

**NEW TENDENCIES IN THE EU ENLARGEMENT POLICY –  
DEEPENING THE INTEGRATION OF THE MEMBER STATES OR  
OPENING THE BORDERS FOR NEW COUNTRIES?**

**ÚJ TENDENCIÁK AZ EU BŐVÍTÉSPOLITIKÁJÁBAN –  
A TAGÁLLAMOK INTEGRÁCIÓJÁNAK MÉLYÍTÉSE VAGY  
A HATÁROK MEGNYITÁSA AZ ÚJ ÁLLAMOK SZÁMÁRA?**

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**Abstract:** EU enlargement is one of the most debated questions nowadays: although some countries have already acquired the status of a “candidate country”, some Member States insist that the twenty-seven members should deepen the cooperation among them and thus reject enlarging the EU by new states. What are the arguments of the two parties? Moreover, which “model” can be applied in the future? The aim of this paper is to answer the questions mentioned above, particularly considering the legal aspects.

**Keywords:** *EU enlargement, candidate country, Western Balkans, integration deepening*

**Absztrakt:** Az Európai Unió bővítéspolitikája napjaink egyik legvitatottabb kérdése: habár bizonyos országok már elnyerték a tagjelölt állam státuszát, egyes tagállamok a bővítés helyett inkább az egymás közötti integráció mélyítésének hívei. Melyek a két oldal érvei? Melyik álláspont képes megállni a helyét a jövőben? Jelen tanulmány ezen kérdésekre igyekszik választ adni, különös hangsúlyt fektetve a jogi jellegű érvekre.

**Kulcsszavak:** *EU-bővítés, tagjelölt állam, Nyugat-Balkán, integrációmélyítés*

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## Introduction

Since the birth of the European Union – since the enforcement of the Maastricht Treaty in 1993 – the main aim of it was deepening the integration between the Member States. In this Treaty, three pillars, three fields of intergovernmental cooperation were defined. Firstly, cooperations of the European Community, thus the heritage of the previous treaties (such as agriculture and environment policy and EU-citizenship); secondly, Common Foreign and Security Policy (including the protection of human rights at supranational level and to strengthen the force of the Union in all ways); thirdly, cooperation in the field of justice and home affairs – including the political and judicial cooperation against crime (terrorism, corruption and organised crime).<sup>1</sup> These pillars<sup>2</sup> have paved the way for deeper cooperation, as well as the following treaties (Treaty of Amsterdam and Nice).

Consequently, numerous states could enter the Union: in 2004, the Union already counted twenty-five members. The next step would have been the adoption of a constitutional treaty<sup>3</sup> at a European level, which could put the economic cooperation at a higher level, creating a political union at the same time. The symbolic name of “*constitution*” seems ambitious, because this constitution would not have been created by a constitutional assembly, moreover, it caused several debates among the governments.<sup>4</sup> After the rejection of the draft of the Constitutional Treaty (by the referendums in France and the Netherlands) in 2005, a new Treaty – that of Lisbon – was adopted in 2007. After the fall of the project aiming to create a stable political union, the Lisbon Treaty aims to solve the institutional difficulties of joining the European Union. A noticeable change is that – oppositely to the antecedents – the Treaty specifies a condition which is the responsibility of the Union itself and not that of the candidate: the capacity of the Union to integrate new members while maintaining the level of the European integration, that is going to be described later on.

Reconsidering the adhesion criteria, it may seem that the Union has the intention of accepting new countries, however it has blocked the negotiations with certain candidate states. During the last period, one of the biggest Member States, the United Kingdom has already broken the *Ever closer Union* paradigm of the integration by the withdrawal from the EU on 31 January 2020.<sup>5</sup> In the followings, we

<sup>1</sup> Cécile BARBIER: Le Parlement Européen après le traité d’Amsterdam. *Courrier hebdomadaire du CRISP*, 1999/16., 12-14.

<sup>2</sup> See: Balázs SZABÓ: The idea of adapting Public Administration into European Level. In: István STIPTA (ed.): *Doktoranduszok Fóruma*. Miskolci Egyetem, Miskolc, 2010. november 10. Az Állam- és Jogtudományi Kar szekciókiadványa, 2011, 159–162.; András TORMA – Balázs SZABÓ: *EU Public Administration and Institutions and their Relationship with Member States*. Marosvásárhely, Románia: Editura Universitatii “Petru maior”, 2011.

<sup>3</sup> Known as Treaty on Establishing a Constitution for Europe.

<sup>4</sup> Yves SALESSE: A propos du projet de Constitution Européenne. *Mouvements* 2004/2., 148–149.

<sup>5</sup> The problem of Brexit does not compose part of the present essay, the example was cited only in order to confirm my statement. About the legal issues arising from the

will examine the problematic issues of joining the EU, from the candidate states and the Union, too.

The methodology of this paper is comparative and analytic: besides the examination of the accession criteria, the probability of the adherence of the candidate states is going to be analysed. That is to say, the paper aims to give a comparative perspective of the actual situation of the countries aspiring to join the EU, through the analysis of the legal requirements and frameworks.

## 1. The two sides of the enlargement: the candidate states and the European Union

### 1.1. General statements about the EU-enlargement

Enlargement is the procedure during which a state can join the European Union.<sup>6</sup> This process has an important role in the history of the EU because it was not created with the agreement of all of the current states but through waves of enlargements, namely in 1973 (Denmark, Ireland, United Kingdom), in 1981 (Greece), in 1986 (Spain, Portugal), in 1995 (Austria, Finland, Sweden), in 2004 (Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia) – that was the biggest enlargement during its history –, in 2007 (Bulgaria, Romania) and in 2013 (Croatia).<sup>7</sup>

Each of the European states that respect the fundamental values of the EU – such as, the respect of the human dignity, liberty, democracy, equality, rule of law, human rights and the rights of minorities<sup>8</sup> – is allowed to submit its application for candidacy in order to be accepted as a Member State after negotiations on the accession to the EU. The first step in order to gain the possibility to be accepted consists of accomplishing the Copenhagen criteria, described during the European Council of Copenhagen in 1993, that are the followings.<sup>9</sup>

The first criterion is the presence of stable institutions that guarantee mainly the democracy and numerous other values mentioned now in Art. 2 of the Treaty on

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withdrawal of a Member State, see: Lilla Nóra KISS: Unilateral Withdrawal of a Member State? Some Thoughts on the Legal Dimensions of Brexit. *Pécs Journal Of International And European Law* 2018/1., 36–46.; Lilla Nóra KISS: Certain Issues Of The Withdrawal Of A Member State: A Public Law Aspect. *Curentul Juridic* 70: 3, 2017, 86–97.; Lilla Nóra KISS: General issues of Post-Brexit EU Law. *European Studies: The Review Of European Law Economics And Politics* 4/2017, 220–227.; Zoltán ANGYAL: Az Európai Unióból való kilépés aktuális jogi kérdései. *Publicationes Universitatis Miskolcensis, Sectio Juridica et Politica* Vol. XXXIV, 2016, 115–124.

<sup>6</sup> About the enlargement of the EU, see: Szilvia KERTÉSZNÉ VÁRADI: *Az Európai Unió bővítésének jogi aspektusai*. CompLex Wolters Kluwer, Budapest, 2014, 308.

<sup>7</sup> Daniela HEIMERL: Copenhagen acte II. Le nouveau défi européen, *Le Courrier des pays de l'Est* vol. 1031, no. 1, 2003, 10–11.

<sup>8</sup> Treaty on the European Union, Art.2.

<sup>9</sup> Accession criterias. EUR-LEX, [https://eur-lex.europa.eu/summary/glossary/acessioon\\_criteria\\_copenhagen.html?locale=en](https://eur-lex.europa.eu/summary/glossary/acessioon_criteria_copenhagen.html?locale=en), 6. December 2019.

the European Union. This criterion has a political nature, it is related to the separation of powers. It requires that democracy should allow the citizens to participate effectively and voluntarily in the legislative process. Moreover, citizens must be sufficiently informed in order to make a decision in accordance with their expectations and interests. The executive power (the government) must be efficient, responsible, well regulated, transparent and demilitarized. The main characteristics of the third power – the judiciary – are the independence, professionalism and accessibility. Concerning the stability of democracy, the efficient fight against corruption should be mentioned, in all fields – in local governments, medical services, courts, for example. Guarantee of the rights of minorities is equally important, considering that – being a vulnerable group – they are often victims of discrimination, segregation and unemployment.<sup>10</sup>

The second criterion is related to the economy, and it requires the existence of a market economy and the capacity of facing the concurring pressure as well as the internal economy of the EU. These requirements are as strict as those of the political criteria. The existence of a market economy prescribes that the prices and the exchanges should be liberalized. The most important features of this criterion can be summarized as follows. Macroeconomic stability and the consensus about economic policy, as well as a well developed financial system and the absence of barriers at entering and leaving the market that improve the efficiency of a market economy.<sup>11</sup> Reports on the examined countries include information about the GDP (gross domestic product), inflation, indebtedness of the government, unemployment rate, external debts and direct foreign investments. The second element of the criterion is the capacity to face the occurring pressure. Generally this requires the predictability of the internal economy and the infrastructure. In the candidate states the quality of the railway, road and marine infrastructure are examined in the candidate states, as well as the resources of information and telecommunication, which are important for both the domestic and foreign investors.<sup>12</sup>

Thirdly, the last of the Copenhagen criteria is the capacity of respecting and implementing the obligations during the application procedure, namely the capacity of integrating rules, norms and policies that form the legislative corpus of the EU (often referred as *l'acquis communautaire*). This includes the objectives of the political, economic and monetary policies.<sup>13</sup> The negotiations are based on a selection procedure during which the national law is compared to the European one. This comparison emphasizes the parallels and the defectives, and consequently, the necessities of supplementary legislation. *L'acquis* is not easy to define, it is composed inter alia of integrating the political principles and objectives of the Treaties, the

<sup>10</sup> Tanja MARKTLER: The Power of the Copenhagen Criteria, In: *Croatian Yearbook of European Law & Policy* Vol. 2, No. 2, 2006, 349–353.

<sup>11</sup> 2001 Regular Report on Bulgaria's progress towards accession, [2001] COM(2001) 700 final, 26.

<sup>12</sup> Tanja MARKTLER: op. cit. 353–354.

<sup>13</sup> Accession criterias. EUR-LEX.

“implementation” of the secondary EU law, as well as the jurisprudence of the Court of Justice of the European Union. Moreover, the declarations and resolutions adopted in the framework of the Union and the international agreements signed by the EU. The candidate states must integrate the *aquis* before acceding to the EU.<sup>14</sup>

However, joining the EU is not an unilateral act: even if the states accomplish all the requirements, their application might be rejected, because during the enlargement process, the EU has to have the capacity of integrating new countries.<sup>15</sup>

### 1.2. The dilemma of the capacity of the EU

As it had been stated above, the enlargement also requires a condition which is related to the Union itself: the capacity of assimilating and absorbing new states, as it was emphasized by the European Council in Brussels in December, 2006 as follows: “*The rhythm of the enlargement should be aware of the capacity of the Union to integrate new members.*”<sup>16</sup>

However, the exact meaning of the “capacity of integration” is not clearly defined. The most important elements are a mutual volition to live together based on common values, the financial situation of the Union and its institutional capacity. Regarding the financial situation, it is necessary to emphasize that the ten countries that joined in 2004 were relatively weak concerning their GDP: 10% under the “old” members of the Union.<sup>17</sup> Consequently, the economical difference between the new and older Member States is not negligible at all. Moreover, some of the potential new members do not even have a stable economy – due to the Yugoslavian wars, for instance, that was happening in some of them<sup>18</sup> – and the differences can be multiplied once they gain entrance to the Union. In this case, the Union has to decide whether financial aid to these countries and the extension of the market or reduction of the differences between the EU15 and those members that joined in 2004 has more importance.

Concerning the institutional aspect, the unity of policies, mainly the market of goods and services could be mentioned. In essence, the capacity of of the EU integration could be examined from a social point of view. The parameters are radically different regarding the previous enlargement of Central and Eastern Europe: some Eastern countries such as Hungary, Romania and the Baltic countries have an aging

<sup>14</sup> Olivier AUDÉOUD: L'acquis communautaire, du mythe à la pratique. *Revue d'études comparatives Est-Ouest* Vol. 33, 2002, n°3, 68–69.

<sup>15</sup> EU enlargement. European council, <https://www.consilium.europa.eu/en/policies/enlargement/>, 8. December 2019.

<sup>16</sup> Conseil Europeen – Bruxelles 15 & 16 Juin 2006 Conclusions de la Présidence, 54.

<sup>17</sup> Maurice GUYADER: Élargissements et intégration dans l'Union. *Politique étrangère* vol. été, no. 2, 2007, 367–370.

<sup>18</sup> Jean-Jacques MÉVEL: Les Vingt-Huit s'alarment de l'instabilité dans les Balkans. *Le Figaro International* 10 mars, 2017, <https://www.lefigaro.fr/international/2017/03/10/01003-20170310ARTFIG00254-les-vingt-huit-s-alarment-de-l-instabilite-dans-les-balkans.php>, 8 December 2019.

society as well as the countries of the Western Balkans. On the other hand, Turkey – that is also one of the candidate states – has a remarkable difference: the population is very young and it is continuously growing.<sup>19</sup> Accepting these countries can cause severe problems of the free movement of people within the Union.

## 2. The problems of acceptance

### 2.1. *The candidate states and the problems of acceptance in the light of the Copenhagen Criteria*

The actual situation of these countries can be summarized as follows. Five states have already acquired the status of a candidate state (that is to say, these countries are officially recognized by the EU as potential Member States), namely Albania, Montenegro, North-Macedonia, Serbia and Turkey.

#### 2.1.1. Albania

The country submitted its application in 2009, that was accepted in 2014 by the Council. The most critical problems are related to the level of economic stability and of democracy.<sup>20</sup> Concerning the instability of the economy, Albania has not accomplished the requirements of those described in the Treaty, especially taking into consideration the budgetary deficit, the debts of the government and the inflation rate.<sup>21</sup>

One of the problems related to democracy is concerned to the third power, the judiciary, which has been found to be corrupt and politically influenced. The corruption in the Albanian judiciary system is wide-spread, more than two-third of the interrogated citizens think that the judiciary is the most corrupt among twelve other public institutions. Although the Constitution prescribes an independent judiciary, in practice, the courts are objects to political pressure and intimidations.<sup>22</sup>

Despite the current situation of Albania, the EU recently decided to open the negotiations with the state due to the fact that “*the country has demonstrated its determination to advance the EU reform agenda and has delivered tangible and sustained results*”.<sup>23</sup> However, the country actually cannot meet the requirements of the Copenhagen criteria, it has successfully fulfilled the conditions that are prescribed in order to open the negotiations with the state.

<sup>19</sup> Silviya ALEKSANDROVA-YANKULOVSKA – Angelika VELKOVA: Population ageing in the Balkan countries. *Folia Medica* 2003/4., 3–4.

<sup>20</sup> Ramadan ÇIPURI – Albi KOÇIBELLI: Albanian Attitudes toward European Integration. *European Studies Journal* 2010/5., 41–47.

<sup>21</sup> Commission staff working document Albania 2019 Report, 29. May 2019.

<sup>22</sup> Business Anti-Corruption Portal: Albania Corruption Report. <https://www.ganintegrity.com/portal/country-profiles/albania/>, 8. December 2019.

<sup>23</sup> *Council conclusions on Enlargement and Stabilisation and Association Process*. 25-03-2020, 1–5.

### 2.1.2. Montenegro

Having successfully applied for the status of a candidates state, Montenegro has gone the furthest in negotiating with the EU among the other candidates. However, in some aspects it has not accomplished the criterias regarding rule of law, essentially taking into consideration the efficient fight against corruption and organized crime.<sup>24</sup>

In the case of Montenegro, the biggest challenge is to stabilize the democracy even before heading to Europeanization.

Contrary to other Eastern and Central European countries, the end of the communist regime in Montenegro had not been the result of social pressure aiming to change the ruling political system. Instead of this, the transfer of power was realized within the party, consequently, faith in the new party was based on the loyalty of that of the *ancien regime*.<sup>25</sup>

Besides the political problems, the economic situation is neither negligible. Considering the fact that the country does not have a sufficiently stable economy: as there is no official currency, euro is used in the country. However, the usage of euro as a national currency had been decided by local Montenegrin authorities under exceptional circumstances, without any negotiation with the EU and without accomplishing any criterias of the Maastricht Treaty. This is a distinct way of being part of the euro zone.<sup>26</sup> The antecedent of taking this measure was the hyperinflation of 1992–1993, during which the inflation rate reached 100%. At this time, Montenegro was part of the Republic of Serbia. After the separation, the German mark was used until that euro was introduced in Germany. In 2006, the unilateral euroization (the expression that is used for defining the situation of using euro without the necessary negotiations, *de facto* usage of the currency) made the European Central Bank fight against inflation.<sup>27</sup> The absence of a national bank which is able to launch its own currency, and thus the representation of Montenegro at an international level can be a challenge in the future.

### 2.1.3. North Macedonia

North Macedonia submitted its application relatively early, in 2004, and one year later it was recognized officially as a candidate state. Despite the long waiting, the EU blocked the enlargement proposals with Albania and Macedonia in October

<sup>24</sup> Ministère de l'Europe et des Affaires étrangères: France Diplomatie. Dossiers pays: Monténégro, <https://www.diplomatie.gouv.fr/fr/dossiers-pays/montenegro/presentation-du-montenegro/>, 9. December 2019.

<sup>25</sup> Ivan VUKOVIC: The post-communist political transition of Montenegro: Democratization prior to Europeanization. *Contemporary European Studies* 2/2010, 61.

<sup>26</sup> *Montenegro 2019 Report*. European Commission 29. May 2019, 74–75.

<sup>27</sup> Alexandre SOKIC: L'euroisation au Monténégro, Une expérience inédite. *Le Courrier des pays de l'Est* 2006/5., 61–66.

2019.<sup>28</sup> However, the accession negotiations opened recently with both countries, in March 2020.<sup>29</sup> Anyway, North-Macedonia has no remarkable problems with the democracy, although the efficacy of the fight against corruption and organized crime should be improved, as well as the respect towards human rights and minority rights, too. For instance, the Roma people are often victims of discrimination, especially in the labour market, as well as people who consider themselves as LGBTQ, as the discrimination based on sexual orientation is not forbidden in Macedonian law.<sup>30</sup>

Concerning Macedonia, a unique problem can be mentioned: the debate about the name of the country. After the fall of Yugoslavia, it was known as the Former Yugoslavian Republic of Macedonia. Greece, referring to a matter of historical and geographical reasons, had not accepted the independence of Macedonia. Furthermore, it has always led an anti-Macedonian policy.<sup>31</sup> After long years of negotiations, in January 2019, Macedonia has officially changed its name to *North Macedonia* because Macedonia is a region of which the southern part belongs to Greece (Thessaloniki and its surroundings). The Greek parliament saluted the “victory” of changing the name, which could open the door for Macedonia towards the EU, since Greece has consequently obstructed the affiliation of Macedonia due to its veto right, until that the name of the country was changed.<sup>32</sup> Even though the negotiation with Macedonia did not lead to accession, moreover, they were blocked for a few months, the state’s accession seems possible now: the fact that the negotiations started definitely accelerate the awaiting process.

#### 2.1.4. Serbia

The Republic of Serbia is the biggest state among the Western Balkan countries that are aiming to join the Union. It submitted its application in 2012 and it was accepted three years later. Being the biggest country of the region in sense of population and area<sup>33</sup>, the problems are the most serious ones, concerning internal (corruption, minority rights and environment policy) and external affairs (the case of Kosovo and its relations with Russia).

<sup>28</sup> EU blocks Albania and North Macedonia membership bids. *BBC News*, <https://www.bbc.com/news/amp/world-europe-50100201>, 9. December 2019.

<sup>29</sup> *Council conclusions on Enlargement and Stabilisation and Association Process*. 25-03-2020, 1–5.

<sup>30</sup> *The Former Yugoslav Republic Progress Report*. European Commission, October 2014, 11–13.

<sup>31</sup> Dejan MAROLOV: The Relations Between Macedonia and Greece in the Context of the Name Issue, *Balkan Araştırma Enstitüsü Dergisi Cilt* 2013/July, 25–27.

<sup>32</sup> Le Parlement grec approuve le nouveau nom de la Macédoine, *Le Point International* 2019/01/25, [https://www.lepoint.fr/monde/le-parlement-grec-s-apprete-a-voter-sur-le-nouveau-nom-de-la-macedoine-25-01-2019-2288794\\_24.php#](https://www.lepoint.fr/monde/le-parlement-grec-s-apprete-a-voter-sur-le-nouveau-nom-de-la-macedoine-25-01-2019-2288794_24.php#), 10. December 2019.

<sup>33</sup> Western Balkans, Eurostat, 2019. <https://ec.europa.eu/eurostat/news/themes-in-the-spotlight/western-balkans-2019>, 14. January 2021.



Regarding internal problems, the freedom of press and expression could be underlined, which is not well regulated. Moreover, the media have to operate under political-economical pressure, and journalists are often targets of attacks.<sup>34</sup> Secondly, Serbia tries to integrate certain minorities that live within the country, especially Romanians and Vlachs. Romania was against the candidature of Serbia until the signature of a bilateral agreement on the protection of the Romanian minority in Serbia.<sup>35</sup> The Serbian legislation of environment needs numerous precisions, too. The norms have to be euro-conform, that is to say, in harmony with the directives of the European Commission, that were neglected during the codification process. The most important deficiencies of the legislation are the followings: dispositions about quality of air, protection of plants and animals and protection of the environment by penal law.<sup>36</sup>

The foreign policy of Serbia is very complicated. Firstly, the Kosovo-problem should be discussed. Kosovo is actually a region which is the confrontation area of two nations: Albanian and Serbian, because these two nationalities have always inhabited it. Despite the unilateral declaration of independence of Kosovo in 2008, that Serbia has not accepted, this latter still considers its own, since it is the “historical cradle” of Serbia. Even the Serbian Constitution declares that Kosovo belongs to the Republic of Serbia.<sup>37</sup> To make the matter worse, the Union does not have a common opinion about the recognition of Kosovo: the majority of the Member States accepts it, however, five of them still refuses to do so (Cyprus, Greece, Romania, Slovakia, Spain), due to unprecised reasons. Although there might be a parallel between the minority conflicts in these countries and their willingness to declare their independence.<sup>38</sup> It is evident that a country which borders and territory are not exactly defined – since the Member States have different opinions about the Kosovo-question – leads to more problems and challenges to the Union, which can make the process even more difficult.

On the other hand, Serbia has the strongest relations with Russia, as it had been emphasized by Vladimir Putin himself during a visit: “*Our relations have not only an amical and strategic character, but also completely particular, which was built*

<sup>34</sup> Classement RSF de la liberté de la presse: les Balkans stagnent, la Serbie s’effondre. *Le Courrier des Balkans*, <https://www.courrierdesbalkans.fr/RSF-liberte-de-la-presse-2019>, 9. December 2019.

<sup>35</sup> Armandine GILLET: Un accord en coulisse permet à la Serbie d’obtenir le statut de candidat à l’UE. *EurActiv*, <https://www.euractiv.fr/section/elargissement/news/un-accord-en-coulisse-permet-a-la-serbie-d-obtenir-le-statut-de-candidat-a-l-ue/194755/>, 10. December 2019.

<sup>36</sup> Uroš ĆEMALOVIĆ: L’évolution de la protection de l’environnement dans le processus de l’adhésion à l’Union européenne – le cas de la Serbie. *RTDeur* 2015 avril–juin, 328–332.

<sup>37</sup> Art. 182 of the Serbian Constitution.

<sup>38</sup> Bernardo DE MIGUEL: España se resiste al acuerdo de Serbia y Kosovo para redibujar sus fronteras. *El País*, [https://elpais.com/internacional/2018/08/31/actualidad/1535712190\\_181754.html](https://elpais.com/internacional/2018/08/31/actualidad/1535712190_181754.html), 10. December 2019.

during centuries thanks to our people.”<sup>39</sup> The prime minister of Serbia, Aleksandar Vučić identifies himself as the guarantee of leading his country to the EU, while he does not intend to reckon with the traditionally good relationship with Russia; foreign policy seems to be a balance game from his part.<sup>40</sup> Russia is the main commercial partner of Serbia and the two countries have developed relevant agreements regarding energy policy, since the Russian pipeline that gets around Ukraine in order to reach Europe will cross Serbia.<sup>41</sup> Serbia also tries to maintain good relations with both the East and the West: being a candidate state of the EU, Serbia also negotiates with the Eurasian Economic Union (of which the most dominant country is Russia) in order to sign a free trade agreement. Until the affiliation to the EU, Serbia can pursue a totally independent economic policy, however, once it will join, it has to quit this agreement.<sup>42</sup>

#### 2.1.5. Turkey

Submitting the application in 1987, Turkey was recognized as a candidate state in 1999. The affiliation of Turkey is among the most debated questions related to the matter of EU enlargement, not only because of the autocrate regime, of which the president Recep Tayyip Erdogan is often referred as “*the dictator*”<sup>43</sup> or due to the internal (respect of human rights or minority rights) or external conflicts (territorial claims, e.g. in Cyprus, relations with ISIS), but also because of the relevant cultural differences – although Turkey is officially neutral in religious matters,<sup>44</sup> the majority of the population (almost 97%) is registered as Muslim.<sup>45</sup> However, the majority of the Member States is secular, the European values are based on those of the Christian religion. Furthermore, European countries form a cultural unity, to which Turkey belongs or not, is an actual dilemma (from both a historical and geographical point of view).<sup>46</sup>

<sup>39</sup> Poutine: les relations russo-serbes sont particulières. *Sputnik News*, <https://fr.sputniknews.com/actualite/201310301022690783-poutine-les-relations-russo-serbes-sont-particulieres/?fbclid=IwAR3IEcF6jpsLAXNk15wuxJSC8xB-J4OtuOMJOT05wT2UxAGkoC9XGeO8qT8>, 10. December 2019.

<sup>40</sup> Xavier BOUGAREL: Entre Vieille Serbie et Grande Albanie: l'introuvable Etat au Kosovo. *Les annales de l'autre Islam* 2000/7., 187.

<sup>41</sup> Marina GLAMOTCHAK: Les relations Russie-Serbie – L'âme slave à l'épreuve de l'énergie. *L'Esprit du temps* 2014/4., No.41, 376–378.

<sup>42</sup> Daniel HAITAS: Kelet és Nyugat között: Örményország és Szerbia az európai és eurázsiai integrációban. *Pro Futuro* 2018/4., 96–104.

<sup>43</sup> Romain GUBERT: Turquie: Erdogan, le dictateur. *Le Point*, [https://www.lepoint.fr/monde/turquie-erdogan-le-dictateur-24-05-2018-2220979\\_24.php#](https://www.lepoint.fr/monde/turquie-erdogan-le-dictateur-24-05-2018-2220979_24.php#), 10. December 2019.

<sup>44</sup> Art.2. of the Constitution of the Republic of Turkey.

<sup>45</sup> “Religion, Secularism and the Veil in daily life” KONDA Research and Consultancy. *Milliyet* 2017, 27.

<sup>46</sup> Günter ENDRUWEIT: Turkey and the European Union: A Question of Cultural Difference? *Journal of International Affairs* Vol. III, Nr. 2, 1998 June–August, 1–4.

Concerning the respect of the Copenhagen criterias, the most remarkable problems are the followings. The respect of human rights is not satisfactory: freedom of expression and that of the press is seriously violated, due to a norm that forbids to insult Turkey, Turkish identity and institutions of Turkey publicly. The Union was particularly critical about this law in the case of the novelist Orhan Pamuk who admitted that Turkey is responsible for the death of three thousand Kurds and one million Armenians.<sup>47</sup> The negligence of their minority rights is completely against of what the EU requires: numerous armed confrontations have taken place recently, because the Kurds – a ethnicity living in Turkey, Iran, Iraq and Syria – are fighting for their own homeland, Kurdistan.<sup>48</sup> Turkey – as mentioned above – also has some territorial claims in Cyprus: the island is divided, since Turkey profited from the coup d'état of Greek Cypriots and occupied a part of the island, declaring it the Turkish Republic of Northern Cyprus which has only been recognized by Turkey. The Cyprus-question is crucial for the Turks, and if they had to choose between the EU and Cyprus, “*Turkey’s choice will always be to support Turkish Cypriots*” – as it was stated by the Turkish minister Cemil Çiçek.<sup>49</sup>

The limits of this paper do not let us to give a more detailed analysis of the problems that occurred in the Turkish judicial system, as this work aims to provide a draft of the most important conflicts in the candidate states. Concerning Turkey, it can be assumed that – according to the actual situation – the country is not able to accomplish the criteria of joining the EU. Contrary to the Western Balkanic countries, it is debated whether the country belongs to the European unity, and whether it accepts and adopts the European values that are mutually accepted by all EU Member States.

## 2.2. EU enlargement in the light of the capacity of integration

Enlargement and the strengthening of the integration have always been parallel processes, however, until recently the enlargement has started to advance faster, beyond doubt due to the enlargement of 2004. The future enlargement is not only a matter of how the candidate states respect the values of the Union, but it is also about their international relations which can modify the internal political balance inside of the EU.<sup>50</sup>

<sup>47</sup> Jonny DYMOND: EU blasts Turkish author’s trial. *BBC News*, Brussels, <http://news.bbc.co.uk/2/hi/europe/4243102.stm>, 11. December 2019.

<sup>48</sup> Olivier GROJEAN: Turquie: le mouvement kurde à l’heure du «processus de paix», *Politique Etrangère* vol. été, no. 2, 2014, 34–36.

<sup>49</sup> Turkish Cypriots are More Important Than the EU. *Turkish Weekly*, <https://web.archive.org/web/20091121141905/http://www.turkishweekly.net/news/92895/-39-turkish-cypriots-are-more-important-than-the-eu-39-.html>, 11. December 2019.

<sup>50</sup> See the relations of Turkey-Syria and Serbia-Russia.

It can be affirmed that the greatest opponent of the future enlargements is France,<sup>51</sup> of which some politicians even doubt that the enlargement of 2004 was a proper decision, considering the differences between Eastern and Western Europe – as it was explained previously in this article.

According to them, the Union should solve the internal problems first, especially those of economic nature (as it is still more likely to be an economical unity, rather than a political one): the question of enlarging the eurozone and the Schengen area. The usage of a common currency is essential within an internal market, as it is easier to join for the members. However, similarly to entering the Union, the Member States also have to accomplish some criteria in order to be able to adopt the euro as the official currency.<sup>52</sup> Although some states managed to accomplish the Copenhagen criteria, they are still not authorized to use the euro, such as Bulgaria, Croatia, the Czech Republic, Hungary, Poland, Romania and Sweden, since these states did not meet the economic requirements – or, in case of Sweden, does not have intentions<sup>53</sup> – of adopting the euro. The affiliation of new countries may make the process of catching up even slower.<sup>54</sup> Secondly, another great achievement of the EU is the creation of the Schengen zone which lets the citizens cross countries without any border control. Actually, there are five Member States that are not part of Schengen: Bulgaria, Croatia, Cyprus, Ireland and Romania. The negotiations on accession to the area have already started with Bulgaria, Croatia and Romania.<sup>55</sup> Contrary to France, several Member States are in favour of the enlargement – for example Hungary<sup>56</sup> – that is mainly related to economic advantages and the migrant crisis in which Turkey is heavily involved, since it can open the borders for the refugees towards the EU – that is a strong trump in the country's hand, as it can facilitate the negotiations with European leaders that do not intend to let Turkey do so, so the EU can grant some concession to the state in

<sup>51</sup> Elargissement de l'Europe: qui est pour, qui est contre? *Le Point Politique*, [https://www.lepoint.fr/politique/elargissement-de-l-europe-qui-est-pour-qui-est-contre-24-05-2019-2314761\\_20.php](https://www.lepoint.fr/politique/elargissement-de-l-europe-qui-est-pour-qui-est-contre-24-05-2019-2314761_20.php), 11. December 2019.

<sup>52</sup> Pascal LAMY: Pourquoi l'euro? *Regards croisés sur l'économie* 2012/1., 13.

<sup>53</sup> <https://web.archive.org/web/20120328190829/http://www.stockholmnews.com/more.aspx?NID=7685>, 11. December 2019.

<sup>54</sup> See: ANGYAL Zoltán: A közös monetáris politika szervezeti háttere a Gazdasági és Monetáris Unióban. *Külgazdaság* 2001/7–8., 110–114.; ANGYAL Zoltán: Az euróövezetből való kilépés, illetve kizárás egyes jogi aspektusai. In: *Ünnepi tanulmányok Bíró György professzor 60. születésnapjára* (szerk.: Barzó Tímea – Juhász Ágnes – Leszkóven László – Pusztahelyi Réka), Novotni Alapítvány a Magánjog Fejlesztéséért, Miskolc, 2015, 16–28.

<sup>55</sup> Extension de l'espace Schengen à la Bulgarie et à la Roumanie, *Newsletter* 10–13 décembre 2018, Strasbourg, <https://www.europarl.europa.eu/news/fr/agenda/briefing/2018-12-10/14/extension-de-l-espace-schengen-a-la-bulgarie-et-a-la-roumanie>, 11. December 2019.

<sup>56</sup> Hungary is on Turkey's side, <http://www.miniszterelnok.hu/hungary-is-on-turkeys-side/>, 11. December 2019.

order to prevent the huge migrant flood, that would come to the EU whenever Turkey opens its borders for them.<sup>57</sup>

Consequently, it can be seen that there are several difficulties concerning the accession of any candidate country, but the contradictions accumulate in the case of Turkey. Besides the fundamental questions of whether the EU shall and could be enlarged or not – which is to be examined in the case of each of the candidate states –, Turkey is problematic because of its geographical location, political structure and cultural differences as well. As we could see, the other four candidate states are located in the Western Balkans and had interacted with each other and with several EU Member States throughout history. Turkey is in a different position: most of all, it has had complicated relations with its neighbouring countries and with the EU in general. Therefore, there are numerous reasons in favour and against its accession which we attempted to sketch, in order to show the complexity of the accession of this state. All in all, we can conclude that even though Turkey is officially a member state of the EU, practically the chances of its accession are lower than in the case of the other candidate states.

## **Conclusion**

In this paper, we have examined the question of enlargement of the European Union. Our principal aim was to answer the questions that arose concerning the candidate states and the probability of their accession. Four of the five official candidate states – the ones in the Western Balkans – have always been a “powder keg” in Europe, as there have been a number of overlapping claims to territories and spheres of influence between the major European powers (including Russia) and the Ottoman Empire. We can conclude that even nowadays it is the focal point of the Western and the Eastern culture. As it has been mentioned above, these countries – especially Serbia – are strongly influenced by Russia, and, in case of their accession, the sensitive international political balance of the EU can easily be turned over. Moreover, the accession of the fifth candidate state, Turkey, can cause even more serious problems, as it would mean nearly eighty million new citizens, which is a significant number, especially considering the huge cultural and political gap between the country and the rest of the Member States.

To conclude, we state that the accession of Turkey is still a very problematic issue and the enlargement with this state is not possible under current circumstances. However, we have recently learnt that the EU opened the negotiations on accession in the case of two countries, Albania and North Macedonia. It can be the first step of a new policy, since – as we have emphasized previously – not all of the Member States of the EU were in favour of the enlargement until this declaration. Considering the fact that the two countries have not fulfilled all the accession criteria completely, the accession of these states cannot be expected in a short time.

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<sup>57</sup> <https://www.dailysabah.com/politics/eu-affairs/more-than-150000-migrants-enter-greece-interior-minister-soylu-says>, 14. March 2020.

However, this measure is definitely the manifest of the willingness of the EU to integrate more states and thus, we affirm that the EU currently might have the capacity of integrating new states. In case of two other candidate states – Montenegro and Serbia – we cannot state that it is only a matter of time when we can salute the decision of the EU that opens negotiation with these two countries as well, since EU accession is a complex issue: it does not strictly depend on legal and technical criteria, but on political interest as well. The fact that Albania is one of the least developed countries among the candidate states and it is the most likely to gain accession to the EU the earliest – together with North Macedonia – proves that the capacity of integration and the common willingness of the Member States also have a mighty role on the decision.

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