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EUROPEAN FAMILY ACTION PLAN

MAPPING TRANSITIONARY INTEGRATION WHILE MOVING TOWARDS EU MEMBERSHIP

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Russia's ongoing full-scale invasion of Ukraine reopened the discussion on enlargement policy as a transformative and stabilizing tool in the EU's neighbourhood. In the December 2023 European Council, the EU leaders decided to open accession negotiations with Ukraine and Moldova, while granting candidacy status to Georgia.

It is fair to say that the European Union has advanced very rapidly when it comes to Ukraine's application, but the symbolic and publicly visible steps of this enlargement process, the celebrations and the big announcements, are now behind us. The calls for a quick geopolitical enlargement have also mostly faded into the background. Given that full accession is years away, we find ourselves amidst debates about staged accession or alternative forms of integration, as proposed in various studies about Europe of variable geometries.

We are at a point where the EU should develop a new form of realistic transitionary integration, one that prepares candidate countries for EU membership while including them in policies, programs, agencies, and funding, and, most importantly, inviting them to partake in shaping the EU beyond their already existing Association Agreements. What is needed now is a European Family Action Plan.

INTRODUCTION

After Ukraine made its membership request to the EU in February 2022, European Commission President Ursula von der Leyen said "they are one of us, and we want them in." European Council President Charles Michel stated that "Ukraine belongs to the European family." Many other leaders and officials shared this premise. While these emotional statements were encouraging to Ukrainians, the reality of how to move forward with their application was being deliberated in the informal meeting of the leaders in Versailles. The declaration from France and the follow up from the European Council set the tone: the heads of state and government were acknowledging the European aspirations of Ukraine but channelling the discussion to the legal procedure defined under the Article 49 TEU. Several EU leaders, in particular French President Emmanuel Macron and German Chancellor Olaf Scholz, publicly cautioned that there should be no fast track for Ukraine, and that its accession process is likely to take many years. They still hold to this position.

Meanwhile, Josep Borrell, the High Representative of the European Union for Foreign Affairs and Security Policy, was calming the waters in the Western Balkans - candidate countries that were impatiently waiting to improve their prospects with the European Union. Today we are at a point where both the Association Trio countries and the Western Balkans have officially advanced in the process, albeit to different degrees2. Yet, despite this forward movement, the transformative and stabilising character of the enlargement policy will still depend on innovations in the process, especially in the technical work of accession negotiations.

The European Council, in its conclusions on Ukraine, enlargement and reforms of December 2023, saw a historic milestone for EU enlargement: the European Council decided to start accession negotiations with Ukraine and Moldova, grant Georgia candidate status, and also agreed to open accession negotiations with Bosnia and Herzegovina once the country achieved the necessary degree of compliance with the membership criteria.

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Moreover, the European Council also reaffirmed its commitment to EU membership in regards to the Western Balkans, and called for the acceleration of their accession processes. Crucially, the European Council also defined enlargement as a 'geostrategic investment' for the EU, stressing that it is in the EU's own interest to close grey zones in Europe and use enlargement as a means to strengthen peace, security, stability, and prosperity in Europe. These developments shouldn't be seen as a push for the EU to accept more members before candidate countries or the EU are ready – but rather as encouragement of innovative thinking, on finding methods to assist candidate countries that are close to the EU as they proceed through the technical steps of the enlargement process.

So, up for discussion at this point is what kind of a transitionary integration could be offered to all candidate countries: a European Family Action Plan. The plan mapped out in this paper aims to achieve i) a real rapprochement between candidate countries and the European Union, while guaranteeing coordination and cooperation; ii) give time to candidate countries to get ready for EU membership; iii) give the European Union time to go ahead with the

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necessary adjustments that would make enlargement a success and the EU stronger post-enlargement; and iv) provide political support and security guarantees alongside the necessarily bureaucratic accession process.

their own positive experience, while Austria and to some extent Hungary put stronger emphasis on the accession processes of the countries of the Western Balkans.

However, even with the political momentum,

supportive of enlargement policy due to

THE NEW ENLARGEMENT **DEBATE IN TIMES OF WAR**

It is no secret that Ukraine's EU application in 2022 – followed by the Georgian and the Moldavan - created a new dynamic. It is important to remember that before their application, the enlargement policy of the EU was in bad shape. No countries were admitted since Croatia in 2013. There were various unkept promises to the countries of the Western Balkans, whose accession processes were practically blocked. Some of these countries were equally stalled in their reform agenda, leading to a vicious cycle of lack of accession credibility feeding on lack of reform and vice versa. A case in point were the blockades by first France and then later Bulgaria against opening talks with North Macedonia and Albania, even after the former put to rest the long-standing name dispute with Greece. It was already high time to rethink the enlargement policy.

Ukraine's accession to the EU will not be an easy or quick process. Nor will it be for any candidate country. Becoming an EU member requires countries to fulfil the Copenhagen criteria – including of democracy, rule of law, and economic stability with a robust market – and also to adapt the whole of the existing EU rules (acquis communautaire).

Despite the strong political impetus, it has already taken almost two years from Ukraine's application on February 28th 2022, shortly after Russia's full-scale invasion, to the granting of candidate status (summer of 2022) and finally arriving at the decision to take the steps towards formal opening of negotiations in December 2023. The recent statements from the European Commission signal that the screening period will not be over until after the European Parliament elections, so the true start of negotiations is still some time away.

The latest developments in this space are a clear reminder that enlargement is not only a technical, never-ending process for candidate countries, but an exercise of defining the borders of a peace and stability project for the continent. It is not just about 'granting' neighbouring countries access to common policies and decision-making, but also about the self-interest of the EU and its current member states in creating stability and a European security order. This explains why the most ardent supporter of Ukraine's application are those in Northern, Central, and Eastern Europe closest to Russia. Other countries such as Ireland or Spain remain

The hard part of the technocratic adaptation process is yet to begin and throughout all this, Russia continues its war against Ukraine.

What is needed, therefore, is a serious conversation at the leadership level of the European Union about how to rethink the process between now – in which most of the candidate countries' accession negotiations are open – and when they become full members. Without exact timetables, milestones, and the concrete plan of the (geo-) political future of the Union, the road will lead to frustration. The technical

character of the relationships is already well-defined - what is missing is to, in the meantime, guarantee political cooperation, tangible benefits during the process, and alignment.

WHAT IS OUT THERE?

One of the most credible offers on how to keep the candidate countries aligned with the European Union even before they become full members is the CEPS and CEP proposal of 'staged accession'. The model's core idea is to regain credibility and feasibility for the accession process by creating several stages of accession even after a country becomes a member of the

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EU, which only then gets access to EU policies and veto rights, step-by-step and based on conditionality. However, this would create a - at best temporary secondary class membership and require a major change of the EU treaties (potentially via the accession treaties) to allow for the different stages of accession.

In a different vein, there are proposals suggesting that some countries shouldn't be given full membership. Andrew Duff recently embraced this idea and suggested that some of these countries could instead be granted an "affiliate membership" status. From the view of the candidate countries, this amounts to second-class membership and seems more of a way of keeping countries out than bringing them into the EU. The September 2023 paper by the Franco-German 'Group of 12' suggests the option of an associate membership to the EU, neither as an alternative nor a stepping

stone of enlargement but for countries who absolutely do not want to take part in the deeper political integration of the EU.

Some also consider the **European Political** Community (EPC), French President Emmanuel Macron's brainchild, as an outer circle of European integration. The EPC is an additional flexible platform that includes the EU, candidate countries, European Economic Area (EEA) countries, the United Kingdom, and microstates of Europe. After its third summit, the EPC's main achievement has been to highlight the political commitment of European leaders to the continent. It has mostly proved to be a platform for coordination and cooperation, rather than alignment - though if it results in alignment in the future, that would be a welcome development. But, by design the EPC is not directly connected to the EU nor the enlargement process.

What we propose is the core idea of a European Family Action Plan in the form of transitionary integration: that the (regular) accession process should be supplemented by providing intermediary steps of integration to candidate countries until full membership is achieved. This way, the EU could increase its chances of guarantying reforms and policy alignment in return of concrete benefits for candidate countries while increasing cooperation with them in the meantime. To achieve this, the plan is based on six principles.

SIX PRINCIPLES OF THE **EUROPEAN FAMILY ACTION PLAN**

The first principle of the European Family Action Plan should be a clear and welldesigned path for the future, including a membership perspective. Previous models of a 'privileged partnership' (as publicly discussed for Turkey), 'junior membership',

'associative membership', and the European Neighbourhood Policy with its leitmotif of 'everything but institutions' all had one major flaw: they were designed as alternatives to full membership, and thus less attractive and less effective as a transformative tool, essentially promising a second-class membership at best and at worst a nicely coded refusal. In contrast, transitionary integration should be designed from the get-go as a transitionary stage that can lead to full membership, with a clear political intention from all EU member states and the respective candidate to do so, not automatically but based on fulfilling the necessary reform criteria.

The **second principle** should be to keep conditionality at the heart of the process. The transformative power of the enlargement policy has always been the exchange of often difficult economic and democratic reforms for the promise of EU membership and the economic growth, security, and freedom it entails. The economic readiness as well as problems with corruption, democratic standards, and rule of law continue to be challenges for both the remaining countries from the Western Balkans and the Association Trio. For instance, in 2023 Ukraine ranked 104 out of 180 in the Transparency International's Corruption Perceptions Index, almost 40 places below the two worst-placed EU member states (Hungary (76), Bulgaria (67). Still, Ukraine gained 18 places in two years, climbing from 122 in 2021 to 104 in 2023, even under war conditions. The implementation of a transitionary integration plan should therefore have clear democratic and economic conditionality, both in order to use the transformative power of the EU and prepare countries for eventual EU membership.

A **third principle** should be a palpable offer to join common instruments of the EU. This remains a delicate balance - on the one hand, the four freedoms of the single market remain indivisible, as the EU has reiterated through the Brexit negotiations, so that any attempt to undermine the integrity of the single market and giving privileged access to rights without obligations will be resisted by existing EU members. On the other hand, a quick, full opening of the single market could both overwhelm the economies of the candidate countries and create backlashes in specific sectors where they are particularly competitive, such as Ukraine in agriculture.

The more balanced approach would be to screen joint EU instruments which are connected but not core to the single market, for potential earlier participation accompanying the accession process if candidate countries have already implemented acquis in a specific area. These could include participation in EU agencies, further EU programmes (such as Horizon or Copernicus), free roaming, joint purchases of gas, and more. The Western Balkans Growth Plan is also directed at the same goal. It aims to encourage the creation of a regional market among the countries with the future prospect of sectoral integration to the EU's single market.

A fourth principle would be to give candidate countries access to relevant EU programmes if there is acquis alignment. This would not mean a phasing-in to existing cohesion funds or financial schemes of the Common Agricultural Policy, but rather the establishment of tools that would assist the transformation of the energy systems to more sustainable ones, or would support digitalization of governments, economies, and societies.

Regarding a possible membership in the common market, future members from Eastern Europe or the Western Balkans could receive compensation payments for opening up their markets. This applies the reverse argument used with affluent EEA

countries, which had to pay contributions for their access to the common market. In this context, the EU should consider applying instruments of financial conditionality for the traditional as well as for newly designed forms of financial support for European Family Action Plan countries. While they would not be a copy of the new EU "conditionality mechanism", designed to safeguard the EU budget from misuse, these instruments could address the specific circumstances of the countries covered by the Action Plan.

For instance, they could focus on combatting oligarchs and their cronies, ensuring transparency in public procurement, and scrutinizing the use of EU and public funds on both the national and regional level. This logic is already present in the Ukraine Facility and the Western Balkan Growth Plan, but on a limited scale. It should be enhanced with the upcoming multiannual financial framework (MFF) post-2027 and then engrained as part of the European Family Action Plan into the enlargement process.

As a **fifth principle**, and in contrast to the existing Association Agreements, the candidate countries should be granted a form of institutional participation in the EU during transitionary integration. For instance, their representatives could be invited to meetings within the Council structure of the EU to participate as observers without voting rights - from the lower-level Council Working Groups to the different formations of ministerial meetings potentially all the way up to (parts) of the European Council meetings at the level of Heads of State and Government. The precedent for this is non-participating members in projects of differentiated integration such as the Schengen Area, whose representatives can participate in the Council deliberations with speaking but not

voting rights. In November 2023, German Foreign Minister Annalena Baerbock suggested the option for participation in policy areas where candidate countries have already closed chapters. A particular focus could be foreign and security policy, where the Foreign Affairs Council could open (selected) discussion specifically for those candidate countries who achieve (close to) 100% alignment with EU statements and sanctions. For both political and legal reasons, the participation can only be as observers, as decision-making rights should remain available only for EU members.

This institutional participation should not, however, extend to nominating Commissioners or electing Parliamentarians for the European Parliament, both of which should be reserved for full members or the very last stage of accession when the candidate countries and the EU have already signed the accession treaty. In particular, the members of the European Parliament are elected to represent all EU citizens and therefore, for instance, all MEPs vote on issues of the Euro Area or Schengen regardless of whether their countries of origin participate in that policy or not. A partial or informal participation in the European Parliament should only be in the cards at the very end for countries that have finalised negotiations. The committees, however, could benefit from informal participation of candidate countries.

This should not belittle the offer of participation as observer in the Council and European Council. It would provide the participating countries with a real opportunity to influence EU decisionmaking – albeit without a vote – and a step into the political network of the inner-European diplomacy and political parties, as well as the symbolism of indeed belonging to the European family. The political power of just the image of the Ukrainian President

or leaders from Western Balkans countries in the 'family photo' of European leaders at a European Council should not be underestimated. It would be a significant pull factor for citizens of the candidate countries.

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Other forms of transitionary institutional integration could also be attractive for both sides. For instance, several of the EU's agencies have different forms of membership or association agreements with closely integrated third countries such as Norway and Switzerland. These include agencies central to regulating the single market including the EU's Medicine Agency and the European Air Safety Agency, as well as Europol, Frontex, and even the European Defence Agency. In this vein, Ukraine already completed a working arrangement with the European Public Prosecutors Office (EPPO) in March 2022.

As the last principle, in light of the changing European security order and the positions of the countries in question, any step towards European integration requires a security component. After all, the Russian aggression against Ukraine in 2014 that resulted in the annexation of Crimea and fighting over the Donbas also came in reaction to the signing of the Association Agreement with the EU. With the now turbulent European security order, any stable integration into the European framework will only be sustainable if it comes with at least some degree of security guarantees.

Designing such a security component will be tricky. On the one side, an extension of the collective defence of Art. 42 (7) of the EU treaty is unlikely to be given by the EU member states in the near future, even if the Russian war against Ukraine ends with a ceasefire. On the other side of the spectrum, the absence of a security component would risk encouraging actions that undermine the security of the countries involved, particularly when they are not (yet) full EU members. The bilateral security agreements that Ukraine struck with some member states (and the UK) will also play an important role.

Offers situated between this spectrum and those building upon the existing Association Agreements could involve integrating into EU defence projects through associate membership of the European Defence Agency (EDA), participation in PESCO projects, or significantly increasing financial support for countries - starting with Ukraine – to procure weapons. Depending on the political will in the EU, this could include the funding and training for armed forces via the European Peace Facility, which has thus far been used to fund military equipment up to €11.1 billion for Ukraine, with further increases under discussion. While the EU has already set up the Act in Support of Ammunition Production (ASAP), it currently falls short of targets and necessary support for Ukraine. Further ramping up EU defence industrial production and joint procurement, which is poised to become a core priority of the next Strategic Agenda, should be designed from the get-go with the option to include candidate countries that fulfil geostrategic alignment criteria.

CONCLUSIONS

The renewed focus on enlargement policy caused by the Ukrainian application to the EU shows just how attractive the European Union remains – but also delivers a real dilemma. On the one hand, a rushed

accession process is neither likely nor desirable. On the other, the European Union has its own geostrategic interest in supporting Ukraine, Moldova, and Georgia - and also the Western Balkans - with a renewed, more credible path towards EU membership. Stretching the accession process, potentially for decades, will undermine that credibility and the allure of the promise to one day become an EU member. It will also undermine the legitimacy of the European Union as a whole and security on the continent.

This demands new ideas and fresh thinking about the shape of the accession process. The ideas currently in circulation were created as an alternative to or lesser version of EU membership - or they require substantial adaptations of the treaties. The idea of transitionary integration, to accompany the technocratic enlargement process with a political initiative that underlines their participation in the 'European Family', allows a sectoral integration of the respective countries into core EU policies alongside the regular accession process. It thus serves neither as an alternative nor as fast-track to accession but provides tangible benefits in the meantime.

The real imperative for the Union right now is maintaining close ties to the candidate countries, while guaranteeing the utmost cooperation, collaboration, and alignment along the process. Enlargement should not be viewed as a favour to candidate countries; rather, it represents an important piece of the European Union's broader geopolitical strategy - a "geostrategic investment" with historical significance.

The six principles outlined here membership perspective, conditionality, sectoral integration into the single market, access to special funds, institutional participation, and a security component -

could, if implemented together, offer a credible and attractive path for Ukraine, Moldova, Georgia, and countries in the Western Balkans. Equally important, such an approach would reinstate enlargement as a transformative policy with credible conditionality, thereby assisting the EU in advancing its geostrategic interests within an increasingly confrontational European security order.

ENDNOTES

- 1 This paper has intellectually benefited from the roundtable discussion on enlargement and EU reform on February 15th that was organized by the "Madrid & Barcelona Future of Europe Debates" project in Madrid. The authors are also extremely grateful to Bernard Brunet, who has kindly provided feedback for the paper.
- 2 These range from still not being formally recognised as candidate country (Kosovo), stalling accession processes, due to democratic backsliding (Serbia) and accelerating reform processes, yet still struggling with bilateral blockades within the EU (Albania, Montenegro, and North Macedonia).

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