



POLICY PAPER

THE IMPACT OF UKRAINIAN MEMBERSHIP ON THE EU'S INSTITUTIONS AND INTERNAL BALANCE OF POWER

| STEVEN BLOCKMANS |

NOVEMBER 2023

RKK
ICDS

RAHVUSVAHELINE KAITSEUURINGUTE KESKUS
INTERNATIONAL CENTRE FOR DEFENCE AND SECURITY
EESTI • ESTONIA

Title: The Impact of Ukrainian Membership on the EU's Institutions and Internal Balance of Power
Author: Blockmans, Steven
Publication date: November 2023
Category: Policy Paper

Cover page photo: European Council VTC with the President of Ukraine in Brussels, Belgium, on 26 October 2023 (photo copyright: European Union).

Keywords: absorption capacity, enlargement, gradual integration, internal balance of power, institutional reform, staged accession, qualified majority voting, European Union, Ukraine, Western Balkans

Disclaimer: The views and opinions contained in this report are those of its authors only and do not necessarily represent the positions of the International Centre for Defence and Security or any other organisation.

ISSN 2228-2068

© International Centre for Defence and Security
63/4 Narva Rd., 10120 Tallinn, Estonia
info@icds.ee, www.icds.ee

ACKNOWLEDGEMENTS

This paper is the second publication of the project on “The political and economic impact of Ukraine’s EU accession on the EU and Estonia” conducted by the ICDS in cooperation with the Centre for European Policy Studies (CEPS) in Brussels and the Ukrainian Institute for Economic Research and Policy. The multi-disciplinary research team assesses the potential political, security-related, institutional, economic, and budgetary implications of Ukraine’s EU accession. The project is led by Dr Kristi Raik, Deputy Director of the ICDS, and supported by the Estonian Ministry of Foreign Affairs.

ABOUT THE AUTHOR

STEVEN BLOCKMANS

Dr Steven Blockmans is a senior fellow at CEPS (Brussels) and ICDS (Tallinn), visiting professor at the College of Europe (Bruges & Natolin), and editor-in-chief of the *European Foreign Affairs Review*. He is a frequent commentator on EU affairs at major media outlets and regularly briefs senior policy practitioners from the European Union, its member states and G20 country governments. He has testified at the foreign affairs and international trade committees of the European Parliament and the UK House of Commons. He was also a member of a track 1,5 process between the EU and Russia. He is the author of *Tough Love: the EU’s relations with the Western Balkans* (Asser Press 2007) and *The Obsolescence of the European Neighbourhood Policy* (Rowman & Littlefield 2017) and has (co-)edited more than 20 volumes, including *The EU’s Role in Global Governance* (Oxford University Press 2013), *The EU’s Common Foreign and Security Policy* (Edward Elgar 2018) and a trilogy on *Democracy in the EU* (Rowman & Littlefield 2020). He served as rapporteur of high-level task forces on the European Defence Union (2015), EU Institutional Reform (2017), and the European External Action Service (2021). He was the head of research at the Asser Institute (The Hague), a visiting professor at the Law Faculty of the University of Leuven, and a long-term expert on legal approximation in the framework of an EU-sponsored project in support of the Ministry of European Integration of Albania.

INTRODUCTION

The war may have changed the political winds within and between member states about enlarging the European Union, but it has not altered the immutable challenges around the EU's capacity for expansion. The prospect of opening accession negotiations with a country as large, poor, and scarred as Ukraine has renewed debates about "absorption capacity" and multi-speed Europe, thus revealing existing member states' anxieties about widening the EU without deepening it. In Brussels, and across member state capitals, officials are not only asking if Ukraine can carry out the long list of reforms required to join the EU when the war is over, but whether the EU can reform itself sufficiently to integrate Ukraine, and a host of smaller countries from southeast Europe.

Officials are asking whether the EU can reform itself sufficiently to integrate Ukraine, and a host of smaller countries from southeast Europe

This policy paper establishes what the expected impact of Ukraine's accession is on the composition and functioning of the EU institutions and examines what kind of reforms are being contemplated in order to ensure the EU's future decision-making capacity. The paper also hypothesises how Ukraine's accession will affect the political balance and coalition-building among member states. What emerges from the analysis is the strong conviction that member states cannot simply continue with half-hearted measures. There is a geostrategic imperative for the EU to shore up the credibility and predictability of its enlargement policy, and to reform it in lockstep with institutional reforms to ensure the smooth functioning of an enlarged EU.

1. ABSORPTION CAPACITY

The debate about the European Union's "absorption capacity" is a highly political one, despite the notion's bureaucratic overtones. Many member states are at pains to find solutions that avoid amending the EU's constituent treaties, a lengthy and politically fraught process that would require referenda in several countries, offering flashpoints for Eurosceptic campaigns. But the decision to put "absorption capacity" on the agenda of both the General Affairs Council and the European Council reflects the recognition that the topic needs to be tackled.

The notion of absorption capacity boils down to two key issues:

- First, how would the European Union reform its budget when faced with new members that would be net beneficiaries of EU funding? This question – and how one or more existing member states would respond to the idea of becoming net contributors – has been addressed in another ICDS paper.¹
- A second question is: what institutional reforms would be necessary to ensure the smooth functioning of an enlarged EU? This topic is central to the present paper.

Here, it may be useful to distinguish between the institutional adaptations for EU enlargement that are necessary from a legal perspective (e.g., adding a proportional number of members to the European Parliament) and what is considered a political necessity by some or a majority of member states. Indeed, many different views exist, for instance, on the question of whether or not a failure to overhaul its decision-making procedures would hobble the EU in policy areas that require unanimity or consensus: Common Foreign and Security Policy (CFSP, including defence policy), social policy, family law, the multi-annual financial framework of the EU, and taxation, to name the most obvious areas, as well as the very process of negotiations accession for candidate

¹ See Michael Emerson, "[The Potential Impact of Ukrainian Accession on the EU's Budget – and the Importance of Control Valves](#)," ICDS, 25 September 2023.

countries. Persisting with unanimous decision-making would likely become more difficult in an expanded EU, given the growing possibility that a single state can wield its veto and block any proposal it dislikes – a power often used by Hungary. In addition, big countries accustomed to assembling blocking minorities on votes where EU rules permit qualified majority voting (QMV) would find it more challenging to assemble large enough coalitions of like-minded member states.

The idea of fundamental reforms to EU decision-making raises the prospect of whether treaty change would be needed

The idea of fundamental reforms to EU decision-making raises the prospect of whether treaty change would be needed to accommodate an expanded membership. In most capitals, there appears to be little support for reforming the treaties, given fears that this would open a Pandora's box of additional demands. Many argue that the existing EU treaties already offer pathways to significant changes to governance. For example, no amendments would be required to reduce the number of Commissioners from one per member state to two-thirds.² Also, the so-called *passerelle* clauses embedded in the treaties permit vetoes to be bypassed in specific cases.³

While member states are having tentative conversations about what reforms are needed, the focus is often limited to the Union's capacity to act through the European decision-making process. This is not an unimportant matter, but there are other issues to be considered as well. A recently published Franco-German expert report is taking an expansive view of the changes that would be needed, arguing that the EU made a mistake by not streamlining

² Article 17(5) TEU foresees in a reduced Commission and strict equal rotation among the member states but this provision has not been implemented. The possibility of retaining a Commissioner per member state was included in an additional protocol to help finding a solution to the problem created by the first Irish 'no' in a referendum in June 2008, See: European Union, "TITLE III: PROVISIONS ON THE INSTITUTIONS - Article 17" in *Consolidated version of the Treaty on European Union* (Brussels: Official Journal, 2008).

³ Silvia Kotanidis, *Passerelle clauses in the EU Treaties: Opportunities for more flexible supranational decision-making* (European Parliament Research Service, 2020).

its procedures when it absorbed up to 10 new members.⁴ This includes reviving a longstanding French vision of "variable geometry" (aka "differentiated integration"), the idea that different core groups of EU member states should in the future integrate more closely on different policies.

In a twist to this idea, some member states engaged in exploratory talks about the "gradual integration" of candidate countries have suggested that pre-accession states could already join in policy sectors where the EU conditions are met. In theory, such partial integration could speed up the formal accession process, but it also risks distracting from the main objective: full membership. This may be precisely the reason why enlargement-wary politicians have embraced the idea: to allow neighbouring states to opt-in to certain policies where it benefits the Union, but otherwise keep candidates out. Others have interpreted the concept of gradual integration to promote the logic of reforms across the board: a horizontal rather than a vertical (i.e., sectoral) approach. This means that candidates must improve their performance in all sectors,

Partial integration could speed up the formal accession process, but it also risks distracting from the main objective: full membership

including respect for democracy and the rule of law, in order to access more and more financial support and greater institutional participation in the Union through well-defined stages. Such "staged accession" would foresee new benefits that act as incentives to continue with the most difficult reforms, notably of the public administration and justice sector; a process that also ensures that stagnation and regression are met with appropriate and, if need be, reversible measures.⁵ Whichever interpretation of the notion of gradual integration individual member states adhere

⁴ Olivier Costa, Daniela Schwarzer, Pervenche Berès et al., *Report of the Franco-German Working Group on EU Institutional Reform, 'Sailing on High Seas: Reforming and Enlarging the EU for the 21st Century'* (Paris-Berlin: Institute Jacques Delors, September 2023).

⁵ Milena Mihajlović, Steven Blockmans, Strahinja Subotić, and Michael Emerson, "Template 2.0 for Staged Accession to the EU," *CEPS-CEP*, 27 October 2023.

to, they are united on the need to introduce strict safeguard clauses (possibly with long transition periods) to protect the functioning of the internal market and the financial interests of the Union.⁶ These debates hint at the anxieties among member states over how the enlargement of the EU, in particular with a country with the size and challenges of Ukraine, will play out domestically.

Member states are united on the need to protect the functioning of the internal market and the financial interests of the Union

2. INSTITUTIONAL ARCHITECTURE

Like the addition of any new member state in previous enlargement rounds, Ukraine's accession would have an impact on the EU's institutional architecture. But given the size of the country – in terms of pre-war population (41 Mio),⁷ it would be the **fifth largest in the Union** – the impact would be particularly large. A paper produced by the German think tank SWP in the summer of 2022 deconstructs the issue along various policy lines and in terms of institutions and procedures.⁸

Going by existing EU law, Ukraine would have a **veto right** in the Council and the European Council in cases where the Treaties prescribe unanimity. In theory, procedures would not be complicated significantly with the addition of one member state. However, in the domain of foreign and security policy, in particular, Ukraine may be particularly sensitive after

having fought its war of independence from Russia. If more new members were to be added – Moldova, for example, and countries from the Western Balkans – then the need to extend majority voting would increase.

According to the current rules on **qualified majority voting** (QMV), a Council decision must be approved by 55% of the member states representing at least 65% of the EU population (Article 16(4) TEU).⁹ Ukraine's vote share would constitute approximately 9% of the total in the Council for decisions adopted by QMV.¹⁰ At the same time, the **voting shares** of other member states would proportionally decrease – that of Germany, for example, from 18.59% to about 16.9%. Together, Poland and Ukraine would then have about the same or more than the voting weight of Germany.¹¹ The voting share of Estonia would only slightly decrease from the current 0.30%. Overall, this reconfiguration could bring about shifts in the balance of power in the Council and the European Council (see the next Section).

Ukraine's vote share would constitute approximately 9% of the total in the Council for decisions adopted by QMV

In the **European Parliament**, the seats per member state are not distributed according to a strict mathematical formula but negotiated in light of the principle of degressive proportionality. After the recent division of 15 additional seats among 12 countries, Ukraine would be placed between Spain (61 seats) and Poland (53).¹² The proportional allocation of seats to Ukraine would lead to the EP exceeding its Treaty limit of 750 MEPs plus the President. Therefore, either the EP would have to be enlarged (which requires treaty

⁶ For more on this, and the additional proposal to temporarily curb new member states' veto rights in Council decision-making, see: Mihajlović et al., "Template 2.0 on Staged Accession."

⁷ For data, excluding the temporarily occupied territories of the Autonomous Republic of Crimea, and the city of Sevastopol (approx. 2 Mio), see: State Statistics Service of Ukraine, "[Population by region \(by estimate\) as of February 1, 2022. Average annual population in January 2022](#)," accessed on 30 October 2023. By way of comparison, Spain's population currently stands at 47,42 Mio; Poland's at 37,75 Mio.

⁸ See Nicolai von Ondarza, "Ukrainian accession also requires reform of EU institutions," in Barbara Lippert (ed.), *Ukraine's Possible EU Accession and its Consequences* (Stiftung Wissenschaft und Politik, 22 July 2022).

⁹ When the Council votes on a proposal not coming from the Commission or the high representative, the proposal is adopted if the so-called "reinforced qualified majority" is reached, i.e., when at least 72% of member states, representing at least 65% of the population of the participating member states, vote in favour.

¹⁰ By way of comparison, Spain currently holds a vote of 10,60% of the total; Poland 8,41%.

¹¹ von Ondarza, "Ukrainian accession."

¹² "[2024 European elections: 15 additional seats divided between 12 countries](#)," European Parliament, 13 September 2023.

change) and/or the number of seats for MEPs from other EU states would have to be reduced proportionally.¹³ What's more, Ukraine's MEPs could influence the balance of power in the EP. Knowing that electoral cycles are coming to an end soon and that the next parliamentary elections in Ukraine are most likely to be held under exceptional circumstances, the current distribution of seats in the Verkhovna Rada is dominated by the liberal, centrist, and pro-European Servant of the People party, which is affiliated to the ALDE group in the EP.¹⁴ Smaller parties with a similar ideology flank President Zelensky's party. Conservative parties form a minority in the Rada, while the size of social democratic parties in Western European traditions is negligible as a result of historical legacies. One may well expect some change in the political balance after the war.

Ukraine would also be entitled to proportional positions in the **other EU institutions**. Again, the addition of just one Commissioner, one auditor, and one judge (per instance in the Court of Justice) is not expected to lead to the dysfunctionality of the institutions they would belong to. However, the functioning of the European Commission, in particular, would become problematic if the EU were to enlarge with half a dozen or more states and continue to adhere to the principle of one Commissioner per member state.

Ukraine's Accession Treaty and Act of Accession would serve as legal vehicles to amend the EU's constituent treaties

The EU is legally required to adapt the representational arrangements in the composition and functioning of the institutions to accommodate the entry of new member states. Ukraine's Accession Treaty and Act of Accession would serve as legal vehicles to amend the EU's constituent treaties.¹⁵

¹³ "Using the EP seats vacated by Brexit to introduce transnational lists – as proposed by the EP – would also no longer be viable without a change in seat distribution," see: von Ondarza, "Ukrainian accession."

¹⁴ "[Composition and structure of the Verkhovna Rada of Ukraine of the 9th convocation](#)," Verkhovna Rada of Ukraine, accessed in October 2023.

¹⁵ See: Mihajlović et al., "Template 2.0 on Staged Accession."

The implementation of more advanced ideas in circulation – from the extension of QMV decision-making in the Council and new thresholds for reaching a blocking minority, all the way to the four-tier institutional setup suggested by the Franco-German expert group¹⁶ – would require treaty change and, therefore, consensus among the member states, which is, as of yet, rather elusive.

3. INTERNAL BALANCE OF POWER

It is commonly accepted that, without "deepening," further "widening" of the EU will make the slow European decision-making process in the (European) Council even more cumbersome than it is today. There will be more potentially veto-wielding countries around the

Ukraine's accession would increase political and socio-economic heterogeneity, which could not simply be absorbed through treaty changes

table with different national interests, making the search for compromises harder. Ukraine's accession would increase political and socio-economic heterogeneity, which could not simply be absorbed through treaty changes.¹⁷

Looking back, the "big bang" enlargement with Central and Eastern European (CEE) countries in 2004/7 has changed the balance of power in the EU. The countries of Western Europe have a clear perception that the centre of gravity of the EU's priorities (especially in the realm of security and

¹⁶ A four-tier setup with i/ a core group handling more functions as with the Euro and Schengen), ii/ the conventional EU, iii/ a new Associate Membership category, and finally iv/ the European Political Community, see: Costa et al., *Report of the Franco-German Working Group*.

¹⁷ See: Kai-Olaf Lang, "Ukraine's accession to the EU: Relations with member states and implications for the balance of power," in Barbara Lippert (ed.), *Ukraine's Possible EU Accession and its Consequences* (Stiftung Wissenschaft und Politik, 22 July 2022).

migration) has shifted toward the East.¹⁸ The influx of less affluent workers ignited popular opposition against “Brussels” – most notably in the UK, which went on to suffer grave consequences from populist-fuelled narratives such as the “Polish plumber syndrome” and left the EU. At the same time, enlargement also laid the ground for institutional conflicts, such as Poland and Hungary’s battle with the European Commission over the rule of law.

Enlargement to Ukraine and other candidate countries would add another eight to ten Eastern, poorer, and democratically less mature member states to the EU, further diluting Western European preponderance in the Union. It would also risk activating centrifugal forces that have been working under the surface for more than 15 years of “poly-crisis.” If during the eurozone debt crisis, the antagonism was characterised as the centre (Germany) against the periphery (Greece, Spain, Portugal, Cyprus, and Ireland), the dispute over migration caused a new partition between coalitions of Western European and CEE countries. However, the dispute took on a significance that was not captured by geography alone but assumed the nature of a confrontation between values: on one side, countries and political forces favouring tighter European integration, and on the other side, those protecting the prerogatives of the nation-state. Radical right-wing nationalism, most notably associated with the Hungarian Prime Minister Viktor Orbán, spread across borders, entering the political debate in most EU countries. In some, starting with Italy, the rhetoric about the country being “left alone” by the EU in its time of need benefitted the nationalist Eurosceptic parties that are now governing.

Russia’s war against Ukraine at first strengthened the cohesion of the Union, thanks to coordinated (and joint) responses of a military nature and in the management of the energy emergency. However, the war in Ukraine also opened a heated confrontation

¹⁸ See, e.g.: Henry Alt-Haaker, “[Europe’s Center of Gravity has Moved East. A conversation with Sylvie Kauffmann](#),” Robert Bosch Academy. Perceptions are one thing; reality quite another, as explained by Marta Prochwicz-Jazowska and Gesine Weber, “[Europe’s Center of Gravity Has Not \(Yet\) Shifted East](#),” *Internationale Politik Quarterly*, 4 April 2023.

between Eastern and Western member states. During 2022, attempts by France and Germany to maintain an open dialogue with Russia were inhibited by opposition from, inter alia, the Baltic countries. This experience has reinforced opposition in Poland and the Baltic states towards extending QMV in CFSP. There is a lingering suspicion that in crisis situations, the instincts of “old” big member states might produce policies that go against the vital interests of some of the “newer” member states.

With comparable experiences and similar threat perceptions of Russia, Ukraine would strengthen the group of member states calling for a tough stance on a Putinist Kremlin

With comparable experiences and similar threat perceptions of Russia, Ukraine would strengthen the group of member states calling for a tough stance on a Putinist Kremlin.¹⁹ Assuming continuity in Washington’s policy, which could, however, be overturned, Ukraine would enter the EU with strong security and military ties with the US and the UK, built up during the war. This would embolden the “**transatlantic club**” in the EU, especially if and when Ukraine joins NATO, which is Kyiv’s stated objective. At the same time, Ukraine would have an interest in the further development of solidarity and safeguard clauses, as well as military capabilities within the framework of the Common Security and Defence Policy (CSDP) and in improving EU-NATO cooperation.²⁰

There is a concern in some old member states that, in several respects, an eastern flank of the EU would be enhanced: i.e., it would have more weight compared to the member states from the southwest of the Union, which would be pushed further to the periphery because of the political centre of gravity having moved

¹⁹ Lang, “Ukraine’s accession to the EU.” In this respect, “Poland would be a key partner for Ukraine. Relations with Warsaw are likely to strengthen further in the coming years, for instance through a new bilateral agreement that might be a sort of Élysée Treaty of the East. Kyiv will also continue to deepen its relationships with those EU countries that see themselves as frontline states of the West.”

²⁰ Lang, “Ukraine’s accession to the EU.” See also: Joshua Posaner, “[Ukraine’s aim to become Europe’s arsenal](#),” *POLITICO Brussels Playbook*, 24 October 2023.

further eastward; and that the Franco-German engine of the European integration process would diminish.

While most EU countries on the eastern flank may gravitate towards NATO on security, the grouping is rather heterogeneous in other domains

However, while most EU countries on the eastern flank may gravitate towards NATO on security, and thus move the needle on EU decision-making on this issue, the grouping is rather heterogeneous in many other domains. Poland (with the Baltic states and the Czech Republic) and Hungary (now followed by Slovakia) are at the opposite poles of the EU's relationship with Russia. The disagreement has rendered the Visegrad Group dysfunctional. Whereas the ties between Ukraine and Poland, in particular, date back centuries, and while Ukrainian politicians routinely repeat that their country will never forget that it was Poland which opened its borders as of the first minute of the Russian aggression to accommodate refugees, the friendship is neither unique (other countries too have shown massive solidarity and support) nor limitless. The tensions over Ukraine's grain exports to and through Poland have been a stress test for both countries, as indeed the entire EU since Hungary, Slovakia, and Bulgaria also did not want to give up their economic

Even powerful supporters of EU enlargement to the East are prone to putting national economic, security, and electoral interests first

advantages to the point of calling into question one of the most advanced supranational EU policies. This incident shows that even powerful supporters of EU enlargement to the East are prone to putting national economic, security, and electoral interests first.

The grain tussle also serves as a reminder that alongside the success story of EU enlargement (economic catch-up of poorer regions; the check placed on disparate jurisprudence by an

overarching legal frame; and growing European consciousness and geopolitical stability inside the Union) there emerged a political narrative that has spawned **Euroscepticism and nationalism**.²¹ As explained by Jacek Kucharczyk:²²

The bigger lesson here is that the rhetoric of national interests is too often a cover-up of populism and incompetence of EU governments. Whether the EU is ready for enlargement will not only be determined by the necessary institutional reforms but by the ability of the European public opinion to counter national populisms.

To this, one might add the necessity of EU policy reform, notably in agriculture and cohesion funding. After all, net recipients from the EU budget, which are overwhelmingly located in Central and Eastern Europe, will compete for EU funds with new member states. The bigger and poorer the newcomers (cf. Ukraine), the

The bigger and poorer the newcomers, the more they will be treated as risky competitors in the sensitive EU agrifood market and the more complicated the sharing of existing EU resources

more they will be treated as risky competitors in the sensitive EU agrifood market and the more complicated the sharing of existing EU resources, whose elasticity is limited, will be with existing member states.²³

With regard to the **future of the EU**, Kyiv may well be confronted by competing goals.²⁴ On the one hand, there is a quest for "more Europe" where new forms of differentiated integration would risk undermining financial and political solidarity in the

²¹ Krzysztof Bledowski in Judy Dempsey, "[Judy Asks: Is the EU Ready for Further Enlargement?](#)," *Carnegie Europe*, 4 May 2023.

²² "While it is tempting to see this crisis as an exemplification of a deeper contradiction between EU enlargement and national interests, the real causes lie in the striking incompetence of the Law and Justice (PiS)-led government, which wasted precious months doing nothing to prevent the predictable crisis and then panicked in the face of the rebellion of its core electorate." See: Jacek Kucharczyk in "Judy Asks."

²³ Denis Cenusa in "Judy Asks."

²⁴ Lang, "Ukraine's accession to the EU."

Union. Here, Ukraine would likely be closer to the German position. On the other hand, a state that has fought a war of independence might not wish to go much further in pooling its sovereignty, especially in the area of common foreign, security, and defence policy. Overall, it remains to be seen if Ukraine will be closer to the intergovernmental vision of the EU espoused by the likes of Viktor Orbán and the outgoing Polish Prime Minister Mateusz Morawiecki, who in March of this year marked the distance with other member states that favour a more supranational mode of EU governance in designated areas.²⁵ In a speech at Heidelberg, Morawiecki pushed back against proposals favouring tighter political integration (replacing unanimous voting by QMV, or facilitating advanced cooperation among groups of member states), saying that, in his view, “nothing will safeguard the freedom of nations, their culture, their social, economic, political and military security better than nation states.” Even if a new Polish government is likely to return to its posture of strong wartime support for Ukraine, Poland’s interests in EU reform issues, including migration and asylum, common agricultural policy, and cohesion funding, will remain different from those of Germany and France. Even if the new leadership is expected to adopt a more constructive attitude in looking for EU-level solutions, it may be held back by an unwieldy coalition which will be governing during an uncomfortable cohabitation with PiS appointees.²⁶

The new enlargement process, while indispensable, could deepen the latent tensions by increasing the number of countries that are not aligned with the view of member states that espouse a stronger supranational mode of governance. French President Macron showed awareness of the need for bridging the distance between various groupings of member states in a recent speech at the Globsec conference in Bratislava, admitting that the EU had lacked coherence so far:²⁷

We provided insufficient guarantees to certain countries at our borders. We did not engage with Russia in a security dialogue for ourselves. Ultimately, we delegated this dialogue to NATO, which was probably not the best means to succeed. And at the same time, we did not break free of dependencies on Russia, particularly for energy, and indeed we even continued to increase them. So, we must be clear-sighted about ourselves.

To stave off the risks inherent in the enlargement of the EU with Ukraine (plus maybe Moldova and some Western Balkan countries), France and Germany are already searching for an agreement about their relationship with CEE countries with a view to taking bold initiatives. In its coalition agreement of December 2021, the German government included a very ambitious EU reform agenda, calling for a European Convention as a follow-up to the Conference on the Future of Europe, which proposed citizen-backed reforms.²⁸ Disagreement on several issues between Germany and France led Chancellor Scholz to move to a less ambitious agenda for reforming the EU. But unlike a Lithuanian-led group consisting mainly of countries that joined in 2004 and which advocate enlargement *à droit constant*, Paris and Berlin agree that EU institutional reforms have to precede the next round of enlargement, including the adoption of a QMV mechanism that would facilitate a common position on fiscal and foreign policy issues.²⁹ To this end, they advocate the use of the so-called “*passerelle* clauses” that permit avoiding unanimity in some fields as well as mechanisms of “constructive abstention” in CFSP (Article 31(1) T EU). They also have not ruled out “enhanced cooperation” among groups of countries, a procedure where a minimum of nine EU member states are allowed to establish advanced integration or cooperation in an area within EU structures, keeping the door open for other members that want to join later.

²⁵ [“Mateusz Morawiecki at Heidelberg University - “Europe at a historic turning point,”](#) The Chancellery of the Prime Minister Republic of Poland, 20 March 2023.

²⁶ Jaroslaw Kuisz and Karolina Wigura, [“There Is No Going Back to Pre-Populist Poland,”](#) *Foreign Policy*, 22 October 2023.

²⁷ [“Globsec Summit in Bratislava,”](#) Elysee, 1 June 2023.

²⁸ Malte Zabel, [“Germany’s Coalition Agreement: Ambitions for a Sovereign Europe,”](#) *Global Europe*, 25 November 2021.

²⁹ Costa et al., *Report of the Franco-German Working Group*.

CONCLUSIONS AND RECOMMENDATIONS

Despite Brussels's rhetoric that enlargements are positive-sum games that benefit all member states, an increasing number of countries will reduce the political and economic homogeneity of the EU, making it more difficult to agree consensually on relevant issues.³⁰

The challenge of integrating Ukraine into the EU requires Europe to decide more promptly and efficiently on matters of common concern. In this respect, political fragmentation along the lines of national interests is an obvious problem and some form of institutional integration must be advanced. The absence of a coherent front in Central and Eastern Europe justifies the hope of France and Germany to reform the EU's common institutions by making the EU decision-making process more effective through QMV mechanisms and linking economic aid to compliance with the rule of law – which Poland and Hungary have been accused of violating. However, the war in Ukraine and the initial French and German positions on negotiations with Putin have made Poland, the Baltic states, and others even more reluctant to increase QMV on security matters. Apart from the activation of Treaty-based mechanisms to facilitate decision-making and the introduction of what is legally required in terms of representational rights to incorporate acceding countries, the political landscape is currently too divided for bolder EU institutional reform.

Without progress in political integration, the European Union would be destined to be reduced to an arena for contentious bargaining over national interests

Yet, without progress in political integration, the European Union would be destined to be reduced to an arena for contentious bargaining over national interests. Hence, this policy paper presents the following recommendations:

- With the imminence of decisions about whether to open accession negotiations

with Ukraine, the General Secretariat of the Council should urgently produce **an analytical working document** specifying concrete options for introducing qualified majority voting in the pre-accession process. This working document should also assess what – on present policies – Ukraine's accession would mean for the EU's decision-making capacity.

- When deciding to open membership talks with Ukraine, the European Council should decide how to conduct these accession negotiations. Apart from mainstreaming QMV, a horizontal approach to measuring progress across all negotiation clusters should be applied to promote the gradual integration of candidate countries. Such **“staged accession”** would foresee new benefits that act as incentives to continue with the most difficult reforms, notably of the public administration and justice sector; a process that also ensures that stagnation and regression are met with appropriate and, if need be, reversible measures.
- **Gradual institutional integration** may help in the socialisation process of Ukrainian representatives in the institutional architecture of the European Union and, ultimately, lower the objections among existing member states to more ambitious reform so as to ensure a smoother functioning of an enlarged EU.³¹

³⁰ [“GROWING TOGETHER: enlargement – a positive sum game,”](#) official website of the European Union, accessed in October 2023.

³¹ For ideas how to do this, see: Strahinja Subotić, [“On Financial and Economic Implications of the Staged Accession Model on the EU Budget, and on Acceding Countries' Budgets,”](#) CEP-CEPS, June 2023.

RECENT ICDS PUBLICATIONS

REPORTS

- Raik, Kristi, and Eero Kristjan Sild. *Europe's Broken Order and the Prospect of a New Cold War*. October 2023.
- Iwama, Yoko, Tetsuo Kotani, Sugio Takahashi, Tony Lawrence, and Henrik Praks. *Allies Help Those Who Help Themselves: How Estonia and Japan Approach Deterrence*. September 2023.
- Jermalavičius, Tomas, and Alice Billon-Galland. *British Power in Baltic Weather: The UK's Role in Nordic-Baltic Security and UK-Estonia Defence Cooperation*. July 2023.
- Gretskiy, Igor. *Is There Life in the Desert? Russian Civil Society After the Full-Scale Invasion of Ukraine*. May 2023.
- Idarand, Tõnis, Kalev Stoicescu, and Ian Anthony. *The Future of Arms Control: Ready to (Dis)Agree?*. May 2023.
- Jermalavičius, Tomas, Veli-Pekka Tynkkynen, Andrian Prokip, Christian Egenhofer, Edoardo Righetti, Arūnas Molis, Priit Mändmaa, Tony Lawrence, and Oleksandr Sukhodolia. *War and Energy Security: Lessons for the Future*. May 2023.
- Stoicescu, Kalev, Mykola Nazarov, Keir Giles, and Matthew D Johnson. *How Russia went to war: The Kremlin's Preparations for its Aggression against Ukraine*. April 2023.
- Klyszcz, Ivan U K. *How Russia Brings Its Aggression Against Ukraine to The Global South*. April 2023.

POLICY PAPERS

- Emerson, Michael. *"The Potential Impact of Ukrainian Accession on the EU's Budget – and the Importance of Control Valves."* September 2023.
- Kvamladze, Tato. *"Conscription in Estonia and Georgia: Lessons from and for Small-State Peers."* March 2023.

ANALYSES

- Arjakas, Merili. *"A Tale of Two Populists: The Foreign Policy of PiS and Fidesz."* October 2023.
- Peterson, Annabel. *"From Shadows to Spotlight: The Kremlin's Not-So-Covert Gambit for Ukraine."* October 2023.
- Leveque, Arthur. *"The New Geopolitical Landscape in the EU's Eastern Neighbourhood: Fragmentation of Economic Ties Post February 2022."* September 2023.
- Teperik, Dmitri. *"The Glass of Societal Resilience – Half Empty or Half Full? Perceptions of Socio-Economic Threats and Wellbeing in Estonia."* September 2023.
- Jüris, Frank. *"China and Rare Earths: Risks to Supply Chain Resilience in Europe."* May 2023.
- Hurt, Martin, Mārtiņš Vargulis, Liudas Zdanavičius, and Tomas Jermalavičius. *"Baltic Defence Development: Adding Value to the Defence of the Baltic Sea Region."* March 2023.
- Idarand, Tõnis. *"Reining In Autonomous Weapons. Impact on Military Innovation – An Estonian Perspective."* February 2023.
- Fedosiuk, Tetiana. *"The Stolen Children: How Russia Attempts to Kidnap Ukraine's Future."* February 2023.
- Sherr, James, and Igor Gretskiy. *"Why Russia Went to War: A Three-Dimensional Perspective."* January 2023.

BRIEFS

- Verville, Francesca, and Catarina Buchatskiy. *"In a State of Denial: The Air War in Ukraine."* October 2023.
- Adeoti, Kristin. *"New Frontiers: Estonia's Foreign Policy in Africa."* October 2023.
- Lawrence, Tony, Toms Rostoks, Margarita Šešelgytė, Henrik Larsen, Mārtiņš Vargulis, Gintaras Bagdonas, and Iro Särkkä. *"NATO's Vilnius Summit"* (Series of ICDS Briefs). July 2023.
- Watkins, Peter. *"British Nuclear Policy."* May 2023.
- Blockmans, Steven. *"The EU's Magnitsky Act: Obsolete in the Face of Russia's Crimes in Ukraine?"* May 2023.
- Lozier, Jean-Louis. *"French Nuclear Policy."* January 2023.
- Kvamladze, Tato. *"Iran's Defence Industry: What's in Stock for Russia?"* January 2023.

All ICDS publications are available from <https://icds.ee/category/publications/>.



ICDS.TALLINN



@ICDS _ TALLINN



ICDS-TALLINN



WWW.ICDS.EE



INTERNATIONAL CENTRE FOR DEFENCE AND SECURITY
63/4 NARVA RD., 10120 TALLINN, ESTONIA
INFO@ICDS.EE

ISSN 2228-2068