



# EU integration, Enlargement and Security Strategies: General Overview

Dr. Prof. Teresa Russo  
(Leader Module)

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# 1. Some general remarks

There are several **IOs representing differing values**

These organizations contribute to the so-called **global governance**

**Regional IOs** are the most conspicuous reality of present IOs

Scholarship considers **regional organizations as closed organizations**

**regional organizations**, such as the European Union, the Organization of American States. **Membership depends not only on geographical factors, but also on political factors**

Organizations of states which share a common background, for example the **Organization for Economic Cooperation and Development (OECD)**. Its members share a particular economic system and a particular level of economic development. Membership is not limited to states of a particular region

The regional organization has been defined in **negative terms** in relation to the number of members

It is also defined on the **basis of geographical criteria**, but also on the **basis of different political, economic and cultural factors**

**identity of group of States Parties or a community of interest**

## 2. The European regional area

The European scene has been remarkable for the growth and development of international institutions

In Europe there are some “unique” experiments in co-operation which involve **limitations on the exercise of national sovereignty**

Some Authors consider that the sources of this dynamism are essentially: 1) the increased inter-relationships; 2) the rapid economic reconstruction necessary to make European economies viable and competitive once more after the Second World War; 3) the ideological appeal of “European Unity”; and 4) until the end of the 1980s the fear of Soviet aggression against Western Europe

These factors are indicative and not exhaustive

The institutional landscape has evolved also in Europe significantly since **the end of Cold War**

Some organizations, constituted mainly by socialist Central and Eastern European countries, have disappeared, such as the **Warsaw Treaty Organization** and the **Council for Mutual Economic Aid (COMECON)**

Other European organizations, whose membership was traditionally limited to Western European States, began to expand Eastwards, such as the **Council of Europe** and the North Atlantic Treaty Organization (NATO).

There are many European organizations. These can be distinguished in:  
economic regional and sub-regional organizations:

- **Organization for Economic Co-operation and Development (OECD)**, that was at the beginning the **Organization for European Economic Cooperation (OEEC)**
- Organizations of Western Europe: **Benelux, European Free Trade Association (EFTA)**; organizations of North and Central-East Europe: **Organization of the Black Sea Economic Cooperation (BSEC)** and the **Council of the Baltic Sea States (CBSS)**

political-military organizations: **North Atlantic Treaty Organization (NATO)** and the **Organization for Security and Cooperation (OSCE)**

political organizations: **Council of Europe**

**Regional Cooperation Council (RCC)**

### 3. The European Union: Theories .....

Theories which tried to explain the EU:

- **neo-functionalism** was developed in the second half of the 1950s. It was based on **Jean Monnet's approach to European integration** and on the concept of 'spill-over';
- **intergovernmentalist** was developed in the mid-1960s; **National governments control the level and speed of European integration.** It depends on direct decisions by governments;
- **federalism** was the **idea of Altiero Spinelli**, which laid down on a political Union to **integrate different entities**;
- **multilevel governance** has its origins in the early 1990s in order to conceptualized the evolving EU structural policy after the Maastricht reform. It is based on a **constant coordination across different territorial levels** including a supranational, national, regional and local level (**vertical dimension**) and within them (**horizontal dimension**), that is to say a complex **overlapping process which involves numerous actors.**



Scholarship considers the EU **a supranational organization**.

Article 9 of the Treaty establishing the European Coal and Steel Community

The most fundamental **characteristics of supranational Organizations** should be:

1. the organization should have the power to take **decisions binding the member states**;
2. Binding decisions could be adopted by majority vote, so that the **member states can be bound against their will**;
3. The organization should be empowered to make rules which **directly bind inhabitants of the member states**;
4. The organization should have the **power to enforce its decisions**, even without the cooperation of the governments of the states concerned;
5. The organization should have **some financial autonomy**;
6. The members should not even have the **power collectively to dissolve the organization or to amend its powers without the collaboration of supranational organs**.

## 3.1 Historical steps

**The Schuman Declaration** of **5 May 1950** proposed the establishment of a European Coal and Steel Community, which became reality with the Treaty of Paris of 18 April 1951. It comes into force on 23th July 1952, for a period of 50 years

At **the Messina Conference** meeting from 1st to **3rd June 1955**, the foreign ministers of the six founding countries decide to extend European integration to the economy as a whole

The 'Six' then decided, with the Treaties of Rome on 25 March 1957, to set up an **European Atomic Energy Community** (Euratom) and an **European Economic Community** (EEC)

**The Merger Treaty (or Brussels Treaty) of 8th April 1955** was signed to merging the executive bodies of the three Communities (the ECSC, EEC and Euratom) and creating a single Council and a single Commission. It comes into force on 1<sup>st</sup> July 1967

The **‘Luxembourg compromise’ of 29th January 1966** resolved the first political crisis

On the **1st July 1968** Customs duties between the member states on industrial goods are completely abolished and a common external tariff is introduced (**Custom Union**)

**The Treaty amending Certain Budgetary Provisions of 22nd April 1970** is signed allowing the European Communities to be increasingly financed from **‘own resources’**

**The Single European Act**, which was signed in February 1986 and came into force on 1st July 1987

**The Treaty of Maastricht**, formally the **Treaty on European Union** (or TEU), which created the European Union, by adding intergovernmental cooperation in areas such as foreign policy and internal security to the existing Community system. This treaty is famous also because it established the three pillars of the European Union. It came into force on **1° November 1993**. It was considered the first reform treaty of the original Communities. It also established the European citizenship and introduced the principles of subsidiarity

**The Treaty of Amsterdam**, officially the Treaty of Amsterdam amending the Treaty of the European Union, the Treaties establishing the European Communities, was signed on **2nd October 1997, and entered into force on 1st May 1999**

**The Treaty of Nice** was signed on **26th February 2001 and came into force on 1st February 2003**. In particular, it reformed the institutional structure of the European Union to withstand eastward expansion. This treaty was considered a compromise. However, at the European Council of Nice on 7<sup>th</sup> December 2000, the Presidents of the European Parliament, the European Council and the European Commission solemnly proclaim the **Charter of Fundamental Rights of the European Union**

On **14-15 December 2001**, took place the European Council of Laeken which adopted the **Declaration on the future of the EU**. This opened the way for the forthcoming major reform of the EU and for the creation of a Convention (chaired by Valéry Giscard d'Estaing) to draft the **European Constitution**

On **29th October 2004**, the **Treaty establishing a Constitution for the Europe** is signed in Rome by the 25 Heads of State or Government, but it was not ratified by all the member States. New rules, proposed in this Constitution, would have to replace all the existing treaties

Thus, it was replaced by the **Treaty of Lisbon**, which was signed on **13 December 2007 and came into force on 1° December 2009**. It amended, but did not replace the previous treaties, and it introduced most of the amendments that were featured in the Constitution

The most evident new provisions of the Lisbon Treaty are :

1. **the replacement of the European Community with the European Union.** Article 1 of TEU states in fact that: *“The Union shall replace and succeed the European Community”*;
2. There are still two treaties, but they are consequently the **Treaty on the European Union (TEU) and Treaty on the Functioning of European Union (TFEU)**;
3. It **suppressed the subdivision in pillars**. Thus, the **Common Foreign and Security Policy is still intergovernmental**, that is to say that it is based essentially on the cooperation of the government in the European Council, acting unanimously;
4. It introduced a **new Title II concerning provision on democratic principles** along the lines of national democracies;
5. It established the **High Representative of the Union for Foreign Affairs and Security Policy** and a **stable presidency of the European Council**;
6. it attributed a **binding value to the Charter of Fundamental Rights**, under the new Article 6, paragraph 1, which states: *“The Union recognises the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union of 7 December 2000, as adapted at Strasbourg, on 12 December 2007, which shall have the same legal value as the Treaties”*.

According to the definition of Eur-Lex Glossary:

The **Community method** is characterized by:

- the sole right of the European Commission to initiate legislation;
- the co-decision power between the Council and the European Parliament, and
- the use of qualified majority voting in Council.

It contrasts with the **intergovernmental method** of operation used in decision-making, mainly on **Common Foreign and Security Policy and some aspects of police and judicial cooperation**. This method has the following salient features:

- the Commission's right of initiative is shared with the EU countries or confined to specific areas of activity;
- the European Council, explicitly mentioned in the Lisbon Treaty, often plays a key role;
- the Council generally acts unanimously;
- the European Parliament has a purely consultative role.

## 4. Enlargement and Membership Conditions

From a political point of view, the EU is also the result of its enlargement processes according to the **formula of enlargement and deepening**.

The actual membership of EU is the result of 6/7 processes of enlargement:

- 1973. Denmark, Ireland and the United Kingdom (1973)
- 1981, Greece (1981)
- 1986 Spain and Portugal (1986)
- Austria, Finland and Sweden (1995)
- the Czech Republic, Hungary, Poland and Slovakia, Estonia, Latvia and Lithuania, Slovenia, Cyprus and Malta (2004);
- Bulgaria and Romania (2007);
- Croatia (2013).



The process of becoming an EU member state **consists of different stages.**

We can distinguish:

- **legal requirements** for membership;
- **Substantial requirements** for membership.

Art. 237 TCEE then art. O TEU of 1993 and finally art. 49 TUE of 1999

## Article 49 TEU

Any European State which respects **the values referred to in Article 2** and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. **The conditions of eligibility agreed upon by the European Council shall be taken into account.**

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

The enlargement of the Union is a process based on the art. 49 TEU, but enriched thanks to an **intergovernmental practice** of:

1. **additional criteria** to be respected;
2. and instruments to be applied.

**The so-called Copenhagen criteria.** These are:

1. stable institutions guaranteeing **democracy, the rule of law, human rights and respect for and protection of minorities**;
2. a functioning **market economy** and the capacity to cope with competitive pressure and market forces within the Union;
3. the ability to take on the obligations of membership, including support for the aims of the Union. They must have a public administration capable of applying and managing EU laws in practice.

The requirement to transform judicial and administrative structures (the 1995 **Madrid European Council**);

The need to ensure good neighbourly relationships (the **1999 Helsinki European Council**).

The enlargement was then further "proceduralized" through the adoption of additional tools of **pre-accession** (The European Council of Essen of 9-10 December 1994)

**The pre-accession strategy and accession partnerships** (the 1997 Luxembourg European Council and the European Commission's Agenda 2000). This pre-accession strategy has evolved dynamically

### **Enlargement process:**

- From the formal request to join the Council to the status of candidate country always granted by the Council upon favorable opinion of the Commission;
- the cc.dd. accession negotiations to be opened by unanimous decision of the Council until an accession treaty is drawn up after all the "thematic chapters" into which the *acquis* is divided are closed.

**Enlargement is a strategy on the future of the European Union.**

## 5. The EU's Approach towards the Western Balkans



## The Stabilization and Association Process (SAP)

It is the European Union's policy towards the Western Balkans, established with the aim of eventual EU membership. The SAP was launched in June **1999. It was based on bilateral stabilisation and association agreements**

This process wanted:

- to support the **implementation of peace agreements**, in order to restore political security in the area;
- a new strengthened approach for the Balkan countries;
- **the EU accession once the substantial criteria were fulfilled** (European Council of Santa Maria Da Feira of 19-20 June 2000).

This process started with **the 2000 Zagreb Summit.**

The turning point was **the European Council of Thessaloniki of June 2003** where:

- **a high-level multilateral political forum, the EU-Western Balkans Forum,** was launched;
- the well-known **Thessaloniki Declaration**, as well as the *Thessaloniki Agenda for the Western Balkans: Moving towards European integration* were adopted.

This Agenda expressly provided the accession dimension of the Stabilisation and Association Process.

Additional features introduced by the SAP process:

- European integration and **regional cooperation** are closely intertwined;
- a stronger emphasis on rule-of-law issues (2011-2012 ‘Enlargement Strategy’);
- negotiating chapters on judicial reform and fundamental rights (chapter 23) and on justice, freedom and security (chapter 24) are opened at an early stage in all future negotiations and that they are the last ones to be closed.

The European perspective for the Western Balkans was reaffirmed in the Commission’s February **2018 Western Balkans Strategy** and in the **Sofia Declaration** following the EU-Western Balkans Summit of 17 May 2018.



## Albania

- potential candidate since the Thessaloniki European Council summit in June 2003
- Albania's **application** for EU membership was officially submitted on 24 April **2009** followed by Council of European Union's approval
- In the same year, a **Stabilization and Association Agreement** between the parties entered into force
- Hence, only in **2014**, Albania was granted the **EU candidate country status**
- In **April 2018**, the Commission recommended the Council to decide the opening of accession negotiations with Albania
- In its June 2019 conclusions, the Council took good note of the Commission's recommendation, but decided **to postpone a clear and substantive decision** as soon as possible and no later than October 2019
- The European Council of 17-18 October 2019 postponed again the decision to May 2020

## Montenegro

- On 15 October 2007 Montenegro signed a **Stabilization and Association Agreement** (SAA) which entered into force on 1 May **2010**
- **It applied** for European Union membership in December **2008**
- in 2010, the Commission issued a favorable opinion on Montenegro's application and the Council granted it **candidate status** determining the **accession negotiations** to be open in June **2012**
- In line with the EU's 'new approach' to the accession process, the crucial rule of law chapters — **Chapter 23** on judicial reform and fundamental rights and **Chapter 24** on freedom, security and justice — were opened at an early stage in the negotiations
- In February 2018, the Commission published a new Western Balkans Strategy, which states that Montenegro (and Serbia) could **join the EU by 2025**

## The Republic of North Macedonia

- The former Yugoslav Republic of Macedonia (now the Republic of North Macedonia) **applied for European Union membership in March 2004 and was granted EU candidate status in December 2005.**
- Its Stabilization and Association Agreement is **in force since 2004**, the first in the region. For this purpose, a Joint Parliamentary Committee of EU and the then Macedonia was established in 2004. The Committee looks at all aspects of relations between the two parties, particularly the implementation of the SAA.
- In February 2008, **the EU adopted the Accession Partnership for the country**, which updated the previous European Partnership agreement of January 2006.
- However, the country had been unable over time to open accession negotiations to become an effective member, mainly owing to **the dispute with Greece** over the country's use of the name 'Macedonia'. This dispute was successfully resolved through the **Prespa Agreement (February 2019)** which the country's current name stems from.
- In light of the progress achieved, the Commission repeated its recommendation to open accession negotiations. In its June 2019 conclusions, the Council took good note of the Commission's recommendation, but decided **to postpone a clear and substantive decision** as soon as possible and no later than October 2019
- The European Council of 17-18 October 2019 postponed again the decision to May 2020

## Serbia

- It was identified as a possible EU member, causing a **Stabilization and Association Agreement (SAA)** dialogue to start
- In 2006 SAA **negotiations were called off** as Serbia's cooperation with the International Criminal Tribunal for the former Yugoslavia did not improve
- the **EU-Serbia SAA** was signed in **2008**
- Serbia submitted its **application** for EU membership in December **2009** and was granted **candidate status** in March **2012**
- Accession negotiations were formally opened on 21 January 2014, a **year after the entry** into force of the **Stabilization and Association Agreement**
- In February 2018, the Commission published a new Western Balkans Strategy, which states that Serbia (and Montenegro) could **join the EU by 2025**

## **Conclusions**

**Bosnia and Herzegovina and Kosovo are potential candidate countries**

**European Council Conclusions Brussels, 18 October 2019 (OR. en)**

**The EU adapted its policy to the specific needs of Balkan countries**

**The policy of conditionality: the candidate countries would put in place domestic change as reaction of EU's conditional promise of membership**

**Domestic changes are a result of incentives and disincentives offered by the EU**

**The changing of actors' identity of the acceding countries as a result of interaction with EU institutions and representatives**