The European Union’s Enlargement Conundrum
Assessing EU Enlargement Policy and Policy Options for Ukraine and the United States

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About the CSIS Ukraine Economic Reconstruction Commission

The aim of the bipartisan and international CSIS Ukraine Economic Reconstruction Commission is to produce a policy framework that will help attract private sector investments to support Ukraine’s future economic reconstruction. To support the commission, CSIS will convene a series of working groups that will address a range of issue-specific areas that are critical for reconstruction and modernization of the Ukrainian economy, including agriculture, energy, and transportation and logistics, as well as addressing the impact of corruption on private sector investment.
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On February 9, 2023, Ukrainian president Volodymyr Zelensky came to Brussels with a clear message: let Ukraine into the European Union. He made it clear that Ukraine was fighting for its European future: “This is our Europe, these are our rules, this is our way of life. And for Ukraine, it’s a way home, a way to its home.” European leaders were quick to support Ukraine’s EU candidacy, including president of the European Council Charles Michel, who addressed the Ukrainian president on Twitter: “Welcome home, welcome to the EU.”

Almost all EU leaders support Ukraine’s aspirations for EU membership. However, when it comes to taking concrete steps toward Ukraine’s formal EU accession, significant obstacles lie ahead.

EU membership is likely critical for Ukraine’s reconstruction and future prosperity. A clear path to membership could serve as a catalyst for investment given the European Union’s strong regulatory framework and history of economic integration. EU membership would help drive continued political and economic reform that would improve governance. EU membership could thus create a virtuous cycle that would help accelerate Ukraine’s economic reconstruction and strengthen its democracy. But membership is a long and arduous process that will require deep reforms in Kyiv to comply with the bloc’s byzantine laws and regulations.

However, Ukrainian membership in the European Union is not just about Ukraine, as Ukraine’s accession will almost certainly require the bloc to change. Most of the recent enlargement debate has focused on the challenge Ukraine faces in aligning with the EU *acquis communautaire*—the collection of common rights and obligations that constitute EU law. Less attention has been paid to the challenge Ukraine’s potential entry will pose to EU governance. Everything from how voting is weighted and tallied to how EU funds are distributed and the size of the European Parliament would need adjustments following the absorption of 44 million new citizens into the union. Furthermore, in many possible scenarios, Ukraine would not be entering alone, as
nine other candidate countries, namely from the Western Balkans, have been waiting for the EU membership door to reopen.

Incorporating Ukraine inevitably requires the European Union to reform itself, just as it has done prior to previous enlargements. The European Union’s enlargement eastward, resulting in 10 new members in 2004 and three more in 2007 and 2013, did not happen in a vacuum. The European Union spent much of the previous decade reforming and strengthening itself and agreeing to new treaties to prepare for new members. Each round of enlargement entailed reform and a rethinking of the European project.

However, many EU countries have experienced significant “enlargement fatigue” and have essentially slammed the brakes on accession of new members. While enlargement has brought the European Union continental great power status and has significantly contributed to its prosperity, it has also made the European Union unwieldy. For example, many significant decisions must be made unanimously by the 27 EU member states. This can allow one country, no matter its size, to hold the EU agenda hostage.

The European Union also largely lacks the ability to enforce decisions on member states or to act against member states that undermine democracy or the rule of law. For example, intense struggles have ensued between the European Commission and Poland and Hungary for serious rule of law violations in recent years. All in all, enlargement fatigue results from both the feared loss of influence among member states and the limits of past integration of new member states after the latest rounds of enlargement.

Lastly, even if Ukraine has galvanized a sense of optimism about the attraction of Europe and has awakened the enlargement process, the major obstacle to Ukraine’s membership will be the war. An open question is how the European Union, as well as NATO, can admit a country that is at war with Russia and does not control all its territory. While the European Union does not have the clear, ironclad commitment outlined in NATO’s Article 5, it does have Article 42.7, which commits to aiding a member state that is a victim of armed aggression. It is highly unlikely Ukraine can join the European Union should the war turn into a permanent frozen conflict, as this would make the bloc party to the fighting. In this context, Ukraine’s entry would likely need to be preceded by a cessation of hostilities secured by a peace treaty or some kind of political framework that resolves the conflict to the satisfaction of both sides. However, the example of Cyprus creates some precedent, however imperfect, for EU acceptance of a member state that does not have full authority over its officially recognized territory.

This report examines the question of Ukraine’s EU accession and explains why enlargement, seen as the European Union’s most successful policy, has stalled. It explores past examples of EU enlargement and what lessons can be learned for both Ukraine and the European Union. It also examines what role, if any, the United States can play in Ukraine’s potential accession. EU enlargement is critical not just to Ukraine but to the Balkans and European security and is therefore of paramount importance to the United States. While enlargement will always be an internal EU process, this report argues there are diplomatic, economic, and military steps the United States can take to help encourage the process from a distance.
The Economic Miracle of EU Membership

Enlargement is one of the most successful foreign policies in the history of European integration. The expansion of the European Union to a continental scale remains one of the most significant geopolitical developments since the end of the Cold War. The unification of Europe—a continent perpetually at war and divided along ethnic, national, religious, and ideological lines—remains an astonishing and unprecedented accomplishment. The European Union now contains 450 million people with an economy roughly equivalent in size to the United States and China. Yet this economic and political feat is rarely portrayed with such significance in Washington.

Joining the European Union, especially for economically lagging countries such as those in southern or Eastern Europe, has been a tremendous opportunity for economic growth. The countries of the former Soviet bloc that joined the European Union at the beginning of the twenty-first century have experienced significant progress in their per capita income levels, both in absolute terms and in relation to the European average. This process of economic convergence, predicted by economic growth models, occurs because European integration provides multifaceted benefits for new members. Significantly, economic gains from accession appear to be long lasting with increasing returns over time.

First, economic convergence generates enormous political, institutional, and macroeconomic stability, especially for countries with troubled political histories or young democracies. In fact, all countries that have joined the European Union have entered a virtuous circle by which economic growth reinforces the consolidation of the middle class, improves public finances, reduces inflation, lowers financing costs, gradually reduces corruption, and helps consolidate democratic institutions. EU membership also facilitates a sprawling business environment, which is crucial for attracting investments.

Second, integration into the single market, the world’s largest common market with 450 million inhabitants
and some of the highest per capita income levels, generates enormous opportunities for new member states. For one, these opportunities are derived from increased export opportunities, as new members tend to have lower income levels and production costs, and through the attraction of capital buoyed by the bloc’s strong regulatory framework. A prime example of the latter is the automobile industry, which formerly was concentrated in Spain and later moved to Eastern Europe following the European Union’s eastern expansion.¹⁵ Workers’ ability to move throughout the union also generates flexibility, increases remittances, and, though it may facilitate brain drain, tends to have a positive impact on recently admitted countries in the long term.

Third, new member states are eligible to receive significant financial resources from the European Union, especially if they are relatively poor.¹⁶ EU structural funds, cohesion funds, common agricultural policy (CAP) funds, and more recently NextGenerationEU funds represent economic opportunities at least equivalent to the Marshall Plan. These funds can modernize important infrastructure, such as critical rail networks and energy systems. Clearly, some countries made better use of these opportunities than others. Most notably, Ireland and Spain were the success stories of EU enlargement phases decades ago, while Poland, the Baltic countries, and the Czech Republic made significant improvements in recent enlargement waves.

In short, joining the European Union is undoubtedly one of the best steps a country can take to boost economic growth and overall prosperity. EU membership for Ukraine could create a virtuous cycle in which investor confidence spurs tough reforms, growth, expanded institutional capacity, and democratic consolidation. These benefits represent a key opportunity to rebuild Ukraine’s economy in the long term once the war ends—a process Ukraine estimates will cost upwards of $750 billion.¹⁷ This is why EU membership is critical for Ukraine’s future reconstruction.
Understanding the Enlargement Process

Enlargement has been a permanent feature of the EU agenda since the beginning of the European project. For U.S. stakeholders, however, it is important to understand that becoming a member of the European Union is not like joining NATO, the United Nations, or the Group of Twenty (G20). The European Union is a loose federation of sovereign nation-states that have all agreed to band together and form a novel political system, whereby they have ceded elements of national sovereignty to supranational institutions mostly based in Brussels. EU law, for instance, supersedes national law, with the European Court of Justice serving as the EU equivalent of a supreme court. Joining the European Union thus requires complying with EU regulations and laws—and, importantly, convincing EU institutions in Brussels and EU member states that the applicant nation is worthy of membership. This process is appropriately rigorous, as EU law underpins the functioning of the single market, which is the cornerstone of European integration and prosperity.

The Copenhagen criteria outline the conditions EU candidate countries must meet to become a member. The criteria mainly include three tenets: (1) stable institutions guaranteeing democracy, rule of law, human rights, and respect for minorities; (2) a functioning market economy; and (3) ability to take on the obligations of membership by adopting the entire body of European law, known as the acquis communautaire, or the collection of common rights and obligations that constitute the body of EU law. An additional clause in the Copenhagen criteria also refers to the European Union’s own capacity to absorb new members while maintaining the momentum of European integration.

Article 49 of the Treaty on the European Union (TEU) establishes which states may apply for membership and constitutes the legal basis for the accession process. The core assumption is that a candidate country will respect the European Union’s common values and fulfill the Copenhagen criteria. Countries interested in joining the European Union then submit a formal application to the European Council, an intergovernmental body made up of the heads of state for all EU members. The council asks the European Commission, which is
a supranational body akin to the federal government, to submit an opinion on the application. If this opinion is favorable, the European Council may decide to grant candidate status to that country, which requires unanimity among all member states.

Candidate countries also receive pre-accession assistance from the European Union. After the lengthy process of becoming a candidate country and opening accession negotiations—another decision that requires unanimity at the European Council—negotiation chapters are opened in 35 wide-ranging policy areas, such as public procurement, intellectual property law, taxation, economic and monetary policy, and judiciary and fundamental rights. Each of these chapters is closed by unanimous decision of the Council of the EU, in which government ministers from each EU country are represented, meaning any one member can block progress. This adds a political layer to an already difficult technical process and can leave candidate countries subject to the whims of a single member state, which may hold up advancement due to an issue that has nothing to do with the candidate country.

Over the last decade, EU candidacy has seemingly become more of a symbolic status than a guaranteed track to membership. In fact, the average time from submitting an application to becoming an EU member for 21 out of the 27 members was nine years, with only Sweden and Finland completing the process in less than five years. This prolonged accession process and the subsequent vicious cycle have been the fate of several Balkan countries, which has weakened the influence of the European Union and created a geopolitical vacuum at a time of renewed geopolitical competition.

Currently, the list of EU candidate countries comprises Albania (awarded candidate status in 2014), Bosnia and Herzegovina (2022), Moldova (2022), Montenegro (2010), North Macedonia (2005), Serbia (2012), Turkey (1999), and Ukraine (2022). Potential candidate countries that do not yet fulfill the full requirements for membership according to the European Union include Kosovo, which has officially applied for membership despite five member states not recognizing its statehood, and Georgia. Kosovo also received visa-free EU travel in March 2023.

**Where Ukraine Stands in the Process**

Ukraine’s efforts to align with the European Union and adopt EU laws and regulations did not start in 2022. For example, after the 2004 EU enlargement, Ukraine was included in the European Neighbourhood Policy, which sought to bring the European Union and its neighbors closer and included a joint action plan to aid Kyiv in its domestic reform efforts. More recently, Ukraine has been working to implement the 2016 EU-Ukraine Association Agreement (AA), which includes a “deep and comprehensive free trade area.” Thus, Ukraine has already been moving toward alignment, as such agreements contain substantial amounts of EU law. However, Ukraine’s AA did not open a formal path toward EU membership as it did not include a so-called “European perspective,” a vaguely defined term that generally confers countries candidate status on the understanding that steps are taken in a number of areas to further align with the EU acquis. After the Russian invasion in 2022, the European Commission prioritized Ukraine’s relations with the European Union, with European Commission president Ursula von der Leyen being a particularly strong supporter. After Ukraine formally applied for EU membership in February 2022, it received its own dedicated unit inside of the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) and thus has not been grouped regionally like other candidate countries.

In June 2022, the European Commission positively assessed Ukraine’s progress, stating that Ukraine was
well advanced in reaching stable democratic institutions, continuing a strong macroeconomic record, and showing overall well-functioning institutions. However, the European Commission cautioned that “ambitious structural reforms to remove corruption, reduce the State footprint and the persistent influence of oligarchs, strengthen private property rights and enhance labour market flexibility need to continue in Ukraine to improve the functioning of its market economy.” Merely a week after the European Commission’s opinion regarding Ukraine’s application for EU membership, the European Council granted candidate status to Ukraine. In February 2023, the commission followed up on its prior opinion in a technical report assessing Ukraine’s alignment with the EU acquis, which offered more detailed guidance on the work ahead under the various acquis chapters. Kyiv is concurrently pushing for a decision on opening formal accession talks by the end of the year.

However, despite these positive diplomatic steps taken before the war, the progress of Ukraine’s reform agenda has been characterized by significant inertia. Henrik Larsen of ETH Zurich notes that when it comes to adopting pro-European reform since 2014, “Ukraine progressed on the EU’s technical requirements but dragged its feet when it came to the rule of law, which is core to the functioning of a democratic state.” Larsen adds, “Ukraine’s integration into the EU depends on its ability to overcome the resistance to reform of the fundamental levels of state power,” citing substantial vested interests against change at the domestic political level as a main obstacle. In this context, critics may posit that Ukraine has emulated the strategic use of arguments that Central and Eastern European (CEE) countries of past enlargements employed by framing the war primarily as a defense of European values. According to Frank Schimmelfennig, these CEE countries partly justified their claims to membership through the constitutive values and norms of the European Union while manipulating the European identity and accession criteria to their advantage. In addition to the war in Ukraine, bridging the nation’s lackluster reform record with Kyiv’s European ambitions will remain a significant challenge for Ukraine’s political leadership in the years ahead.

While the rigorous and technical elements of the process are necessary and important, they often conceal the fundamentally political nature of enlargement. When French president Emmanuel Macron said in May 2022 that Ukraine’s membership could take “decades,” he referred not just to the many technical requirements Ukraine must meet but also to the internal EU political process being somewhat out of Ukraine’s control. In fact, according to a study by Schimmelfennig and Marie-Eve Bélanger, enlargement has become increasingly politicized and contested in parliamentary discourse in Europe. This is significant for Ukraine since accession treaties require the consent of both the European Parliament and national parliaments. In this context, accession is only partly merit based and highly contingent on momentum and political will. Given the current public support behind Kyiv in its struggle for independence, it is crucial that Ukraine keep up the pressure to ensure political commitments translate into a firm path toward accession.
There is intense debate within the European Union about the need for reform and negotiating a new treaty. The debate pits those seeking to deepen European integration, expand the powers of the European Union, and reduce member states’ ability to block EU efforts against those seeking to maximize the sovereignty of member states and more or less maintain the status quo. In many ways, this debate mirrors the debate over federal powers between Alexander Hamilton and Thomas Jefferson in the early days of the American republic. When it comes to EU enlargement, however, member states and EU leaders in favor of deepening European integration tend to be wary of widening the union and adding new members, which may make deepening integration more arduous.

The discussion of enlargement is therefore intrinsically tied to discussions of treaty reform. A new treaty may not necessarily be required for accession of new members since acceding countries are, at minimum, required to sign existing EU treaties and, more importantly, adopt the acquis. However, a new treaty will likely be required for practical and political reasons, which is why previous enlargements have been linked to treaty changes.

Practically, enlarging the European Union challenges the basic functioning of the bloc, including its internal balance of power and distribution of funds, and has historically prompted efforts to negotiate new treaties. For instance, the addition of Greece (1981), Spain (1986), and Portugal (1986) had significant implications for how CAP funds were distributed and contributed to a 1992 reform that partially moved CAP from a price support model to a direct income support model. The accession of these three countries also prompted the creation of cohesion funds in 1994, which aimed to strengthen the social, economic, and territorial cohesion of the union.

In this context, treaty reform facilitates intense policy debates about the future direction and scope of the European Union. This plays out in heated discussion on topics such as EU powers vis-à-vis national
governments, democratic representation, and decisionmaking structures. This dynamic means that treaty negotiations are not merely a technical endeavor but entail deeply sensitive trade-offs for European leaders. Treaty negotiations therefore introduce intense fights over zero-sum issues and fights over power and resources, where each country attempts to maximize its gains while limiting outgoing contributions.

The internal impact of enlargement for the European Union and existing member states has practical implications for Ukraine's membership bid. In particular, every seven years, EU member states negotiate the Multiannual Financial Framework (MFF), which is the equivalent of a European federal budget. The European Union is currently implementing its 2021–27 MFF, which amounts to around 1 percent of EU gross domestic product (GDP) per year. This amounted to roughly €165 billion in 2022, much less than the U.S. federal budget, which accounts for close to 15 percent of U.S. GDP. Roughly 65 percent of the MFF is dedicated to the CAP and cohesion funds. If Ukraine joins the European Union, it would be by far the poorest and most agrarian member state. Therefore, it would receive large amounts of these funds, which may result in major cuts for other member states and stall negotiations over future MFFs.

A recent decision by several member states to restrict Ukrainian agricultural imports may preview the harsh economic implications that increased economic integration with Ukraine will entail for some member states. In April 2023 Poland, Hungary, Slovakia, and Bulgaria unilaterally banned imports of grain and other produce to protect local farmers after large quantities of Ukrainian grain had depressed prices across the region. The unilateral ban was met with condemnation in both Kyiv and Brussels, as the European Commission rejected the move and reiterated that trade policy cannot be dictated by individual member states. Ultimately, the four countries were joined by Romania in striking a deal with the European Commission that introduced emergency safeguard measures for a range of agricultural products. The deal included a temporary import ban into the five countries but allowed Ukrainian produce to transit through the signatory states to third-party countries. Working through the budgetary implications of Ukraine's membership will thus be immensely difficult and one of many practical issues the European Union must work through.

The current perception in Brussels about the need for treaty reform is thus mixed. After the conclusion of the Conference on the Future of Europe, which put forth a series of bold reform ideas, some have pushed for treaty reform, including members of the European Parliament. However, member states are divided on the issue: many think it is not the right time for a battle that politicizes European integration. Thirteen member states, including several of the most forceful advocates of Ukraine’s accession, have signed a non-paper underlining that they “do not support unconsidered and premature attempts to launch a process towards Treaty change.” The letter was reacting to the Conference on the Future of Europe, which included bold recommendations from a wide swath of stakeholders—for example, harmonization of fiscal policy and tax rules within the European Union, EU taxes on large corporations, and abolition of unanimity in many decisionmaking processes.

For practical and political reasons, Ukraine’s EU membership will require a new treaty. While these states might hope for a small technical treaty, once the treaty is opened, it will become a much bigger and broader discussion about the future of the European Union. Advocates perceive treaty reforms as necessary to make the European Union more flexible and to strengthen the powers of certain institutions. One particularly sensitive area is the effort to reduce unanimity in EU decisionmaking, which would result in the expansion of qualified majority voting (QMV) in certain policy areas and could mitigate the weaponization of veto powers by some member states. Most importantly, it is also about ensuring the European Union can act with the proper mix of urgency and representation in different policy areas. The most recent push for reform has tended to emphasize the need for flexibility on healthcare, energy, and defense, where the union has faced recent crises.
in the form of Covid-19, energy decoupling from Russia, and joint initiatives to arm Ukraine.\textsuperscript{51} In May 2023, a group of nine member states, led by Germany, initiated a fresh push to enable QMV on key foreign policy and defense issues. Specifically, this voting modality would require 15 of the 27 member states to be in agreement, while those votes should account for more than 65 percent of the European Union’s population of roughly 450 million people.\textsuperscript{52}

Adopting more QMV in foreign policy would prevent a single country, such as Hungary, from blocking EU action. But this would also mean a country like Estonia, with just 1.5 million people, would no longer be able to block EU foreign policy, thus ceding some of its sovereignty. The fear of public Eurosceptic backlash and endless power games among member states has even led to caution among otherwise pro-reform actors. The treaty reform process will therefore involve intense horse-trading, side payments, brinksmanship, and long hours from negotiators and politicians. However, the urgent need to provide European integration for Ukraine could serve as the crucial catalyst.

It has now been 16 years since the Treaty of Lisbon was signed, the longest the European Union or the European Community has gone without a new treaty. The European Union has struggled through severe crises during that time, often working around many of its treaty provisions. Numerous off-budget financing mechanisms have been formed, such as the European Peace Facility, which is providing funding and arms to Ukraine.\textsuperscript{53} There have also been real issues with corruption, democratic backsliding, and efforts to undermine the rule of law—issues which Brussels has failed to address properly. A concern about the expansion of the European Union into the Western Balkans is the fear of admitting future versions of Hungary, a country that has moved in an illiberal direction and has frequently blocked EU action. These concerns will apply to Ukraine as well. The difficulty of treaty reform and moving forward on enlargement has encouraged scholars of European integration to explore alternatives for aspirant countries short of full membership, such as other political structures or differentiated integration.\textsuperscript{54}

**A New Partnership Short of Membership?**

To address challenges related to the binary nature of EU membership, there has been an effort to create institutional frameworks for candidate countries that, while falling well short of EU membership, still provide significant benefits. President Macron’s idea of a European Political Community is one effort to engage non-EU European countries.\textsuperscript{55} The first summit, held in fall 2022, went well beyond the EU candidate countries to involve all European countries except Russia and Belarus. The European Political Community is also flexible since it does not institutionally burden the European Union but can rely on EU resources.\textsuperscript{56} In its current form, however, the European Political Community cannot be considered an acceptable alternative to membership for aspiring candidate countries.

Another idea for what an alternative relationship could look like is staged accession, a process for which the Centre for European Policy Studies has developed a template.\textsuperscript{57} The approach involves the European Union adopting a regime of conditional and staged participation, with increasing benefits at each stage, for states aiming at full membership, as an alternative to the current binary “in-or-out” model.\textsuperscript{58} EU aspirants could receive market access and EU structural funds and support while not having a vote or seat at the table. The key intention is also removing veto power from newcomers, preventing them from blocking the EU agenda. These models could provide significant economic benefits to candidate countries even before they become members while not saddling the European Union with another voting member or the potential headaches that could ensue.
Alternative structures to full EU membership or differentiated integration offer advantages and disadvantages to both the European Union and aspiring member states. On one hand, these alternatives could enable greater economic growth, democratic consolidation, and alignment with the European Union, making it more likely to grant membership. On the other hand, establishing different forms of association short of membership could simply relieve the political pressure on the European Union and thus halt critical discussions about treaty reform and the future of the union. Furthermore, the European Union’s current approach to the Western Balkans highlights that Russia is willing to pounce on public disillusionment and apathy over stalled European integration and enable opportunistic leaders to sit on the geopolitical fence, as is the case in Serbia. Additionally, candidates would have to accept second-tier status in which they maintain no vote or almost no input in EU decisionmaking, despite being subject to those decisions. Therefore, candidate countries will likely be skeptical of any limited accession model now that political momentum and pressure for enlargement have been revived. It thus makes little sense for candidate countries to accept anything short of membership.
Lessons of Past Enlargements

Persistent Issues for Admitted Countries

While the benefits of enlargement have been substantial both for new members and the European Union, integration issues have persisted for recently admitted countries. With these issues—ranging from territorial disputes to democratic backsliding and corruption—political leaders in Brussels and Kyiv must heed the lessons of the past to ensure Ukraine’s future European integration is successful. With its sizable population, substantial agricultural sector, and proven military capabilities, Ukraine’s accession provides unique challenges to the European Union’s accession framework, though comparisons may be drawn to previously admitted countries.

CYPRUS’S MEMBERSHIP BID AMID TERRITORIAL DISPUTE

The case of the Republic of Cyprus shows the difficulties of accepting a country with territorial disputes as a member. Cyprus acceded to the European Union in 2004 despite its divided territory and without settling the governance of its communities. As momentum built for EU enlargement eastward in the 1990s, Greece used its leverage to make Cyprus part of the “big bang” eastern enlargement wave in the early 2000s.

The decision to include Cyprus was made at a time of improving Turkish-EU relations. Turkey became an EU candidate country in 1999 with the expectation that it would soon become an EU member. This would help solve the conflict in Cyprus by removing hard borders and integrating the island economically. The European Union had recently played a similar role on the island of Ireland, where the bloc contributed to de-escalating the Troubles in Northern Ireland through an active role in the 1998 Belfast Agreement.

However, this optimism about the future direction of Turkey’s relationship with the European Union proved misguided. The Ankara Agreement, Turkey’s AA with the European Union, provided Ankara with greater access to the European Union’s single market, which some hoped would stimulate alignment with the EU acquis. However, Turkey’s democratic backsliding and foreign policy at odds with EU member states led
progress on Turkey’s membership bid to stall. Turkey’s democracy has since devolved under President Recep Tayyip Erdoğan’s rule, crushing any hopes of closer EU integration.

The European Union is now a party to Cyprus’s conflict with the northern Turkish part of Cyprus and with Turkey, a standoff exacerbated by President Erdoğan’s antagonistic stance toward Europe and the West. The issues between Turkey and Cyprus have created a myriad of problems for the European Union and individual member states. The conflict undermines the functioning of the Customs Union, represents a significant obstacle to EU-NATO cooperation, and exacerbates the continued instability in the eastern Mediterranean. The issue also contributes to the institutional deadlock between Turkey and the European Union since member states and institutions feel obliged to support Cyprus in the name of solidarity even when Cyprus’s position is against their collective interest.

The European Union sought to use the positive effects of accession to benefit both communities on the island. However, the active involvement of Greece and Turkey in the process led to failures at different points. One of the greatest opportunities, the Annan Plan—which was supposed to create the united Cyprus Republic, composed of two constituent states linked by a federal government—was missed.63 By letting Cyprus into the European Union before it agreed to peace terms and a resolution of the dispute, the European Union lost its leverage, and Greek Cypriots lost their incentives to compromise. Thus, the Greek Cypriots voted against the plan, knowing their path to EU membership would not be seriously threatened, while the Turkish Cypriots voted for the plan. As a Carnegie Europe report from Thomas De Waal noted, “The northern part of the island is in the curious condition of being part of the EU but with key membership benefits suspended unless and until reunification is achieved.”64

Lessons Learned for the European Union and Ukraine

While Cyprus represents an intriguing case study involving a country with an ongoing territorial conflict, it is hardly a perfect comparison to Ukraine’s membership bid. For one, despite significant tensions, the European Union and Turkey maintained amicable diplomatic relations before, during, and after Cyprus’s accession, while Russia is now a pariah to most of the West. The threat from a revanchist Russia with its substantial nuclear arsenal and military capabilities can hardly be compared to that of a NATO member at a time of lower geopolitical tensions. However, with that caveat, several lessons from Cyprus’s accession process pertain to Ukraine.

First, for the European Union, membership can serve as an incentive to make difficult concessions for peace. Regrettably, the European Union did not use its membership leverage successfully in neglecting to demand peace for membership. Membership would not only incentivize the Cypriot government to finalize an agreement but crucially would have given the Cypriot public a strong reason to back the deal. In this context, Ukraine could potentially use EU membership to finalize a peace agreement. In the event the war becomes a stalemate or a frozen conflict where reclaiming lost territory for Ukraine is all but impossible, EU membership could serve to incentivize and justify territorial concessions for both the Ukrainian public and political leaders. Cessation of the conflict will likely be required for at least a handful of EU member states before approving Ukraine’s entry. Thus, Ukraine may face a choice between territorial concessions for EU membership and maintaining its desires to reunite the nation. Such concessions may come in the form of a formal peace agreement or in a Korea-style cessation of hostilities without a formal end of the conflict.

Second, in the case of Cyprus, the European Union has shown it can manage being party to a territorial
conflict of one of its members without being fully pulled into the conflict. The example of Cyprus shows that EU membership would be possible for Ukraine if a militarized border similar to that between North and South Korea were established in Ukraine with no formal end to the war, with Ukraine maintaining sovereignty over all territory within its internationally recognized borders, and without Ukraine maintaining physical control of this territory or recognizing Russia’s occupation. Thus, full territorial control may not be necessary for Ukraine’s EU membership. For example, Northern Cyprus, which is part of EU territory, is not under the EU member state’s control, despite being recognized as part of the state of Cyprus and therefore the European Union.

Nevertheless, the Cyprus example indicates a clear cessation of hostilities in Ukraine will likely be required. It will be critical for Ukraine to deter Russia from mounting any attacks against Ukrainian soil, as sporadic missile attacks on Ukrainian cities or forces would likely stall Ukraine’s accession. The Russians will also want to prevent Ukraine from joining the European Union and will thus have indefinite incentive to maintain low-level conflict. Ukraine will therefore need to find a way to deter Russia from mounting such attacks.

Third, once a country becomes a member, the European Union’s ability to incentivize or press for concessions for peace is largely lost. Unlike with Turkey in the early 2000s, there is no prospect of Russian EU membership. But the carrot of EU membership for Ukraine will give the EU leverage and influence in Kyiv. The European Union will thus likely be involved—directly or indirectly—in any negotiated settlement, either because the European Union is trying to push Ukraine or because Ukraine will try to use a negotiated settlement to lock in membership.

**POLAND—THE RISK OF DEMOCRATIC BACKSLIDING**

The case of Poland highlights both the benefits of enlargement for Ukraine and the European Union and the potential risks to the European Union, given the bloc’s lack of robust democratic checks once a country has been admitted. Since the collapse of communism in Eastern Europe, Poland has typically been viewed as a political and economic success story in terms of its effective integration into the European Union and its rapid economic growth since its entry in May 2004. Poland’s GDP per capita grew from $10,300 in 1990 to more than $28,000 in 2018 (in 2011 constant U.S. dollars). Contributing to this growth was the adoption of sound economic policies, including a deep economic reform in 1990–91; the rapid establishment of political and economic institutions; efficient foreign debt restructuring; and an open and transparent privatization process, which, unlike in Russia, managed not to produce oligarchs. A second major element in Poland’s success story was the strong public support behind quickly meeting the European Union’s accession criteria. Although Poland did not attain full EU membership until 2004, these measures laid the foundation for largely uninterrupted growth since 1992, the longest in European history and far more impressive than most European peer economies.

However, over the last decade, as the ruling Law and Justice Party (PiS) has put the country’s democratic system under pressure, Poland’s status as a nation committed to the rule of law and judicial independence has increasingly come into question. Facing accusations of court packing, the erosion of media independence, attempts to police the study of Polish implication in the Holocaust, and a crackdown on LGBTQ+ and women’s rights, Poland’s ruling party since 2015 is often held up as a poster child for democratic backsliding and rising authoritarianism in Europe today.

Despite recent polls showing that Poles overwhelmingly hold a favorable view of membership in the European Union, PiS has used its newfound influence over Polish courts to directly challenge the supremacy of EU law
over Polish law. This direct clash with the heart of the European Union’s legal structure triggered a response from Brussels, which in turn provoked Poland into blocking EU initiatives that require unanimity among the bloc’s members to take effect. Given existing concerns over the rule of law and judicial independence in Ukraine, it is unsurprising that leaders of many European countries express skepticism toward the rapid accession of Ukraine into the European Union, where it could potentially play the spoiler role at EU summits if a Euroskeptic Ukrainian government were to come to power.

The European Union has now started to use the tools at its disposal to stem Poland’s authoritarian tendencies. The European Commission has refused to release €36 billion in pandemic relief funds unless the Law and Justice government ultimately passes Brussels-approved legislation related to judicial appointments. This marks a clear turning point in the years-long contestation between Poland and the European Union over Brussels’s concerns over Polish rule of law.

**Lessons Learned for the European Union and Ukraine**

Poland demonstrates both the importance and potential of EU membership. But Poland and especially Hungary also demonstrate that adherence to the European Union’s democratic values and norms can be rolled back. Once countries are granted EU membership, the pressure and strongest incentives for tough political reforms largely evaporate, resulting in a fertile environment for corruption. And once a candidate becomes a member, the European Union has no means to evict a member. Its tools to force compliance are also limited, though the European Union has used its control of funding to pressure Poland to make changes. However, concerns over democratic rollback have also made the European Union wary of letting in Western Balkan countries and sullied enthusiasm for enlargement.

This concern will also apply to Ukraine, especially given its historical challenges with corruption. Several member states will likely insist that before Ukraine’s entry, the European Union’s tools to strengthen adherence to democracy and the rule of law of its members are required. This entails giving the European Union and its institutions the power to impose costs and punishments, such as suspension of funding and voting rights and possibly further economic costs or even expulsion. However, these changes will require a new EU treaty.

**COUNTRIES STUCK ON THE OUTSIDE: A VICIOUS CYCLE OF DISILLUSIONMENT AND POLITICAL APATHY**

In addition to Ukraine, Western Balkan countries have been inching toward EU membership for a long time. Despite not being members of the European Union, the bloc has engaged with the region through the Berlin Process, setting up high-level cooperation between the Western Balkans linked to future EU enlargement, the annual EU-Western Balkans summits, and the newly formed European Political Community. While progress in attaining EU membership has stagnated in recent years, the war in Ukraine offers hope for reengaging the region to embrace democratic reforms and to prevent the region becoming a geopolitical battleground with increased engagement by China and Russia.

A vicious cycle has formed in the Western Balkans due to loss of momentum toward membership. Enlargement fatigue in the European Union and lack of a clear path or timeline to full membership has reduced the political will in applicant countries to implement tough reforms. Stalled reform efforts contribute to slow economic growth, which in turn justifies skepticism within the European Union about future enlargement. With membership more of a distant or unachievable prospect, public attention and political
focus shift toward other areas, making it harder to justify policies required to align with the EU acquis. Thus, greater political space is created for populist candidates or for political leaders to cater to EU competitors, such as China or Russia.

Furthermore, the European Union’s more cautious approach toward eastern enlargement, while understandable, denies Western Balkan countries the potential economic benefits of membership. For instance, while Tirana has made moderate progress in the areas of public administration and judicial system reforms, Albania’s 11 percent unemployment rate and massive emigration are in stark contrast to similar economies in the European Union.\textsuperscript{78}

The European Union arguably lost leverage in incentivizing Western Balkan nations to reform when it granted visa-free travel to candidate and potential candidate countries in 2009, specifically Albania, Bosnia and Herzegovina, Montenegro, Serbia, and North Macedonia.\textsuperscript{79} While the European Union maintains its view that granting visa-free travel is an incentive for nations to “intensify their fundamental reform efforts,” the policy has largely had the opposite effect.\textsuperscript{80} Instead of using the European Union’s lucrative single market to push for reforms, EU leaders believe that stronger trade ties would naturally lead to a convergence in democratic institutions. Thus, as an incentive to reform, visa-free travel could be used as a carrot for politicians and to raise public support for joining the European Union. If candidate and potential candidate countries enact reforms to become more in line with the European Union’s values, they could be rewarded through granting visa-free travel to demonstrate the European Union is supporting their efforts. Politicians are less motivated to do the arduous reform work when there is less of a push from civil society and the only carrot dangled in front of them is financial assistance, while their citizens can freely travel around the European Union.

\textbf{Lessons Learned for the European Union and Ukraine}

Momentum toward EU membership is crucial for aspiring candidate countries. The loss of hope and optimism about the prospects for potential membership sap pressure for reform. This risk should not be understated with regard to Ukraine. Three-fourths of Ukrainians believe their country will join the European Union in the next 10 years, which will be immensely challenging given the country’s current state and the arduous accession process.\textsuperscript{81} Failure to achieve rapid membership may elicit disappointment and create public and political apathy. It is thus essential that leaders in Kyiv and Brussels manage expectations while maintaining momentum.

Additionally, it is critical that EU member states believe both that they have the tools to act against recalcitrant member states that roll back democracy and that the actions of a single EU member cannot block the European Union moving forward on a critical issue. This would essentially “de-risk” enlargement for the European Union, as a new election that brings to power an anti-EU leader—for instance, in North Macedonia, a country of less than two million people—could no longer stymie the efforts of the rest of the European Union’s 500 or so million inhabitants. This could accelerate support for enlargement.
Conclusion and Recommendations

Implications for Ukraine

While Ukraine has done more than any other country in recent years to revive and defend Europe, the prospect of Ukraine joining and significantly altering the internal power structure of the European Union will give many within the bloc pause. Should EU enlargement seem a faint and distant prospect, as it has in the Western Balkans, Ukraine’s economic recovery—as well as its efforts to strengthen its political system, “de-oligarch” its economy, and combat corruption—could lose momentum. This would leave Ukraine vulnerable in a no-man’s-land, stuck outside of the European Union and subject to a revanchist Russia.

Enlargement is both a technical and political process. To become a member, Ukraine will need to be adept at both processes. Fortunately, there is reason for optimism.

On the technical process, Ukraine will need to deliver on the implementation of the acquis and follow through on the technical reforms. The European Union, as well as the United States, will also be very focused on progress against corruption. However, Ukraine’s wartime mobilization creates opportunities for rapid adoption of new rules and reforms. There is immense unity of effort in Ukrainian politics behind EU membership and considerable progress has been made. However, a wartime mobilization can also upset the normal running and functioning of an economy and legal and political system. Inevitably, lingering distortions or effects on Ukraine will complicate the technical steps needed for enlargement.

Ukraine’s ability to root out corruption and de-oligarch its economy will be heavily scrutinized across Europe. When the European Commission recommended candidate status for Ukraine in June 2022, it did so on the understanding that additional steps would be taken related to the judicial system, implementation of anti-oligarch law, and strengthening countercorruption efforts. On top of the ongoing war, Ukraine has struggled
to strengthen the rule of law and combat widespread high-level corruption, despite Zelensky’s recent removal of several high-profile officials from his administration, including Kyrylo Tymoshenko, deputy head of Zelensky’s office, and Vyacheslav Shapovalov, a deputy in the ministry of defense. Western nations have long urged Ukraine to resolve its corruption issues before it could become an EU member. Yet a path toward EU membership is vital to Ukraine’s economic and political recovery from the war.

On the political process within the European Union, Ukraine is in a strong position. Ukraine will need immense political leverage within Europe to push the European Union to keep the door to enlargement open. On this front, Ukraine’s efforts have been exceptional, reviving the membership prospects for other aspirants. However, Ukrainian leaders should not become overconfident in their ability to expedite the process or to be granted membership without corresponding treaty reform. Eagerness for a photo op and supportive rhetoric do not prevent EU leaders from quietly delaying a decision on membership. Indeed, Dutch leader Mark Rutte has said there is no fast track for Ukraine’s membership.

Ukraine must recognize that EU accession is linked to reform of the European Union itself. Therefore, it should use its political leverage and influence to sway its eastern allies skeptical of treaty reform to support it. Doing so will enable Ukraine to gain significant support for membership from Western European countries like France, which could block Ukraine’s membership as they did with Western Balkan countries in 2019.

Lastly, Ukraine will have to charm 27 member states to accept its membership bid. That includes its neighbor Hungary, which has resisted providing lethal assistance to Ukraine and remains consumed with nationalist concerns about alleged discrimination against the Hungarian-speaking minority in Ukraine. While Kyiv should not cater to the whims of Viktor Orbán, it should take reasonable steps to diffuse Hungarian concerns, such as over national language laws. Doing so could undercut Orbán’s opposition or further isolate Hungary.

**U.S. Policy Recommendations**

The United States, as well as the European Union, should see potential EU enlargement, as well as reform of the European Union, as a transformative geopolitical opportunity. Ukraine’s willingness to fight for its European future creates the opportunity and momentum not just to enlarge the European Union but also to strengthen it internally and externally. Enlargement and the successful inclusion of at least 44 million Ukrainian citizens would add to the geopolitical strength of the European Union. The reform needed to facilitate Ukraine’s membership could also strengthen the European Union’s democratic resilience and see the European Union become a more powerful global actor and ally of the United States. The United States therefore has a strong interest in encouraging both enlargement and reform.

However, U.S. engagement will likely cause some diplomatic blowback and complaints from EU member states of the United States interfering in Europe’s internal processes. U.S. insistence on Ukraine’s membership could therefore backfire and harden opposition within Europe. The Bush administration, for instance, has been critiqued for pushing Turkey’s EU membership without appreciating the European Union’s internal mechanisms and concerns. The United States will need to be diplomatically cognizant of this dynamic, as Europeans will also use this complaint to shield themselves from justified pressure and criticism. The key for the United States is to advocate not just for Ukraine’s membership but also for strengthening the European Union. Pushing for a stronger Europe from a pro-EU direction, as opposed to an anti-EU direction, will strengthen the United States’ diplomatic hand.

Moreover, given the United States is the guarantor of European security and deeply enmeshed militarily in
Europe, complaints of U.S. meddling in European affairs are rather hollow. Furthermore, the United States, both in Ukraine (where it has devoted tremendous resources) and in the Western Balkans (where it fought two wars), has a direct stake in the successful integration of these countries into Europe. The issue of these countries’ integration into the European Union is indeed a European issue, but it is also an issue of European security, which—due to the direct involvement of the United States in ensuring European security—makes this an American issue as well.

There are five areas where the United States could play a role in aiding the strengthening of the European Union and Ukraine amid the war.

1. **Establish support for Ukrainian and Western Balkan membership into the European Union as a central part of U.S. engagement with Europe.**

The war in Ukraine has reignited the conversation and momentum for EU enlargement, and the United States should play a role in ensuring that membership for Ukraine and the Western Balkans does not fall off the agenda. Letting European leaders and the public know this is of utmost importance for the United States could help maintain momentum. The United States should continuously press France and Germany, as well as other European states that may be reticent at the prospect of Ukraine's membership. However, the United States also has an interest in not short-circuiting the enlargement process. From a U.S. perspective, Ukraine should not only achieve accession but also implement all the reforms necessary to warrant becoming an EU member.

As systemic competition with countries such as China and Russia intensifies, the United States should view Ukraine's membership in the European Union, as well as that of the Western Balkans, as strategically significant for the future. Politically and economically vulnerable countries waiting to join the European Union, like Moldova and Serbia, are prime targets for Russia and China to exert their influence in the form of aid and support, disseminate an anti-Western narrative, and further destabilize the region. If these countries are left waiting for another decade or more, a vacuum will be left for U.S. competitors to fill. The United States thus has an interest in seeing the European Union work more efficiently and become a stronger and more cohesive player internationally.

2. **Continue contributing to Ukraine’s security.**

Ukraine's membership will raise considerable concerns about how to ensure its continued security. One option would be to extend NATO membership to Ukraine, as was done for Eastern Europe before EU enlargement. However, that may prove difficult or impossible as joining NATO also requires unanimous support among its 31 members. A pivotal factor is whether Ukraine is still at war with Russia, regardless of whether there is active fighting. If Ukraine and Russia are still in a state of conflict, NATO membership would mean NATO, and therefore the United States, would become a direct party to that conflict. Therefore, NATO membership prior to EU enlargement may prove impossible. Nevertheless, the United States, despite not being a party to the conflict, should continue, along with its European partners, to provide the weapons and systems necessary to Ukraine to ensure its security and to deter Russia from future offenses.

3. **Press Ukraine to deliver on reforms and align with EU acquis.**

The United States can also be an asset to the European Union in furthering reforms in Ukraine, given the strength of the relationship between Kyiv and Washington. The U.S. State Department should engage continuously with DG NEAR, the EU enlargement directorate, to stay abreast of developments and progress. The United States should also use its influence to press for reform and encourage negotiations in preparation
for Ukraine’s accession. While such engagement may lead to concern in Brussels of the United States becoming too involved in a European process, the United States will need to show it can play a positive role by adding diplomatic heft to EU engagement.

4. **Encourage EU treaty reform.**

The United States should encourage EU treaty reform, recognizing that this not only is essential for the membership aspirations of Ukraine and the Western Balkans but also aligns with the United States’ interest in seeing the European Union strengthened. The United States could encourage reform in areas that would strengthen the European Union’s ability to be a stronger international actor and partner, such as in foreign and defense policy, as well as in areas that bolster the European Union’s democratic resilience. Additionally, the United States has an interest in EU economic and fiscal policy, especially an expansion of the European Union’s fiscal capacity so it can devote more resources to global initiatives, such as the European Union’s Global Gateway initiative, which serves as a counter to China’s Belt and Road initiative, or defense investment initiatives.

The United States does not need to become prescriptive about what changes the European Union should make; instead, it should encourage EU member states to take action. The major shift in the status quo is not the United States pushing for internal changes to the European Union—the United States currently does this extensively, such as when it pushes for third-party access for U.S. companies to EU defense initiatives. Instead, the United States should push member states to strengthen the European Union. Some of the United States’ closest allies in Europe, such as in Eastern Europe, might chafe at U.S. pressure, with many small states fearing the loss of a national veto over foreign policy decisions with a move to QMV. Many fiscally conservative states are also wary of a larger EU budget, though this is exactly why U.S. diplomatic engagement could be effective, as the United States would be pushing the states that are often most reliant on U.S. security guarantees.

Such an approach would require U.S. embassies throughout the European Union to become more active in tracking EU issues and pressing their host governments on the need for reform. Just as the United States should push these capitals on the need for enlargement, U.S. diplomats should simultaneously make the case for treaty reform. Supporting treaty reform in these critical areas would see the European Union becoming a more effective global actor and therefore a more capable ally of the United States.

5. **Continue contributing to the advancement of Ukraine’s reconstruction.**

The European Union should take a lead role in Ukraine’s reconstruction, but the task is immense and will require U.S. investment, financing, and support. Congress has approved more than $50 billion in aid to help rebuild Ukraine. However, forecasts have estimated $200–$750 billion will be needed for reconstruction. The massive rebuild of Ukraine will certainly require the involvement of the private sector, but it will be up to the United States and European Union to attract investors. To help justify its efforts in pushing for EU reform and enlargement, the U.S. role in Ukraine’s reconstruction will be essential, even if it is potentially secondary to the role of the European Union.
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