

INTRODUCTION: EU ENLARGEMENT AND SUCCESSFUL INTEGRATION



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Abstract

This chapter introduces the book *EU Enlargement and Successful Integration*. It examines the evolving landscape of European Union (EU) enlargement and the conditions necessary to ensure the successful integration of future Member States. Against the backdrop of the European Commission's 2025 Enlargement Package and renewed political momentum for enlarging the EU, this chapter argues that enlargement cannot be assessed merely by the formal admission of new members; it must also be evaluated through the quality of post-accession integration. A multidimensional framework is proposed for evaluating integration – economic, legal and political – combining measurable indicators such as GDP convergence and infringement proceedings with qualitative assessments of public support and political alignment. The chapter outlines four core research questions guiding the book: the organisation of enlargement processes in past rounds; the effectiveness of the integration of earlier entrants; the preparedness and political dynamics of current candidate states; and the reforms needed within the EU to enable the next phase of enlargement, as well as possible alternatives. It explains the scope and methodology employed throughout the publication. In addition, the chapter highlights three cross-cutting issues that shape enlargement outcomes: fluctuating public support in both candidate states and the EU; the unresolved question of the EU's future constitutional architecture; and the potential need for alternative forms of association short of full membership. It concludes that enlargement and internal EU reform are interdependent processes, and that the long-term success of enlargement will depend on both the EU's willingness to adapt and the candidates' capacity to meet increasingly demanding criteria.

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1. Introduction

After almost 70 years of existence, the European Union (EU) has grown from the original six to its current 27 members. Nine more states currently hold the status of candidate country, and thus have the potential to become future Member States. From the very outset, the EU (then the European Economic Community, EEC) sought to admit other European countries,¹ and many states were indeed eager to join it. Despite being a founding member of the European Free Trade Association (EFTA) since 1960, the UK applied for EEC membership in 1961, followed shortly by two other EFTA members, Denmark and Norway, as well as Ireland. Even before that, Israel and Greece, as well as Türkiye, had expressed their interest in 1958 and 1959, respectively.² The first actual enlargement nonetheless took place only a decade later.

Surprisingly, it took more than 30 years (during which the number of Member States more than doubled) to adopt clear rules governing the enlargement procedure. These rules are currently undergoing a profound change. The concept of ‘gradual integration’ was introduced in 2020³ and the process is being significantly expedited (in particular as compared to the last decade) due to geopolitical conditions.

In November 2025, the Commission adopted the latest Enlargement Package, its annual communication on enlargement policy (‘Enlargement Package 2025’).⁴ According to Kaja Kallas, the Commission’s High Representative for Foreign Affairs and Security Policy,

The enlargement process is moving faster today than in the last 15 years. [...] The window for enlargement is wide open and we have to seize the opportunity now. New countries joining the EU by 2030 is a realistic goal.⁵

Even though the enlargement process may have accelerated, actual enlargement still seems rather distant. This gives us time to think more about the process itself. Have the previous instances of enlargement been a success? And what can the EU do

1 The preamble to the original Treaty Establishing the European Economic Community has already declared that the signatories of the Treaty are ‘calling upon the other peoples of Europe who share their ideal to join in their efforts’.

2 Urwin, 1994, p. 116.

3 European Commission, 2020.

4 European Commission, 2025.

5 European Commission, 2025a.

to make sure that future Member States are successfully integrated? These are the key questions this book will strive to answer.

2. Objectives and Methodology

Enlargement is not a goal in itself. In order to be successful, new members must be integrated with the existing Member States. The quality and success of enlargement is therefore not to be measured by whether the procedure led to membership of a new country (the purpose of enlargement *stricto sensu*), but whether the new country managed to integrate itself with the EU and its other members. This book therefore focuses not only on the enlargement as such, but also on the quality of subsequent integration.

This being said, what constitutes a successful integration? I argue that this issue needs to be addressed on three levels: economic, legal, and political. The economic level is arguably easiest to address, as it can be directly quantified and measured. In essence, has the gross domestic product (GDP) increased as a result of EU membership? Additionally, has the membership of a new country had a positive effect on the GDP of the others?

The political level is more complex, though some aspects of it may be directly measured as well. Key questions include whether the majority of the population of the new Member State happy with its membership? Do the populations of other Member States express support for membership of the new one? At the same time, the political level is more nuanced. For example, has EU membership enhanced the ability of a new Member State to secure its priorities in international relations?

Finally, concerning the legal level, this should, in theory, be easy as the candidate country must fully align its legislation with the whole of the EU *acquis* before its membership. In practical terms, however, full alignment is hard to achieve. It is also difficult to assess, without a detailed and technical comparative analysis of the respective legal orders. Still, a good proxy may be the number and success rate of infringement proceedings.

These three levels of integration correspond with the accession criteria as understood today. The criteria that the candidates need to comply with stem from Art. 49 of the Treaty on the Functioning of the European Union (TFEU). Essentially, there are two conditions: a geographical one (any European state) and a value-based one (a state that respects the values referred to in Art. 2, TFEU), i. e., respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities. These were specified in particular by the so called Copenhagen Criteria.⁶ They include the (1) political criteria,

⁶ European Council, 1993, Point 7.

i.e., stable institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities; (2) economic criteria, i.e., a functioning market economy and the capacity to cope with competition and market forces in the EU (corresponding with economic alignment); and (3) *acquis*, i.e., the ability to take on the obligations of membership.⁷

To simplify, whether the integration of a particular new Member State has been successful may be assessed on the basis of four criteria: (1) how much is its economy aligned with the EU and the internal market (economic alignment); (2) how much is the legal order of a particular state aligned with EU legal order (legal alignment); (3) to what extent is EU membership endorsed by its population (internal acceptance); and (4) to what extent is this Member State ‘accepted’ by the other Member States (external acceptance).

2.1. Objectives

The ultimate goal of this publication is to identify the ingredients that contribute to the successful integration of a new Member State – namely, a situation in which its economy and legal order are aligned with those of the EU, its membership is supported by the population of the given state, and the state’s membership is not questioned by the rest of the EU.

To do so, we will describe the previous rounds of enlargement and identify their distinctive features. We will then try to assess how effective the integration of those states was, on the basis of the aforementioned criteria. Finally, we will concentrate on some of the candidates, illustrating their experience with the enlargement process so far and then discussing the measures needed to achieve their successful integration, if and when accession occurs.

These objectives shall be attained by answering the following research questions:

- (1) How was the enlargement process organised in the past? In order to answer this question, we will focus on the following features: (a) what requirements did the EU have for acceding countries; (b) what procedures and institutions were introduced for the purposes of the enlargement process, and how were the acceding countries integrated into the EU institutions; (c) what legal and economic support was provided to the acceding countries; and (d) what transitory periods and derogations from the EU law were included in the accession agreements, i.e., how specific the accession conditions were.
- (2) How successful was the integration? To answer this, we will focus on (a) legal criteria, in particular the number and object of infringement procedures directed against the ‘new’ Member States; (b) economic data of the ‘new’ Member States, enabling assessment of their growth and alignment with the internal market; and (c) the evolution of the perception of EU membership in the ‘new’ Member States.

7 Kellerbauer, Klamert and Tomkin, 2020, p. 391.

- (3) How do the current candidate countries prepare themselves for future membership? To answer this question, we will necessarily have to concentrate only on a few selected countries. We will first discuss the case of Serbia – specifically its own perception of the enlargement process and its vision of its future membership, including temporary provisions and derogations from the EU law. We will also examine post-Soviet countries, including the specific experience of Georgia.
- (4) What specific features should be included in the current enlargement process to help achieve successful integration of future members? To answer this question, we will describe the current enlargement procedure of ‘gradual integration’ and discuss its possible alternatives. An inevitable part of the analysis will also be the identification of amendments that need to be made to the current framework of the European Union.

2.2. Methodology

To answer the first research question, concerning previous experience with the enlargement process, all the authors involved in this project answered a standardised questionnaire. Thus, for the purposes of this study as well as possible future research, we created a structured dataset covering the countries involved in the 2004 ‘Eastern’ enlargement (Czech Republic; Hungary; Poland; Slovakia; Slovenia), followed by Romania (2007) and Croatia (2013), the last country to join the EU. These are accompanied by a questionnaire with Serbia as a case study from Western Balkans and Moldova as a case study from the post-Soviet region.

Four chapters are dedicated to answering the first research question. They are based on both the standardised questionnaire and standard methodology of doctrinal legal research. Although particular emphasis is placed on the latest rounds of enlargement (2004, 2007, and 2013), the research covers all the enlargement instances.

The means to answer the second research question, concerning the effectiveness of post-enlargement integration, are the most diverse. Both qualitative and quantitative legal research are used to assess the legal alignment of the ‘new’ Member States in the light of infringement procedures brought against them. Concerning the economic effects, vast quantities of economic and statistical data are analysed by an economist. Finally, the political and sociological implications of membership are analysed based on extensive quantitative research, performed by a political scientist. Given the depth of the research, this question is answered with regard to the four Visegrad countries (Czech Republic; Hungary; Poland; Slovakia), even though other countries are also taken into account.

Regarding the third research question, concerning the candidate countries, most attention is devoted to the Western Balkan countries, given their geographic proximity and relative closeness of the possible entry date. The state of their accession process and the perception of it by the population of the Western Balkans is analysed

by a political scientist. We decided to focus further on Serbia. It is not an ‘easy’ case, as Montenegro (and to some extent, Albania) has a realistic prospect of closing all the negotiation chapters in the near future. At the same time, it does not have very specific conditions and negotiations (not yet commenced) that are expected to take a long time, as would be the case with Bosnia and Herzegovina or Northern Macedonia. Standard legal doctrinal research is used *vis-à-vis* Serbian enlargement negotiations and the country’s attempts to secure temporary exemptions and derogations from the *acquis*.

A similar approach is adopted with respect to the post-Soviet countries. A general description by a political scientist is followed by a case-study on Georgia, using standard legal research methodology.

Finally, for the fourth research question – the road ahead – diverse methodological approaches needed to be employed as well. We start with what needs to be done before the next enlargement ultimately occurs. This are answered by two lawyers, one from the ‘original’ group of founding members (Germany) and the other from among the relatively ‘new’ members (Slovenia). These analyses are accompanied by a study on the most fundamental principles of EU integration, which are to be imposed on the perspective new members. Standard qualitative legal methodology will be employed. Answering these partial questions will enable us to move to the enlargement process as it stands today. We first analyse the relatively recently adopted method of ‘gradual integration’, followed by an exploration of its possible future modifications and alternative approaches. Again, standard qualitative legal methodology is employed.

2.3. Structure of the Book

The structure of this book corresponds to the research questions. It is divided into four main parts, each dedicated to answering one of the four questions. Each part opens with a brief introductory chapter, explaining in more detail the question, its relevance, and the way in which it is to be answered, followed by a concluding section answering the question itself. Annexed at the end of the book are the standardised questionnaires, summarising the enlargement experience of the selected countries.

Part one covers the experience of EU enlargement so far. It opens with an analysis of the requirements for the candidates, written by Petar Bacic, Croatian professor of law. This is followed by a chapter on procedural and institutional arrangements for the purposes of the enlargement process, written by Eva Zorková, senior researcher from the Czech Republic; a chapter on legal and economic support for the candidates by Kateřina Frumarová, Czech professor of law; and a chapter on exemptions and derogations by Slovak professor Alena Krunková. Professors Bacic, Krunková, and Zorková have also authored the country reports on Croatia, Slovakia, and Czech Republic.

Part two explores the effectiveness of integration. A legal analysis of the infringement procedures addressed to the Visegrad countries is presented by Gregorz Pastuszko, Polish professor of law. Then, the economic consequences of EU membership for these countries are investigated by Cristina Procházková Ilinitchi, Czech senior researcher in the field of economics. János Simon, Hungarian professor of political science, discusses the political consequences of EU membership for the Visegrad countries. Finally, Professor Pastuszko has authored the Polish country report.

Part three is dedicated to the candidate countries. The overall political situation in the Western Balkans is detailed by Jakov Žižić, Croatian senior researcher and political scientist. The legal situation in Serbia is then closely analysed by Serbian professor of law Dalibor Đukić, who is also the author of the Serbian country report. With regard to the post-Soviet countries, an overall description of the political conditions is delivered by Czech senior researcher and political scientist Ondřej Filipec, followed by a chapter on the approximation of Georgian law by Professor Tamara Aleksidze and Assistant Professor Maka Nutsidze.

Finally, part four looks into the future, starting with a chapter by German professor Alexander Grasser, discussing necessary changes in the architecture of EU law. This is followed by an essay on the issue of qualified majority voting by Slovenian professor Rado Bohinc, who is also the author of the Slovenian country report. Thereafter, Italian professor of law Mateo Gnes discusses the fundamental principles of EU law influencing the enlargement. This section closes with a detailed analysis of the concept of ‘gradual integration’ by Hungarian professor Sandor Lenard, as well as a discussion of possible alternatives to enlargement by Hungarian professor Gyorgy Marinkás (the author of the Hungarian country report).

2.4. Scope of the Research

The candidates for every round of enlargement so far have typically shared some characteristics. The first, ‘Northern’ enlargement in 1973, comprising of Denmark, Ireland, and the United Kingdom (Norway abandoned the process after a failed referendum), concerned the ex-EFTA members. This is excluding Ireland, which was nonetheless deeply economically integrated with the UK through the Anglo-Irish Free Trade Agreement. The second, ‘Southern’ enlargement, concerned post-dictatorial Greece (1981) as well as Spain and Portugal (1986). The next round took in most of the remaining EFTA countries, when Austria, Finland, and Sweden joined the EU in 1995; Norway failed to pass the referendum once again. The ‘Eastern’ enlargement of 2004 incorporated post-communist countries in Central and Eastern Europe (along with Cyprus and Malta), followed shortly by Bulgaria and Romania in 2007 and finally Croatia in 2013.

The current candidate countries are more diverse. Türkiye stands out, having gained candidate status in 1999. Though association negotiations started in 2005,

they were discontinued in 2018.⁸ Even though the EU has expressed interest in developing ‘a cooperative and mutually beneficial relationship with Türkiye’,⁹ the prospect of full membership does not seem to be achievable in the foreseeable future. Türkiye will therefore not be further discussed in this book.

The largest block of current candidate countries is connected by geography. They are commonly referred to as the Western Balkans countries. That being said, the differences among them are significant. The first group consists of Albania and Montenegro, with the latter being arguably the closest to becoming a Member State. It has opened all 33 negotiating chapters, with 12 provisionally closed. It hopes to close negotiations in 2026.¹⁰ Similarly, all negotiation chapters have been opened by Albania, even though none have been closed yet. Albania still hopes to close negotiations in 2027.¹¹

Serbia alone represents the second group of candidates from this block. It has opened many negotiating chapters (24) and even provisionally closed two of them. However, the pace of implementation of reforms required by the EU has significantly slowed down,¹² and popular support for them is decreasing.

Finally, we consider North Macedonia and Bosnia and Herzegovina. In North Macedonia, the negotiations phase has formally been reached but the first negotiating chapters will only be opened after specific constitutional changes concerning ethnic minorities are made.¹³ In Bosnia and Herzegovina, the negotiations phase has not yet been reached.¹⁴

Meanwhile, Kosovo has also submitted an application for membership. Not all EU Member States recognise Kosovo as an independent state, and it has not yet been awarded the status of a candidate country.¹⁵

Similar disparities may be observed within the second bloc of candidate countries – the post-Soviet republics. There are currently three candidate countries within this bloc: Georgia, Moldova, and Ukraine. All of them applied for membership in early 2022. Ukraine reached the candidacy unprecedentedly fast, in June 2022, as did Moldova, followed by Georgia in December 2023. At present, both Moldova and Ukraine have reached the negotiation stage, with no chapters actually opened yet. Conversely, Georgia has suspended its application process till the end of 2028.¹⁶

It is not possible to discuss all current EU Members – with respect to their enlargement experience – or all candidates in extensive detail as the scope of the research would be overwhelming. We have therefore logically concentrated on Central

8 European Commission, 2025b.

9 European Commission, 2025, p. 5

10 European Commission, 2025, p. 2.

11 Ibid.

12 European Commission, 2025, p. 4.

13 Ibid.

14 European Commission, 2025, p. 5.

15 European Commission, 2025c.

16 European Commission, 2025, p. 3.

and Eastern Europe. Even though the first part – focused especially on recent experience – discusses all the rounds of EU enlargement, it emphasises the years 2004, 2007, and 2013. The same applies to part two, which is dedicated to the evaluation of the integration process. Here, there is special emphasis on the Visegrad countries. As explained already above, part three – which discusses candidate countries – focuses on Serbia and Georgia as case-studies. Finally, for the future-oriented part four, authors were selected from both the ‘founding members’, specifically Germany and Italy, and the ‘newer’ ones, specifically Hungary and Slovenia, in order to contrast different views on the future of the EU and the enlargement process.

3. Recurring Issues

Despite the clear structure of the book and the research questions aimed at fulfilling its objectives, there are three intertwined issues that tend to repeat themselves in various forms, which need to be addressed separately.

The first issue concerns support for enlargement, both in the candidate country and in the EU. Enlargement is not possible without it, and neither is the ensuing integration. It is a criterion that may only be observed, not imposed. However, without taking it into account, any deliberations on enlargement and integration are futile.

The second issue concerns the future. It has been observed in many forums that the EU itself needs to change before it will be ready to accept new members. But what will be the essence of these changes? How much are they going to change the basic architecture of the EU, as we know it today? The enlargement process will not be successful without knowing ‘what’ exactly the candidates will be joining. Their support is dependent on this knowledge as well.

Finally, is membership really what the candidates are looking for? Would some alternative form of cooperation with the EU not satisfy their needs and desires in a more appropriate way? And more broadly, what does membership actually mean?

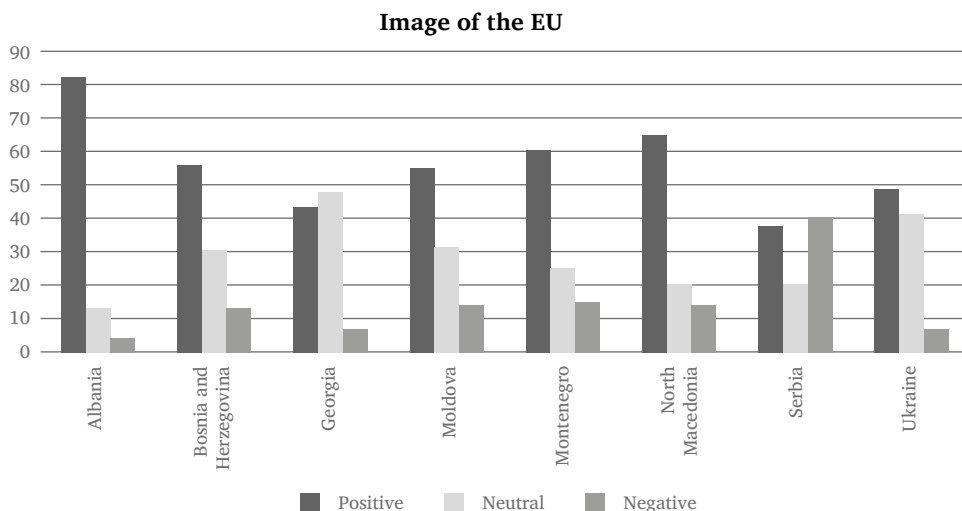
3.1. Support for Enlargement

It is evident that for enlargement to take place, there needs to be strong support, both in the EU and especially in the candidate country. In recent years, as reported in the Eurobarometer surveys,¹⁷ support seems to be decreasing in the Western Bal-

17 The numbers below were compiled on the basis of the special Eurobarometer survey from 2025 as well as special perception survey results on Western Balkans and Eastern Neighbourhood (European Commission, 2025d).

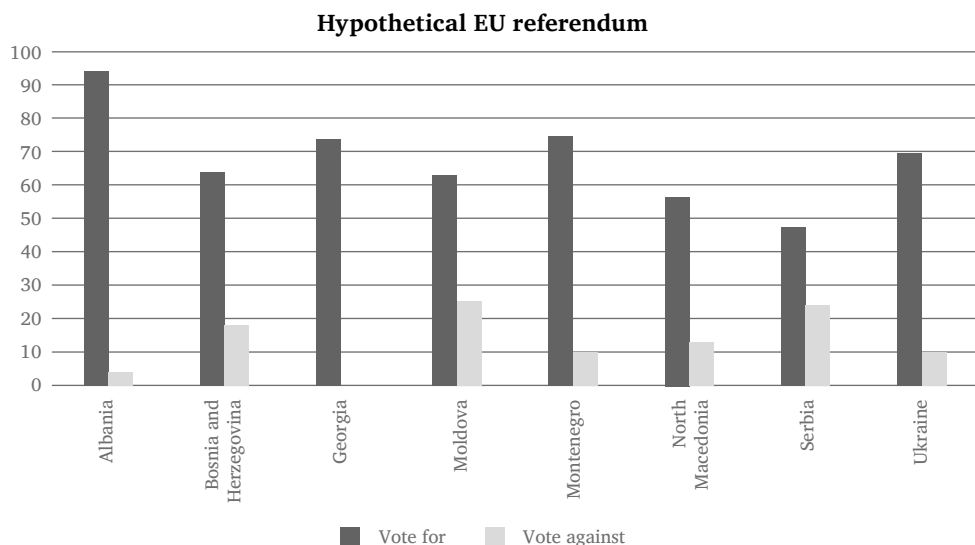
kans.¹⁸ As described in the previous section, only Montenegro has a realistic chance of fulfilling all the accession criteria soon. Still, support for membership (i.e., voting ‘yes’ in a hypothetical referendum) dropped from 75% in 2022 to 64% in 2025. In Serbia, support dropped from 48% in 2022 to 33% in 2025; more strikingly, the percentage of those prepared to vote ‘no’ in a hypothetical referendum rose from 8% in 2022 to 25% in 2025. As the percentage of people with a positive perception of the EU (38%) was lower than that of people with a negative one (40%) in 2025, it may be questioned what meaning accession negotiations under current conditions actually have.

Among post-Soviet candidate countries, similar trends can be observed. In Ukraine, the proportion of respondents with a positive view of the EU decreased from 65% in 2022 (and even 72% in 2023) to 49% in 2025, even though support for membership remains high at 68%. In Moldova, the decline in the proportion of respondents with a positive image of the EU was smaller – from 60% to 55% – with support for membership at 63%. Only in Georgia has the proportion of respondents with a positive view of the EU fallen below 50% (43% in 2025), having decreased from 65% in 2022. These figures are summarised in Graphs No. 1 and No. 2 below.



Graph No. 1¹⁹

- 18 The only exception is Northern Macedonia, where the proportion of respondents in support of EU membership rose from 57% in 2022 to 70% in 2025, with a positive image of the EU reported by 65% of the population. Support also remains high in Albania, with a positive view of the EU reported by 82% of the population.
- 19 Eurobarometer.



Graph No. 2²⁰

In the EU, support for enlargement is still relatively high, currently at 56% on average. Support levels nonetheless significantly differ across regions. It is highest in Sweden (79%) and lowest in France and the Czech Republic (43%). Among the Central and Eastern European (CEE) countries involved in this project, support is very high in Poland (70%), Slovenia (66%), and Hungary (64%), moderate in Croatia (61%) and Slovakia (57%), and very low in the Czech Republic (43%).

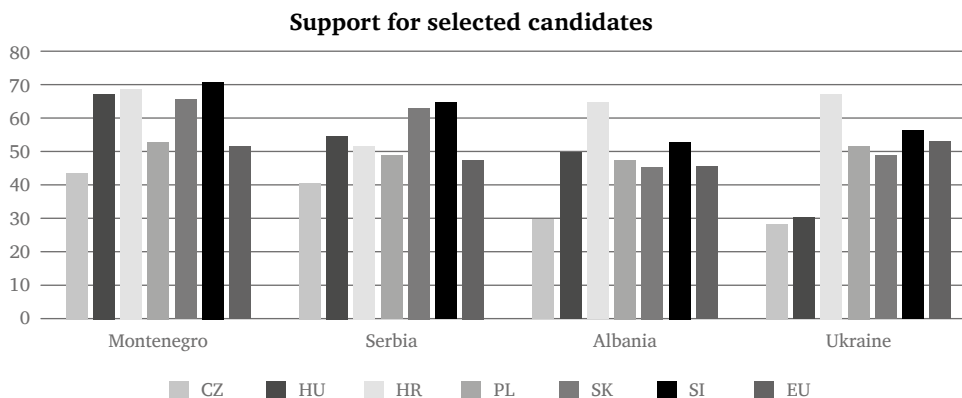
The situation becomes more complex when specific candidate countries are assessed. In the EU, only Ukraine (52%) and Montenegro (51%) have majority support. All other candidates have support below 50%, though the number of supporters exceeds the number of opponents (e.g., in Serbia, 47% are in favour and 43% oppose its membership). Only in Albania is support 43% and opposition 46%.²¹

The situation is even more diverse in the CEE region. Ukraine, the most 'popular' candidate in the EU, has the lowest support here, being strongly supported only in Croatia (66%) and Slovenia (56%), and to some extent in Poland (51%) and Slovakia (48%). It faces strong opposition in Hungary (30% support) and the Czech Republic (28% support). On the other hand, Albania, the least 'popular' candidate in the EU, is more or less supported (64% in Croatia, 47% in Poland) by all CEE countries except the Czech Republic (43%). Montenegro remains the most popular candidate in this region, with strong support in Slovenia (70%), Croatia (68%), Hungary (66%), and Slovakia (65%), as well as significant support in Poland (52%), with the only

²⁰ Eurobarometer.

²¹ In case of Türkiye, the only candidate with the majority opposing its membership, internal support is at 37% while opposition is at 55%.

non-majority country being the Czech Republic (43%). In addition, Serbia enjoys strong support in Slovenia (64%) and Slovakia (62%) and moderate support in Hungary (54%), Croatia (51%) and Poland (48%), with the only non-majority country being (as before) the Czech Republic (40%). These numbers are summarised in Graph No. 3.



Graph No. 3²²

What do these numbers imply? The only candidate country with a realistic prospect of fulfilling all the membership criteria is Montenegro. It is also the only one with strong (though decreasing) domestic support and acceptance both in the CEE countries and the EU as a whole. Another similar case is Albania. It has extremely high internal support but faces strong opposition in the EU and only moderate support in the CEE countries. Ukraine, by far the most consequential candidate, has average support in the EU, but faces strong opposition in many Member States, not least among the CEE countries. Finally, Serbia is a special case, supported by most of the CEE countries (but not the EU as a whole), while itself displaying only reluctant, if any, enthusiasm for membership.

There are still high expectations among candidate countries, but it should be noted that for most of them, accession negotiations have not yet started. When they do, the mood is likely to change, as the example of Serbia demonstrates. In such a situation, is membership, as it is understood today, the right way forward? Even more importantly, what will the EU actually look like once such countries are ready to accede?

²² Eurobarometer.

3.2. *What Will the EU Look Like in the Future?*

In order for enlargement to actually take place, it is not sufficient for the candidates to make approximation changes, i.e., to align themselves with the EU's criteria. The EU itself will need to change. As the Commission stated in 2024: 'While reforms were necessary before, with enlargement they become indispensable'.²³ But what reforms are expected, and what will the EU look like after they have been implemented? Answering these questions is essential for candidate countries, because the EU they will possibly be joining in the future will arguably differ from the one they are negotiating with today.

This ultimately depends on the purpose of the EU. 'The choice of adequate organisational arrangements depends entirely on what objective they are intended to support'.²⁴ Arguably, the EU's purpose is still not clear. Discussions stretch from federalisation and 'ever closer union' on the one side, to internal market (even with limited free movement of people) on the other. As aptly summarised by Hubert Legal,

the EU is faced with the need to choose the right strategy to deal with this internal conflict: to diminish its original ambitions [...], to reduce its membership [...], to separate gently those who want more from those who have enough (by a special treaty topping the EU and designed for the federalists only), or by pushing ahead unheeded.²⁵

Given all the debate concerning differentiation and flexibility within the EU,²⁶ the third option seems to be the logical choice, tested in practice (as the examples of Schengen or the Economic and monetary union would suggest). However, if there are no limits for the 'maximum' membership (up to the point of *de facto* federation), what is the minimum? Is it the *acquis* as it stands today? As argued above, some candidate countries might have problems with that, and indeed, some Member States do as well. Even if we agree that some of the rights and obligations currently shared by all the Member States should be optional, how far 'back' shall we go? Before Lisbon? Before Maastricht? There is no agreement on this, but many current Member States would arguably welcome such a possibility.

What consequences does this have for the enlargement process? We may ask, with Diane Fromage, whether 'the idea of a single united membership, as currently foreseen in the Treaty, is still fit to facilitate effective governance and accommodate

²³ European Commission, 2024.

²⁴ Legal, 2024, p. 26.

²⁵ Legal, 2024, p. 32.

²⁶ E.g. Leuffen, Rittberger and Schimmelfennig, 2013; Schmidt, 2019.

growing diversity’.²⁷ If greater differentiation is to be expected within the EU,²⁸ should we push candidates to accept the *acquis* without exemptions and derogations?

More differentiated integration would surely require a profound change of the Treaties, which is difficult to imagine today. But the fact that something is complicated does not mean that it is not necessary. The only realistic candidate for enlargement in the near future is Montenegro. Its population (still) supports enlargement, and the country’s accession also has strong support in the EU. With less than 625,000 inhabitants, it would be the second smallest EU member state, in between Luxembourg and Malta. Its integration would be relatively easy. Conversely, integration of any other candidate would be much more difficult and would be, in any event, conditional upon future amendment of the Treaties.

Thus, when discussing enlargement, the discussion about the future of the EU must proceed simultaneously. Only when we know what the EU to which the candidates will be acceding will look like can we determine the most efficient enlargement process. Enlargement and EU reforms are two sides of the same coin. As stated by Professor Petrov in connection with the enlargement process concerning the Western Balkans:

The EU must first ‘look at itself in the mirror’ and try to answer what it sees and what it wants to see – not in a year, but in half a century. Ad hoc pragmatic and cosmetic solutions, such as changes in the Western Balkans accession methodology, only cause greater mutual apathy and deepen uncertainty.²⁹

3.3. Are There Alternatives to Full Membership?

More than 20 years ago – and admittedly in a very different geopolitical context – Romano Prodi, then President of the EU, famously proclaimed that ‘[a]ccession is not the only game in town’.³⁰ The question of what defines EU membership, and differentiates it from other forms of cooperation, still remains relevant.

The Court of Justice of the European Union (CJEU) opined on several occasions that what makes the relationship among the members special, and what differentiates it from relations with other countries, is mutual trust based on shared values. As the CJEU ruled in *Achmea*:

EU law is thus based on the fundamental premiss that each Member State shares with all the other Member States, and recognises that they share with it, a set of common values on which the EU is founded, as stated in Art. 2 TEU. That premiss implies and

²⁷ Fromage, 2024, p. 3.

²⁸ As put forward by Schmidt, 2019, p. 21: ‘The future of Europe will be one of differentiated integration’.

²⁹ Petrov, 2025, p. 184.

³⁰ European Commission, 2002.

justifies the existence of mutual trust between the Member States that those values will be recognised, and therefore that the law of the EU that implements them will be respected.³¹

Conversely, the CJEU declared in its opinion 1/17 that the ‘principle of mutual trust [...] is not applicable in relations between the Union and a non-Member State’.³²

‘Trust’ is a difficult and essentially non-legal concept. In the context of accession negotiations, it nonetheless translates into the requirement of full alignment with the *acquis* – if Member States are to *trust* that the candidates will respect EU law, they require that it is flawlessly implemented. The fact that these requirements are growing (and trust in potential members is weakening) may be observed in the length of the accession negotiations. In the first round of enlargement (‘Northern’), Denmark, Ireland and the UK applied for membership in 1967 and became full members after six years in 1973. Similarly, in the third round, it took Austria 6 years (only 4 for Sweden and 3 for Finland) to become EU Member States.

Conversely, the ‘Eastern’ round in 2004 took 10 years for Hungary or Poland (and even 14 for Cyprus and Malta) and 12 years for Bulgaria and Romania, who joined the EU in 2007. Concerning the current candidates, Montenegro, which is arguably closest to joining the EU, applied for membership in 2008; after 18 years, negotiations (opened in 2012) are still ongoing. Even though Ukraine (and also Moldova) managed to get candidacy status and to formally open accession negotiations unprecedentedly fast, it remains to be seen how much time the actual negotiations take. Judging by past examples, many years are to be expected.

Is such a long process of negotiations and approximation feasible? As noted above, support for necessary changes to domestic law decreases over time.³³ The process of ‘gradual integration’,³⁴ devised with respect to the Western Balkans, is supposed to alleviate this problem by ‘phasing-in of individual EU policies, the EU market and EU programmes’,³⁵ thus ‘validating the candidates’ already achieved progress, offering tangible incentives, and potentially preventing the democratic backsliding’.³⁶ Despite this, some required changes may be simply unacceptable to some candidates, as the example of Serbia seems to suggest.³⁷

Under such circumstances, faced with the prospect of very lengthy negotiations and potentially insurmountable conditions, should we not be looking for alternatives to full membership? Perhaps differentiated membership, if Member States were ever able to agree on it, could help the candidates. In the absence of such an arrangement,

31 CJEU, C-284/16, 6 March 2018, para. 34.

32 CJEU, opinion 1/17, 30 April 2019, para. 129.

33 This finding is supported by empirical studies, demonstrating that an overly long process of accession significantly decreases the willingness to implement necessary reforms. O’Brennan, 2014.

34 E.g. Bargiacchi, 2020; Emerson and Blockmans, 2022.

35 European Commission, 2020a.

36 Petrović, 2022, p. 308.

37 Petrov, 2025.

the possibilities of Art. 8 of the Treaty on European Union (TEU), asking the EU to ‘develop a special relationship with neighbouring countries’, shall perhaps be explored in more detail.³⁸

4. Preliminary Observations

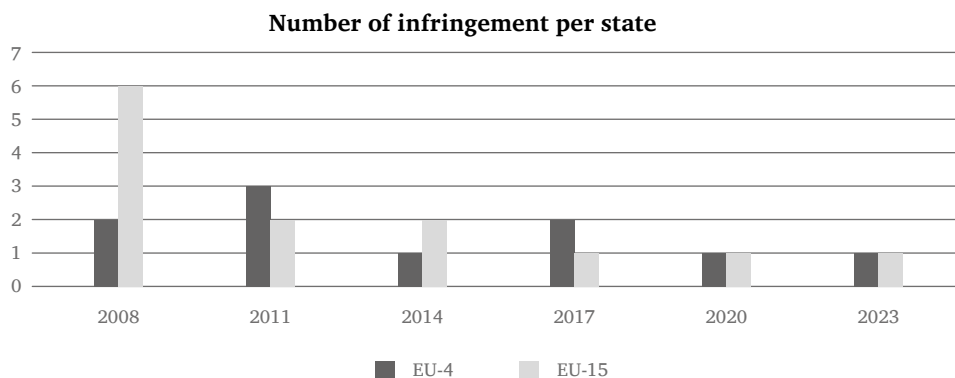
The four research questions will be answered in the conclusions of the four chapters of this book. At this stage, it is nonetheless possible to make a few preliminary observations.

Concerning the experience with enlargement so far, we may observe that the process is growing both in precision and complexity. The candidates are now well aware of what they need to accomplish in order to fulfil the conditions. The roadmap is clear, and thanks to the project of gradual integration, the assessment is more frequent and success can be ‘rewarded’ faster, as opposed to only when all the conditions have been met and a candidate can finally become a member. At the same time, the process is very demanding and the list of conditions growing, which leads some candidates to hesitate over whether they are able – or even willing – to meet them. Serbia may serve as an example in this regard. Nonetheless, before the issue concerning the future of the EU is settled by the current Member States, no change can be expected.

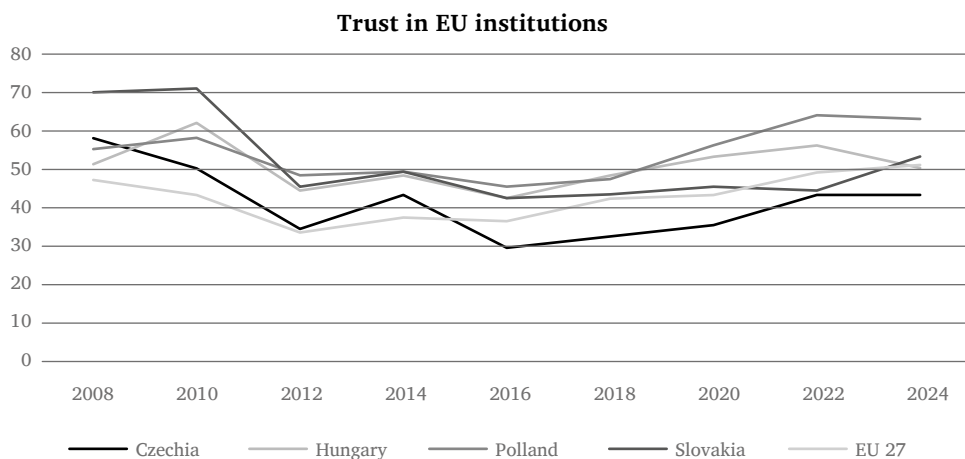
Concerning the quality of integration of the new members, we focus on the Visegrad countries. In the field of legal alignment, I have constructed a simple chart showing the number of infringement judgments directed against the Visegrad countries, on the one hand, and the ‘old’ Member States (EU-15), on the other; this is averaged per Member State (Graph No. 4). With some fluctuations, the numbers remain largely the same, showing that the ‘new’ members were sufficiently prepared as far as the law was concerned.³⁹ This, more broadly, suggests that no lowering of the pre-accession requirements is advisable.

³⁸ Cremona and Shuibhne, 2019.

³⁹ The only exception is year 2008. Here, the average number of infringement proceedings with the ‘old’ Member States was significantly higher. This was arguably due to the fact that the overall number of infringement proceedings had been substantially decreasing and more of them were directed against the ‘old’ Member States.

*Graph No. 4⁴⁰*

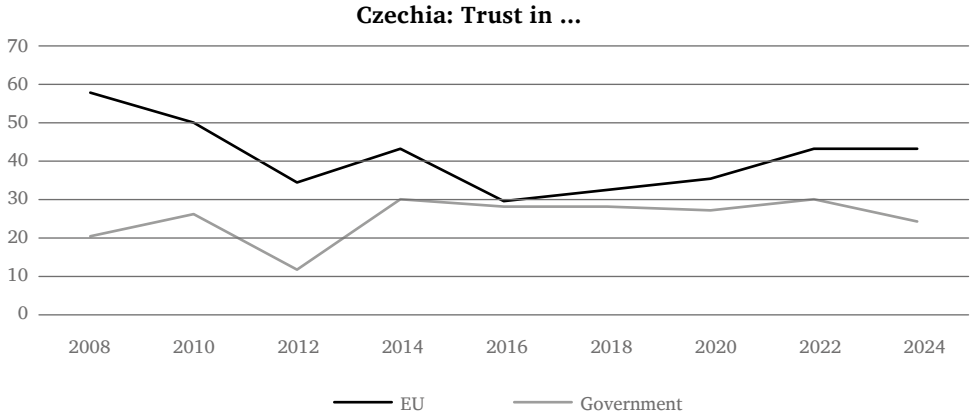
Concerning ‘political’ integration, I have compared the statistics on trust in EU institutions by the Visegrad countries, published by Eurobarometer.⁴¹ Even though it has decreased since the 2004 enlargement, it still remains relatively high, and – with the exception of the Czech Republic – above average in the EU (Graph No. 5). Interestingly, even in the Czech Republic, the most ‘Eurosceptic’ country by this measurement, trust in EU institutions has consistently been higher than trust in domestic institutions (Graph No. 6).

*Graph No. 5⁴²*

40 Website of Curia.

41 All data were compiled from the Standard Eurobarometer surveys, published twice a year by the Commission.

42 Eurobarometer.



Graph No. 6⁴³

Economic alignment will be discussed in detail in Chapter II.3. The conclusion, nonetheless, is that economic convergence of the Visegrad countries with the rest of the EU has been successful. Again, the importance of pre-accession alignment is evident, limiting the scope for any relaxation of the requirements *vis-à-vis* the candidates.

In the past, transitory periods and derogations from EU law were rather limited. Current candidates are presumably seeking more extensive exemptions. The hitherto enlargement process has nonetheless been construed as ‘take it (all) or leave it’. Not all candidates are able and willing to do so. In my opinion, the ultimate success (and indeed the existence) of any future enlargement will be decided on this issue. Will the EU request full alignment in all areas of the *acquis*? If so, some other form of cooperation, distinct from membership as we understand it today, may be more appropriate for many candidates. Or will we alter the understanding of membership? That may be possible, but then the candidates of today would be acceding to a different EU than the one they are negotiating with.

This leads us to the final issue. Will ‘gradual integration’ lead to effective membership in the future, or will the candidates remain ‘stuck’ somewhere in between full membership and deep association? How will the EU, once it is ready to enlarge, look? Might some form of deep association be more appropriate for some candidates?

Without answering these questions, we cannot hope that any future enlargement will be successful. The authors who contributed chapters to this book hope that their contributions will help answer these questions.

43 Eurobarometer.

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PART I

EXPERIENCE WITH EU
ENLARGEMENT SO FAR

