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**Conference Paper**

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*Suggested Citation:* Shundovska, Marijana Opashinova (2022) : Politics and society: The Ukrainian crisis and the future of EU enlargement, University American College Skopje, Skopje, pp. 54-74, <https://doi.org/10.5281/zenodo.7643444>

This Version is available at:

<https://hdl.handle.net/10419/302840>

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# Politics and Society: The Ukrainian crisis and the future of EU Enlargement The EU enlargement: Merit-based or a politically driven process?

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## ABSTRACT

The embryonically conceived vision for a free Europe as an inevitable premise to strengthen the modern civilization has been deeply rooted in the European unification as a powerful historical urge, deriving from the structural and irreversible crisis of European nation-states. The unification of the continent based on lasting peace, prosperity, freedom and equality have been the values agreed to be accepted and implemented by the member states and to be applied as well by all aspiring countries wishing to join the European Union. Increasing inter-state dependency justified Schuman's plan to gradually create a united continent based on practical achievements and mutual solidarity. The enlargement process, being the most successful project in history has evolved significantly over the years but managed to maintain the effect of Europeization through reform-package conditionality, in order to keep its credibility and consistency. In this joint venture journey of more than a half century, some countries entered less prepared than others, making the EU re-invent the old and introduce new models of accession that will help the countries both to enter in a better-prepared manner and enable the smooth acceptance of newcomers in the family. Recent developments in the Eastern neighborhood have challenged the “never again” promise given in the past century to confront wars as a political tool. It came as a wake-up call for the European leaders to promptly adapt the European narrative on enlargement. Considering the drastic shift particularly in the security landscape, the EU re-gained the enlargement dynamic to safeguard wider peace and stability. This paper will analyze the different stages of the EU enlargement, suggesting that despite the strict criteria for membership, this process has not always been exclusively merit-based, but also politically driven as a cause of major geostrategic importance.

**KEYWORDS:** *enlargement, integration process, criteria for membership, political decision-making, new methodology.*

## INTRODUCTION

Seen from today's perspective, the Schuman Declaration of 9 May 1950 is not only a corner stone of the contemporary European Union, but also a model for reconciliation between the biggest Franco-German rivals, marking the next step which has not as yet been completed, but has advanced to the extent that it makes the ultimate goal possible (Pistone, 2010). The establishment of the community for coal and steel administered by a supreme body whose decisions were obligatory for the founding countries represents the first concrete base for a future European federation (Spinelli and Rossi, 1941) and a community that will provide lasting peace and prosperity, equality, freedom, solidarity and security for all citizens on the continent. The principle of solidarity in its very essence has been prevailing in a different context since in the founding treaties as a unique value of the European community, as solidarity between member states, but also as an expert, economic and financial solidarity towards the EU aspirant countries. The increasing inter-dependence as a result of the industrial revolution justifies the genesis of the Schuman plan for the gradual enlargement of the Union through practical achievements that will eliminate historical animosities between members of the Union and allow new members to join and the fusion of economic benefits will lead to improved standards of living. These principles and activities were formalized in treaties that were approved by all member states and ratified in their own parliaments. Management of these activities by supra-national administrative institutions and the decisions taken at this level have been obligatory to all members of the Union, which practically placed the foundations of the functioning of the Union, but also for the European integration processes of countries aspiring to join this community. The evolution of criteria for membership throughout the decades was to make the process more accountable, predictive and more rigorous towards the candidate countries, but in essence the main goal was always to advocate peace, respect of the rule of law, and wellbeing; as well as offering a zone of freedom, security without internal borders and the free movement of persons, goods, services and capital into a common internal market, with a highly competitive social-market economy and common currency. Their implementation produces *de facto* solidarity for all citizens and sustainable and equitable development in all regions. However, the history of the enlargement evidenced accessions to the Union with dossiers which did not fully complete the Brussels checklist and were arguably qualified as decisions taken politically by the European leaders as of geostrategic importance for the continent. This paper will analyze the required conditions to be fulfilled for EU membership and several cases when they were not fully completed to prove these facts.

## THEORETICAL APPROACHES ON THE ENLARGEMENT AND FUNCTIONING OF THE EUROPEAN UNION

Academic studies at the very beginning of the establishment of the European community, due to its modest and a technocratic character in that time, were identical with the studies on European integration, in terms that the literature

was more concentrated on the explanation of the process of policy creation and was mainly based on the theories of international relations. The gradual change of the institutional set-up and the strengthening of the role of national parliaments raised the question as to whether the model of parliamentary democracy in member states should be replicated in the Union and whether the EU is an international organization or aims to be a federal state or is some kind of a quasi-political formation that needs yet to be defined and developed. Neologisms used to describe it range from it being less than a federation, more than a regime (Wallace, 1983), a post-modern political formation (Ruggie, 1993), a regulatory state (Majone, 1994), an embryonic federation (Newman et al., 1996), a political system of multilevel governance (Kurtin, 1997), a European Commonwealth (MacCormick, 1997), a polycentric neomedieval *polis* (Schmitter, 1998), network state (Castelis and Blacwell, 2000), a non-state political system (Lord and Beetham, 2001), a quasi-federal *polis* (Sandholz and Sweet, 2004), a regional state (Schmidt, 2006), or a post-sovereign. Defining the EU as a political formation according to which the federation of societies is called a consortium of domains, until its existence and the validity of its decisions in a specific geographic area are guaranteed in continuity by the use of force and physical compulsion by the administration (Weber, 1922). The state can be named as a political institution when the administrative body successfully uses the monopoly of legitimate physical compulsion for the implementation of decisions. Weber considered the political associations to be using a hierarchical structure with violence as a legitimate means to safeguard the order. Political associations were not only bearers of legitimacy but also parties and clubs exerting influence on trade with legitimate violence to extent to which it was prescribed or allowed by the state. On the other hand, Habermas interpreted the EU as a newly-established constitutional-social democracy different from his previous analysis of the liberal state *Rechtsstaat*, where supra-national institutions have a historical logical continuum without any previous transformation of states, and that this process is a replica or further advancement of the nation-state, rather than some kind of a qualitative change in its history (Habermas, 2007). MacCormick took up the concept and the configuration of a *Sozialstaat* to upgrade it to a *Sektoralstaat* or state of sectors, where the accent is placed on discussions among interested parties in micro-spheres of trans-national policy creation that isolate spheres from public oversight and regulation that *Sozialstaat* guarantees the equality of negotiation, in other words, discussion for all the parties concerned (MacCormick, 2007). Curtain believed that the EU can become an understandable and identifiable political object if our common understandings for the development of capacities for transcending and the political reorganization of the European political arena built on the modern history of Westphalia go beyond state borders and the principle of state sovereignty, as models that manifest their constraint (Curtain, 1997).

### Neofunctionalism

Within the framework of the aforementioned epistemological considerations, one of the several theoretical and normative models of European integration is the neofunctionalism occurring in the late 1950s, defining the EU as a political entity with a multilevel governance, where the form always follows the function. The

functional spillover of governments in a specific sector, under the authority of central institutions in the European community will create pressure on the enlargement of authority to institutions in neighboring sectors, which will consequently produce sectoral integration. It will also allow supra-national institutions to manage independently the processes of member state governments to better materialize their individual interests. The technocratic automation of these institutions will over time enable them to take the lead and sponsor themselves independently in the process of greater integration (Haas, 1961). The European Commission and interest groups in member states as national actors will focus on the functioning of one integrated segment or area and act jointly, in this way recognizing the benefits of enlargement to demand a political spillover from their national governments into a new supra-national center in Brussels as a driving force for a deeper integration, with an ultimate end – a common interest for a common good (George, 1991). The conceptualization of the Community method in policy creation by Webb and Wallace is based on the observation of the common agricultural and custom union community areas, led by the Commission as a procedural code that conditions procedures and expectations by the Council and the Commission (Webb and Wallace, 1997). The regulatory state also falls in this approach that defines the rapid increase of the regulation of European public policies and the establishment of European regulatory bodies in the 1970s, as a result of a need for the efficiency of decision-making at a European level to guarantee pareto efficiency on the market. It allowed the creation of rules of legal harmonization of issues that could be better implemented if the procedure is done at a higher level. Majone considered that the rise of this regulatory state has a functionalist logic since the change of institutional forms helps in the managing of functional pressures of differentiation. The internationalization of the economy and the greater complexity of a modern economy forced national governments to deal with the problem via a credible commitment. In a political context with veto players in the Community, non-majority regulatory institutions will provide such a mechanism of credible commitment based on the experiences of experts and not on amateur ministerial segments in which decision-making logic is dominated by politics and not the policy motives (Majone, 1994).

### *Intergovernmentalism*

In this school of integration theory, experts are of an opinion that the state trying to show that it is not old-fashioned, became rigid due to obstructions of certain member states to allow the gradual transfer of sovereignty to the Community. This confirms the theory that the government of member states and not European institutions will play a central role and will strengthen their position in the historical development of the Community in its integration process (Hoffmann, 1966). A more liberal approach by Moravcsik is a model of three phases: formation of national preferences, where national heads of states aggregate the interest of their home constituencies, inter-governmental bargaining at a European level, when they place their national preferences on the Brussels negotiating table, where the Commission has either a small influence or no influence at all on the final outcome and an institutional choice in which the member



states choose certain institutions in the Union that drive sovereignty via qualified majority vote, or delegate part of their sovereignty to supra-national actors such as the Commission or the Court, in order to increase their credibility. This enables sovereign states to be willing to cooperate, facing the challenge whether to cheat or to deter from this intention. Driving sovereignty through international organizations makes member states to credibly commit for their common promises and respect the international agreements. He believed that the historical intergovernmental agreements of the Community are not obtained primarily by supra-national entrepreneurs or trans-national groups, but by a gradual process of preference convergence between the most powerful member states that after mutual bargaining offer penny coins to smaller member states and delegate strictly defined competences to supra-national organizations that act as their henchmen (Moravcsik, 1993). In the intergovernmental theory of the functioning of the European Community, the central role is assigned to governments of member states which decide according to their strictly defined national interests and the extent to which they will allow the transfer of competences to supra-national bodies, over which they will have their control and will act exclusively to their domestic interest in the joint bargaining on a European level for reaching joint decisions. The primacy is placed on larger member states, in which smaller states follow the example and the focus and not the legislation as an engine of the process. What commits states to act within the framework of these institutions are the intergovernmental treaties adopted by their own preferences. In this international regime called EU, political coordination comes from governments whose relative power derives from the asymmetrical dependency and the role of institutions that support the credibility of inter-state commitments.

### ***Institutionalism***

The developments of institutions in Europe inspired the institutionalist analysis during the 1980s and 1990s, according to which institutions have a major meaning in policy studies. Political actors are led by the institutional commitments and tasks, and the policy is organized around their construction and interpretation, while political institutions are not just a mere echo of societal forces in the society (March and Olsen, 1989). Political institutions represent a set of mutually related rules and routines that define activities and relations between roles and events. Activities arise more out of necessity, rather than on priority. This format embodies the political community, identities, and capacities of individuals which cannot be seen outside of their membership or position in the community. The political community is based on joint history, shared life values for common good, shared interpretation and mutual understanding inserted in the rules for appropriate conduct. Political institutions influence the distribution of resources that affect the power of political actors, who consequently influence political institutions. The European Commonwealth (MacCormick, 1999) as part of the institutionalist theory separates the law from the state and the possibility for states as political entities to be effectively institutionalized in the law, which creates law-state according to the German concept of *Rechtstaat*, where the law regulates and limits the conduct of political officials, as well as citizens, under

the presupposition that there is no monolithic sovereign authority above or outside of the law. The Community concerns the vital interest and exerts political authority for certain issues in member states. Its legislation commits member states to primacy over domestic legislation, implying that countries are not fully sovereign in an external sense and that their institutions do not enjoy full internal sovereignty on this matter. The doctrine of subsidiarity entails the decision making to be distributed to the most appropriate level as popular sovereignty with levels of democracy according to the decision-making process. The rule *pacta sunt servanda* undoubtedly presuppose that norms established by the Community with a confined scheme of authorization, regulate these competences, especially for the basic principles as the *four freedoms*. Their direct effect on private entities, corporations and state shows impressive continuity with a high level of respect, creating *de facto* new legal order created by the Court of Justice, based on the founding treaties and the protection of the *acquis communautaire*. Since the European Community is an entity *sui generis*, to describe its existence, MacCormick labelled it as a *Commonwealth*, consisting of a group of people in which one can reasonably input the awareness for common weal; people who will accept to see themselves and their political representatives in the accomplishment of this weal, striving towards a certain form of organizational structure, embodied in joint constitutional arrangements. Democracy in this order is still questionable in the legal sense of the word, since elections in the European Parliament are more like national election than European ones with a European manifesto. Having in mind that democracy is governed by the *demos* – *das Volk*, if there is no *demos*, then there is no democracy. The democratic deficits in Europe prevent it from being an entity with a strong holistic self-aware *demos*, in which there will be the public will for control of commonwealth and the possibility for true democracy.

### **Constructivism**

The constructivist theory is based on the social ontology that insists on the nonexistence of human agents outside their social environment within the framework of the collective system of the general perception of culture in a wider sense of the word. Structures and agents are mutually and internally predetermined in their conduct, since the environment constitutes the manner in which agents are shaped, and the structures and identities of actors as social beings. The constructive perspective is that interests of actors cannot be treated exogenously nor as obtained from certain material structure, but from political culture, from discourse and from the social construction of interests and identities. Human actors follow the rules and associate certain identities in some situations, approaching possibilities via a comparison of similarities between cultural identities and selection of solutions (Risse, 2009). Social norms regulate the behavior and comprise the identity of actors which are part of the social community. The norm of sovereignty regulates the interaction of states in international relations, but also defines interactions in individual states. Collective norms and perceptions define the basic rules of game in the Union (Ibid). EU membership affects these actors which see themselves as social beings and voluntarily accept to be part of a legitimate political order that imposes a package

of rules obligatory for all actors. Membership also imposes socializing effects, since actors know that the rules of appropriate behavior in the Union should be accepted in full, following the logic of consequentialism, acting the given identities to accomplish their preferences and interests through strategic conduct.

## **THE ENLARGEMENT PROCESS AS A MODEL FOR THE EUROPEANIZATION OF ASPIRANT COUNTRIES**

### ***European fundamental values***

Schuman believed that European values have been constructed on the continent since the first millennium A.D. Past attempts to restructure Europe in the vision of godless rationalism, chauvinistic nationalism and neopagan fascism had confirmed his conviction that the future of the continent depends on the reinvigoration of Christian values in the shape of political and economic realities (Fountain, 2010). Sharing his visions with Adenauer, De Gasperi and Monnet, Schuman inevitably placed the establishment of a common union that will cope with nationalism as a curse of the modern world (Duchene, 1996), having the power and the bravery to seize the moment and make a major world change (Mayne, 1996). The influence of Bismarck's *Kulturkampf* helped him understand the need of legal mechanisms for the protection of religious tolerance, and Pope Leo XIII's *Rerum Novarum*, strengthened his conviction for the need of a tolerant and just society based on an economy that will serve humanity and the universal Christian right of love and solidarity towards one's neighbors. For Schuman, Europe was naturally Christian and democratic, since the creation of a new adequate order that will promote the common good must recognize and protect the values that represent the most prestigious treasure of European humanism. It must respect the principle of subsidiarity, as modern societies consist of a variety of communities, where each should be allowed the greatest possible autonomy. This has later become one of the main pillars of the European Union. European cultural, linguistic and religious diversity of ancient Athens, Rome as well as Celtic, Slav and Finno-Ugric, Jewish and Islamic influences contributed to a strengthening of these values (John Paul II, 2003), giving birth to *Christendom*, the foundation of European civilisation, due to the fact that tribes lived without national borders in the past (Davies, 1996). For the normative understanding of the modern world, Christianity acted as a precursor or catalyst, while egalitarianism embodying the concept of collective freedom, solidarity, human rights and democracy, was the direct legacy of the Judeo and Christian ethic of justice and love respectively (Habermas, 2010). The approach of Monnet was to establish supra-national institutions with a direct authority over citizens and an immediate participation of member states in the decision-making process, an intergovernmental cooperation with a gradual transfer of national sovereignty for important state sectors and offices, while preserving their autonomy. His Machiavellian perception of power as an ultimate goal where the right for the self-preservation of power by national authorities prevents to a certain extent the full rendering of power to the deferral of supra-national institutions, cannot imply a democratic and irreversible unification of Europe; it would rather be



achieved in the case of a serious crisis of member state governments and their impossibility to manage the challenges on a national level. It also meant a real fusion of interests of the European people, and not just a mere attempt to maintain the equilibrium of those interests (Monnet, 1978).

Modern citizens identify legally with the Union that guarantees their rights and freedoms by its institutions and policies. However, current European identity *also means different* cultures, a family of different nations, European citizens and Europe as a space for meetings. Common history, culture, religion, philosophy, politics, science and art are all part of this united in the diversity of identity, shared political and civil values, and the intensive non-governmental and cultural exchange and cooperation that continuously redefines their mutual relations. This concept includes participation in collective political and cultural practices across member states and EU institutions. As a form of political and economic union, with respect of the principle of subsidiarity and solidarity, and the gradual enlargement and deepening of the competences of the institutions, the common market and monetary union, the determination of the European founding fathers has been confirmed to build a federal perspective for the EU. Although this is still not a reality, there is a conviction that with globalization processes the notion of a state is objectively in crisis and should be replaced by a higher form of order that will bring full European unification. It should be a decentralized model that would gradually transfer the system of national veto towards a system of qualified majority voting, with democratic accountability of supra-national political bodies. For example, monetary unification as one of the most important steps has reached a level where the functionalist model of integration has no trump card for postponement of the supra-national democratic sovereignty.

In light of the increasing Euro-phobic, micro-nationalist and xenophobic tendencies, the EU is aware that it must transform itself from being an importer of security for the consumers to being an exporter of global security. The promotion of the economy should be accompanied by a stronger European governance that will ensure social cohesion and competitiveness in a global framework. In the coming decades, peace will only be possible through a greater European enlargement, and it must remain the largest driving force of the unification of the continent. Peace leads states towards unity, and integration is the only way to overcome the challenges and demons from the past. Building a future on these experiences, the European leaders over the years showed an awareness that a socially and economically stable order on the continent is possible only through the common market that will produce internal cohesion and will contribute to justice, non-discrimination and equality. The founding treaties and the European Charter on Human Rights (CFR, 2012) in particular, forbids any kind of discrimination on the basis of color, genetic predispositions, language, political or any other affiliation or belief since European citizens are equal before the law. This is legally binding for member states which regardless of their number of inhabitants, size or different structures must act internally and within the Union in accordance with this principle.

## ***Europeanization as a condition for integration***

In the past decades, the European Union by establishing the Copenhagen criteria introduced new rules for EU membership, and their accomplishment by candidate countries is conditioned by the signing of the Stabilization and Association Agreements. The attractive package within this process was created to help countries stabilize their societies, progressively establish market economy, and develop and value regional cooperation before EU membership. The reforms that need to be implemented have been closely monitored through Progress Reports prepared on an annual basis by the European Commission. Fulfillment of the obligations arising from the agreements requires major economic restructuring and political changes that need to be taken by the governments and parliaments of candidate countries. The Union, in the spirit of solidarity, is financially supporting them through carefully created financial instruments which evolved over the years depending on the needs and lessons learned from previous project implementation. The instruments help countries to build their capacities and implement EU legislation and policies, motivating them to make the necessary reforms and move to the next phase of the integration process. The legislative integration of the *acquis* in the national legal system represents a key element in the implementation of EU policies. The manner and the dynamic in which it will be realized affects the life of the citizens and determines to a certain extent the integration process of the state towards full membership. As the *acquis communautaire* as a specific corpus of law which is not identical to the system of international law has been unknown to the majority of politicians, members of parliament and the state administration in candidate countries, the necessity for expertise by member states in the structural harmonization of legislation was inevitable, to help different actors detect different national institutions and competences for its implementation and its implication on the societal life in the state. Europeanization came as the diffusion of common political rules, norms and practices in Europe, the manner in which things need to be done, and the logic to be used in the home discourse, identities, political structures and public policies (Radaelli and Feadherstone, 2003). Europeanization has been a top-down, hierarchical process of institutional adaptation, policies, and political processes in the states, through the penetration of norms in national and sub-national systems of governance. The main focus is on the source of Europeanization and how it will be channeled in the institutions, so that it diffuses properly the European norms into society to create a basis for the future European identity. The process has often been incremental, irregular and unequal depending on the pressure exerted on the governments and institutions of candidate countries to adapt to new rules and the domestic context that facilitates or hinders those adjustments; it has been monitored through the instrument of conditionality. Since this alternative is offering a change of the ideological paradigm, and political and economic transition supported by financial packages for the implementation of reforms, it still represents the most attractive offer to the consumer countries aspiring to joining the Union. By the use of mimicry or imitation, normative pressures for the Europeanization of public policies are made, and controlled by the introduction of benchmarks and the monitoring of the process of accession (Ibid).

Candidate countries are conditioned to download the *acquis* through binding agreements, accession partnerships and other models that will enable them to implement the necessary criteria and standards. The space for maneuver during the implementation process is very small and does not allow much for the candidates to upload their preferences in the European policies. To that aim, expertise is provided to bring major social and economic cohesion and the democratization of the society, to strengthen the regulatory infrastructure for the respect of the *acquis*, and to create new structures for management. The process has been constantly upgraded and new rules have been introduced, based on past experiences, to maintain its efficiency and credibility. After the fall of the Berlin wall, the Copenhagen criteria (European Council, 1993) were introduced to minimize the risk of taking on board politically unstable and economically burdened countries. The effect of Europeanization was further specified through this catalogue of criteria embedded in mechanisms of implementation and reward that provided credibility and consistency in the process. The criteria have been placed into chapters for negotiations that each country had to implement to enter the Union. The core of European interest in seeing countries acceding to membership has been in continuity that has been structured around the rule of law, stable and transparent institutions, an independent judiciary, free and competitive elections, the protection of human rights and freedoms, including rights of minorities, a free and independent media, the freedom of expression, a functioning and competitive market economy and a sustainable legal and institutional framework to assume the obligations for membership. The enlargement process for the Western Balkans additionally included another condition for membership under the Stabilization and Association process related to regional cooperation and good-neighborly relations (European Commission, 2012) and a new methodology for accession aimed at making the process more credible, dynamic and predictable, with a strong focus on fundamental reforms which will be opened first and closed last, to ensure that the reforms taken in this field are fully completed and implemented by the acceding countries (European Commission, 2020).

### QUESTIONABLE CASES IN THE ENLARGEMENT HISTORY

Despite the primacy of member state governments in the decision-making process that designs and reshapes EU policies and institutions, there have been some setbacks in the process that influenced the capability of governments to control the gradual development of the Union and the enlargement policy. Often omissions occurred due to the high rate of instant decisions by governments aimed at maximizing interests for short-term electoral goals back home with their voters, but also due to their historical past and national interest in protecting their national sovereignty. There have been cases when decisions were taken unintentionally as a result of lack of information especially about complex issues with a lot of traps and each with a different effect. The preferences of member states have also been changing over time due to government change, and the new authorities have limited themselves to respect the EU primary and secondary legislation, but to remain open to discuss and eventually block any other

issues which they deemed as disturbing their national priorities (Pierson, 1996). There have been cases when the EU criteria for membership or advancement in the integration process by individual countries have been done without full respect of the Brussels checklist. The decisions were mostly taken as a matter of geostrategic importance, to increase the number of democracies with pluralistic societies and as a means of preventing further communist influence on the continent. Later this proved to be a bitter experience with long-term consequences for the Union, forcing member states to amend the criteria for membership and make the process even more complex than in the past.

The most painful acknowledgement for new candidate countries has been the fact that each enlargement brought with it a lot of challenges and some of them have significantly influenced today's decisions by member states. This means that the road has become more and more difficult, the number of fences to be crossed over has increased dramatically and the perception of major member states for a deeper Union has complicated even more the overall process of enlargement with the introduction of new rules and concepts. This has it often mission impossible for the governments and parliaments of acceding countries. This has led to the conclusion that although EU institutions are taken as key actors in the preparation and execution of proposals and initiatives within the European framework, the government of member states are those pulling the strings and determining the European faith of candidate countries. Previous enlargements, except for the founding countries, have gone through different principles of reform implementation by each country, the aim being to expand the borders of the Union with stable and democratic member states without importing major problems inside and ensuring that all those issues of concern have been addressed early on and have been overcome before that specific country joins this exclusive and prestigious club.

## **Greece**

Greece had a turbulent period after the Second World War and different political orientations in the following decades, due to its geographical location, but also due to its religion inevitably leading to closer ties with countries from Central and Eastern Europe, including Western Balkan countries. Its submission of the application for accession into the European Community in 1959 sent a good signal for the European perspective of the country. It was the first state to invoke Article 238 of the Treaty of Rome, which envisaged that the Community may conclude agreements with a third country, and that such agreements shall be concluded by the Council acting by means of a unanimous vote and after consulting the parliaments (Treaty of Rome, 1957). Theoretically speaking, these agreements were subject to a national debate, since they needed to be ratified in national parliaments of at that time six member states. Practice has shown that the first association agreement signed with Greece was concluded jointly by the Community and Member States, and as such they were submitted to their national parliaments for ratification, as a procedure of executive accountability for their actions in the Council (Cohen, 1964). The imposition of a dictatorship in the country halted the implementation of the agreement until 1974 following the

establishment of a republican democracy, despite the fact that there were still forces in the country supporting cooperation with communist countries. The Agreement indeed acknowledged the eventual membership of Greece in the European Community, but its undeveloped economy and the geographical isolation from other EU member states at that time, made the Commission demonstrate its reserve about the Greek economy and its limited ability to cooperate with other economies of member states and EU agricultural policy. To overcome this, the Commission proposed specific actions to be taken before its full membership in the Community. It deemed as necessary that time with transitional arrangements should be given to the country to enable it to make the necessary reforms and bring its closer working relationship with the institutions of the Community. At the time, Greek Community exports were around 50 per cent, the gross domestic product (GDP) was much lower, and there was a high rate of unemployment in the country. The Commission also expressed concern over the import of unresolved bilateral issues in the Community, referring to the issue between Greece and Turkey over the Cyprus crisis (Commission Opinion, 1976). The unhidden political support by the French President and the more economically oriented support by the German President on the Greek Prime-Minister's appeal for Greek membership to consolidate democracy and the future of the nation (Svolopoulos, 2005), made them reject the Commission's proposal and move on with the integration process. The negotiations began in 1976 and were concluded in 1979. Greece was offered very favorable conditions for accession, which overweighed the argument of the negative assessment of the economic situation that had been given by the Commission. The transitional period of five years, plus an additional two years for certain issues, was provided to make the country adapt its economy to the Community market rules, as well as additional programs specifically designed to help the alignment with the common agricultural policy (CAP) of the Community. The exemption from some payments on the value added tax (VAT) showed that Greece was treated more as beneficiary rather than as a member contributor to the overall EEC budget.

The fear that the country may easily revert to the old regime, or that communist influence may progress and direct the country towards the East, and the support for the strengthening of the democratic society making it closer to the values of Western civilization as a step towards greater unification of the continent, sped up the political decision by EEC member states to approve the application and to decide not to take any action on the Commission's proposal for a pre-accession probation period for Greece before membership. Decades after their membership under such conditions demonstrated that problems had not been resolved or absolved, but rather that they had piled up deep under the carpet. Although Greece had adopted the Euro in 2001, its budget deficit was high enough to prevent them from entering the Eurozone, according to Maastricht criteria (European Commission, 2022). Their admission for faking data to enter the Eurozone (NYT, 2004) again did not impose sanctions by the European institutions. They just wanted to make sure of preserving the value of the Euro and proceeding with its promotion so that other countries would encourage and accept this currency as their own. The crisis erupted in 2008, with great magnitude and long-term consequences: catastrophic economic growth, decreased in company



investment and job posts across Greece, but also in Member States. Even after receiving loans from European creditors, Greece is still a heavily indebted country, owing the EU and IMF more than 290 billion euros (CFR, 2018), and the country remains at the very top of member states with the highest rates of unemployment in the EU (Statista, 2022). When referring to unresolved bilateral issues, today, the tensions between Greece and Turkey have flared up dramatically in the Aegean Sea in the last year over bordering territorial waters and airspace, a case not seen in the last fifty years. The situation worsened after mutually severe public statements by Turkish and Greek politicians, taken as provocations and threats by both sides, making it more difficult to improve relations and discuss open issues in the forthcoming period. Recent intensified diplomatic actions by foreign officials paying visit to both countries is a clear sign of the seriousness of the situation there and how it may influence other neighboring countries in this already troublesome region.

### ***Bulgaria and Romania***

After the fall of the Communist regimes in Eastern Europe in the late 1980s, the countries in this region expressed their strategic goal of becoming members of NATO and the European Union, as a step towards greater security both domestically and regionally, and providing economic prosperity for their citizens with the implementation of European standards. Romania and Bulgaria were among this large group of countries. Unfortunately, this seemed difficult to become reality soon due to recidivist structures from the previous system, with their well-rooted elite family structures retaining the key positions in politics and in business life. Secret services also remained largely unchanged and unreformed, and continued to be active even in the new democratic order. The privatization process of previously state-owned companies brought power to a small number of people from the elite and left thousands of people jobless without any viable perspective for employment in the following five to ten years (Greskovits, 2002). Corruption, poverty and a declarative commitment to reforms demanded by political elites did not give much optimism that the two states could progress along the European path in the same way as other candidate countries from Central and Eastern Europe, who had faced a similar communist past. Despite the fact that Association Agreements were signed with both countries in 1993, their questionable membership in the Union occurred many years later, unlike the other 10 countries of this region who had joined in 2004.

The promise was given by the European Council in 2006 (European Council Conclusions, 2006) to welcome them in January 2007 as members of the Union, despite the reserves and serious doubts expressed regarding their capacities to assume the obligations for EU membership (Andreev and Gallagher, 2006). Official concerns were expressed by the European Commission on many areas that lacked progress, among which the most important ones were about the required implementation of reforms in the judicial sector, the fight against corruption and organized crime, which were at a particularly high level, as well as in the field of human rights and the protection of minorities and vulnerable groups. The screening of the legislative and administrative set up showed around 50 per

cent of the areas remained problematic, with additional percentages of those non-problematic areas requiring additional work. Grave concerns were addressed about their ability to make full benefit of EU funds as a result of poor organizational and institutional structure, and the functioning of the internal market and the security of the European Union (Oli Rehn, 2005). The EU needed to expand its border further to the East and the belief that it is better for these countries to be part of the EU sooner rather than later, made the European institutions turn a blind eye on the facts and statistics and grant membership to both countries in 2007, with specific conditionalities they believed to secure themselves from any failure from such memberships in the future. The novelty in the form of a Cooperation and Verification Mechanism was introduced as a monitoring tool for the remaining shortcomings in the fields of the judiciary and organized crime. The explanation was that it will prevent weaknesses in the effective application of EU laws, policies and programs, not to deprive Bulgarian and Romanian citizens from enjoying their EU rights. The control through the introduction of packages of benchmarks for each country to be fulfilled in a specific period of time has been closely followed by the European Commission.

The first boomerang came with the withdrawal of the accreditation of national payment agencies and the blockade of pre-accession funds in Bulgaria in 2008, when the country lost 22 million euro under the pre-accession programme PHARE after well-founded concerns of fraud and maladministration, with 121 million euro under the SAPARD program brought into question for the forthcoming years from these funds (Brundsen, 2008). The costly price of the early accession for Romania came to be paid in 2012 with suspension of four operational programs due to incorrect and ineffective management (Dimulescu et al., 2013). The programs aimed at decreasing socio-economic disparities in the EU and support for the economic convergence of underdeveloped regions in Europe demonstrated the lowest absorption rate in these two countries. The public admission by the European Court of Auditors (ECA) in 2016 only confirmed what was known for some time that Bulgaria and Romania were not ready for accession in 2007, revealing that their decision to be against their membership proved to be right several years later (Gotev, 2016).

The analysis fifteen years since the initiation of these control mechanisms for both countries has indicated differences between the two countries, and the lack of progress documents for Bulgaria for almost two years (European Commission, 2022). Despite the Commission's conclusion that there is a continuous progress especially in Romania on the benchmarks envisaged under this mechanism, and a lack of determination to complete the required reforms in Bulgaria, with the continued lack of an appropriate track record in high-level cases of corruption and organized crime, one fact remains indisputable that none of them is well enough prepared to come out of the monitoring and that this process will still continue in future. Nobody can dispute the fact that some progress has been made in these countries since 2007, but also nobody can say that their efforts were enough and that their commitment was fulfilled by their political leaderships, so that they could come out of this uncomfortable situation and improve the credibility of the Union and their decision-making.

Today, the denomination of Bulgaria and Romania as the ‘laggards’ of the EU’s eastern enlargement regatta is still a reality. Every day European leaders are reminded of the hasty enlargement without respect to the required criteria for EU membership. This is demonstrated by: the alarming levels of child poverty, excessive migration to Western European states, the underdeveloped infrastructure, their 44 out of 100 score on Transparency International’s 2020 Corruptions Perceptions Index, their lowest wages and pensions in the EU (MsGrath, 2022), and the political instability and low trust in Bulgarian and Romanian politicians

## ***Ukraine***

Ukraine was recognized as an independent state in 1991 by the European Union, after the dissolution of the Soviet Union, with an encouragement to proceed with the necessary reforms for the establishment of a democratic state and independent institutions. The determination by majority of its citizens voiced through the Verkhovna Rada Resolution “On the Main Directions of Ukraine’s Foreign Policy” in 1993, in which they accentuated the restoration of their political, economic, cultural and spiritual ties with European civilisation and cooperation with European institutions (Razumkov Centre, 2021), experienced significant East-West oscillations in the past thirty years, depending on the political preferences of politicians in power. Despite the complicated phases of the Ukrainian pro-European timeline, and the new realities in their neighborhood, the state demonstrated its strong and continuous efforts to advance along the path towards European integration and implement the necessary reforms envisaged first in the 1994 Partnership and Cooperation Agreement and later on, with the 2014 Association Agreement. As part of the European Neighborhood Policy also launched in 2014, Ukraine benefited from the programs, expertise and financial assistance from the European Union, whose main goal was to develop close cooperation and increase the stability, security and prosperity with the states in that region, by respecting their individual aspirations for eventual membership in the Union. This opened a new chapter of the development of relations between EU and Ukraine in political relations and economic integration. Similar, to the objectives prescribed for Western Balkan countries, the process aimed at helping the country advance in the legal and institutional reforms in the respect of human rights and individual freedoms, the rule of law, economic cooperation, including the environment and infrastructure as vital sectors for the democratization of the Ukrainian society. The progress has been closely assessed by the Annual Implementation Reports of the European Commission, which showed progress in many of the envisaged areas, but also a lot of remaining work needs to be done in the future (European Commission website). The slower pace of reforms was detected in the field of the judiciary and anti-corruption measures, with the lack of establishment of the necessary institutions and unconvincing track record of only a few convictions in high-level corruption cases so far. Political elites close to the previous regime continued to operate successfully in the independent country, supporting politicians based on their business interests, which in turn slowed down the pace of EU reforms over the years. On a more

positive note, the Deep and Comprehensive Free Trade Area (DCFTA) as part of the EU-Ukraine Association Agreement enabled the EU to become a major trade partner, having over 40 per cent of foreign trade in Ukraine. The assistance helped the authorities to perform a large-scale legislative approximation with the EU and start implementing EU standards, bringing educational benefits for Ukrainian students through their inclusion in the Erasmus plus programmes, and EU expertise offered through targeted projects financed by the Union in preparing the country's state structures and personnel to better respond in the management of the emerging crisis (Rabinovych, 2022).

The process was seriously protracted with the 2014 events, the annexation of Crimea by the Russian Federation and the self-proclamation of independence of the so-called Donetsk and Lugansk Republic, and with the latest unprovoked and unjustified war against Ukraine by the Russian Federation this year. The Russian aggression in Ukraine forced immense flows of people outside the country, unseen since the Second World War. Their movements will affect the employment markets, housing, educational and social policies primarily in neighboring states, that will require a strategic response plan not only by the concerned EU member states, but by the entire Union. The estimates are that in the past few months more than 5 million people left the country and around 8 million people have been internally displaced as a result of the war. The economic numbers show that more than 50 per cent of businesses are closed, with more than 60 \$US billion loss in road, institutional and living infrastructure, the loss of 45 per cent of GDP, the loss of 30 per cent of employment, with estimates that the country may return to poverty levels as in 2004 (ILO Brief, 2022). The war seems to have awakened European leaders geopolitically with regard to the enlargement process that was purposefully postponed over the past decade with the justification for the deepening of its institutions, reforms in the enlargement process and the accession of future members, invention of new criteria for membership. Following these horrifying and tragic events, it was decided to openly recognize the European perspective of Ukraine and that its future lies within the European Union, granting the country candidate status (European Council Conclusions, June 2022). The decision has rightfully provoked reactions in the Balkan countries and their member state advocates, since they have been given unequivocal, but mainly vocal support to the EU membership perspective for years without many tangible decisions being taken on the European side. It is also questionable not in terms of the assessment based on the implemented reforms, but rather on the timing, in other words, it should have been given before, and not after the outbreak of conflict. Bearing in mind the required criteria for obtaining candidate status based on the meeting of the Copenhagen criteria and the implementation of the obligations arising from the Association Agreement that involve primarily the stability of institutions and a functioning economy, conditions that in the current circumstances cannot objectively be met by the Ukrainian authorities and which will take them decades to be able to get to the integration path reached in 2021.

## CONCLUSIONS

European integration has indeed had a transformative power on the political systems of member states and on the European system of work. Its evolutionary development affected the change of identity of different agents and their interests. The European Union has been an active constructor of identity and the perception of belonging in Europe. The pioneering enlargement process that evolved significantly over the past decades brought positive changes into the societies in Western and Eastern European countries. The adoption of the *acquis communautaire* brought legal consistency and also contributed to a large extent to a common unification of implementing legislation and living standards inside the Union. The carefully thought-out financial instruments before and after membership created to assist countries to fulfill the Copenhagen criteria respectively, helped in the decrease of social, economic and regional disparities. Today, citizens in the EU enjoy the benefits of the biggest single market in the world, with civil, political, and economic rights for each citizen and the ability to trade in any member state. And what is most important is that the citizens live united in peace and security, the main idea behind the establishment of this European project. Despite the obstacles and the challenges that occurred during the enlargement process, having in mind the different traditions, constitutional orders, financial situation and historical and security landscape in different countries which started and completed this journey, the Union so far managed to come out stronger and continue with the widening process encouraging new countries to join, along with the deepening of its institutions to be able to take on new members and work more efficiently under new circumstances. EU soft-power offered attractive conditions for the newcomers with phased advancement on the integration path seemed like a light at the end of the tunnel especially for the countries from the Eastern bloc, motivating political elites to work on fulfillment of the required conditions to move to the next phase of the process until the desired fully fledged membership. Such a merit-based system introduced for the candidate countries was disturbed on several occasions due to decisions that tried to bring into focus the bigger security picture in the neighborhood rather than just strictly focusing on the bureaucratic requirements. The disadvantages of such decisions greatly outweigh the advantages, since these countries have not proven that their membership will bring benefits to their citizens and to other member states. The Union is still struggling to cope with the consequences of such decisions with a different set of assistance tools and oversight instruments. Another issue is that it made the situation more difficult for the incoming countries, since it piled up the criteria and conditions for entering into the Union, bringing discouragement and seriously disturbing the credibility of the process. The tectonic shift in security near the European borders put into question the current strategies for enlargement and whether the European files will need more tasks to be completed or that security will be crucial for advancement or membership in the long run. This all-around mantra for security before criteria has existed since the very beginning of the founding of the Community. However, it cannot be let to predominate the model of enlargement that has already been introduced, not only for the sake of the European Union and its out-



side image, but also for all those countries who wish to join and who have faith that this membership will offer them more for the sacrifices they will have to make, rather than to stay outside and be an external partner of the Union. The ball is now in the European court and it will require a lot of wisdom and a visionary approach to maintain what has been achieved so far and what needs to be accomplished in the long run to make the Union a stable and a competitive player in this polarized, yet globalized world.

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