The geopolitical urgency created in Europe by the Russian invasion and the war in Ukraine has moved the project of a ‘major enlargement’ to the Western Balkans (Albania, Bosnia-Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia) and to the East (Ukraine, Moldova and Georgia) at the top of the European political agenda. This new enlargement could transform the EU in a fundamental way. After the Informal European Council of June 2002, the recent informal European Council summit held in Granada on 6 October under the Spanish Presidency of the Council of the EU expressed consensus on the intention to undertake that enlargement. That set off a long process in which this ‘major enlargement’ needs to be addressed in terms of four aspects: how it is done (institutions and reforms); how and how much is invested in it (resources); what it is invested in (policies) and where it is invested (geographical areas).
THE EUROPEAN UNION’S MAJOR ENLARGEMENT TO THE EAST AND WESTERN BALKANS
THE EUROPEAN UNION’S MAJOR ENLARGEMENT TO THE EAST AND WESTERN BALKANS

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The geopolitical urgency created in Europe as a result of the Russian invasion and the war in Ukraine has placed the project of a ‘super-enlargement’ to the Western Balkans (Albania, Bosnia-Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia) and the East (Ukraine, Moldova and Georgia) at the center of the European political agenda. This new enlargement could transform the EU in a fundamental way. After the European Council of June 2002, the recent Summit of the European Political Community held in Granada on October 5 and 6 under the Spanish Presidency of the Council of the EU, has expressed a consensus about the will to undertake a new enlargement. From this moment on, a long process begins in which it is necessary to address ‘super-enlargement’ around four aspects: institutions and reforms; financial resources; policies; and geographical priorities. To this end, this report is divided into four parts. First, a brief review of the normative impact of Enlargement Policy and Neighbourhood Policy strategies. Second, a drawing of the possible scenarios for the next enlargements. Third, an analysis of its impact in terms of absorption capacity and federal deepening. Finally, some reflections about enlargement from Spain’s interest and strategic positioning, according to a pro-Europe, federalist vision.

A B S T R A C T
RESUMEN

La urgencia geopolítica creada en Europa a raíz de la invasión rusa y la guerra de Ucrania ha puesto en el centro de la agenda política europea el proyecto de una ‘super-ampliación’ a Balcanes Occidentales (Albania, Bosnia-Herzegovina, Kosovo, Macedonia del Norte, Montenegro y Serbia) y al Este (Ucrania, Moldova y Georgia). Esta nueva ampliación podría transformar la UE de una manera fundamental. Tras el Consejo Europeo Informal de Junio de 2002, la reciente Cumbre del Consejo Europeo Informal celebrada en Granada el 6 de Octubre bajo Presidencia española del Consejo de la UE, ha expresado un consenso acerca de la voluntad de acometer dicha ampliación. A partir de este momento se abre un largo proceso en el cual es preciso abordar dicha ‘super-ampliación’ en torno a cuatro aspectos: cómo se hace (instituciones y reformas); cómo y cuánto se invierte (recursos); en qué se invierte (políticas) y dónde se invierte (áreas geográficas). A tal efecto, este documento hace lo siguiente; primero, un breve repaso de la política de Ampliación y Política de Vecindad como estrategias transformadoras normativas; segundo, un dibujo de los posibles escenarios de las próximas ampliaciones; tercero, un análisis de su impacto en términos de capacidad de absorción y profundización federal; por último, algunas reflexiones acerca de la super-ampliación desde una perspectiva de los intereses y el posicionamiento estratégico de España, de acuerdo a una visión europeísta y federalizante.
The war in Ukraine, which began on 24 February 2022 after Russian Federation’s invasion, has revived an issue that has been dormant for a decade since Croatia’s incorporation (2013) and which affects the so-called ‘European project’: enlargement. As a result of the war, the Kyiv government formally applied to Brussels for EU membership. In terms of repositioning itself vis-à-vis its Russian neighbour, the request appealed directly to the so-called ‘geopolitical Europe’ outlined by Commission President Ursula Von der Lyen in her famous inaugural address to the European Parliament on 16 July 2019.¹ In this way, Russia’s aggression against Ukraine has set in motion a geopolitical imperative, accelerating a process that until recently was considered ‘stalled’, whether for political, economic or timing reasons. There has been a U-turn, and the supposed ‘enlargement fatigue’ has given way to an unusual—and somewhat sudden—consensus for enlarging the Union. After eight successive waves of enlargement since its origins in 1957 from the six founding members, the question of a possible enlarged EU, this time to 36 members or more, is once again at the top of the agenda.

In the heat of the pressure of events, the European Council recognised the European ambitions of Ukraine, Moldova and Georgia, and granted candidate country status to Ukraine and Moldova in June 2022.² The European Council has to decide in December 2023 on opening accession negotiations for early the following year. Like Kyiv, Moldova already

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¹ See https://www.europarl.europa.eu/resources/library/media/20190716RESS7231/20190716RESS7231.pdf.
has candidate country status, and along with Georgia, faces significant challenges to address. We are referring to the issue of the Russian-mined Transnistria enclave in the first case and the institutional difficulties, organised crime and corruption in the case of Tbilisi and Kyiv. As we will see below, these countries face bumpy roads ahead regardless of the angle from which they are approached.

Two more critical dimensions must be added to the geographical ones above of North (UK, Nordic), South (Mediterranean countries) and Central-East (Baltics, Central Europe, East, Eastern Balkans). The first is the post-Soviet space (former USSR republics: Ukraine, Moldova and Georgia). And the second, as a result of something like a Ukrainian bandwagon effect, the ‘backyard’ of the remaining six Western Balkan countries, which are waiting on definitive accession to the Union: Albania, Bosnia-Herzegovina, Kosovo, Northern Macedonia, Montenegro and Serbia.

The new enlargement is presented to Europeans as an exciting and also a complex task. The incorporation of the countries mentioned above would have the effect of transforming not only our cognitive and political map of the ‘limits of Europe’, but also the institutions, functioning and identity of the Union. After the Informal European Council of June 2002, the recent informal European Council summit held in Granada on 6 October under the Spanish Presidency of the Council of the EU expressed consensus on the will to undertake that enlargement.3 The summit achieved something important: EU heads of state and government agreed on the need to start a debate on a roadmap. That set off a long process in which this ‘major enlargement’ needs to be addressed in terms of four aspects: how it is done (institutions and reforms); how and how much is invested in it (resources); what it is invested in (policies) and where it is invested (geographical areas).4

At this point in time, there are important questions as of yet unanswered about what we can call–because of its size and repercussion–the ‘major enlargement’ of Europe. This paper aims to shed some light on several essential aspects of


a roadmap that is currently being drawn and where much of the energies of the European institutions, member states and candidates will be focused in the coming decades. The document is structured in four parts. First, a brief review of what enlargement and neighbourhood policies have meant to date as normative transformational strategies. Second, a design of possible scenarios for future enlargements. Third, an analysis of their impact in terms of absorption capacity and federal strengthening. Finally, we have included some reflections on this major enlargement from the perspective of Spain's interests and strategic positioning, in accordance with a Europeanist and federalising vision.
The Enlargement Policy and the European Neighbourhood Policy (ENP) are two different frameworks for relations through which the EU seeks closer ties with neighbouring countries in accordance with its own values (arts. 49 and 8 TEU). There are countries that aspire to form part of the Union’s project: Albania, Bosnia and Herzegovina, Kosovo, Georgia, North Macedonia, Montenegro, Republic of Moldova, Serbia, Turkey and Ukraine. There are also the states that make up our neighbourhood, located in the southern Mediterranean Sea region (Algeria, Egypt, Israel, Jordan, Libya, Lebanon, Morocco, Palestine, Syria and Tunisia), as well as in Eastern Europe (Armenia, Azerbaijan and Belarus).

With regard to enlargement, it is worth noting that since its inception the European project has been characterised as an open and integrating initiative. ‘Little Europe’ began with only six states (France, the Federal Republic of Germany, Belgium, Italy, Luxembourg and the Netherlands), and today the EU is made up of a total of 27 members. However, for a third country to become a member of the Union, it must meet a number of conditions which are set out in Article 49 TEU.


6. We will use the name Moldova and not the Republic of Moldova without that making any reference to the Romanian region of Moldova.

The first reason for these conditions is that only ‘European’ states are eligible for the desired membership. This is not merely a geographical criterion, since it also covers aspects related to the historical or cultural dimensions that have shaped the construction of the European continent. That is why the EU has offered the prospect of membership to countries such as Ukraine, Moldova and, above all, Georgia, in the South Caucasus, which opens the door to potential candidates in that region. Secondly, Article 49 establishes a normative criterion, since only those states that respect and promote European values can join the Union. And the accession process requires comprehensive legislative alignment by candidate countries, mainly in terms of the fundamental values of the EU such as democracy, the rule of law and the respect and defence of basic human rights and freedoms (Art. 2 TEU). This is why the Enlargement Policy has traditionally been considered the most successful tool of European foreign policy insofar as it promotes an ambitious transformation in those countries that aspire to join this unique project. The main standards that guide the regulatory transformation of the participating states in the context of enlargement are set out in the so-called Copenhagen criteria. They were agreed by the European Council in 1993 and strengthened in 1995 to support the future accession of the Eastern European countries, which were eventually incorporated in 2004 and 2007. The Copenhagen criteria are especially relevant as they are the road map defining the steps on the path of reforms towards future membership. All of this is in accordance with the so-called conditionality which, in the case of positive conditionality, rewards progress made by these countries, while negative conditionality erodes European collaboration.

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8. Thinkers such as Edgar Morin already defined Europe not as a strictly geographical but also as a historical question. Morin, E., Penser l’Europe, France, Gallimard, 1987.
12. The Copenhagen criteria are: 1) stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; 2) a functioning market economy and the ability to cope with competitive pressure and market forces within the Union; and 3) the ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the ‘acquis’), and adherence to the aims of political, economic and monetary union. European Council, Copenhagen European Council 21-22 June 1993 ‘Presidency Conclusions’, http://www.consilium.europa.eu/media/21221/72925.pdf.
and assistance as a result of the lack of reforms. In turn, the Commission offers financial assistance to support the implementation of the changes agreed between the EU and the third country, which in many cases are very costly. The main financial tool is the Instrument for Pre-Accession Assistance, which for 2021–2027 has a budget of €14,162 million.\(^13\) However, the recent incorporation of the Eastern Partners has highlighted the need to increase allocation for this instrument, as a larger appropriation is needed to respond to the main needs and demands of the enlargement countries. At the same time, the European institutions offer know-how, which is very useful in promoting correct progress towards the acquis communautaire.

Annually, the European Commission assesses and publishes the progress or possible lack of progress made by these countries, taking as a reference the principles and rules that govern the Union itself, with special attention paid to those that make up its normative core and which are included in Article 2 TEU.\(^14\) While in the latest version of the 2020 enlargement policy (in response to the demands of a small group of states led by France),\(^15\) the importance of prioritising changes relating to the values implicit in Art. 2 TEU through the notion of ‘fundamental first’ was reinforced, while more attention was paid to the concept of reversibility to manage significant setbacks on the part of some countries.\(^16\) At present, some changes are envisaged in the framework of a new revision to be published in December, which will take into account the new dynamics established after the large-scale Russian aggression against Ukraine in 2022 and the subsequent armed conflict. In

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14. Article 2 TEU: The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail. Consolidated version of the Treaty on European Union, op. cit.
15. In 2019, the EU failed to agree on opening accession talks with North Macedonia and Albania due to opposition from France, the Netherlands and Denmark. The situation was unblocked by allowing those countries to make greater demands and carry out more monitoring of the regulatory convergence that these countries had to carry out (especially in relation to the European regulatory core) through the notion of fundamental first. The French-led position was strongly criticised by the European Parliament. European Parliament, ‘European Parliament resolution of 24 October 2019 on opening accession negotiations with North Macedonia and Albania’, Strasbourg, 24 October 2019 (P9_TA(2019)0050), https://www.europarl.europa.eu/doceo/document/TA-9-2019-0050_EN.html
particular, the regulatory requirement is expected to be relaxed in view of the need to promote future membership, especially Ukraine’s candidacy. Despite the efforts made over the past year, the country still has significant deficits in priority areas such as the fight against corruption, the rule of law and the protection of minorities. After years of ‘fatigue’, enlargement has been prioritised on the European political agenda, which may lead to the fast-track approach promoted by some EU countries. In our view, this is not the most appropriate path to take because it could allow new states to join without having achieved full and comprehensive regulatory convergence. Moreover, it should be noted that the process of EU reform has not yet started, so that the correct absorption of new partners would be impossible in the short term without a new treaty.

The ENP was established in the context of the 2004 and 2007 enlargements to promote relations with what would become the new neighbours, hence initially only for the Eastern European region: Belarus, Ukraine, Moldova and Russia (although the latter rejected it by establishing a separate and distinct partnership between Brussels and Moscow). Subsequently, the states on the southern shore of the Mediterranean Sea (Algeria, Egypt, Israel, Jordan, Libya, Lebanon, Morocco, Palestine, Syria and Tunisia) were included due to pressure from some southern European states (such as Spain) to strengthen ties with their immediate neighbourhood. And a year later, the South Caucasus (Georgia, Armenia and Azerbaijan) also became part of the ENP, especially after the Georgian-led shift that demanded a more decisive EU response.

Under the same framework of relations, the EU integrates different geographical areas with very different characteristics and dynamics, which has made it difficult for it to function

21. Armenia, Azerbaijan and Georgia were initially ruled out because they were not considered neighbouring countries and therefore should not be part of this initiative. However, the imminent accession of Romania and Bulgaria, the growing instability in the South Caucasus due to the so-called frozen conflicts and, above all, the change in the model pushed by Georgia after the Rose Revolution (2003) led to a reconsideration of its participation. Jones, S., ‘The Rose Revolution: A Revolution Without Revolutionaries?’, Cambridge Review of International Affairs, vol. 19, num. 1, pp. 33–48.
properly. This is why years after the launch of the ENP the European institutions agreed to establish several regional initiatives to promote horizontal links between the neighbouring countries and, more importantly, to provide more specific measures for each of the two hearts that make up the neighbourhood. The Eastern Partnership was established in May 2009 for the six states of the region, namely Armenia, Azerbaijan, Belarus, Moldova, Georgia and Ukraine and it includes measures which are extremely relevant to the latter, such as association agreements (including closely-knit and comprehensive free trade areas) and visa liberalisation. In contrast, to the south, the Union for the Mediterranean promoted by Sarkozy in 2008 was established, as well as the Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, which was born in response to the so-called Arab Spring in 2011.

The ENP is characterised by seeking to strengthen ties with these countries in line with European values and create an area of prosperity and good neighbourliness, as enshrined in Article 8 TEU. While the EU offers privileged relations to neighbouring states, this does not imply their participation in the institutions and as such membership in the Union. With the ENP a new status was established, that of neighbour, which differs from the traditional ones of member and non-member. However, this latter aspect has recently been altered following the decision to offer the prospect of accession to Ukraine, Moldova and, to a lesser extent, Georgia, allowing—for the first time—the EU to go beyond the neighbourhood framework (Art. 8 TEU) to join the Enlargement Policy (Art. 49 TEU).

The internal dynamics of the neighbourhood framework are similar to those of the Enlargement Policy, such as positive and negative conditionality, financial support (the main financial assistance is the Neighbourhood, Development and International Cooperation Instrument), technical advice and even the preparation of annual evaluation reports by the European Commission. This is because the ENP is based on

the main practices of accession, as it was partly intended to emulate the successes achieved by the latter. However, the results with neighbouring states have been mixed, especially in the Mediterranean region where little progress has been made. It is precisely the lack of progress in the southern neighbourhood, together with the presence of the most advanced states of the Eastern Partnership (Ukraine, Moldova and, to some extent, Georgia), that calls for a rethinking of this framework of relations on the part of the EU.

A more active dialogue should be established with our Mediterranean partners to promote more attractive measures that will allow progress, however small, to be made. While not aiming for widespread change, initiatives that have a clear impact for society can be established in accordance with the principle of pragmatism and state and societal resilience as enshrined in the EU’s Global Strategy for Foreign and Security Policy (June 2016). Similarly, the migration issue needs to be resolved, which requires greater involvement and awareness on both sides. Measures such as visa liberalisation can be conducive to close cooperation in this area.

The Eastern Partnership, which only includes Armenia and Azerbaijan, since Belarus suspended its participation in 2021, should be revitalised. To this end, the EU-Armenia Comprehensive and Enhanced Partnership Agreement (in force since 2021) should continue to guide relations with Yerevan. However, the recent Azeri offensive against Nagorno-Karabakh demands greater EU involvement, while calling into question the EU-Azerbaijan Strategic Energy Agreement signed in July 2022 and which, after the sanctions on Russia for its invasion of Ukraine, is a priority for the EU. Sanctions against Belarus for its involvement in Russia’s aggression against Ukraine have further strained relations with the Lukashenko regime. However, once the conflict is over, dialogue with the

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29. Offering membership to the most advanced states in the region has led to questions about the ENP’s Eastern Dimension, with a small number of countries that are in some cases far removed from the EU. Combois, F. ‘The Ukraine War and the future of the Eastern Partnership’, European View, vol. 22, num. 1, 2023, pp. 103–110.
30. Following the sanctions imposed on Belarus for the repression of its citizens who rejected the outcome of the fraudulent elections held in August 2020, Lukashenko decided to suspend his country’s participation in the Eastern Partnership.
31. This will double the capacity of the Southern Gas Corridor in line with the diversification objectives of the European RePowerEU plan. European Commission, ‘EU and Azerbaijan enhance bilateral relations, including energy cooperation’, Brussels, 18 July 2022, https://ec.europa.eu/commission/presscorner/detail/en/IP_22_4550
neighbouring country should be promoted to try to implement measures that are clearly oriented towards the citizenry. The Enlargement Policy and the ENP pursue the regulatory transformation of our neighbouring countries. However, the results achieved in the two cases differ significantly, more relevantly in the case of the Enlargement Policy, as will be discussed below.
3
Despite the undeniable political impetus from Brussels and the aspirant countries, enlargement is a long distance race, not a sprint, vulnerable to contingencies in both the Union and the aspirant countries. The different speeds of the countries point to three enlargements over the next thirty years, grouping together firstly those currently under negotiation (Montenegro, Serbia, Albania and North Macedonia), secondly those with candidate or pre-candidate status (Bosnia-Herzegovina and Kosovo), and thirdly those in the Eastern Partnership (Ukraine, Moldova and Georgia). This approach, however, is subject to change, because if the stalled enlargement in the Balkans has taught us anything it is that the political and economic contingencies—let alone conflicts and geo-political interests—of each country determine their prospects for membership. That’s why all eyes are on autumn and winter 2023, when the Commission’s annual reports in addition to the Council’s conclusions could alter or accelerate (or both) some of the following predictions.

The particularity of Turkey means that it is not included in this prediction. The significant democratic backsliding perceived since the failed coup of 2016, coupled with the estrangement from Brussels, crystallised in the 2018 Council Conclusions, where it was recognised that the negotiations had reached an impasse. This does not eliminate the framework of cooperation with Turkey or the possibility of change, but the lack of progress makes membership for the time being implausible.

3.1. MONTENEGRO, SERBIA, NORTH MACEDONIA AND ALBANIA

They are the most advanced in the process although not all of them are starting from the same point, as North Macedonia and Albania joined the negotiating table in 2022.
In principle, negotiations last on average nine to ten years,\textsuperscript{32} so in view of the recent revitalisation of enlargement a possible entry in the next decade is foreseen.

Montenegro has been in negotiations since 2012, and of the 33 open chapters, three are provisionally closed. The outlook for entry is positive: Podgorica enjoys strong support for entry, both from the political elites and the Montenegrins themselves\textsuperscript{33} and improvements in the economy, fundamental rights, and public administration have been perceived.\textsuperscript{34} The country’s small size, with a population of just under 600,000, also alleviates any fears of difficult integration.\textsuperscript{35} Even so, there are concerns about the two motions of censure in 2022 and the instability of the pacts, which obstruct progress on reforms to the judicial system, the fight against corruption and organised crime, and freedom of expression.\textsuperscript{36} The victory of the centrist pro-European PES in the 2023 elections is, however, a positive development, provided they maintain their coalition with the Socialists and Democrats, as well as other smaller parties. This will be difficult, as its fragmented alliance record lends more volatility to the legislature.

Serbia has been negotiating since 2014, with 22 of the 35 chapters open, and two provisionally closed. Even with improvements in the judiciary, the economy and immigration,\textsuperscript{37} there are still concerns about the rule of law and fundamental rights, the fight against corruption, freedom of expression and the media’s independence. It is also hampered by the limited support among citizens for accession, with only 44% Serbs in favour.\textsuperscript{38} On top of this, the Kosovo dispute, which blocks the entry of Belgrade and Pristina until relations are normalised. The regional

\textsuperscript{32} Leppert, Rebecca, “How exactly do countries join the EU?”, Pew Research, 26 de julio de 2022. https://www.pewresearch.org/short-reads/2022/07/26/how-exactly-do-countries-join-the-eu/#:%7e:text=On%20average%2C%20it%27s%20taken%20about,countries%20were%20original%20founding%20members.

\textsuperscript{33} Bellamy, Daniel, «Montenegro wants to join the EU but "something needs to be done"», Euronews, 17 de junio de 2023. https://www.euronews.com/2023/06/17/montenegro-wants-to-join-the-eu-but-something-needs-to-be-done


\textsuperscript{35} Bellamy, Daniel, ‘Montenegro wants to join the EU but “something needs to be done”’, Euronews, 17 June 2023. https://www.euronews.com/2023/06/17/montenegro-wants-to-join-the-eu-but-something-needs-to-be-done


risk posed by this conflict is heightened by the war in Ukraine—and it is in the latter that Belgrade’s refusal to adopt the restrictive measures has strained relations with Brussels. In addition, Serb interests in Republika Srpska are increasing instability in the Balkans, which stands in the way of regional integration efforts.

North Macedonia’s path towards opening negotiations has been rocky, with vetoes from Greece, France and Bulgaria—the latter leading disputes over shared history and the status of Bulgarians in Skopje. Nevertheless, the country’s work done on the rule of law, the economy, the fight against terrorism, corruption and organised crime\(^\text{39}\) are encouraging, so much so that it is ranked alongside Montenegro and Serbia.\(^\text{40}\) However, all of this is threatened by public and political opposition to the agreement with Bulgaria, which requires constitutional changes to recognise the existence of a Bulgarian minority in the country. The division in the country not only impedes future reforms, but also chips away at the prospect of membership. Once this constitutional change is made, Sofia’s reservations will be allayed, but the standardisation of relations between the two, during and after the negotiations, will be crucial for Skopje’s future entry.

Albania’s progress is so significant that a breakthrough is envisaged in the coming years, given the current momentum in implementing reforms\(^\text{41}\) in the judicial system and the fight against corruption and organised crime.\(^\text{42}\) Moreover, they have overwhelming support for accession, with 94 % of Albanians in favour.\(^\text{43}\) However, there is an urgent need to reform the electoral system, ensure freedom of expression in the media and increase transparency in public policy making.\(^\text{44}\) In addition, the relations between Albania and Greece are challenging, frozen due to tensions between the Greek minority in

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Albania and the central government, as well as disputes between Athens and Tirana over territorial waters. If not resolved, Albania could face a possible Greek veto.

3.2. BOSNIA-HERZEGOVINA AND KOSOVO

Their situation is a bit more knotty, as negotiations have not yet started, and when added to the structural challenges they face, their entry is expected to take one to two decades.

Bosnia and Herzegovina (BH) applied to join the Union in 2016 but did not gain candidate status until 2022. Economic ties between BH and the EU have been growing in recent years, with increased trade and access to goods. Even so, the interest in accession has not translated into reforms in the rule of law, the fight against corruption and organised crime, or fundamental rights. Moreover, deep political polarisation puts any progress in jeopardy. One of the most outstanding challenges is the conflict with the Republika Srpska, whose questioning of the government makes implementing reforms impossible. These include sanctions against Russia, blocked by the country’s Serbian ministers. This is hardly surprising, given that Moscow defends its interests in Sarajevo, supporting nationalist and separatist movements that divide the country and make EU membership impossible.

Kosovo has been following the Stabilisation and Association Process (SAP) since 2016, and applied for EU membership in 2022. The country maintains a clear political commitment to entry, backed by the support of 85 per cent of Kosovars. However, the refusal of Spain, Cyprus, Greece, Romania and Slovakia to recognise its independence makes membership more difficult, with possible vetoes. The turning point in the Pristina-Belgrade dialogue will be what to do with northern Kosovo with its Serb majority. The proposal brokered by the EU last February is in jeopardy precisely because of the tensions and violence

in the north of the country, which keep any progress towards accession just out of reach. Russia’s interests in the conflict are also notable, as it uses the Kosovo secession—and NATO’s intervention in 1999—as a precedent to justify its own invasions of Georgia in 2008, and Ukraine in 2014.

3.3. UCRAINA, MOLDAVIA Y GEORGIA

In view of the Russian-initiated war of aggression, these three states went from being part of the European Neighbourhood Policy (ENP) to becoming accession aspirants, but their definitive entry is still a long way off.

Ukraine’s political and civic commitment to integration was rewarded in June 2022 with candidate status. Today they aim to initiate negotiations, which depend on seven conditions set by the Commission covering the reform of the Constitutional Court, the media system, the High Council of Justice, the fight against corruption and money laundering, de-oligarchisation and the protection of minority rights. By June 2023, two conditions were met: reform of the High Council of Justice and the media system. Kyiv has already acknowledged that it will not be able to meet all seven by October, which is unsurprising, since the war makes accession more difficult, and therefore makes it take longer. Despite the initial velocity, this pill to swallow remains. Brussels is now faced with a dilemma because if it continues to open negotiations in December 2023 without the conditions being met, it would come at the expense of other partners such as the Balkans.

Moldova was granted candidate status in June 2022 and is currently working to meet the Commission’s conditions for opening negotiations, relating to the judicial system, the fight against corruption and organised crime, de-oligarchisation, public administration reform, public finance management, implementation of

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ODIHR recommendations, civil society participation and the protection of minority rights. As of June 2023, the Commission confirmed that the country had met the last three conditions.\(^\text{54}\) Like Ukraine, it is still to be seen whether negotiations will be opened this year, even if reforms are not completed. In addition, the situation in the occupied territory of Transnistria, which enjoys Moscow’s economic influence and military presence, is of concern. If Moldova were to join the EU-27, the EU would face a direct border risk with Russia.\(^\text{55}\)

For its part, Georgia received a ‘European Perspective’ in 2022, as a result of the perceived democratic backsliding in recent years. Twelve conditions were set to move forward concerning political polarisation, the democratic nature of state institutions, the judicial system, de-oligarchisation, the fight against corruption and organised crime, the media system, protection of minority rights, civil society participation, gender equality, consideration of judgements of the European Court of Human Rights (ECHR), and the nomination of a new ombudsman.\(^\text{56}\) As of June 2023, the country had met the last three. Even so, political polarisation slows down reform implementation. At the same time, there are concerns about the territories of Abkhazia and South Ossetia, which, with Moscow’s support and presence,\(^\text{57}\) would pose border risks for the Union. Defying all expectations, Georgia did not join in the EU’s restrictive measures towards Russia, a fact that ruffled feathers in Brussels.


As we have seen, enlargement is a very powerful structural foreign policy, allowing the EU to transfer its values and form of governance to the countries around it, transforming and stabilising them. But it is also a constitutional policy, through which the territory, population, composition, identity and nature of the EU itself are profoundly altered. With more members, not only does the EU gain international weight in terms of demographics, economics, trade, etc., but European political decision-making also becomes more complex as it has to be agreed upon by a larger number of actors, with increasingly diverse and removed experiences, and has to respond to a larger number of diverse needs, sensitivities and interests.

With enlargements, the EU is growing and becoming stronger as an international actor, as the European Council itself acknowledges, but it must be added that it is also becoming more heterogeneous and runs the risk of diluting its common project. And its institutional structures, decision-making processes and the characteristics of its main policies are also affected. When European leaders discuss possible enlargement, they are also implicitly deciding what the EU of the future will look like, what it will do and how it will function. It is clear that past enlargements have been a success in stabilising the European continent, but they have also had a major impact on the EU itself, undermining its unity, making it more diverse.
and, in many cases, fragmenting it, which makes it more difficult to articulate policy responses.\textsuperscript{60}

When analysing the political process of European integration, it is pointed out that it progresses through the action of three vectors—deepening, enlarging and democratizing\textsuperscript{61}—with all three having similar effects on the progressive shaping of European polity. Although in the political debate enlargement and deepening have always seemed to be in a dialectic relationship with one another, the truth is that from the outset European leaders have sought to advance both vectors in a ‘parallel and simultaneous’ manner\textsuperscript{62} and not to allow the desire for expansion to dilute integration. The 1969 Hague Summit, which unblocked the talks on the first enlargement to the United Kingdom, Ireland and Denmark, at the behest of the French President Pompidou, adopted the famous triptych of ‘completion-enlargement-deepening’.\textsuperscript{63} This meant that the then European Community assumed that before extending its membership it would have to ensure its proper functioning and the achievement of objectives already adopted, as well as not neglect its capacity to further develop the supranational project of the European Federation.

This unwritten principle became one of the rules of European constitutional policy that gradually came to be known in the jargon as ‘absorption capacity’, which was to be recalled in successive waves of enlargement.\textsuperscript{64} This criterion was, however, reformulated by the European Council in 2006, which added to these two requirements the acquiescence of the Union’s citizens, following the two negative referendums on the European Constitution in France and the Netherlands in 2004, which showed that citizens did not pronounce themselves on the European

\begin{itemize}
  \item \textsuperscript{60} Le Gloannec, Anne-Marie, Continent by Default..., op. cit., p. 203.
  \item \textsuperscript{64} The European Council at its meeting in Copenhagen in 1993, which famously adopted the requirements for accession known as the ‘Copenhagen criteria’, would point out that, ‘The Union’s capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries’. European Council, Conclusions of the Presidency, Copenhagen, 21 and 22 June 1993, (SN 180/1/93), p. 13, https://www.consilium.europa.eu/media/21225/72921.pdf
\end{itemize}
Constitution as demanded, rejecting the course of integration. The democratic dimension is in this way strengthened to take into account European public opinion, which will be channelled through its political representatives who sign and ratify the treaties and acts of accession. If we take a look at the history, it can be seen that almost all enlargements have been accompanied by further deepening, although not in all cases has this been formally constitution-alised in a reform of the Treaties, as well as by a revision of European policies to include the demands put forward by the new members. In the current debate, the EU has returned to a geopolitical conception of enlargement, conceiving of it as a major tool to advance its democratic model in the face of the destabilising Russian threat. And with the geopolitical urgency, the debate linking enlargement with reform and deepening of the Union has also been reopened, a debate that has, what is more, climbed to the top of the European political agenda in recent weeks.

At present, the debate is divided between those who advocate for the need to accelerate the enlargement agenda before tackling reform and those who believe that enlargement without reform will result in the Union’s demise. Advocates of the first option are the Spanish President and the President of the Commission von der Leyen. The European Parliament and a relevant number of experts and observers are in the second group, in which we also place ourselves. The former

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65. The European Council states that to sustain the integration capacity of the EU the acceding countries must be ready and able to fully assume the obligations of Union membership and the Union must be able to function effectively and to develop. Both these aspects are essential for ensuring broad and sustained public support, which should also be promoted through greater transparency and better communication. European Council, Presidency Conclusions, Brussels, 14 and 15 December 2006, (16879/06), pt. 6.

66. The first enlargement was not accompanied by a major reform of the Treaties, but it was by other markers of progress, such as the launch of European Political Co-operation in 1973, European Monetary Cooperation Fund in 1975 and the Treaties of Luxembourg (1970) and Brussels (1975), which gave budgetary powers to the European Parliament. Southern enlargement (1981–1986) was accompanied by the Single European Act, German reunification and the third enlargement to Austria, Finland and Sweden of the Maastricht and Amsterdam Treaties. The major enlargement of 2004–2007 led to the drafting of the Treaty establishing a Constitution for Europe, which would only enter into force in 2009 in the form of the Treaty of Lisbon. Only Croatia’s accession lags slightly behind without any deepening caused by it.

67. The major enlargement of 2004–2007 was accompanied by the so-called Agenda 2000, the Multiannual Financial Framework 2000–2006, which undertook a profound reform of redistributive policies, the Common Agricultural Policy and the Cohesion Policy.

68. In the letter of invitation to the informal summit in Granada, the President of the European Council, Michel, calls for reflection on the future of an enlarged Union and the consequences that enlargement will have for political dynamics, policies and common decision-making. Michel, C. (President of the European Council), Invitation letter to the members of the European Council ahead of their informal meeting of 6 October 2023, Brussels, 2 October 2023: https://www.consilium.europa.eu/es/press/press-releases/2023/10/02/invitation-letter-by-president-charles-michel-to-the-members-of-the-european-council/
underline, not without reason, the difficulties of proceeding at this stage with a revision of the Treaties which requires the double unanimity of all member states to be successful, and maintain that enlargement must be the priority and must not be made conditional on the success of a constitutional process which might flounder and open the doors to a deep political crisis. The latter, aware of the difficulty of the process, are currently making creative efforts to find solutions to ensure both the success of enlargement and the functioning and federalisation capacity of an enlarged Union, with a notable multi-speed deepening of the EU. The European Council has only just entered the debate but for the time being limits itself to acknowledging that to prepare for enlargement the EU ‘needs to lay the necessary internal groundwork and reforms’, without specifying whether these should be minor or involve a revision of the EU’s constitutional foundations.

In our view, there are several reasons why the planned enlargement to include the Balkan states and Eastern Europe cannot proceed without considering a thorough reform of the EU’s structure and procedures. And this is without taking

69. If we look at the Spanish Presidency’s programme, under the objective of ‘Strengthen European unity’ we have, on the one hand, progress in the accession process of the candidates and, on the other hand, the reform of decision-making procedures to make them more efficient, which would be the preservation part of the functioning of the EU. The formal revision of the Treaties is dealt with separately as a consequence of the outcome of the Conference on the Future of Europe, but ambiguously states that it will be ‘followed up’. Spanish Presidency of the Council of the European Union, Programme ‘Europe, Closer’, Second Semester 2023, p. 9 and p. 13. https://spanish-presidency.consilium.europa.eu/media/e4ujaagg/the-spanish-presidency-programme.pdf. Asked about this, State Secretary for the European Union Pascual Navarro, in the context of a discussion on the Presidency’s programme at the Fundación Alternativas in July 2023, expressly stated that the two issues need not be linked and that they advocated proceeding with enlargement without considering a revision of the Treaties. See: Alternativas Foundation, Colloquium ‘The Challenges of the European Presidency in Spain’, 5 July 2023, https://www.youtube.com/watch?v=dxesBLduzvI
71. In its latest resolution on Ukraine’s accession, it ‘underlines that the Union itself must undertake the reforms needed in view of future enlargements’. European Parliament, resolution of 15 June 2023 on the sustainable reconstruction and integration of Ukraine into the Euro-Atlantic community, Strasbourg, 15 June 2023. (P9_TA(2023)0247), pt. 9. In the draft opinion on the reform of the Treaties that the Constitutional Affairs Committee is working on, they state in no uncertain terms that ‘the prospect of future enlargements makes a reform of the Treaties inevitable’. European Parliament - Committee On Constitutional Affairs, Draft report on proposals of the European Parliament for the amendment of the Treaties, 22 August 2023 (2022/2051(INI)
72. This is an old idea, already present in the European debate since the 1980s, and has long been advocated by us. See: Aldecoa, Francisco and Guinea, Mercedes, ‘La necesidad de reformar la Unión Europea: Temas para la tercera Convención Europea’, Fundación Alternativas working paper, n° 117, 13 October 2022. The issue has now been brought back into the limelight by a report of a Franco-German working group led by their respective governments. See: Franco-German Working Group on EU Institutional Reform, Sailing on High Seas: Reforming and Enlarging the EU for the 21st Century, Paris-Berlin, 18 September 2023: https://institutdelors.eu/en/publications/sailing-on-high-seas-reforming-and-enlarging-the-eu-for-the-21st-century/
into account another highly urgent situation, namely that the EU Treaties are currently obsolete, many of their provisions cannot be implemented, unanimous decision-making is made extremely difficult by the unfair behaviour of some member states, and their articles do not offer solutions to current challenges such as strategic autonomy. Neithe\('r the political structure nor the mechanisms to protect its political model, nor the institutions, nor the decision-making procedures, nor the main redistribution policies can withstand the increase of nine more member states, because they are already weak and underperforming. We will analyse some of the implications that we consider to be the most significant one by one.

A. Impact on the EU’s political and regulatory model

We all know that the essence of the European model of life and coexistence rests on the three interdependent pillars of Article 2 TEU: democracy, human rights and the rule of law. Without respect for all three, the EU cannot guarantee its citizens the rights it recognises them nor can European policies function due to a loss of trust in and among the member states. Failing to be interested in respecting Article 2 risks ending supranational European integration. Its failure also fuels systemic threats such as corruption, which also opens up an important gap in the EU’s strategic autonomy and security, given that it allows a member state’s government to be controlled by a third state.

The experiences of Hungary and Poland testify to how democratic and human rights values are not acquired only on paper, and how their lack of socialisation has generated an anti-democratic drift in their political systems that affects the functioning of the EU as a whole. And the democratic clause of Article 7 TEU, a political mechanism designed to prevent this phenomenon through a system of sanctions, has been rendered inoperative both by


75. If structural funds are cut to a given member state under the Rule of Law Regulation or if all or part of a member state’s national plan for recovery and resilience is not approved under the rules of the Recovery and Resilience Facility, EU policies are no longer implemented and their objectives are no longer fully achieved. Other important dimensions of the integration process also rely on trust between member states, such as the recognition and enforcement of judgements in the internal market or the Euro-warrant in the case of the area of freedom, security and justice. If this trust is lost because of doubts about the democratic nature of a political system and member states stop co-operating with each other, integration becomes fragmented again and policy effectiveness is reduced.
the Council’s long-standing lack of political will to use it\textsuperscript{76} and by the requirement of unanimity-minus-one, which allows non-compliers to cover each other’s backs.

Other means have had to be found to try to put pressure on governments, such as the Commission’s rule of law framework, conditionality in access to European funds, and non-compliance claims before the Court of Justice. Evidence shows that they are not fully effective, that in some cases they have a limited impact and in others, like the case law, by acting after the damage has occurred, they do not prevent the model’s erosion.\textsuperscript{77}

It has been rightly said that in the past the EU has prioritised stabilisation over democratisation in the use of enlargement and the neighbourhood as geo-political tools.\textsuperscript{78} We have seen how this decision has had a highly damaging impact on the very functioning of the EU, as non-compliers also try to boycott the common decision through strategies such as ‘taking hostages’, which Hungary has recently used time and again to receive the funds frozen as a sanction for its violations of the rule of law.\textsuperscript{79} We must learn from the mistakes of the past: the same thing cannot happen to us now. The forthcoming accessions will not only have to pay very close attention to meeting the first Copenhagen criterion but will also have to consider not only their being formally respect but also the effective socialisation of their values among citizens.

Reforming Article 7 TEU is also a priority to strengthen the EU’s capacity to sanction violations of the basic elements of the European pact and as such prevent the erosion of the value-based political model. This strengthening can only be done through a formal revision of the Treaty, applying Article 48 TEU. The reform must prioritise two elements: the Council’s obligation to make a statement, once the Article 7 procedures have been activated, either by the Parliament or by the Commission; and the adoption of decisions by super-qualified majorities, which would prevent the ‘non-compliance deals’ that we are currently seeing.


\textsuperscript{79} See as an example of this strategy: Tamma, Paola, ‘EU readies payout to Hungary to avoid Ukraine aid blockade’, \textit{Politico}, 3 October 2023: https://www.politico.eu/article/eu-payout-hungary-avoid-ukraine-aid-blockade/
B. Impact on European institutional structure and decision-making

The composition and functioning of the institutions must be reviewed to allow for an equitable distribution of political representation between member states and citizens and for the smooth and efficient functioning of the EU. For the purposes of representation and political power, population is the reference element for member states. The new enlargement will bring in up to nine additional member states, which are extraordinarily diverse in terms of population: we will have a large state–Ukraine, with between 37 and 41 million inhabitants--; a medium-small state–Serbia, with 6.9 million--; six small states–Georgia, Bosnia and Herzegovina, Albania, Moldova, North Macedonia, and Kosovo, ranging from 3.7 to 1.7 million–, and finally a tiny state–Montenegro, with just over 616,000 inhabitants–.

The overall increase in the EU population as a result of this major enlargement will not be traumatic, at 64.5 million inhabitants. With all of them, the EU will have 513.2 million inhabitants, just 5 million more than it had before Brexit. Although all the member states, including Spain, will see their relative power in the decision-making process reduced, as they will have to share it with more actors, it will be very similar to what it was when the UK was a part of the Union.\textsuperscript{80} The impact, however, will come from the increase in the number of member states, which will affect the composition of the institutions as well as internal balances and voting rules.

B.1. The European Parliament

Even if a significant number of new members are added, we would argue that its size should not be increased and should be kept at 751 MEPs. Already the largest parliamentary assembly on the planet, its growth can only make its governance and operation more complex and increase its cost. The distribution of seats is carried out, in accordance with Article 14(2) TEU, according to a degressively proportional demographic criterion, with a minimum representation of six seats for the smallest states, to guarantee political pluralism. The allocation of seats is done by unanimous decision of the European Council, so that the Treaty does not need to be

\textsuperscript{80}The relative weight of Spain, taking into account its population, in an EU of 27 member states is 10.7 per cent, while in an EU of 36 it will be 9.4 per cent. See tables in the appendix.
revised to proceed with this distribution, but the number of seats held by the current member states can be agreed to be reduced to accommodate the equal representation of the nine new members, and this adaptation could be done progressively.

The decision was made in the Brexit seat correction not to allocate all of the vacant seats and to leave some for the next enlargement. To adjust for demographic variations, 720 seats were allocated, leaving 31 for future accessions.81 Assuming that Montenegro and Serbia were the first to join, projecting the current number of seats allocated for population, the current configuration would not have to be changed. But for the next accession, be it North Macedonia or Albania, the entire Parliament would have to be redistributed among all the member states. However, given the small population size of the majority of them, the current states would only feel a sharp reduction due to the incorporation of Ukraine.

To strengthen the democratic vitality of the EU in the face of the impact of enlargements and the legitimisation of the integration process itself, the democratisation of this body must also be considered, to bring it closer to the citizens.82 This requires making the elections more and more European and less and less national. We therefore call for the completion of the national ratifications of the reform of the EU Electoral Act that was adopted in 2018, which increased the common elements of election to the European Parliament.83 And we also support the adoption by the European Council of the Ruiz-Devesa proposal to create a transnational electoral constituency with transEuropean lists alongside the national constituencies that would allow for a trans European candidacy for the head of the list.84 Although a unanimous decision of the European Council and national ratification would also suffice, there does not seem to be the

82. This issue has been dealt with in detail in another paper: Guinea Llorente, Mercedes, ‘La Conferencia sobre el Futuro de la Unión Europea: propuestas para reforzar la calidad democrática del sistema político europeo’, in: Aldecoa, Francisco and García Cancela, Eduardo (eds), La Conferencia sobre el Futuro de Europa en Marcha, Madrid, La Catarata, 2021, pp. 91–103, esp. 97–98.
83. In 2018, the Council adopted a reform of the Uniform Electoral Act that reinforced common elements of national electoral procedures to the European elections, such as representation thresholds, deadlines and electoral labels. It does not look like it will be in force for the European elections in 2024, because over the past five years it has not been ratified nationally. See: Council Decision (EU, Euratom) 2018/994 of 13 July 2018 amending the Act concerning the election of the members of the European Parliament by direct universal suffrage, annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20 September 1976, OJ L 178, 16 July 2018, p. 1.
political will among the member states for a move so federal in nature at the moment.

B.2. The European Commission

The composition of the Commission should also be reduced to achieve a more cohesive executive, more balanced in the importance of its portfolios and more efficient. A 36-member executive makes no sense: it is a mini-assembly and has a hard time acting in a coordinated manner. All that is needed is to apply the current provision in Article 17.5 of the TEU, stalled by the Irish referendum, which already provides for a Commission reduced to two-thirds of the member states. This step requires a unanimous decision by the European Council, which is difficult to achieve at present because of the reluctance of the small member states, which are a majority, to lose representation and power.

So far, recent Commission Presidents have tried to solve the inefficiencies of the system by establishing a hierarchical structure within the Commission between Vice-Presidents and Commissioners.\(^\text{85}\) Coordination problems are addressed by organising them into thematic and cross-cutting working groups led by a Vice-President. However, these measures have their limitations, among them the lack of balance between the portfolios they receive and the fact that in the end they all have the same vote in the College of Commissioners. In the future, the reduction of the Commission will involve establishing a system of equitable distribution and rotation between member states and bringing into the power-sharing equation those figures who are of considerable political importance, such as the Directors-General or Directors of key agencies, real powers in the Commission’s structure.

B.3. The Council and European Council

Regarding the Council, the most important revision is of voting allocation and voting rules. In the few cases where the Treaty provides for the

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85. The current structure and the distribution of roles of the von der Leyen Commission, after the summer of 2023, can be seen in the following document: https://commissioners.ec.europa.eu/index_en.
European Council to vote, they also apply to this institution. The accession of a significant number of states and the population differences they entail (one large and the rest small and one tiny)\textsuperscript{86} substantially alters the balances of qualified majority voting. A revision of the 55 per cent rule for states with 65 per cent of the population should therefore be considered to preserve the balances achieved by the Convention. This rule was carefully calculated to ensure that in today’s EU no one category of states (large-small, north-south, east-west, rich-poor, agricultural-industrialised, etc.) could impose itself and marginalise its opposite, but rather requires a coalition of different states. Along with QMV, the criteria for calculating the reinforced qualified majority and, in particular, the blocking minority should be reviewed. At present, only four member states can block a decision according to Article 16.4 TEU, but the substantial increase in the number of states, especially small ones, requires that this criterion be reviewed to gain legitimacy and effectiveness. As the voting rules are enshrined in the Treaty, they will require its revision.

At the same time, there is the question of the transition from unanimity to qualified majority decision-making in the Council, which has been much debated in recent months.\textsuperscript{87} Unanimity is highly undemocratic as it allows for power politics of some states over others.\textsuperscript{88} It is well known that unanimity is currently strangle the European political system, as some member states are systematically practising ‘hostage-taking’, vetoing decisions about which they have no direct interest to win concessions in other areas. This is a strategy pursued by governments such as Hungary and Poland, which highlights another structural problem of the European political system, namely the lack of mechanisms to enforce the obligation of loyal cooperation enshrined in Article 4.3 TEU.

\textsuperscript{86} See the table in the appendix.

\textsuperscript{87} Many European actors, even representing member states, have called for the end of unanimity. It was also the main proposal of the Conference on the Future of the EU. Everyone recognises the enormous impact it has on the effectiveness of EU decision-making processes. Indeed the Council itself, in its report on the CoFoE conclusions, commits itself to consider the application of the passerelle clause to move to qualified majorities on a case-by-case basis. Unfortunately, polls among member states have so far produced no results and not a single legal basis has been changed. This shows how unanimities end up protecting national interests and how member states are only encouraged to cede this sovereignty if they have an important incentive or receive other compensation in exchange. See: Council of the EU, General Affairs Council. Brussels, 22 September 2022: https://www.consilium.europa.eu/en/meetings/gac/2022/09/20/.

Returning to unanimity, we support the proposal that in an enlarged Union any Council decision that does not relate to changing the constitutional system or the financing of the EU must be made by qualified majority. Except in the field of defence, which is expressly prohibited by the Treaty, this would be possible through the application of the passerelle clause of Articles 48.7 and 31.3 TEU, but which have to be activated by a unanimous decision of the European Council. Practical experience shows, however, that member states are not willing to give up the sovereignty that unanimity protects and how attempts by the Council to discuss this issue have been unsuccessful, with someone always vetoeing to protect a national interest.\footnote{This was openly acknowledged by the EU Secretary of State. See: Fundación Alternativas, Colloquium 'The Challenges of the European Presidency in Spain, 5 July 2023, https://www.youtube.com/watch?v=dxseBLdzu2I.} We believe that progress towards qualified majority voting can only be achieved in the context of a major negotiation on treaty reform, where the member states can envision advantages and obtain within the framework of a transaction other concessions in exchange for their compromises. It should also be stressed that the passerelles do not serve for the shift from unanimity to qualified majority in the case of European Council votes, since the Treaty only provides for that in the case of Council decision-making procedures.

\section*{C. Impact on budgets and key policies of the EU}

It is entirely logical to assume that the accession of the nine member states under consideration will have a major impact on EU budgets and its main policies. It is now widely assumed that Ukraine’s accession will go hand in hand with EU investment in its reconstruction,\footnote{European Parliament, Resolution of 15 June 2023 on the sustainable reconstruction and integration of Ukraine into the Euro-Atlantic community, op. cit.} which will require an unprecedented financial effort.\footnote{For a preliminary assessment, see: Peters, Tim, Financing Ukraine’s Recovery. Consequences for the EU budget and budgetary control, and principles for success, European Parliament Research Service, June 2023: https://www.europarl.europa.eu/RegData/etudes/IDAN/2023/749804/EPRS_IDA(2023)749804_EN.pdf} In the spring of 2023, the World Bank estimated the financing needs to rebuild Ukraine at €383 billion.\footnote{World Bank, Ukraine Rapid Damage and Needs Assessment February 2022-February 2023, March 2023: https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099184503212328877/p1801740d1177f03c0ab80057556615497.} This estimate does not take into account future destruction, given that the conflict is still ongoing and
unfortunately its end does not appear to be in sight. The reconstruction of Ukraine will involve not only the EU but also other international actors as well as the private sector.

Apart from the specific case of the reconstruction of Ukraine, the EU budget will be under dire strain due to this major enlargement. Even if the increase in population is not significant, the difference in wealth of the newcomers compared to the current EU is truly substantial. The richest country is Montenegro with a GDP per capita of €9,600, far behind the EU average GDP per capita, which stands at €35,447. In fact, all the states that would join in this next enlargement, without exception, have a GDP per capita lower than that of the poorest EU state, Bulgaria, at €12,600.

Since the main vector of contribution to the common budget today is the relative wealth of the member states, this enlargement will have a significant impact on the EU budget, which will make reviewing its bases necessary. Expenditure will increase significantly due to the expansion of cohesion needs and other policies, but the same cannot be said of revenue from the member states. This implies that all newcomers would become net beneficiaries and that, as average wealth falls, many of the member states that are now net beneficiaries would become net contributors. The alternatives that can be considered are varied and range from changes in the basis for distribution of the current ‘own resources’, to considering new resources for the budget such as ad-hoc levying for those sectors benefiting from integration or make the issuance of European public debt permanent. The own resources decision does not require Treaty reform, only a unanimous European Council decision after consultation of the Parliament and national ratification. Making the European public debt permanent does make a revision of the Treaty necessary, since the one in place now is approved under a legal basis provided for emergency measures required by an exceptional situation.

The impact of this major enlargement on the EU’s redistributive policies will also prove to be very substantial, which will require reconsideration. A recent report, commented on by the Financial Times, examines the cost of including the newcomers in current policies by ap-

93. The data can be found in the table in the appendix.
94. See Article 311 of the Treaty on the Functioning of the EU.
95. See Article 122 TFEU.
plying the parameters currently in place.\textsuperscript{96} Starting with the Common Agricultural Policy (CAP), Ukraine’s accession alone, given the size and importance of its agricultural sector, would increase its current cost by €96.5 billion, which would require cuts of 20 per cent for the rest of the member states.

With regard to cohesion policy, differences in development would mean that funding the new member states would entail removing six of the current member states—the Czech Republic, Estonia, Lithuania, Slovenia, Cyprus and Malta—from the policy. The impact on existing members can be modulated by a gradual incorporation of new members through the application of the safeguard clauses. But the bulk of the evidence shows that in the long term the EU’s main redistributive policies will have to be profoundly rethought, which may also affect the objectives set out in the Treaty. Cohesion policies themselves, as we know them, are already the subject of debate, due to their poor results in relation to more innovative formulas such as the Recovery and Resilience Plans.\textsuperscript{97}

In addition to the traditional policies, the EU, by equipping itself with the objectives of the transitions—green, digital and social—and strategic autonomy, has just opened up an ambitious path of transformation of the member states through political action. This shift means that industrial policy, which is currently being provisionally financed through the Recovery Instrument,\textsuperscript{98} but which will have to find a stable basis for funding in the future,\textsuperscript{99} is becoming increasingly important. At this stage, there is no doubt that this policy of achieving European sovereignty will be one of the keys to the future and that permanent funding will be found. In this respect, enlargement is extremely important: in its report on Resilience, the Spanish Presidency underlined the importance that the incorporation of new members will have for increasing the EU’s economic security, reducing its

\textsuperscript{96} Wfoy, Henry, ‘EU estimates Ukraine entitled to €186bn after accession’, Financial Times, 4 October 2023: https://www.ft.com/content/a8834254-b8f9-4385-b043-04c2a7cd54c8.
\textsuperscript{97} Alves Cordeiro, Vasco, ‘Time for a reset: EU regional funding needs overhauling’, EUObserver, 28 September 2023: https://euobserver.com/opinion/157470.
\textsuperscript{99} The Commission’s initial proposal for a European Sovereignty Fund, which has been discarded, and the STEP proposal to finance investment in tech industries, which looks set to receive additional funding in the revision of the current Multiannual Financial Framework, are already moving in this direction. See: European Commission, EU Budget: Commission Proposes Strategic Technologies for Europe Platform (STEP) to support European leadership on critical technologies, Brussels, 20 June 2023: https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3364.
dependencies and improving its global positioning. But, given the lagging economic development of candidates and potential candidates, their incorporation will require significant extra financial effort for them to initiate and consolidate their transitions and strengthen their competitiveness in critical industries.

Very briefly, we might also underline the fact that the EU after this enlargement will see the nature of the foreign policy challenges it will have to face alter significantly. Its centre of gravity will move eastwards and towards the Black Sea, leaving the calmer and more stable Atlantic. The threats and risks that will affect it will undoubtedly be multiplied and unless member states decide to reinforce their defence capabilities and strengthen the CFSP itself, they will become increasingly dependent on external actors such as the United States.

D. Enlargement and future federal deepening capacity

We must not forget that the concept of ‘absorptive capacity’ also included from the outset the condition that expansion to new members should not prevent the EU from pursuing its federal construction. Deepening through the revision of the Treaties has already proved impossible under the current rules since the 2004 enlargement. And at present not all member states share the view that the EU needs to reform and integrate further, with a significant number of them preferring the status quo.

Various proposals for the implementation of a multi-speed EU are making their way into the current debate and are included in Scenario 3 of the European Commission’s white paper on the future of Europe. In a previous paper, we also argued for this proposal: an enlarged EU must be reformed, and if this is not possible with all current member states, those interested in developing a more federal Union should...
4. IMPACT OF ENLARGEMENTS

The two speeds exist de facto within the EU today between those who are part of the euro and those who are not.

The current proposal proposes to formalise the two-speed EU within two different legal frameworks. Member states that do not wish to deepen their commitment further would continue to apply the current Treaties and those member states that wish to do so would sign a new Treaty with more binding federal commitments in the policy areas of their choice, for example in defence, fiscal integration or health. This differentiated integration at the constitutional level must be compatible with existing Treaty principles, while respecting a single institutional framework, the equality of citizens, integration already achieved and the desire of those who remain outside of it to integrate when they wish to do so. Cohesion between the two Europes will not always be easy to ensure, and dynamism will undoubtedly be saved at the price of complexity.

The multi-speed model has now also been brought into the European debate to meet another challenge: of rewarding the candidates’ transformation efforts without being too hasty in their accession. There are academic analyses that suggest that concentric circles can also be drawn outwards in the framework of foreign relations, starting from the circle closest to the EU constituted by the European Economic Area followed by the neighbouring states and then all the others. On the basis of this realisation, shifting the multi-speed or inner circle focus to accession policy itself and to the future deepening of the EU is now on the table. In the proposal of the Franco-German group of experts, a structure would be generated united by the common values of Article 2, which would go from a federal integration at the centre, followed by a circle of member states integrated around the active policies, then a circle of non-member but associated states, integrated economically but not politically, and finally the outermost circle of the European Political Conference. The move from the outermost circles to the innermost would reward candidates’ compliance with the accession requirements and allow for

104. The Treaty on Stability, Coordination and Governance signed in 2012 by 25 of the 27 member states already opened up this possibility.
gradual and progressive access to EU policies, programmes and increased financial support. But it would also make it possible for the EU to maintain control, so that any backsliding in the candidate’s political process could be sanctioned by it losing its acquired advantages and a return to the previous circle.

It is clear from all that has been seen in detail above that enlargement is impossible without treaty reform, even if it sets in motion a multi-speed EU.
Finally, we would like to put forward some additional considerations about the possible costs as well as the opportunities that this new enlargement process opens up from the current Spanish perspective.

First. Spain must take a proactive stance from the outset to position itself correctly in the new European puzzle. The reason is that, as noted above, a major enlargement would affect not only our relative weight in the EU or the funds we receive from Brussels, but also many other European policies, some of them central to Spain, such as the Common Agricultural Policy (CAP), migration policy, the fight against organised crime, and even a pillar as fundamental as respect for the rule of law. The rotating EU Council presidency in the second half of 2023 has shone the spotlight on and given prominence to enlargement in the run-up to a possible ‘refounding’ of the Union. Inevitably, it must be assumed that in the coming months and years there will be a back-and-forth in terms of political support for enlargement, starting with the fact that the Treaties stipulate that EU accession treaties need to be ratified by the member states (through parliaments or a referendum). There may also be internal changes and disputes: a ‘scramble for resources’. The crisis that erupted in April 2023 over Poland, Hungary and Slovakia’s unilateral ban on Ukrainian grain imports illustrates the kind of difficulties that Europe may face and suggests the need for conditional and gradual incorporation in this area, as well as in others (e.g., migration). Fortunately, Spain has sufficient relative weight within the European Union–economic, political, demographic, of representation in European institutions–to not fall into the inertia of ‘group think’ of ‘express enlargement’, or adopt defensive, or worse yet, passive attitudes.

Spain should learn from previous enlargement processes, in particular those of 2004 and 2007 with the addition of ten new eastern members. There will always be a risk of shifting the focus of political attention and resources towards the East and the
Balkans, to the detriment of strategic areas for Spain such as Latin America, the Mediterranean and the Sahel. However, two things should be noted here.

First, the latter two areas in particular will remain areas of EU attention for obvious reasons (development, conflict, migration, energy). Accordingly, new instruments could be generated. For example, a reinforcement of instruments and capacities (a kind of ‘Neighbourhood Plus’) might be considered as an incentive for future partner states belonging to the last concentric circle of the Union (European Political Community). This ‘Neighbourhood Plus’ could even be extended to neighbouring countries outside of Europe (Mediterranean rim, the Sahel, the Caucasus, Central Asia).

Secondly, there is enough room to manoeuvre within this process with a positive and pro-active attitude on the Spanish side. Here, again, the answer to what the impact of the major enlargement will be for Spain, should be: ‘it depends’. This document’s analysis shows that Spain will have to promote institutional reforms and new resources (fiscal and financial) to strengthen the Union and make an enlarged Europe possible. The case of Latin America (the EU-CELAC strategic relationship) is paradigmatic, insofar as it shows the existing limitations as well as the opportunities offered by the new financial instruments of an expansive Europe.107

**Second.** Another important element, which has not yet been sufficiently focused on, concerns the fact that this is a ‘geopolitical enlargement’, i.e., it is very much motivated by strategic security considerations in the broad sense, not only military-defensive, but also political (democracy), energy and economic. In a way, it is about creating a ‘cordon sanitaire’ to protect a new frontier of what we understand as ‘Europe’. The question arises as to which security framework this enlargement is aiming at (European, or transatlantic-NATO, or both), and whether it is in line with the project of European strategic autonomy in the field of defence, in the sense of reducing our dependence on the U.S. Would European membership for Ukraine, Moldova, Georgia or the Balkans alone guarantee a collective European response in the event of a

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107 The NDICI-Europe 2021-27 budget dedicated to Latin America represented only 6 per cent of the total geographically. However, at the EU-CELAC Summit held in Brussels in July 2023, a package of investments in critical infrastructures through the Global Gateway was announced, amounting to €45 billion promoted by the Commission, of which 9.4 billion would be contributed by Spain.
large-scale external threat or aggression (Russia, or another major power)? Although the Treaties include that obligation (42.7 TEU), in practice there is a lack of political will among member states to develop it normatively and implement it, due both to NATO dependence and to how slowly joint European capabilities develop. Under these conditions, NATO would be the guarantor of this collective security, which in turn would require a continued US presence and leadership, and ultimately, the incorporation of all these new member states into the Alliance. However, these are all aspects that have yet to be defined in the coming years. In any case, it can be affirmed that the ‘geostrategic investment’ mentioned in the Granada Declaration will be very much conditioned by how and when the Ukrainian war ends. It is only later that we will be able to have a clearer picture of how to act.\(^{108}\)

**Third.** As a corollary, what kind of enlargement would be most in line with Spain’s interests and vision should be noted. As of mid-October 2023, we are in a purely political phase, where all the technical aspects are still up in the air.\(^{109}\) However, provisionally, and by way of summary, we might point out four fundamental aspects that emerge from this document, from a Spanish perspective.

1. For Spain, the first condition for major enlargement must be reform (deepening). The two should be seen as complementary. The reforms comprise a wide range of options: (a) ad hoc and within the Treaties, or by reform of the Treaties (through a Convention); and (b) numerous changes including the European budget, the replacement of majority unanimity in the Council, fewer commissioners or a redistribution of seats in the European Parliament.

2. Enlargement to the East and the Balkans can and should be pursued provided that, at the same time, major adjustments are made in strategic geographical areas (the Mediterranean, Sahel, Latin America) and new instruments (funds, Neighbourhood Plus) are shored up. This will require a

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108. In this respect, post-war Ukraine will condition much of everything else, from Ukraine’s territorial status and national identity to the ‘hard’ aspects of the financing needed to rebuild the country.
109. At the time of finalising this paper, very important elements were still pending, e.g., the European Commission’s annual report on the candidate countries’ progress with the required reforms, sectoral impact reports ordered by the European Commission or by the member states and the European Council’s formal decision on the opening of accession negotiations with Kyiv. The signatories of this document commit themselves to updating it in the future to incorporate new developments and changes.
pro-active stance on the part of Spain.

3. In addition, the new enlargement should contemplate an integration that is differentiated (in competences, policies, spheres-circuits), balanced (financial and geographical areas), gradual, flexible and reversible, federalising and, in short, geopolitically driven but only determined according to the merits of the candidate country.

4. Major enlargement is an open-ended process, not without risks and unpredictable domestic reversals, which admits different practical outcomes and different scenarios for the coming decades. Spain can and must promote these reforms while at the same time looking after its own interests and with a pro-federal approach that at the same time strengthens its presence in the core of the Union.
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