

New Approach to EU Enlargement

Applying the Staged
Integration Model

Abstract:

The enlargement policy of the European Union used to be considered part of its security strategy. The Russian invasion of Ukraine has shaken EU decision-makers and brought enlargement policy to the fore, primarily for geopolitical and security-related reasons. It has become evident that, since the current approach does not produce results, the existing accession process needs to be redesigned. In response, an innovative 'staged integration model' was developed by experts to optimise the accession process. Can this model address the gaps and shortcomings of the current enlargement methodology and be instrumental in the strategic renewal of the enlargement policy? As a follow-up to the 2022 ELF publication 'Staged Integration for Future EU Enlargement', this paper discusses the potential application of this approach in Montenegro, a long-standing candidate country, while reflecting on the model from the perspective of the most recent EU candidate, Ukraine.



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Introduction

For years, the enlargement policy, although declarative, was not essentially a priority for the EU. The narrative of prospective European Union enlargement has been dominated by 'enlargement fatigue': the idea that Europeans and their leaders were not ready or felt unable to admit new members to the club for fear of overwhelming its processes and institutions while undermining their own economic prospects (Economides, 2020). At the same time, the candidate countries did not reform their system with the expected dynamism, so the process stalled for a long time on both sides. The Revised Enlargement Methodology (European Commission, 2020a), adopted in 2020, was supposed to contribute to the revitalisation of the accession process, but failed to properly address and practically resolve major issues, and to give tangible results.

The enlargement dynamic changed following Russia's aggression in Ukraine, which created the momentum for a renewed focus on enlargement policy. Russia's aggression drew attention to the fact the EU could no longer afford to let the integration process for aspiring neighbours stagnate. In contrast, accession must become dynamic, visibly progressive, and tangible. It must aim at strengthening liberal values in all (potential) candidate countries and must include a clear timeframe and improved cooperation mechanisms (Alesina, 2022).

In 2022, the European Council granted candidate status to Ukraine and Moldova, while Georgia was recognised as having a European perspective and was provided with a list of conditionality-based requirements to become a candidate in the future. In parallel, after years of stagnation, the enlargement prospects of the Western Balkan countries were revived. Thus, in July 2022, accession negotiations were opened with North Macedonia and Albania, while Bosnia and Herzegovina was granted EU candidate status in December 2022. In the latest EU Enlargement Package report from November 2023, the European Commission recommends the opening of the accession negotiations with Ukraine, Moldova, and Bosnia and Herzegovina, and granting of the candidate status to Georgia.

The recent political developments thus clearly point out to the common understanding that the EU project needs to be completed and the next enlargement needs to take place. However, it has also become evident that, since the current approach does not produce results, the existing accession process needs to be redesigned. Various suggestions have been posited as to how this should be done. One idea in particular stood out: a model of 'staged accession' to the EU proposed by think tanks in Brussels and Belgrade. Can this model

address the gaps and shortcomings of the current enlargement methodology and be instrumental in the strategic renewal of the enlargement policy? This paper discusses the potential application of this approach in Montenegro, a long-standing candidate country, while reflecting on the model from the perspective of the most recent EU candidate, Ukraine.

The first part of the paper discusses the current context when it comes to the EU negotiation process and the drawbacks of the current negotiations and evaluation system. It then explains the model of staged accession to the EU, created in response to the increasingly frequent calls for a change in approach to EU enlargement. The second part of the paper brings up the cases of Montenegro and Ukraine, and analyses the implications of adopting the staged integration model in a long-standing and a new candidate country. It covers the current state of play with regard to EU accession and the most recent assessments of each country's progress by the European Commission (EC). It also analyses the potential benefits of using the proposed model and the key national stakeholders who will have to be involved to adopt it. The paper concludes by discussing how the shortcomings of the current methodology can be addressed by adopting and implementing the staged integration model. It finishes with policy recommendations highlighting the key elements of the staged integration approach as a potential new accession framework.

Current Enlargement Methodology: Gaps and Shortcomings



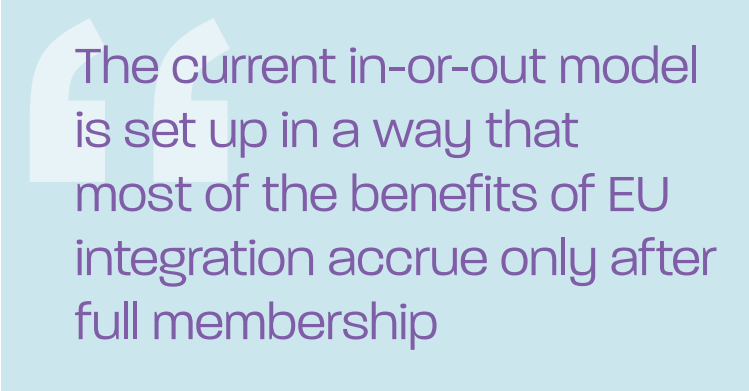
While the need to enlarge has become increasingly evident and widely accepted in Brussels and other EU capitals, the practicalities of the process remain an open question.

The frustrations of the candidate countries on the one hand, and the cautiousness of the current member states about the functioning of the enlarged EU on the other demand a revised approach to accession negotiations and their timelines.

When the EC adopted the Revised Enlargement Methodology in 2020, the aim was for it to drive fundamental political reforms in the Western Balkan countries and thus address the lack of progress. Apart from the grouping of chapters into six clusters, the new methodology has not been further elaborated on in practice and has failed to result in fundamental changes in the accession process.

Most of the current and potential candidate states have been struggling with the shortcomings of the current enlargement methodology. These can be divided into four main categories: (i) lack of immediate results; (ii) unpredictability of progress; (iii) lack of a tailor-made approach; and (iv) lack of coherence of the negotiation chapters.

Lack of Immediate Results



The current in-or-out model is set up in a way that most of the benefits of EU integration accrue only after full membership

The current in-or-out model is set up in a way that most of the benefits of EU integration accrue only after full membership, without sufficient incentives to reward gradual reforms or to sanction lack of progress. One of the main

difficulties of the current enlargement mechanism is the lack of clear 'carrots' for citizens of the candidate countries: the accession process could proceed successfully for decades, with chapters opening and closing, but the absence of tangible results for the population might cause a decrease in popular support. This, in turn, might influence the dedication of politicians to work in this direction. Without clear carrots for politicians, there is a risk that the impetus for European integration might gradually fade, creating space for democratic backsliding and the intervention of the authoritarian third powers willing to step in and expand their influence. Also, the EC's revised methodology has failed to properly address and practically resolve major issues such as insufficient involvement of civil society and national parliaments in the accession procedures (Lazarević & Subotić, 2021).

Unpredictability of Progress

The progress of the accession negotiations depends not just on the progress of reforms in the candidate country, but also on purely political considerations of the EU and its member states, as was the case with North Macedonia (European

Stability Initiative, n.d.). There is also no clear timeframe for the milestones in the European integration process, even for candidate states that deliver results. While the war in Ukraine has substantially accelerated the country's EU integration prospects, this impetus will not last forever. There are no safeguards against stagnation, as with the Western Balkan states, some of which could not open negotiations for years. Importantly, many in the EU think that it is not institutionally ready to absorb new member states, especially large ones such as Ukraine. There are also voices insisting that Ukraine cannot join before the Western Balkans. This proves that there is a risk of an artificial slowdown in Ukraine's accession process, even if the necessary reforms are actively implemented on Ukraine's side.

Lack of a Tailor-Made Approach

Another gap in the current negotiation approach is that rule of law benchmarks tend to be general, often lacking specifics and not adapted to the contexts of candidate states, which makes measuring results difficult. Although it is the responsibility of the candidate countries to implement reforms and meet the conditions of accession, part of the responsibility also lies with the EU, which has failed to make significant changes in the rule of law in the countries of the Western Balkans. The European Court of Auditors (ECA) report on the impact of the EU-funded projects in the area of the rule of law stressed that EU actions had little overall impact on fundamental reforms in the region. According to the ECA's report, EU actions have contributed to reforms in technical and operational areas, such as improving the efficiency of the judiciary and developing relevant legislation, which have clearly not been enough to effect wholesale change in the rule of law (European Court of Auditors, 2022).

The shortcomings of the enlargement process directed researchers from think tanks from the EU and Western Balkans to produce a model to address them, as a proposal to operationalise the Revised Enlargement Methodology.

Staged Integration Model: Proposal for Revising EU Accession Methodology

In the past few years, think tanks in Brussels and Belgrade have been working on addressing the lack of clarity, progress, and realistic prospects with regard to the EU accession of candidate countries. In 2021, the Centre for European Policy Studies and the Centre for European Policy joined forces to develop a common proposal for a renewed approach. Their goal was to build upon the innovations of the EC's 2020 revised methodology (e.g., clusters) and address the remaining concerns with a view to instilling a new dynamism into the stagnating accession process.

The 'staged integration model' suggests dividing EU accession into a limited number of consecutive phases, or stages, with each subsequent stage offering more benefits for candidate countries as a reward for their increased membership preparedness. The model restructures the accession process in order to make it more predictable, have more incentives, and provide more benefits for candidate countries, while reinforcing the merit-based approach to EU enlargement and ensuring full membership as the ultimate outcome (ibid.).

The 2021 staged accession model envisions four stages of the negotiation process:

- the initial stage of accession
- the intermediate stage of accession
- the new member state
- conventional membership

Candidates can transition to each stage by achieving a predefined average score (threshold) across all clusters, while each subsequent phase broadens their access to EU funds and increases their participation in EU policies and decision-making. The conditions for each stage are based on the average assessment of preparedness for EU membership. This assessment is conducted by the EC, expressed in concrete numbers (ratings), and compared to the preset threshold for each stage of accession. The threshold for membership preparedness increases with each phase (ibid.).

The key precondition for the operationalisation of this model is the introduction of the quantified assessment by the EC, which translates qualitative assessments into ratings. Think tanks from the Western Balkans already 'translate' the EC's assessments into a five-point numeric scale that both describes the 'state of play' and gives an 'assessment of progress'¹. 'State of play' (early stage, some level of preparation, moderately prepared, good level of preparation, and well advanced) refers to the assessment of the overall situation in the areas covered by certain chapters, while the 'assessment of progress' (backsliding, no progress, some/limited progress, good progress, and significant progress) separately assesses the progress made over the previous 12 months, i.e., since the publication of the previous report. The model is focused on an assessment of the state of play. Based on a quantified assessment of membership preparedness (Table 1), a country moves from one stage to another, while the level of funding and participation in EU institutions increases with each stage (see Emerson et al., 2021).

¹ For instance, the Montenegrin think tank Institut Alternativa has for years been translating the EC assessment to a numerical scale. For the numerical ratings based on the latest EC report and an overview of all previous reports, see Institut Alternativa (2022).

Table 1: Quantification of preparedness ratings by the European Commission

Early stage of preparation	1
Some level of preparation	2
Moderately prepared	3
Good level of preparation	4
Well advanced (high level of preparation)	5

The model uses a mechanism that envisions predetermined measures, the use of the 'stick', and the reduction of the acquired benefits if candidate countries backslide: reversibility. At the same time, considering that the rule of law is crucial for accession negotiations, the model emphasises reforms in this area, the Fundamentals cluster, for which stricter conditions are set in order to progress from one stage to another. Unlike the other clusters where an average grade is required, the Fundamentals cluster requires a minimum preparedness grade in all chapters and areas (Jaćimović, 2023).

In 2022, the European Liberal Forum (ELF) suggested two key updates to this model. Based on a series of closed meetings with experts from the EU and (potential) candidate countries, ELF published a policy paper on the geopolitical imperatives of EU enlargement. It endorses staged integration as a substitute for the current enlargement methodology and a way of the EU's current stagnation. ELF's first policy suggestion is to complement the four-stage accession model with a 'stage zero': a qualification entrance point that officially puts a candidate country on a conditional countdown to full membership. The second suggestion is to introduce deadlines for the candidate countries to join the EU (Alesina, 2022: 9). The latter idea has been gaining political momentum throughout the past year, with European Council President Charles Michel and Hungarian Commissioner for Enlargement Olivér Várhelyi backing the 2030 deadline for candidate countries to fully join the EU (Sorgi, 2023).

In August 2023, *Template 2.0 for Staged Accession to the EU* was published: a revised and consolidated text that modified the first version of the template (Mihajlović et al., 2023). The template also introduces a 'Zero stage', or 'pre-stage: candidate status' (Ibid, p. 5). *Template 2.0* was published while this paper was being drafted, so the paper analyses the previous 2021 template.

Staged Integration in Practice: Montenegro

Montenegro's path towards the EU has already taken twice as long as those of the most recent states to become EU members. Despite the long wait, public support for joining the EU is still high (74.6%).² Montenegro was granted EU candidate status in December 2010, and negotiations with the EU officially started in June 2012. Almost 11 years later, Montenegro is still negotiating, with only three provisionally closed chapters.

The first chapter was opened in 2012. Since then, Montenegro has opened all 33 chapters (the last in 2020). In this time, the country has only managed to close three chapters (the last in 2017).³ It is important to note that, according to the negotiation framework, overall progress in the accession negotiations depends on progress in the rule of law. Progress towards meeting the interim benchmarks set out in Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom, and Security) is key to furthering the negotiations overall, as no other chapters will be provisionally closed until this milestone is reached. This is also included in the Revised Enlargement Methodology (European Commission, 2020b), which was formally accepted by Montenegro in June 2021.

Gaps in the Current Negotiation Approach: Montenegro's Perspective

The way the countries of the Western Balkans are progressing towards the EU, the EU's activities in this regard, and the failure of the revised methodology to revive the process are just some of the indicators that the EU's current approach to negotiations needs to be revised.

Montenegro's experience points out two substantial shortcomings of the enlargement methodology since 2020. First, the conditionality mechanism and progress assessment for the essential Fundamentals cluster are not sufficiently specified with regards to various formal and informal influences. The second major – and related – flaw is the lack of effective incentives and instruments to keep national political elites committed to EU integration in times of internal political instability.

Montenegro has mostly harmonised its legal and strategic framework with EU standards, but has failed to implement the most complex reforms by applying those standards on the ground and thus has stagnated for years. The key areas from Chapters 23 and 24 on which Montenegro has repeatedly been urged to accelerate and deepen reforms are the independence, professionalism, and accountability of the judiciary – which would help address all remaining gaps in

² According to the data from June 2022, if a referendum had been held then, 83.5% would have voted for Montenegro to join the European Union. See WeBalkans (2022).

³ For more details on the negotiation process, including a timeline for key activities, see EU4ME (2014).

the fight against corruption and organised crime – and freedom of expression and media freedom (European Commission, 2022a).

The ECA's conclusion that EU action has contributed to reforms only in technical and operational areas fully applies to Montenegro, and is one of the shortcomings of the current accession model. The technical safeguards pushed by the EU under the heads of institution-building efforts and constitutional and legal provisions **have not produced tangible results in ensuring the independence of the judiciary**. Simultaneously, the EU paid less attention to the direct disruption of the system of checks and balances (cases of housing loans granted by the government to representatives of the judiciary), the ex-chief special prosecutor overstepping their legal competencies, or politically motivated prosecutions. This shows that **the rule of law standards are not sufficiently specific** and do not consider all the formal and informal influences hampering progress in fundamental areas (Muk, 2022).

Thus, better assessment and measurement of progress on the rule of law is needed. Montenegro is a good example of the current negotiation model's lack of sticks, as the country has maintained the status quo or made limited progress for years, without any EU incentives to sanction the lack of progress. Meanwhile, the lack of carrots to reward reforms and efforts is best demonstrated by the example of neighbouring North Macedonia.

The Current State of Play

As has already been stated, the proposed model has four stages, from initial to conventional membership.⁴ According to the assessment in 2022, Montenegro does not meet the requirements for any of the stages. However, it is closest to fulfilling the criteria for Stage I.

According to the 2022 EC report on the state of play, the rate of readiness, i.e. the normative compliance of Montenegro with the EU's standards based on the chapters, is 3.12. For details on how the chapters are quantified, see Annex I. The progress of Montenegro was reassessed within the EU Elargement Package report from November 2023. In terms of readiness, neither backsliding nor progress was noted, and the average rate remained the same (3.12).

It is important to note that according to the model, quantitative assessment should first be introduced for areas within the Fundamentals cluster (Centre for European Policy, 2023).⁵ In the case of Montenegro, to quantify the current

⁴ This section is based on the European Commission (2022a).

⁵ Besides the five chapters (Chapter 5 – Public procurement; Chapter – 18 Statistics; Chapter – 23 Judiciary and Fundamental Rights; Chapter 24 – Justice, Freedom and Security; and Chapter 32 – Financial Control), the Fundamentals cluster covers the following areas: public administration reform, economic criteria, and functioning of democratic institutions. The EC assesses only two out of three areas – public administration reform and economic criteria; for the functioning of democratic institutions (political criteria) there is no specific evaluation expressed through precise assessment as there is for the other two areas and all the chapters. How the assessment of political criteria can be quantified in order to include this area in the overall assessment and track progress still needs to be specified by the creators of the model.

assessment based on the EC's report, two options were calculated for the Fundamentals cluster: only ratings for the five chapters in the cluster (3.1) and ratings for the chapters as well as the two areas for which quantified assessment is possible (3.07). This means that the average rating for the Fundamentals cluster will change once a method is defined for the quantified assessment of the area of functioning of democratic institutions.⁶

As can be seen from Table 2 on the next page, Montenegro does not fulfil all the criteria for Stage I, which requires an average rating of 3 (moderately prepared) or above for all clusters. In order to enter Stage I, Montenegro needs to improve its rating in Cluster 5 – Resources, Agriculture, and Cohesion.

To enter Stage II, a minimum average score of 4 (good level of preparation) is required for all clusters, with no chapter having a score of less than 3. According to the current state of play, the criteria for Stage II have been met for only one cluster – Foreign Affairs. This is the cluster with the best EC assessment, as Montenegro continues to be fully aligned with the EU's Common Foreign and Security Policy, including its restrictions following Russia's unprovoked aggression against Ukraine. It also coordinates its positions with the EU, including within the World Trade Organization, and cooperates well with international organisations (European Commission, 2022a: 120).

Table 2: Montenegro's average ratings for each cluster and its current status compared with the criteria for each stage in the staged accession model.

Clusters	Ratings	Fulfilled criteria for Stage I	Fulfilled criteria for Stage II	Fulfilled criteria for Stage III
Cluster I – Fundamentals	3.10 (3.07)	✓	X	X
Cluster 2 – Internal Market	3.11	✓	X	X
Cluster 3 – Competitiveness and Inclusive Growth	3.19	✓	X	X
Cluster 4 – Green Agenda and Sustainable Connectivity	3.25	✓	X	X
Cluster 5 – Resources, Agriculture, and Cohesion	2.60	X	X	X
Cluster 6 – Foreign Affairs	4.00	✓	✓	X

⁶ Researchers working on the operationalisation of the model suggest using assessments for functioning of democratic institutions from other reports (Freedom House's 'Nations in transit') and converting them to the model's rating scale. If this methodology is applied, Montenegro's political criteria would be rated 3.2, so its Fundamentals cluster score would be 3.09. See Jaćimović (2023).

In order to reach Stage III, Montenegro has to improve its ratings in the other clusters. That would indicate that the country has a good level of preparation for EU membership and that reforms have been implemented and are delivering good results.

Under the staged accession model, Montenegro could meet all criteria for Stage I by improving the average rating in just one cluster. The fact, as the criteria for Stage I have already been met for the Fundamentals Clusters, achieving the average score should not pose a problem. Montenegro's progress through the stages will depend on the focus and hard work of institutions to implement the EC's recommendations. It is difficult to predict how long it will take to progress from stage to stage. This will depend on the commitment of the institutions and the results achieved, in accordance with EU requirements. In this regard, it is important to bear in mind the political context, explained below (Jaćimović, 2023).

Addressing the potential risks

Changing the accession model by applying the staged integration template could be misinterpreted by some as yet another decision that will slow down the process of obtaining full EU membership. This is largely because the adoption of the 2020 revised methodology failed to produce visible reforms of the process and so discredited the revision process itself. This concern is not in place, since the initiative to change the accession model would also come from countries aspiring to EU membership, which would represent regional ownership of the model (Lazarević & Subotić, 2022).

However, regardless of any possible scepticism about the accession progress, **the model can in fact dissolve the persistent fear that Montenegro would become a 'second-class member' of the EU. While there are certain institutional restrictions on membership, the model envisions these as temporary measures and, most importantly, proposes a time limit for these restrictions, a mechanism that already partially exists in EU practice.** As the creators of the model have explained, these temporary time limits would be agreed upon before a country enters Stage III and will be stated in the Accession Treaty, preventing any kind of political blockage or institutionalisation of permanent second-class membership under the staged accession model.

At the same time, the model has ways to keep national elites accountable for progress. It bolsters sanctioning safeguards by introducing quantification of reform assessment and strengthens the reversibility mechanism.

With regard to the lack of major progress on the rule of law, **the staged accession model can fill the gap in the current approach by offering a clearer measurement of progress, specifically in the area of the Fundamentals cluster.** The model puts a focus on the rule of law, with measurement for this cluster

being stricter than for others. This means that to enter Stage I, every chapter and area of the Fundamentals cluster requires a minimum rating of 3, unlike other clusters, which only require an average rating of 3. The same approach is used for Stage II, where every chapter and area of the Fundamentals cluster must have a minimum rating of 4. This approach operationalises in greater detail the revised methodology and the intention to focus more on fundamental reforms.

Finally, **the model's basic premise is that countries need to be incentivised to carry out painful reforms in a timely manner while also retaining the rule of law reforms at the core of the process.** The model thus also eases the fear that the leaders in the region could be satisfied with those benefits and thus no longer have any incentive to finish the reforms and fully integrate into the EU. The strengthened mechanism of reversibility plays a key role, as it means that stagnation or regression will not be tolerated, and conventional member states will be able to reduce the level of funding or even downgrade the status of the country (ibid.). In practice, the model simplifies the procedure to reduce the acquired benefits of a country that backslides or whose average ratings across clusters fall below the established and already achieved norms (Emerson et al., 2021).

New Accession Methodology: Gaining National Support

It is difficult to estimate the time frame for accession, as it primarily depends on the intensity and quality with which reforms are implemented in Montenegro, which in turn depends on internal political stability. At the same time, political changes in the country could be used to provide momentum in support of the model. The model offers incentives that should motivate decision-makers to commit more strongly to implementing the remaining reforms. Montenegrin stakeholders should bear in mind that the model would certainly not accelerate membership, as the emphasis is on the implementation of reforms. According to the latest EC report, Montenegro still has a lot of work to do.

The new positioning of political parties after the 2023 elections may be a good opportunity to advocate for the staged access model. This is because Montenegro has been stagnating or making limited progress for years, and due to the political instability since August 2020, the EU negotiation process has practically been sidelined in the focus of the political parties. These very reasons can make it crucial for the parties in power to support the model and show that they want to revive the process after political stabilisation. On the other hand, the support for this model by some political actors could also allow their opponents to argue that they want to slow down the negotiation process, that is, to leave space for influences of other kinds. This is why the model must be presented to all political players, regardless of their positions.

The greatest beneficiaries of the staged accession model would be the citizens of Montenegro themselves. The business community would also benefit, as the model allows for earlier access to EU funds. The key stakeholder in adopting

and implementing the model is the Ministry of European Affairs. Members of Parliament, as well as the Parliamentary Committee on European Integration, should also be educated about the model and its implications, especially because this committee monitors accession negotiations (ibid.). The new President has stated that Montenegro is firm in its dedication to the EU path (Predrag, 2023), and this can be used as an opportunity to launch and advance the staged accession approach during his presidential term. Non-governmental organisations and the media could also play a significant role in adopting and implementing the new accession model.

Staged Integration in Practice: Ukraine

Since as early as the 1990s, Ukraine has been on the European integration path. It significantly increased its proximity to the EU in 2014 by entering the Association Agreement with the European Union. In 2016, the Deep and Comprehensive Free Trade Area was established with limitations, and since 2017 it has been applied fully. Among the landmark achievements of Ukraine's European integration in the years that followed was the introduction of visa-free travel to the EU for Ukrainian citizens. Overall, as of March 2023, the Ukrainian government's self-assessment of its implementation of the Association Agreement was over 72%.⁷

Russia's full-fledged invasion of Ukraine posed an unprecedented challenge to both Ukraine and the EU, leading to Ukraine's formal application for EU membership in March 2022. It was granted candidate status at lightning speed, in June 2022. Despite the understandable suspension of multiple state and reform processes in the country, Ukraine managed to stay on track with implementing quality changes. For instance, in March 2022, the country managed to join the European power system ENTSO-E. Later, the EC lifted all import duties for Ukraine for a one-year period, with the possibility of an extension. Currently, the process of Ukraine's accession to the EU free roaming area is ongoing.


Alongside candidate status, Ukraine received seven recommendations from the EC, focused on reform of the judiciary, law enforcement, de-oligarchisation, fighting money laundering, enhancing the media legislative framework, and strengthening national minority protections (European Commission, 2022b). As of June 2023, the EC assessed the level of implementation of these recommendations, finding that two were fully carried out and the other five were in the process of completion. Ukraine's government has announced plans to implement all the recommendations by the end of October 2023. In addition, Ukraine was included for the first time in the Enlargement Package, which includes an annual assessment of candidate countries' overall progress. Thus, in November 2023, the European Commission published the Enlargement Package report, updating

⁷ Sobenko N. Ukraine Has Completed 72% of Its Commitments under the Association Agreement, Suspilne News, March 2023, available at: <https://suspilne.media/424650-es-zvit/>.

the assessment of Ukraine's progress. The assessment of the Commission was positive, has welcomed the country's progress even despite the ongoing war, and recommended the formal opening of the accession negotiations. Following this endorsement by the Commission, Ukraine hopes to get the final green light from the Member States and open negotiations by the end of 2023.

Importantly, Ukraine has amended its Constitution in order for it to formally reflect the country's European aspirations (Agence France-Press, 2019). The level of support for EU accession among Ukrainians is around 85%, as of March 2023.⁸ Similarly, in December 2022, over 74% of EU citizens supported the idea of accepting Ukraine into the European Union, with the majority of the population in every member state being in favour of it (European Parliament, 2022).

These developments have created a unique momentum for Ukraine amid an unprecedented crisis.



European integration remains at the top of the agenda, with the government intending to turn this process into the backbone of its post-war recovery, in the spirit of 'build back better'.

The Latest Assessment of the European Commission of Ukraine's Progress

In February 2023, following the EU–Ukraine Summit in Kyiv, the EC published its assessment of the candidate states' legal approximation to the EU acquis. According to the assessment, Ukraine is definitely the leader among the Association Trio of Ukraine, Georgia, and Moldova. It lags slightly behind some of the Western Balkan states. However, all the countries that are more successful than Ukraine have had candidate status for a much longer time, and most of them have already opened negotiations. Thus, this assessment was welcomed in Ukraine with cautious optimism. The Enlargement Package report of November 2023 presents the latest update of Ukraine's progress as assessed by the European Commission. It has demonstrated that **Ukraine has made progress across the clusters, despite the ongoing Russian aggression, and stays fully committed to its EU accession path**. The assessments in this report serve as the basis for the numerical ratings below.

⁸ <https://www.eurointegration.com.ua/news/2023/03/22/7158465/>.

Table 3: Ukraine's average ratings per cluster and readiness for stages according to the staged integration model

Clusters	Ratings	Fulfilled criteria for Stage I	Fulfilled criteria for Stage II	Fulfilled criteria for Stage III
Cluster I – Fundamentals	1.8	X	X	X
Cluster 2 – Internal Market	2.05	X	X	X
Cluster 3 – Competitiveness and Inclusive Growth	2.56	X	X	X
Cluster 4 – Green Agenda and Sustainable Connectivity	2.5	X	X	X
Cluster 5 – Resources, Agriculture, and Cohesion	1.8	X	X	X
Cluster 6 – Foreign Affairs	4.00	√	√	X

Thus, what would Ukraine's EU accession look like in the framework of the staged integration model? Putting this latest assessment into the Staged Integration model provides an overview of where the progress needs to be made for Ukraine to enter the Stage I and start benefitting from the 'carrots' envisioned by it. These benefits include the allocation of the structural funds and limited participation in the EU institutions. For this, an average of 3 is needed in all the clusters.

Ukraine has already met the conditions to enter Stage I in the Foreign Affairs cluster. This is also the cluster in which Ukraine qualifies for Stage II, with an average score of 4 out of 5. The next cluster closest to Stage I is Competitiveness and Inclusive Growth, in which Ukraine scored an average of 2.56, with social policy and employment being the chapter which requires where the biggest progress needs to be achieved. Good progress has also been made on the Green Agenda and Sustainable Connectivity, where Ukraine's average score is 2.5, thus getting close to the threshold.

As for the core economic cluster on the Internal Market, the average score is 2.05. The most work is needed on the chapters concerning the freedom of movement for workers and intellectual property law. In the Fundamentals cluster Ukraine is currently scored 1.8. The chapter that requires the most attention for reaching the average score concerns financial services and the economic

criteria for accession, although the chapters on the judiciary and justice also need additional work. The same average rating of 1.8 Ukraine currently has in the cluster Resources, Agriculture, and Cohesion. The most work is needed on the chapters concerning agricultural and rural development, regional policy and coordination of structural instruments, and financial and budgetary provisions.

It is important to note that Ukraine is expected to further improve its scores no matter what the methodology is. It needs to continue implementing the political and economic reforms and complete the process of legal approximation, while paying extra attention to the Fundamentals cluster, as it was also part of the seven recommendations of the EC for opening the accession negotiations.

Putting the ratings in the Staged Integration model provides the visualisation of the progress that remains to be achieved for Ukraine to start benefitting from the Stage I 'carrots', if the methodology were to be adopted now. Furthermore, if the pre-accession Stage 0 is introduced, as suggested by the recent Template 2.0, limited participation in the EU decision-making within certain formats (eg, Comitology) would be available to Ukraine already with the current scores, as the acknowledgement of the progress achieved by the country so far.

Overall, adopting the Staged Integration model would provide Ukrainian government and civil society with additional incentives to implement the remaining reforms. It would also put this process into a concrete accession timeline with clearly measurable deliverables and tangible benefits for the progress achieved. **As a new candidate country with plans to join the EU quickly, Ukraine would benefit from the integration process based on a clear, predictable, and time-specific plan.**

Addressing potential risks

Unlike the citizens and political elites of the Western Balkan countries, Ukrainians do not yet see themselves in an impasse. Although it is certainly aware of the possible repetition of the Western Balkans scenario, Ukraine has advanced quite rapidly in the last year, having received candidate status and the expectation of opening negotiations by the end of 2023.⁹ For this reason, Ukrainians do not perceive the current enlargement methodology as dysfunctional or as a factor preventing their movement into the EU. This perception, however, might change as the situation unfolds. As the emotional support for Ukraine starts giving way to a more pragmatic approach, Ukraine, like the Western Balkans, might find itself looking for ways to secure its path towards the full membership, which is the rationale behind the staged integration model.

Also as in the Western Balkans, civil society in Ukraine has a perception that more sticks are needed to boost the reforms led by the government. However,

⁹ <https://www.dw.com/uk/clenstvo-v-es-ukraina-rozrahovue-pocati-peregovori-naprikin-ci-2023-roku/a-64594583>

in Ukraine, the major stick prompting the political elites, civil society, and the population at large to pursue the European integration path is the Russian aggression. **Only the much-needed reforms and the EU's unwavering support and commitment to integrating Ukraine as a full member can ensure the country's victory in the war and post-war recovery, not to mention its escaping Russia's imperial aspirations to rejoin the European family of nations.**

Although Ukraine, unlike the Western Balkan, obviously does not see itself in the stalemate with regards to its EU accession (quite the opposite), it would equally benefit from the integration process that follows a clear plan with a certain and time-specific final outcome. **The staged integration approach could provide additional carrots, which would maintain public support for EU accession.** This, in turn, would facilitate **increased public scrutiny of the reform processes and higher demands for accountability for politicians** working on the integration progress.

One of the most tangible benefits of the staged integration model is the progressive allocation of structural funds, starting as early as Stage I. Poland, whose population is comparable to that of Ukraine, receives €80–90 billion for a seven-year perspective (European Commission, n.d.). Ukraine could also receive a similar amount; some even argue it could reach as much as €186 billion.¹⁰ This means, over €25 billion a year at Stage III, which is a considerable amount of money, with the EU providing about €50 billion in assistance to war-torn Ukraine in 2024–27 as part of the Ukraine Facility (European Commission, 2023). Importantly, most of the EU's help in 2022–23 was provided in the form of cheap loans, whereas structural funds are grants. This makes the structural funds even more appealing to Ukraine.

Another major benefit is the progressive inclusion in the EU decision-making process and the work of the EU institution: from sporadic participation to the full voting rights at the final Stage IV. Interestingly enough, the latest update of the model ('Template 2.0' from 2023) also envisions the formalisation of the pre-accession phase (Stage 0), which allows for sporadic and limited participation even before all the criteria for Stage I are met. **Thus, within the staged integration model, already with its current ratings Ukraine would be qualified to start joining the EU bodies in some of the formats (eg, Comitology, Commission Expert Groups, Agencies).** As soon as it reaches the required average score of 3 in all the clusters, this participation would become wider and more regularised, encompassing the European Council and Council of the EU and the European Parliament. Stage II would further expand the scope and intensity of this participation across all the EU institutions, while also increasing the access to EU funding to 60% of that of a full member (Emerson et al, 2023, p. 9).

However, as bold and innovative as the idea of staged integration is, it is new to the Ukrainian context and many fear it may hold hidden risks to the country's membership prospects. Many in Kyiv may perceive staged integration as a potential substitute for membership – something Ukraine cannot accept. Similar uneasiness was caused in Ukraine by the idea of the European Political Community, which

¹⁰ Foy H.. 'EU estimates Ukraine entitled to €186 bn after accession', October 2023, available at: <https://www.ft.com/content/a8834254-b8f9-4385-b043-04c2a7cd54c8>

was largely perceived as a clever way to deny Ukraine EU membership, which French President Emmanuel Macron reportedly refuted (European Pravda, 2022).

With regard to the staged integration model, the concern would be that, after reaching Stage II or Stage III, progress will slowly start depending on political rather than technical factors, and might stop for good. The underlying political motivation for that would be that Ukraine would already have gained access to structural funds and limited speaking and voting rights.

It is important to underline that, while full membership is the goal for all candidate states, Ukraine's extreme situation makes the country even more resolute in this regard. On the one hand, the leverage of structural funds is less for Ukraine than it is for the other candidates. The need to reconstruct the country after the devastating Russian aggression (the estimated damages have crossed \$500 billion) makes the share of the structural funds look less impressive (Radio Free Europe Radio Liberty, 2022). On the other hand, having limited speaking and voting rights, thus having only 'one foot in', will not help Ukraine solve its main problem of being located in a geopolitical 'grey zone'. Ukrainians are united in their conviction that their country needs full conventional EU membership to secure the country's economic and geopolitical freedom.

Thus, any initiatives which might be regarded as capable of precluding full membership in the EU are treated with caution. However, **the very rationale of the staged integration model is to avoid the much-feared stalemate scenario, make the accession process more predictable, tangible, and efficient, and open limited access to the EU membership benefits even before the integration process is finalised.** As the methodology explains, there will be a clear schedule for granting full voting and speaking rights, with any restrictions being temporary and subject to removal as soon as the threshold for entering Stage IV is reached. This crucial point needs to be properly explained to the political elites, civil society, and citizens at large as to avoid any misunderstandings and possible suspiciousness about the changes in the accession methodology.

Therefore, the underlying rationale of the revised methodology, its final goal, and all the benefits that it aims to deliver to a candidate country and its citizens throughout the accession process need to be carefully communicated. An important point to mention is that this new methodology was created not by the EC or the EU member states, but by the experts and think tanks advocating for the acceleration of this process and helping the candidate countries achieve full membership while increasingly reaping the results of their reform efforts throughout the process.

Based on the current structure of Ukraine's political landscape, we may say that the concept of staged integration will need to secure the support of its President, Prime Minister, and Deputy Prime Minister of European and Euro-Atlantic Integration. An interparliamentary dialogue would also be helpful to ensure that different political views are represented and a robust discussion is conducted on the matter.

Importantly, as Ukraine has a vibrant civil society, the idea has also to be accepted by experts and civil society organisations. Otherwise, the political leadership will

have their hands tied. As the staged integration concept has not yet been widely discussed in Ukraine, there is a need to hold more detailed consultations and internal discussions between different governmental and non-governmental stakeholders on the opportunities and challenges of the model in order to collect all possible opinions and take an evidence-based, objective position and approach.

Conclusions: Addressing the Gaps and Moving Forward

The increasingly tense geopolitical situation and growing disillusionment in aspiring countries demand a serious reconsideration of the enlargement methodology. Over the past few years, the staged integration model has been laid out by experts in Brussels and Belgrade with the aim of addressing these challenges and allowing the EU to deliver on what has become a geopolitical imperative: the completion of the enlargement project.

The current enlargement methodology has failed to properly address and practically resolve such major issues as the lack of tangible results for countries and their citizens during the lengthy accession process, lack of accountability on both sides, and, above all, lack of clarity about the final outcome (Lazarević & Subotić, 2021). The current in-or-out model is set up so that most of the EU integration benefits accrue only after full membership is gained, without sufficient incentives to reward reforms on the way or sanctions for lack of progress. As a result, it does not deliver on the main objective of overcoming the long-standing impasse in the enlargement process.

To further advance this argument, this discussion paper brings up the cases of Montenegro, a long-standing EU candidate with the highest ratings in the region, and Ukraine, a recent candidate that has been demonstrating quick progress in implementing reforms despite the ongoing Russian aggression. The case of Montenegro points to the lack of a tailor-made, context-sensitive approach and effective conditionality, which is demonstrated by the lack of sufficient progress in implementing the required reforms. The case of Ukraine, strongly determined to join the EU as swiftly as possible, sheds light on its reserved optimism about the encouraging assessments of its reform progress by the European Commission while also lurking concerns about any possible delays or stagnation in the integration process later down the road.

Adopting the staged integration approach as the new accession methodology would address these persistent gaps and valid concerns: from shaping a more efficient integration framework for each candidate to ensuring the full membership upon the fulfilment of pre-defined conditions. This paper is based on the numerical translation of the Commission's latest qualitative assessments of the two countries in question. Putting them into the staged integration model allows to visualise what progress remains to be achieved and in which clusters

in order for them to start benefitting from the 'carrots' envisioned for the Stage I: namely, the access to EU funding (40 to 50% of the conventional membership share) and selective participation in the work of EU institutions (eg, Observer Status). Furthermore, the latest 2.0 version of the Template introduces the pre-accession, or zero-stage, which would allow the two countries to qualify for some of these benefits already with their current scores. Overall, the main benefits of the suggested model can be clustered into the following blocks:

First of all, **the Staged Integration model would produce clear political results and tangible benefits for the candidate countries throughout the reform process.** It would be beneficial both for the parties in power, allowing them to show progress in their work, and for the citizens, for whom the milestones and benefits of European integration would be clearer. Besides, one of the tangible benefits of the staged integration model is the allocation of significant structural funds starting right from Stage I and progressively growing with each next stage. No less important is the fact that various sections of society and major stakeholders, including the MPs, will be progressively integrated into the EU as members of the community (from observer status to full voting rights), instead of remaining aspiring outsiders till the very end of the process.

Second, **the model strives to make progress towards accession more predictable.** By signing the Accession Agreement, both parties will commit to perform certain actions under certain conditions within a set period of time. This is meant to

Key Elements of the Staged Integration Approach

- Phased-in integration so that candidate countries and their citizens can benefit throughout the accession process.
- Staged integration: Not a fast track but a reliable timeline for full membership.
- Reversing the narrative: After starting the staged accession process, a candidate country is already considered a member of the EU, not an outsider, albeit with *temporarily* limited access to the full rights and benefits of membership.
- The integration process is divided into four stages (plus a pre-accession, or Zero stage): Transition to each subsequent stage is conditioned upon reaching quantified thresholds of membership readiness (a predefined number of points for each stage).
- Observer Status at the EU institutions is granted
- All the clusters and chapters are opened all at once, while the threshold of membership progress increases with each stage.
- Strengthened emphasis on the Fundamentals cluster as the cross-cutting requirement: A minimum threshold throughout the entire process.
- Transition to higher stages brings clear benefits: It grants ever-broader access to EU funds, programmes, and decision-making, leading up to full membership (Stage V).
- The new carrot-and-stick mechanism is clearly defined and tailor-made for each candidate.
- Predetermined deadlines for full membership that provide clarity on the pace of the accession process and keep both parties accountable and committed.
- Reversibility of the benefits, which disincentivises backsliding or stagnation on the part of the candidate country (e.g. due to changing political elites or internal political instability).

Annex 1: Quantification of the EC's assessment of clusters for Montenegro based on its 2022 report

Chapter	Cluster	Rank	Score
1	2	moderately prepared	3.0
2	2	some level of preparation	2.0
3.	2	moderately prepared	3.0
4	2	moderately prepared	3.0
5	1	moderately prepared/ has a good level of preparation	3.5
6	2	good level of preparation	4.0
7	2	good level of preparation	4.0
8		moderately prepared	3.0
9	2	moderately prepared	3.0
10	3	moderately prepared	3.0
11	5	moderately prepared	3.0
12	5	moderately prepared	3.0
13	5	good level of preparation	2.0
14	4	moderately prepared/ has a good level of preparation	3.5
15	4	good level of preparation	4.0
16	3	moderately prepared	3.0
17	3	moderately prepared	3.0
18	1	moderately prepared	3.0
19	3	some level of preparation	2.0
20	3	moderately prepared/ has a good level of preparation	3.5
21	4	moderately prepared/ has a good level of preparation	3.5
22	5	moderately prepared	3.0
23	1	moderately prepared	3.0
24	1	moderately prepared	3.0
25	3	good level of preparation	4.0
26	3	good level of preparation	4.0
27	4	some level of preparation	2.0

Chapter	Cluster	Rank	Score
28	2	moderately prepared	3.0
29	3	moderately prepared	3.0
30	6	good level of preparation	4.0
31	6	good level of preparation	4.0
32	1	moderately prepared	3.0
33	5	some level of preparation	2.0
Average:			3.5

Annex 2: Quantification of the EC's assessment of clusters for Ukraine based on its 2023 Enlargement report

Chapter	Cluster	Rank	Score
1	2	moderately prepared	3.0
2	2	early stage of preparation	1.0
3.	2	some level of preparation	2.0
4	2	some level of preparation/ moderately prepared	2.5
5	1	some level of preparation	2.0
6	2	some level of preparation	2.0
7	2	some level of preparation	2.0
8	2	some level of preparation	2.0
9	2	some level of preparation	2.0
10	3	moderately prepared/has a good level of preparation	3.5
11	5	early stage of preparation	1.0
12	5	moderately prepared	3.0
13	5	some level of preparation	2.0
14	4	some level of preparation	2.0
15	4	good level of preparation	4.0
16	3	some level of preparation	2.0
17	3	moderately prepared	3.0
18	1	some level of preparation	2.0

Chapter	Cluster	Rank	Score
19	3	early stage of preparation	1.0
20	3	some level of preparation	2.0
21	4	some level of preparation	2.0
22	5	some level of preparation	2.0
23	1	some level of preparation	2.0
24	1	some level of preparation	2.0
25	3	moderately prepared	3.0
26	3	some level of preparation	2.0
27	4	some level of preparation	2.0
28	2	some level of preparation	2.0
29	3	good level of preparation	4.0
30	6	good level of preparation	4.0
31	6	good level of preparation	4.0
32	1	early stage of preparation	1.0
33	5	early stage of preparation	1.0
Average:			2.27

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