beneficial aspects of the adoption of the EU's '*acquis communautaire*' with regard to the free movement of people, goods, services, and capital. Therefore, the inclusion into the internal market is of key importance to candidate countries because it promises access and integration into supply chains, as well as an increased ability to attract foreign direct investments and improved trade in goods and services. From the perspective of the EU, it also helps better exploit the near shoring strategies that have become increasingly important in the face of geopolitical uncertainties. These factors are necessary to advance the prospect of economic success and growth in the candidate countries and thus bring tangible socio-economic benefits before the accession.

However, even though the EU intends to reduce the costs associated with the adoption of the '*acquis communautaire*', as it constitutes the core part of the integration, there is no compromise on the obligation of harmonisation that entails the creation of necessary structures and institutions. The adoption of the '*acquis communautaire*' in regard to single market legislation is the most difficult and burdensome challenge in any accession process. To secure a functioning single market, European law aims to create a 'level playing field' partly by mutual recognition and harmonisation of standards and partly by the adoption and application of uniform competition and state aid laws. This requires mutual trust among the participants of the single market and also a common understanding of the prevailing standards on the single market. Furthermore, it requires establishing and maintaining national and European institutional arrangements with supervisory functions. Therefore, the candidate countries who are engaged in the 'gradual integration' process have a heavy burden of compliance in regard to the harmonisation of legal provisions as well as to the establishment and operation of administrative structures.

On the part of the EU, one of the biggest challenges is how to prevent adverse effects because of the lack of or insufficient compliance. As of now, no institutionalised review or control mechanism based on EU law could ensure that European law and the '*acquis communautaire*' is comprehensibly implemented and applied in candidate countries that aspire to become part of the single market. Therefore, one of the key questions is how the EU can ensure that these regulations are interpreted by the authorities and courts of candidate countries (non-EU single market states) in accordance with EU law. The uniform application of the EU law has been secured by the Court of Justice of the European Union (CJEU) which, however, does not have jurisdiction over candidate countries and therefore the judgments are not binding, nor do the candidate countries' judiciaries have obligations to apply European law or make reference to the CJEU in preliminary ruling procedures.⁵⁸ Consequently, the CJEU could not serve as an ultimate institutional guarantor to ensure the autonomy of

58 The effectiveness of the European law rests on three major pillars partly established by the case-law of the CJEU: direct effect of the European law, the primacy of European law over national law and the reference of preliminary reference procedure which secures monopoly to the CJEU in interpreting EU law.

European law and therefore the fundamental conditions of the single market. Without institutionalised mechanisms, there is no oversight on, for example, product safety or consumer protection and safety, distortion of competition, or even on who can become a union citizen.⁵⁹ Similarly, without an efficient infringement procedure,⁶⁰ neither the European Commission nor the CJEU is able to guarantee the observance and adequate implementation of the European law. As the jurisdiction of the CJEU is not secured, the ‘Francovich doctrine’ is not applicable automatically, which would provide for state liability to pay compensation to individuals who suffer damages due to the state’s failure to implement EU legislation (directives).⁶¹

Based on the reasons put forward previously, the overall dilemma of the model of ‘gradual integration’ in regard to the single market is the balance of interests between the geopolitical and geo-economic needs and forces for enlargements and the functioning and achievement of the internal market. Upending this balance would run the risk of weakening the integrity and functioning of the single market, which also functions as a cement of European integration. An additional challenge is to find ways of securing compliance with the ‘*acquis communautaire*’ through institutional integration or cooperation between judicial mechanisms and courts.

2.1.2. Questions of ‘Internal Security’

(Judiciary and Fundamental Rights and Justice, Freedom, and Security)

The Member States undertook to cooperate in questions of internal security, including in judicial and other forms of cooperation, since the 1980s, but especially since the adoption of the Maastricht Treaty. This type of cooperation represents one of the dimensions of political cooperation. On the one hand, the cooperation in questions of internal security and values supports and enhances the stability of market integration by offering, for example, effective and timely dispute resolutions; offering judicial protection; or strengthening the independence of the judiciary. It also contributes to the efficient implementation of European law and the ‘*acquis communautaire*’. On the other hand, it drives European cooperation in traditional areas of sovereignty such as criminal investigations – for example, the introduction of the European Arrest Warrant in the field criminal justice and the recognition of judgments or jurisdictional arrangements. In these areas, however, the cooperation is traditionally very cumbersome considering that they represent the core parts of sovereignty. This is illustrated by the European Public Prosecutor’s Office and a European prosecutorial authority that, as referred above, could only be established

59 *European Commission v. Republic of Malta*, C-181/23, 29 April 2025, ECLI:EU:C:2025:283.

60 Arts. 258–259 of the TFEU.

61 CJEU, *Andrea Francovich and Danila Bonifaci and others v. Italian Republic*, 19 November 1991 (C-6/90 and C-9/90) ECLI:EU:C:1991:428.

within the framework of 'enhanced cooperation', and its function or operation are still subject to vivid debates.

These areas mainly encompass the 'Judiciary and Fundamental Rights' and the 'Justice, Freedom and Security' clusters of the enlargement but also relate to the 'rule of law' and 'democracy' and are part of the 'fundamentals'. This matter is at the core of the accession negotiations and under the 'gradual integration' process, it will be opened as the first cluster and remain open during the whole negotiating process.⁶² The Reform and Growth Facility for the Western Balkans was adopted in 2024 to facilitate the adoption of the 'fundamentals cluster'.⁶³ The aim of the facility was to offer progressive integration into the EU single market and socio-economic convergence with the EU in exchange of the Western Balkan countries' concrete reforms on the 'fundamentals cluster' in support of their alignment with the EU's values, laws, standards, policies, and practices. Therefore, the facility was designed to provide financial and economic incentives for the Western Balkan governments through the Western Balkans Investment Framework to engage in meaningful reforms. It also aims to reward the countries for real progress in implementing agreed ambitious reform agendas. Accordingly, these countries would need to adopt a Reform Agenda with specific benchmarks and deadlines that outline how they would implement concrete steps of reform. A general conditionality for EU support includes that Western Balkan countries respect the 'fundamentals', including effective democratic mechanisms; a multi-party parliamentary system; free and fair elections; pluralistic media; an independent judiciary and the rule of law; and guaranteeing respect for human rights, including the rights of persons belonging to minorities. In the case of Serbia and Kosovo, they are expected to engage in a constructive dialogue on the normalisation of their relations. Similarly, the Moldova Growth Plan was adopted by the European Commission in October 2024 with the aim to accelerate socio-economic and fundamental reforms while enhancing Moldova's accession to the EU's single market and increase financial assistance between 2025 and 2027.⁶⁴ The Ukraine Facility entered into force on 1st March 2024 with the aims to support the country in preparing for accession, rebuilding and modernising its infrastructure, implementing structural reforms, and strengthening its administrative capacity. It is designed to serve as an essential tool to ensure Ukraine's convergence and gradual integration into the EU even though the ongoing armed conflict continues to jeopardise this process.⁶⁵

The core questions belonging under the umbrella of 'Judiciary and Fundamental Rights' and 'Justice, Freedom, and Security' are essential for a complete and smooth integration to the single market, and the efforts of the EU enlargement point in this

62 European Parliament, 2023.

63 European Commission, 2024a.

64 The Growth Plan for the Republic of Moldova is worth €1.8 billion and underpinned by a Reform and Growth Facility for the period 2025–2027. See European Commission, 2024b.

65 The Ukraine Facility is worth €50 billion through both grants (€17 billion) and loans (€33 billion) and adapted to the unprecedented challenges of supporting a country at war. See European Council, 2025.

direction. However, these areas of the EU are also subject to ongoing debates, as they concern core questions of sovereignty and national identity. From this perspective, the approach of the ‘gradual integration’ needs to be flexible enough to accommodate reasonable differences while also remain aligned with the overall and fundamental objectives of the European cooperation.

2.1.3. Foreign and Geopolitical Questions (External Security)

Since the fall of the Berlin Wall and the conclusion of the Maastricht Treaty, one of the largest challenges of the European integration has been how to secure geopolitical autonomy and provide or support the Member States’ external security. The Yugoslav Wars of the 1990s were an early indication of the need for a more robust cooperation in the area of common foreign and security policy so that the EU can acquire the capacity to manage and settle conflicts in the immediate vicinity. Nevertheless, partly because of the dominance of the ‘Washington Consensus’ along with the neoliberal economic policy, and partly because of the ambivalent and different relationships of European countries with the United States, the EU has failed to address the geopolitical objectives, needs, and opportunities following the collapse of the Soviet Union in the early 1990s.⁶⁶ The crises period and the geopolitical shifts of the 2010s showed a renewed urgency for the geopolitical autonomy of the EU as President Emmanuel Macron pointed out in his Sorbonne speech in 2017, emphasising the need to establish the conditions for a European autonomy.⁶⁷ To this end, the speech also stressed, among other aspects, the need to include the Western Balkans. Even though not without criticism, the European Commission also emphasised its own geopolitical function in the European institutional arrangement, underlining the need to strengthen the European dimension of public discourse and competence on external security questions.⁶⁸

The candidate countries’ compliance with the common foreign and security policy of the EU shows great variation. While Albania, Montenegro, North Macedonia, and Ukraine have stronger relations with the EU foreign policy objectives, the preparation of Moldova, Serbia, and Georgia are assessed as moderate. Bosnia and Herzegovina’s alignment with the EU position has significantly increased even though there are major differences in regard to sanctions introduced against Russia because of the Russo–Ukraine armed conflict.⁶⁹

The application of the concept of ‘gradual integration’ in this area offers the advantage of expanding the most important foreign and security policy objectives even before granting a membership status to countries that are considered key countries from the geopolitical security perspective for Europe. Furthermore, geopolitical

66 Middelaar, 2022.

67 The Sorbonne speech of September 2017, see Élysée, 2017.

68 See European Commission, 2025.

69 See European Parliament, 2023.

considerations are the strongest drivers of the enlargement ambitions of the EU. The autonomy of the EU would be strengthened if there was an agreement on the common core principles of foreign and security policy and this agreement is extended to and accepted by the candidate countries. The European continent could thus gain one single voice in the questions of geopolitics and security.

However, the downside of 'gradual integration' in the field of foreign and security policy is either the danger of the dilution or erosion of homogenous positions or rendering European consensus even more difficult.⁷⁰ Furthermore, the inclusion of geopolitical or other conflicts between candidate countries or between candidate countries and third countries are also undesirable effects of the 'gradual integration'.

3. Approach of the Member States and Candidate Countries

Prior to the accession of the East-Central European countries, Western European countries and their general public had mixed opinions and also scepticism about the subsequent enlargement process of the EU.⁷¹ Today, similarly, the Member States have varied opinions on the 'gradual integration' of candidate countries.

Some believe that the gradual integration could offset the enlargement fatigue of Western Balkan countries who have been in the 'waiting room' for more than a decade and could also help sustain the renewed enlargement momentum that emerged after the Russian invasion of Ukraine, without compromising the EU's stringent accession criteria, the functioning of the internal market, and the integrity and achievements of the European cooperation. However, some Member States, especially the 'old Europe' and Western European countries, are more sceptical about the continued enlargement of the EU.

According to a public survey conducted in November 2024, 54% of respondents in the EU Member States favour the future enlargement of the EU, with 40% against it.⁷² However, and similar to the previous enlargement phase, the data show that among the funding countries, the public opinions in France, Germany, and Luxembourg are rather rejecting, while the public opinion in Belgium is very ambivalent and equally divided over the question of enlargement. The uncertainty stems from

⁷⁰ Bertoncini and Chopin, 2010, pp. 58–63.

⁷¹ For example, Jean Asselborn, Luxembourg Foreign Minister and President-in-Office of the Council of the European Union in an interview in April 2005 gave his views on the fears of the general public in Western Europe regarding the continuing enlargement of the European Union and on the repercussions that these fears might have on the results of the referenda for the ratification of the Treaty establishing a Constitution for Europe. See Centre virtuel de la connaissance sur l'Europe, 2005. See also, Middelaar, 2011, pp. 269–270.

⁷² Statista, 2025.

‘enlargement fatigue’, that is, the fear of an uncertain future for the European integration over continuous enlargements. By contrast, the public opinion in ‘new Europe’ – except the Czech Republic – tend to be much more favourable of the enlargement process; Poland, Lithuania, Romania, Latvia, Croatia, and Hungary are among the strong supporters of further enlargements. Their considerations generally rest on geopolitical, dynamic, and infrastructural considerations. For these reasons, Hungary, for example, has been very favourable to the Western-Balkan region for a long time. Accordingly, the major policy priority when Hungary held the rotating presidency of the Council of the EU in 2024 was the EU enlargement to the Western Balkans. In Hungary’s view, the EU has long been engaged in ensuring a European perspective for the Western Balkans, as the Community cannot be complete without the accession of this region and therefore region’s integration benefits the EU in economic, security and geopolitical terms.⁷³

The enlargement process tends to have a favourable opinion and general support among candidate countries, albeit to a varying extent. Similarly, the support for EU membership is not entirely without reservations. One of the major concerns and source of scepticism in the Western Balkan countries has been the slow pace of the accession process. There are also concerns around the potential impacts of the European integration on national identity and interests. According to the public surveys, economic prosperity has been the most expected benefits of the EU membership.⁷⁴ However, the outbreak of the Russian war against Ukraine has given new impetus and interests to the considerations of EU enlargement also with countries like Moldova and Ukraine for geopolitical reasons.

The concept of ‘gradual integration’ aims to overcome both the difficulties and scepticisms over enlargements both in the candidate countries as well in Member States. The rationale behind the framework and structure of a ‘gradual integration’ is to provide renewed trusts in preserving the dynamism of the European project in an enlarged EU but also to offset the growing scepticism due to the cumbersome and slow nature of the process. Therefore, the ‘gradual integration’ ought to be designed in a way to remedy the current situation and offer an intermediate path that would be of interest to both the circle of Member States and the candidate countries. In the meantime, however, the debate around the institutional reform of the EU seems unavoidable.

⁷³ Hungarian Presidency, 2024.

⁷⁴ See Balkan Barometer 2023 Public Opinion.

4. Conclusions

A European cooperation that can (re)unify the geographical and cultural facets of Europe has been the dream and vision since its very early foundation in the wake of the Cold War. Even though they put forward starkly different structures and opposing spirits, both the Schuman Declaration's 'invitation letter' and President Charles de Gaulle's vision on a 'Europe, from the Atlantic to the Urals'⁷⁵ formulated the reunification as the ultimate political objective of Europe in a world that lost its Europe-centric character in the aftermath of the destruction of the Second World War.

The collapse of the Soviet Union and the regime changes in the 1989 and 1990 offered a historic moment for the reunification of Europe. The Eastward enlargement of the early 2000s was therefore considered a historic achievement and also the fulfilment of the change of regime. Besides economic or geopolitical considerations, the main driver was historical duty. The biggest enlargement, also called 'Big Bang', however, was not without controversies, as it made the European community much more diverse in terms of historical perspectives, visions, and expectations, as well as identities. The enlargement was also preceded by debates about the institutional and structural reform of the EU and by multiple treaty reforms. One of the major dilemmas has been how to preserve the achievement and pace of the integration while fulfilling the enlargement successfully. In this context, the idea of a 'multi-speed' or 'concentric circle of Europe' has been raised and partly put into practice.⁷⁶

Instead of historical duty, first and foremost, geopolitical considerations have been driving the enlargement process of Western Balkan countries initiated in Thessaloniki in 2003. Owing to historical reasons, the inclusion of Moldova, Ukraine, and Georgia raises geopolitical questions concerning Russia, and both the Western Balkans and Eastern enlargements shed light on the dilemmas of the frontiers of Europe and how the EU wishes to define itself and its boundaries.⁷⁷ The crises period started in the 2010s, and especially the migration crises, Brexit, and the Russo–Ukraine war and the subsequent energy crises highlighted the importance of the geopolitical dimension of European cooperation. This, in turn, stimulated renewed thinking about the necessity as well as the ways and methods of the enlargement process in terms of the Western Balkan countries as well as to Eastward regions. In the face of this geopolitical turmoil, the EU can no longer leave candidate countries in endless accession processes; otherwise, it would lose its magnetic effect and run the risk of creating and allowing instable areas prone to malign influences in its own vicinity and neighbourhood. At the same time, however, applying a swift or rushed and monolithic enlargement does not seem viable nor is it conceivable or rationale,

75 President Charles de Gaulle speech in Strasbourg in 1959, see ceuropeens.fr, no date.

76 The differentiated integration is predominantly a 'multi-speed' Europe; see Schimmelfennig and Winzen, 2020.

77 Middelaar, 2022, pp. 11–39.

as it would endanger the integrity, cohesion, and achievements of the EU. Neither the EU nor candidates seem to be ready for a swift and monolithic accession. Therefore, a delicate balance needs to be found and maintained between the European vision and interests of the enlargement on the one hand and the safeguard of the achievements of the European integration on the other. It is also necessary to secure a credible and more pragmatic way forward that could match the interests of both sides.

Based on previous proposals tabled and debated before the Amsterdam Treaty revision and the Eastward enlargement of the early 2000s, an approach that favours gradual integration seems to offer a balanced and practical alternative to fulfil the enlargement vision while also address the challenges of the integration process. The ‘gradual integration’ first proposed by academic discourse and then by the European Council suggests the introduction of intermediate stages between the candidate and the full-fledged membership status. If implemented properly, the gradual approach is expected to relaunch the enlargement process that has been slowed down but also incentivise and empower candidate countries by including them as responsible stakeholders in certain and increasing number of areas. Such a gradual and phased approach could break the stalemate and untie the Gordian knot the EU has been facing in regard to the Western Balkan and to further Eastward enlargements.

The ‘gradual integration’ has been framed and put forward as a theoretical approach for future enlargement, but its expected outcome and success will depend on practical implementation, which still raises open questions awaiting responses. One of the important questions is the exact order of phases that will influence how candidate and/or associate member countries are being incentivised to move forward from one phase to the next. The architecture and phases of the gradual integration should be thus designed in a way to provide increasingly positive benefits to costs balance. Maintaining the incentives and thus the motivation is of great importance since the ultimate objective of the ‘gradual integration’ remains to be ‘complete’ or ‘full-fledged’ membership as well as the permanent enlargement of the EU. For these reasons, the market integration phase should not become an alternative of the complete integration or an objective as it is in the case of the European Economic Area.⁷⁸ Therefore, certain views suggest that the initial phases of ‘gradual accession’ should involve a certain level of commitment to the goals of the political cooperation as well as to fundamental principles or values of the community. This could be both political alignment and legal commitments. Among others, this might include the accession to the EU Charter of Fundamental Rights or an alignment either with the European Political Community or with other geopolitical and political objectives.⁷⁹ In addition, this alignment could also include a binding legal commitment to comply with and implement EU legislation and the ‘*acquis communautaire*’ relevant to the ‘common policy’ part of the gradual integration. In regard to compliance, the legal

78 For Liechtenstein, Norway, Iceland as well as for Switzerland, the market and economic dimension of the integration process is itself an objective which, for various reasons, they are not exceeding.

79 See Macek, 2023.

commitment might also include acceptance of the jurisdiction and authority of the CJEU in the respected field.

Furthermore, a related principle and also precondition of 'gradual integration' shall be that the EU membership ought to remain more favourable within than outside the EU.⁸⁰ If the practical architecture along with the exact balance of obligations and benefits will uphold and take into consideration this principle, candidate countries are prevented from stalling in an intermediate stage. Therefore, the access of economic or financial advantages should be proportionally accompanied by market, institutional, value and geopolitical commitments or alignments.

The 'gradual integration' raises challenging questions with regards to the integration to institutional setting of Europe too. Participation in the European institutions and governance has both symbolic force and importance in the eyes of public perception, as it signifies inclusion and a status of being a 'stakeholder' in the institutional arrangement. Therefore, similar to earlier discourse on a Europe of concentric circles and in line with the current discussion in the Franco–German academic paper, the introduction of a certain 'variable geometry' system seems to provide a viable way forward.⁸¹ Such an arrangement can offer further pragmatic advantages by mutual understanding and commencing a socialisation process on an institutional level. The extent and intensity of participation can be dependent on the exact stage the candidate or associate Member States enter, ranging from an observatory status to limited decision-making participation with limited voting-rights to equal participation status. In this way, the representatives of the national institutions – governments and parliaments – can be integrated into the Council and the European Parliament while in the European Commission, 'associate Commissioners' can be appointed for the transition period of 'gradual integration'. Furthermore, establishing a mechanism for the involvement of the judiciary to the gradual integration phase would also present an opportunity not only for involvement but also for accelerating the learning process of the application and compliance with the '*acquis communautaire*' and the related challenges. This could take different shapes, from the involvement of certain national judges in the work of the CJEU to the establishment of an institutional mechanism that includes constitutional or apex courts of candidate or associate Member States. Creating such institutional ties beyond policy integration would be of high symbolic importance but could also provide further incentives and support the advancement and completion of the integration process. Even though there are costs and difficulties associated with the early commencement

80 This was also a key question during the Brexit negotiations.

81 For example, in order to implement a viable integration and enlargement process, the Franco-German academic paper envisions a future European integration as four distinct tiers and each of them represents a different balance of rights and obligations. The core would be the inner circle with deep integration followed by the European Union then the associate member state status. The outer tier would be a structured version of the European Political Community with the condition of Council of European and European Court of Human Rights membership. See Franco-German Working Group, 2023.

of a phased institutional integration, the perceived achievements of the objective of the full completion of the enlargement process could counterbalance and justify them.

In addition to institutional integration, the concept of 'European citizenship', once it was introduced with the adoption of the Maastricht Treaty, had a symbolic force and has also granted certain rights.⁸² However, while the majority of rights provided by the status of European citizenship rests on '*exopolitics*' and the rights provided by national citizenships,⁸³ the 'European citizen' concept clearly indicates a certain belongingness and common roots so that citizens of Member States become (active) parts and rights-holders of a European community and polity. Extending certain aspects and rights of the European citizenship to candidate or associate member countries can therefore have symbolic implications signalling to their citizens a sense of belonging and, in this way, solidify the legitimacy and the popularity of the enlargement process among the peoples.

The practical realisation of a 'gradual integration' would offer the viable avenue for the future enlargement of the EU both to Western-Balkan countries as well as to Eastward regions that have been slowed down in the past decade. In the face of the current geopolitical events and turmoil, including especially the mass migration and the Russo–Ukraine War, continuing and rethinking the enlargement process is of utmost importance for the security and stability of Europe as well as for the continued prosperity of the EU. A differentiated integration formula would consider the geopolitical necessity for the EU to proceed with the enlargement but also preserve the achievements of the European project. Such an approach, if it is streamlined and designed well, could keep the magnetic effect of the European integration while also preserving its dynamism. It could also address two risks at the same time: namely, that candidates would not aim for full accession and Member States would not grant accession in the end. A gradual institutional and political socialisation would be able to avoid the discouragement of a 'never-ending' as well as the unrealistically rapid enlargement process. A transition period that includes a 'multispeed' or 'Europe of concentric circle' approach could guarantee the individualised completion of the accession process for candidate countries. This could solve the increasing urgency to offer a credible perspective for Western Balkan countries and also to propose a

82 The European citizenship depends on the national citizenship and provides additional rights instead of replacing it.

83 The European citizens, among others and under certain conditions, are entitled the right to move and reside freely within the territory of the Member States; the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that State; the right to enjoy, in the territory of a third country in which the Member State of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any Member State on the same conditions as the nationals of that State; the right to petition the European Parliament, to apply to the European Ombudsman, and to address the institutions and advisory bodies of the Union in any of the Treaty languages and to obtain a reply in the same language. See Art. 20 of the Treaty on the Functioning of the European Union.

more realistic vision to East-European countries, including especially Ukraine, instead of the impossible 'fast-tracked' and monolithic approach of the conventional accession.

The success of such an enlargement process depends on the practical design of this theoretical approach. The European institutions and especially the European Commission have therefore great responsibility to accept and implement the European Council's strategic vision for a 'gradual integration'. The pragmatic realisation should navigate the challenges and set the course to maintain the pace and phases of the enlargement process, in a way that is acceptable and realistic to Member States and candidate countries alike and preserves both the strength and dynamism of the European cooperation.

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