

# Where Will the EU's Final Frontiers Lie?

Graham Avery  
Sir Michael Butler  
Nicholas Kent  
Senior European Experts

**i**ICES Occasional Paper 04

Institute of Contemporary European Studies



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## Foreword

### The Changing Shape of Europe

Michael Scriven

This Occasional Paper devoted to an analysis of the final frontiers of the European Union is the product of an on-going collaboration between the Senior European Experts group and the Institute of Contemporary European Studies (ICES). Each of the contributors provides a critical review of the manner in which the shape of the EU might evolve over time in the context of economic, social and geopolitical realities: Graham Avery [Senior Member of St Antony's College, Oxford University, Senior Adviser at the European Policy Centre, Brussels, and Honorary Director-General of the European Commission]; Sir Michael Butler [British Permanent Representative to the European Communities, 1979-85 and Chairman of the Senior European Experts group]; Nicholas Kent [writer and consultant specialising in education policy and in European Union affairs and Secretary to the Senior European Experts group]. Analysis also includes a background paper produced by the Senior European Experts.

Contributions to this debate on the geographical limits of the EU range over a variety of issues that underpin the process of European enlargement: intergovernmental versus supranational approaches, a widening of Europe versus a deepening of Europe, cultural and ethnic differentiation, political instability and economic uncertainty. At the same time, particular attention is paid to those countries presently bordering the EU, each motivated by its own nationally specific approach towards potential membership: Albania, Bosnia-Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia, Turkey, Iceland, Norway, Switzerland, Armenia, Azerbaijan, Georgia, Moldova, Belarus, Ukraine and Russia.

In the current international climate of economic, social and political transformation, the future geographical shape of the EU is extremely difficult to predict. Given the lack of a generally accepted definition of the EU's final frontiers, decisions on enlargement will inevitably be shaped by pragmatism and harsh economic and political realities as Europe strives towards greater coherence and authority in an increasingly challenging global environment.

Graham Avery  
Senior Adviser at the European Policy Centre, Brussels



Graham Avery is Senior Member of St. Antony's College, Oxford University, Senior Adviser at the European Policy Centre, Brussels, and Honorary Director-General of the European Commission.

During his career in Brussels in the European Commission (1973-2006) he worked in agricultural policy, foreign affairs, enlargement policy, and the cabinets of the President and other Commissioners. His last post was as Director for Strategy, Coordination and Analysis in the Directorate General for External Relations.

He has been Secretary General of the Trans European Policy Studies Association, (2006-2008), Fellow at the Robert Schuman Centre for Advanced Studies of the European University Institute, Florence (2002-3, 2009, 2010), Visiting Professor at the College of Europe, Natolin (2003-5), Fellow at the Center for International Affairs, Harvard University (1986-7) and European in Residence at Canterbury University, New Zealand (2006).

He has published articles in magazines and journals including *the Journal of European Public Policy*, *Challenge Europe*, *European Affairs*, *International Affairs*, *World Today*, *Prospect*, *European Environment Review*, and the *Journal of Agricultural Economics*. He co-authored *The Enlargement of the European Union* (1998) and contributed to *The Future of Europe: Enlargement and Integration* (2004) and to *The European Union: How Does It Work?* (2008).

# The Expanding European Union: Looking into the Future

## Graham Avery

### British Attitudes

Before looking into the future enlargement of the European Union, I want to reflect on the present situation of enlargement policy and on British attitudes to it. Let's begin with an effort of self-perception: how do other EU members see Britain's role and aims in this area? British policy is perceived by the other Europeans to be consistently favourable to enlargement, and this is widely understood as an extension of its hostility to political integration within the EU. The reason why the British support enlargement, it is generally believed, is that they think it will discourage future moves towards integration and lead to a looser configuration of the EU, in which the 'intergovernmental' method will defeat the 'supranational' approach. In brief, British policy is thought to be based on the idea that 'widening' is an antidote to 'deepening' the EU.

This is a stereotype – even a caricature – but it is a view widely held in other European countries. It surfaces, for example, in EU budgetary discussions where it is sometimes argued that since the British want enlargement they should pay for it. This was illustrated by the pact which Chirac made with Schroeder in 2000 to maintain EU expenditure on agriculture for the next budgetary period: it was a signal to Blair that if he pursued efforts to curb farm spending, he would be blamed for delaying the accession of the countries of Central and Eastern Europe.

Other EU members such as Sweden and Denmark, which are usually hostile to EU integration, are also suspected of ulterior motives in their support of enlargement. For good measure, the Americans, who since the creation of the EU have supported its expansion - often more enthusiastically than its members - are suspected of trying to weaken the EU, or alternatively of exploiting its enlargement as a driver (or a substitute) for NATO expansion.

Is this stereotype of British attitudes true? Is it a correct explanation of why London's policy has traditionally been pro-enlargement? It is certainly a fact that many British politicians believe that 'more' in terms of membership must mean 'less' in terms of political integration. But is this

based on any analysis of the results of past enlargements, or simply on instinct? Personally I doubt that British Ministers have ever been advised by their experts that enlargement would hamper the EU's future development, and Ministers have rarely been so undiplomatic as to voice the idea in public. The main argument propounded in Whitehall in favour of enlargement has been that bringing neighbouring countries into the EU offers a better chance of promoting their security, stability and prosperity than leaving them outside, and enhancing European security in this way is in Britain's interest.

This was the case, for example, when in the 1980s Greece, Spain and Portugal, having thrown out authoritarian regimes, applied to join the EU: the main reason for saying yes to them was that EU membership would sustain their return to democracy and improve their stability. Such was the haste to bring them in that the EU (including the British government) agreed to bring Greece in rapidly, without a period of preparation – against the advice of Christopher Soames, the then British Commissioner in Brussels responsible for enlargement. Later, when the 'Copenhagen criteria' for admission to the EU were developed in the 1990s, the process of preparation for membership became a key instrument of enlargement policy. The 'transformative power' of the prospect of membership was seen as the best way of ensuring stability and prosperity for the countries of Central and Eastern Europe after the collapse of the Warsaw Pact and the Soviet Union. It was argued that to leave them outside, in a no-man's land between the EU and Russia, would lead to insecurity for Europe as a whole.

These 'geostrategic' and 'transformative' arguments have traditionally been the basis for Britain's encouragement of EU expansion, and they continue to be the main drivers of its support for the membership applications of Turkey and the countries of the Western Balkans.

### Widening versus Deepening

The question whether enlargement may weaken the EU's capacity to act and to 'maintain the momentum of European integration' has tended to be a concern of other EU members, not the United Kingdom. Statements of British policy generally downplay this aspect, though it is interesting to note that in the case of Turkey the argument is sometimes used by British commentators that Turkey's membership would strengthen the EU's influence in foreign affairs. However, in other EU countries Turkish membership is perceived not only as creating problems in the field of

employment (migration of Turkish workers) and society (fear of Islam) but also as posing fundamental questions for the effective operation of the EU. According to this view, the arrival of a big new member – and with its growing population Turkey would be the biggest Member State – could create a risk for the EU's future cohesion. After all, it is argued, the last time that a big member state joined was the United Kingdom in 1973, and has the EU recovered from that?

What is clear, however, and the background paper 'Where Will the EU's Final Frontiers Lie?' explains this well, is that the last round of enlargement did not make the EU's decision-making dysfunctional. Despite the increase from 15 to 27 members, the EU institutions have worked about as well (or as badly) as they did before, and the reason often adduced for ratifying the Lisbon Treaty – that it was needed urgently to deal with enlargement – was not well founded. Moreover, it was not new EU Member States that killed the Constitutional Treaty and delayed the Lisbon Treaty, but old members - France and Ireland. Thus the argument that future enlargement may block the EU's development is less forceful, particularly since most of the applicants or potential applicants are – with the exception of Turkey and Ukraine – relatively small countries.

### The EU's Next Frontiers

Having reflected on past and present factors, let me now try to look into the future. Some words of caution are needed here, since experience shows that forecasting enlargement may be hazardous. In 1987, when the EU had 12 members, who on earth expected the number to more than double within 20 years? If anyone at that time had forecast today's scenario of 27 members and 9 prospective members, he would have been considered irresponsible or insane.

The distinction between the 'next' frontiers of the EU and its 'final' frontiers which is made in the background paper is useful, and I will follow it here. The 'next' enlargement concerns the countries to which the EU has given a promise of future membership (the countries of the Western Balkans) or which it has at least accepted as applicants (Turkey, or in the past Norway and Switzerland) or is likely soon to accept (Iceland). I discuss later the question of the 'final' frontiers, whose geographical scope is wider and whose time-scale is longer.

## Turkey

Here the EU's enlargement policy is based on a fundamental contradiction: when it opened accession negotiations with Turkey in 2005 the EU made it plain that the objective of concluding them successfully was not shared by all its members. The problem is compounded by France's commitment to conduct a referendum on Turkey's membership: even if a Treaty of Accession is finally concluded, it is difficult to see how the French people could be persuaded to say yes to Turkey, and if France has a referendum other countries such as Austria are likely to follow.

Since France, Germany and others do not accept Turkey as a future member, the basis of accession negotiations, whose purpose is to prescribe how an applicant state will function as a member of the EU, is flawed. This has not only weakened the leverage of the process – why should Turkey make painful changes and reforms if the prospect of accession is uncertain? – but has created a political time-bomb, since at a certain point such negotiations are likely to reach an impasse. They have proceeded so far with the successive opening of new chapters, but some of the chapters are considered by EU Member States to be too sensitive to open, and within the next year or so further progress may become impossible. Moreover, a crisis in the negotiations may be accompanied or accelerated by a clash between the EU and Turkey over Cyprus. It is difficult to know what would then ensue: some believe that Turkey may suspend negotiations and even withdraw its membership application.

## Iceland

The case of Iceland is potentially embarrassing for the EU. This small island at the extreme North-West limit of Europe is probably the best qualified country that ever knocked on the EU's door. It easily passes the tests of the Copenhagen criteria – political, economic and administrative – and as a member of the European Economic Area it already applies a large part of the EU's *acquis*. It is even a member of the Schengen zone: when I travel from Brussels to Reykjavik I do not need to show my British passport, but I still have to present it if I go from Brussels to my own country. Moreover Iceland wishes to join the euro: that was the main motive for its move towards EU membership.

Being better prepared than the other applicants, Iceland hopes for a fast-track, but it is not sure that this will be available, since some EU members suspect that it would weaken their prudent approach towards

the Western Balkan countries. Big problems are not expected in accession negotiations with Iceland, except perhaps for fisheries. The biggest challenge will be the referendum on membership that will take place after the negotiations. Public opinion in Iceland has fluctuated, with polls in 2009 favourable to accession talks, but not necessarily favourable to membership - the approach being 'let's see what we can negotiate, and then decide'. In 2010, as a result of the bilateral dispute over 'Icesave' and the EU's handling of its problems with the euro, public opinion in Iceland has turned against membership. Plainly there is a risk that Iceland may repeat the experience of Norway in 1972 and 1994, when successful entry negotiations were rebuffed by referendums. Such a 'no' from Iceland would be a slap in the face for the EU.

### Western Balkans

The countries of this region received a promise of membership at the EU summit at Thessaloniki in 2003, but although they have embarked on political and economic reforms their progress has been disappointing. Serbia, the biggest state in the region, has been hampered by lack of cooperation with the war-crimes tribunal in The Hague and its dispute over Kosovo's independence. Bosnia, still under international tutelage, is lagging behind with friction between its ethnic communities. Accession for these countries will take a long time, and it would be unwise to predict the dates at which they will join. Even Croatia, which is further ahead than the others, is unlikely to become a member of the EU before 2013. After the premature accession of Bulgaria and Rumania, the EU is now more cautious with the Balkan countries: in the conduct of accession negotiations, for example, it links the opening of chapters to the achievement by the applicant country of specific 'benchmarks'.

Nevertheless, it must surely be the case that the question is 'when' rather than 'whether' the Western Balkans countries will join the EU. Although the international community is still involved in the region, the EU is considered to be mainly responsible for it, and the incentive of EU membership is seen as the main instrument for driving reforms. With a total population of about 25 million, these countries do not present a significant problem for the EU. In the last resort, if it cannot deal successfully with local problems in this part of Europe, how can it expect to play a role as a global actor?

## The EU's Final Frontiers

The countries mentioned in the preceding section are officially accepted as being 'in the enlargement process' but other European states also may well aspire to EU membership. As the background paper argues, it would be difficult for the EU, with a basic treaty that states 'any European state' may apply, to refuse an application from another country which is a member of the Council of Europe. It could, of course, say 'not yet, because you do not satisfy the Copenhagen criteria' or 'not yet, because the EU is not ready for you' but it could hardly say 'no, never' to another European state.

At the present time there is practically no public debate on how far to extend the EU's frontiers. Indeed, demands by Sarkozy and others for a general debate on the final frontiers are usually understood to be aimed more specifically at obtaining a decision against Turkey. Up to now the EU institutions have scrupulously refrained from conducting such a debate, and when the European Commission last visited the question in 2006 it simply repeated its elegant formula of 1992 that a decision on future frontiers is 'neither possible nor opportune'.

I do not complain about this silence on the part of the EU institutions, since the large number of countries already in the enlargement process means that the EU has enough on its plate for now and for some time to come. Indeed, unless and until it finds a way out – forwards, backwards, or sideways – from the difficult situation which it has created for Turkey's application, it will be impossible to have a coherent discussion about other potential candidates such as Ukraine.

As the background paper explains, six countries of Eastern Europe are presently covered by the EU's Neighbourhood Policy: Armenia, Azerbaijan, Georgia, Moldova, Belarus and Ukraine. They are far from meeting the Copenhagen criteria, and several of them (Moldova, Azerbaijan and Georgia) are involved in territorial disputes. For these reasons alone there is no early prospect of a move by them towards EU membership, though the conclusion of Association Agreements as envisaged under the new Eastern Partnership will bring them closer. After all, the EU's Heads of State and Government decided textually in Copenhagen in 1993 that 'the associated countries of Central and Eastern Europe that so desire shall become members of the Union'.

The key point, in my opinion, is not to close the door to these East European countries. Here the background paper 'Where Will the EU's Final Frontiers Lie?' is surely right to conclude that we should 'keep open the prospect of EU enlargement in order to maintain effective leverage, since neighbouring countries are often willing to modify their behaviour in the hope of obtaining membership'. From the British point of view, the 'geostrategic' and 'transformative' arguments which I identified earlier in this paper must continue to apply to these East European cases.

Although Ukraine, following its recent change of President, has improved relations with Russia, it has not abandoned its European vocation. From a geographical point of view the three countries of the Caucasus (Armenia, Azerbaijan, Georgia) are further away from the EU than the three others (Ukraine, Belarus, Moldova) and it may well take them longer to make the reforms necessary for membership. But they are undeniably European; Armenia, from the cultural point view, has one of the oldest Christian churches.

There is also a seventh undeniably European country – Russia. Of course, it is unrealistic to contemplate Russia's membership of the EU in the foreseeable future – and given its size, Russia joining the EU would be more like the EU joining Russia. But I like to imagine myself in the position of the planner in Moscow whose task is to look at the longer term. I think he would be reflecting that as a result of its demographic decline, Russia's population will approach 100 million before the end of this century, and with 1,400 million Chinese on the Eastern side, it would be prudent to keep the options open for integration with the neighbours on the Western side...

One day the final frontiers of the EU will be known – at least, by historians – but that day is likely to be a long way in the future. For now, I think that we also should keep our options open for the integration of our East European neighbours.

Sir Michael Butler  
Chairman of the Senior European Experts



Sir Michael Butler was British Permanent Representative to the European Communities, 1979-85. After taking early retirement he served as an executive director of Hambros Bank for 12 years.

He also held a number of different roles related to European affairs in London, including chairmanship of the Bank of England's ad-hoc group which originated the hard ecu plan.

He is now chairman of the Senior European Experts group.

Nicholas Kent  
Secretary to the Senior European Experts



Nicholas Kent is a writer and consultant specialising in education policy and in European Union affairs and is secretary to the Senior European Experts group.

From 1992 he was a consultant director and then managing director of a public affairs consultancy firm.

He was director of Conservative Mainstream – an alliance of One Nation and pro-European pressure groups within the Conservative Party – from March 2000 to February 2002. During this period he went on secondment to be campaign co-ordinator of Ken Clarke's 2001 Conservative leadership bid.

## The Final Frontiers of the EU: The Eastern Dimension

Sir Michael Butler and Nicholas Kent

### Introduction

In this essay we look at the possibility of the EU's further enlargement to the east. We do not discuss the detail of the criteria used by the EU to assess eligibility for membership, nor review the definition of 'Europe', except in passing; those issues are both explored in the background paper written by the Senior European Experts group. Nor do we consider the British perspective on enlargement, which is covered by Graham Avery in his contribution. The question of Turkish membership is dealt with in more detail in both the background paper and in Avery's essay.

Instead, this paper considers the limits of EU enlargement to the east of the current Member States. Membership is already on offer to the states of the Western Balkans but the timetable for their admission appears to have slipped. Given that these countries are surrounded on three sides by EU Member States – and on the opposite side of the Adriatic, Italy was a founder a member – admission would appear to be a matter of time rather than of politics or geography. But should membership be held out to Ukraine? To Belarus and to Moldova? Are the nations of the southern Caucasus – Armenia, Azerbaijan and Georgia – to be considered part of Europe and if so, is EU membership a realistic goal for them to aim for?

We explore all these issues and identify which of the countries east and southeast of existing EU Member States can be considered as candidates for membership and make a tentative suggestion as to where the final frontiers of the EU might lie on its eastern borders.

### Enlargement: Successes and Difficulties

The enlargement of the EU is widely regarded as having been one of its most conspicuous achievements. From an original membership of six countries - all in Western Europe - in 1957, this unique community of nations has gradually expanded to 27, with the most dramatic enlargement occurring with the 'big bang' enlargement of 1 May 2004,

when 10 countries from central and Eastern Europe and the Mediterranean joined at once. This was a transformative enlargement because it made the EU the world's largest single market, because it brought many of the former Communist states into what was once a symbol of Western capitalism and democracy and because it created an organisation that stretches from the Atlantic to the Black Sea.

Quantifying the benefits of enlargement is not always easy. The earlier four waves of expansion brought into the EU established democracies (such as the UK, Ireland and Denmark in 1973), neutral and non-aligned countries (Austria, Finland and Sweden) and former dictatorships that had embraced democracy (Greece, Portugal and Spain). The political and economic benefits of these enlargements were considerable. Through enlargement, the EU gradually expanded its common market to a larger and larger proportion of the European population. Countries previously governed by authoritarian, undemocratic regimes became stable and successful democracies – not because of their EU membership but the prospect of their participation in the EU provided them with an enormous incentive to change and once in, the support to develop their economies further and to maintain their new democracy.

The European Commissioner then in charge of enlargement policy, Olli Rehn, described the benefits of the 2004 expansion in these terms:

Enlargement has served as an anchor of stability, and driver of democracy and the rule of law in Europe. Economically it has benefited both new and old Member States, as well as the EU as a whole. It has extended the area of peace and prosperity to almost 500 million people and increased our weight in the world.<sup>1</sup>

The economic benefits are more easily measured than the political ones. A detailed study published by the Commission in 2009 found considerable evidence that the 2004 enlargement had produced substantial economic gains. The new Member States saw higher rates of growth, lower unemployment and greater prosperity in the years after they joined the EU. Growth in the new Member States averaged 5.5% between 2004 and 2008 compared to 3.5 % in the four years from 1999 to 2003. This increase in growth did not come at the expense of existing Member States, whose growth remained constant at around 2.2% a year between 2004 and 2008 – roughly the same as it had been from 1999 to 2003.<sup>2</sup>

Although the immediate benefits of membership were followed by a period of economic retrenchment in several of the new Member States following the global economic crisis, in the long-term, they will gain from being part of the world's largest single market. Important lessons can be learned, however, from the difficulties that did follow the rapid growth after 2004. In future, new Members will need to be mindful of the dangers of too rapid an expansion of their economies, and especially the danger of credit-financed property booms (the Baltic States and Hungary have been particularly hit by the aftershocks from property price falls since 2008). Existing Member States are more likely to place transitional restrictions on the free movement of labour following the political repercussions of the unexpectedly large movement of workers from central and Eastern Europe to the UK and Ireland.

Enlargement since 2004 – the accession of Bulgaria and Romania in 2007 – is regarded by some commentators as having been less successful.<sup>3</sup> The Commission published a number of reports in 2008 and 2009 which showed that neither Bulgaria nor Romania had fully complied with the terms of their pre-accession agreements with the EU. So significant were the corruption problems identified in some Bulgarian public institutions who were distributing EU funds in 2008, that grants to these bodies were suspended by the Commission.<sup>4</sup>

Although progress has been made since 2008, in both Bulgaria and Romania, a March 2010 Commission interim report expressed continuing concern about the situation with particular regard to making the Romanian judiciary effective against corruption.<sup>5</sup> These failings in the management of EU funds and in the fight against crime and corruption are particularly important because the rule of law is fundamental to the ethos and values of the European Union. Member States must be able to comply not only with the laws and values of the EU but also the principles of the European Convention on Human Rights.

The scale of the difficulties faced by Bulgaria and Romania in meeting their obligations under the accession process is a reminder that joining the EU is neither simple nor straightforward for countries whose economies and societies did not function on a rule of law basis until relatively recently. Nor is the process of joining the EU merely a technical one, about rules of procedure and boxes to be ticked. There has to be the political will in a would-be Member State to ensure that not only are the political and economic arguments for membership made and won in

their own country but they are able to maintain the momentum for change beyond the date of accession. Part of Bulgaria's difficulty with its failure to satisfy the Commission under the Co-operation and Verification Process that follows accession, was the lack of political support in its parliament for judicial and criminal law reform.<sup>6</sup>

One other significant post-enlargement issue on the debit side has arisen since 2004: the failure of the reunification process in Cyprus. Cyprus was admitted as a divided island with the Greek Cypriot side becoming part of the EU on 1 May 2004 but with the so-called Turkish Republic of Northern Cyprus part of the island temporarily excluded. The failure of the two Cypriot communities since then to reach an accord and establish a timetable for reunification – indeed, they may have moved further apart with the recent election of a Turkish nationalist as a president of the Turkish Cypriot part of the island – is a warning against admitting new Members whose territory is still the subject of dispute. A disagreement between Slovenia and Croatia over the delineation of the sea border between them caused a delay in the accession negotiations with Croatia in 2009. This was an indication of the difficulties that could arise in future as there are several significant territorial disputes affecting applicant and possible applicant states in Eastern and south-eastern Europe.

The general success of enlargement during the EU's history is encouraging when considering further expansion to the East. Although there have been some serious issues since the enlargements of 2004 and 2007, these difficulties do not undermine the fundamental value of enlargement – both to existing Member States and to the new Members. But they can and will influence how future enlargements are considered by the Member States. The slower than expected pace of Croatian accession, whilst it owes something to difficulties over war criminals and the border dispute with Slovenia, also reflects the belief in Member States and in the Commission that countries should not join in future until they are clearly able to meet the full obligations of membership. It might be argued that in the case of Bulgaria and Romania, the EU forgot its own earlier emphasis on the ability of a new Member State not merely to subscribe to the rules of the EU but to implement them fully. This had been made clear by the European Council in Madrid in 1995, when it said – in relation to the central and Eastern European countries – that preparations for enlargement had to create 'the conditions for the gradual, harmonious integration of those States, particularly through the development of the market economy, the adjustment of their

administrative structures and the creation of a stable economic and monetary environment'.<sup>7</sup>

The prospect of membership is a powerful lever in the hands of the EU when dealing with potential applicants to bring about significant positive change in countries emerging from authoritarian government. The need to comply with EU procedures, to adopt the *acquis* and to embrace the values of the EU are also powerful tools for politicians and administrators in countries which would like to join but where influential elements in society are reluctant to accept the changes necessary.

### **Enlargement: A process not an event**

The EU's criteria for membership are discussed in the background essay by the Senior European Experts group, including the Copenhagen criteria and the absence of any definition of 'Europe' in the Treaty of Rome or subsequent treaties. In considering the possibility of further enlargement, two points are central: firstly that the EU has held out the possibility of membership to any European country that wishes to join; and secondly that applicant countries must meet the tests laid down in the Copenhagen criteria. These include the existence of the rule of law, the guaranteeing of democracy and human rights, a functioning market economy and support for the EU's objectives in an applicant country.

The process of enlargement varies from country to country but it usually involves a series of steps which begin with a formal treaty with the EU, called an association agreement. In this agreement, the potential Member usually receives trade concessions from the EU, agrees to work politically with the EU on areas of common interest and may receive some financial or other assistance to assist with economic or political development. In the case of the Western Balkans, these agreements are called 'Stabilisation and Association Agreements', reflecting the particular circumstances of this group of countries.

If membership is considered a serious possibility, then the association agreement will develop into a more detailed and more intense relationship, called a partnership agreement. Association and partnership agreements can be made with countries that have no intention of applying for membership. What distinguishes the potential new members is that they will make a formal application to join the EU, which will be considered by the European Council. After the Commission has given its opinion on

the application, the Council will decide whether to agree in principle to the application. If it does so, then the applicant becomes a 'candidate' and the pre-accession process begins.

A pre-accession agreement will be signed with the candidate country in which the changes the applicant needs to make in order to adopt the EU's *acquis* and to meet the broader tests in the Copenhagen criteria, will be identified. Negotiations on the detailed arrangements then take place. Even once an accession treaty is signed, and ratified by all Member States and the candidate country, the process is not complete because there will commonly be transitional provisions before all EU laws apply fully in the new Member State and/or before freedom of movement applies to the citizens of that Member.

These enlargement procedures have been adjusted to take account of the particular circumstances of candidate countries. Special conditions may be imposed before negotiations can open on the details of accession – for example, Croatia was obliged to hand over alleged war criminals to the International Criminal Tribunal for the former Yugoslavia before the EU would open full negotiations. In the cases of Bulgaria and Romania, the EU adopted a process known as the co-operation and verification mechanism (CVM) to enable the transition from applicants to new Members to be continuously monitored.

What this complex, and sometimes lengthy, process tells us is that membership of the EU is not merely an event. It is a process where there are many opportunities for delay or even failure. It is worth noting that applicants can fall at the final fence – the need for the consent of their own citizens. In the case of Norway, referendums on membership in 1972 and 1994 were both lost. But the length and thoroughness of the process are important to the credibility of the EU. The success of enlargement down the decades has enhanced the standing of the EU in the world, (as well as bringing other important economic and political benefits). Enlargement is too important to rush. The rigour of the process is also a strength – it enables candidate countries to go through a structured reform process which will have many benefits beyond EU membership.

### The Western Balkans

The countries of the Western Balkans – Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Kosovo – have all been offered membership of the EU. This offer was

first made by the European Council in June 2000 and has repeatedly been re-affirmed.<sup>8</sup> Two of the Western Balkans countries – Croatia and the former Yugoslav Republic of Macedonia – are candidate countries; negotiations with Croatia are under way.

There are difficulties for all the Western Balkans countries. The situation with Croatia has already been described above (and there are other difficulties involving the prosecution of war crimes and judicial and political reform).<sup>9</sup> The former Yugoslav Republic of Macedonia is still in dispute with Greece over the country's preferred choice of name. Bosnia and Herzegovina remains deeply divided between ethnic communities and the pace of reform called for by the international community has been slow in recent years. Albania applied for membership in April 2009 but the Commission reports that there are still many ways in which Albania falls short of the Copenhagen criteria.<sup>10</sup>

Montenegro applied for membership in December 2008 and the European Council has asked the European Commission to prepare its formal opinion on Montenegro's application. Already working with the EU since 2002, Montenegro has a partnership agreement and receives development funds to assist its internal modernisation. Having recently been part of Yugoslavia (with Serbia) much of Montenegro's recent political development has been concerned with establishing the political and legal structures of an independent state.<sup>11</sup>

Serbia's path towards EU membership remains blocked by the failure to bring the alleged war criminal Ratko Mladic to justice at The Hague. Beyond that, Serbia has signed (in 2008) a Stabilisation and Association Agreement (SAA) with the EU, in addition to an Interim Agreement that provides for assistance and co-operation whilst the SAA is ratified by all Member States. Serbia has received financial assistance from the EU, both for internal reform and in response to the global economic crisis. It has begun to make internal reforms, as part of a compliance process designed to facilitate EU membership but there are many political and other obstacles in the way.<sup>12</sup> The largest of these – apart that is from Mladic being on the run – is the Serbian refusal to accept the independence of its former province of Kosovo. This is further complicated by the fact that not all Member States recognise Kosovo anyway. Nonetheless, the Serbian Government has shown a willingness to engage constructively with the EU on other issues and political reform is underway.

The status of Kosovo clearly prevents it from joining in the short term. It could hardly join the EU when its independence is not recognised by some Member States but the fact that its territory is claimed by another country – Serbia – adds to the uncertainty about its situation. Of course, the EU accepted UK and Irish membership in 1973 even though the Irish Republic's constitution lays claim to part of the territory of the United Kingdom but the recent nature of the conflict between Serbian forces and people in Kosovo and the deep divisions that remain there make this a particularly potent territorial dispute. The EU is playing a significant part in supporting Kosovo – and will have to do so for some time to come – as part of the international effort to stabilise the country. EU Membership is still some way off however.

Despite all the difficulties in the way of the countries of the Western Balkans joining the EU, there is no dispute that they are all European countries and that any country there that can meet the Copenhagen criteria could and should be admitted - but only when they are fully ready. This means that in addition to the various political and legal issues, the organised crime, drug trafficking and people smuggling that blight the Western Balkans will need to be effectively tackled as well.

### Turkey

Negotiations for Turkish accession to the EU began in October 2005. Turkey has long been accepted as a candidate for membership and the opening of negotiations was the continuation of a very long process. Although only part of the country is in Europe, Turkey is regarded as a European state by many Member States and perhaps more significantly, by Turkey itself since the end of the Sultanate after the First World War. The deliberate 'Europeanisation' of Turkey since the leadership of Atatürk led to Turkey's application to join. For some Member States Turkish membership is deeply controversial; they dispute whether it is part of Europe at all and raise doubts about the admittance of a country with such a large population (76.8 million in 2008) and one which is overwhelmingly Muslim.

But whatever doubts exist in some quarters, Turkey is now in negotiation with the EU over its forthcoming accession. To prevent Turkey from joining at the final stage – perhaps because such a proposal was put to a referendum in another Member State and lost – would seriously destabilise the whole region. It would send a poisonous message to Muslim countries about how they were viewed by Europeans and threaten the

enormous progress Turkey has made in establishing a democracy based on the rule of law and the freedom of the individual. It would also be entirely inconsistent with all the messages from the EU to Turkey since it first signed an association agreement with the Community in 1963. Although there are important issues to be resolved that affect the timing of Turkey's admission (such as the Cyprus dispute), the principle that it should accede in due course has been established. Negotiations should therefore continue and the EU should use all its influence to try and remove the impediments to membership that remain.

### The Countries of the Eastern Partnership

Six countries that are on the eastern borders of the EU participate in the EU's Eastern Partnership. Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine are all countries that work with the EU through this extension of its neighbourhood policy; several also aspire to membership of the EU itself.

Ukraine, the largest both geographically and in population terms of the six Eastern Partnership countries, is a European country that wishes to join the EU. It is already working to that end, with a number of programmes run in co-operation with the EU. Despite the recent change of President, Ukraine remains committed to future membership:

'For Ukraine, European integration is a key foreign policy priority',

Mr Yanukovich said when visiting the Commission soon after his election.<sup>13</sup> The Russian Prime Minister indicated as long ago as 2004 that Russia supports Ukraine's EU membership ambitions. The relationship between the EU and Ukraine has however not been an easy one. Some EU Member States have been reluctant to embrace the idea of Ukrainian membership, partly because of its size but also because of the political instability there.

Resisting Ukrainian enthusiasm for membership risks alienating the Ukrainian people and their leaders. The current Ukrainian Minister for EU Affairs, Konstantin Yeliseyev, has said recently that the Eastern Partnership 'is nothing', with the amount of aid involved (€50 million a year) inadequate for a country the size of Ukraine. He accused the EU of lacking any coherent strategy towards his country:

The EU does not know what to do with Ukraine. It has no vision for where it sees us in the next 10 years, or 20 years. It cannot clearly decide that, together with Ukraine, the EU would be more stable and more prosperous.

He warned that when the EU finally decided to offer Ukraine membership, 'it may be too late'.<sup>14</sup> Mr Yeliseyev's remarks are excessively gloomy and reflect a tendency – some commentators would claim – for members of President Yanukovich's Government to play off Russia and the EU against one another. It is certainly the case that Ukraine is working towards meeting the criteria that would make it a potential applicant; it wants to join and will in time be eligible. In these circumstances, the option of membership should be held out by the EU. Britain, Poland and several other Member States support Ukrainian membership in principle but others are more cautious. The provision of the French constitution requiring a referendum on the accession treaty of any proposed new Member State, might mean a referendum on Ukraine joining if the alternative method of ratification (a three-fifths majority in both houses of the French Parliament) could not be achieved.

Belarus, another country close to Russia under its current president, on the other hand is not likely to be eligible to join the EU in the near future. Belarus is not a democracy with the rule of law and appears to be a long way from being able to meet the Copenhagen criteria. Since its independence from the Soviet Union in 1991, Belarus has maintained a close relationship with Russia and it has never indicated that it would apply for EU membership. The absence of democracy, since the rise to power of President Lukashenka in 1994, has meant that the EU has never ratified the Partnership and Co-operation Agreement it signed with Belarus in 1995. Relations have improved a little since 2008 but Belarusian membership of the EU can be ruled out for the foreseeable future.

Moldova, another former constituent republic of the Soviet Union, declared independence in 1991. Sandwiched between Romania and Ukraine, the country is currently partially divided as the area on the eastern bank of the Dniester River, Transnistria, is controlled by the breakaway Pridnestrovian Moldovan Republic. The sovereignty of this quasi-state, the bulk of whose population is ethnic Russian or Ukrainian, is not recognised by any member of the UN. The dispute over this territory began in 1990 and exploded into armed conflict in March 1992. A ceasefire agreed a few months later has held since but the underlying dispute remains unresolved. Often described as one of the 'frozen conflicts' in the countries that succeeded the now dissolved Soviet Union, the dispute

over Transnistria is just one of many problems faced by what is Europe's poorest country.

Moldova has made no secret of its ambition to join the EU but its poverty and political instability make it unappealing to other Member States. Around a quarter of Moldova's population live on less than \$2 a day, making it Europe's poorest country.<sup>15</sup> Political difficulties have arisen from the disputed parliamentary elections of 2009, which were followed by the failure of the parliament twice to elect a new head of state. Fresh elections will have to be held.

The conflict over Transnistria is a major impediment to EU membership. The EU currently provides a border assistance mission to Moldova and Ukraine to support them in policing the 1200 km Moldovan/Ukrainian border, part of which is under the *de facto* control of the breakaway Transnistrian government. Moldova is an uncertain candidate for the present but if it meets the Copenhagen criteria in due course, it should be admitted.

Armenia is one of three countries in the Southern Caucasus once part of the Soviet Union that are now members of the Council of Europe but not in the EU. All three of these countries are east of the Black Sea and are affected by territorial disputes that followed the break-up of the Soviet Union.

Bordered by Turkey to the West, Georgia to the north and Iran and Azerbaijan to the south, Armenia was briefly an independent state after the First World War but then forcibly became part of the Soviet Union. Independent since 1991, it is in dispute with neighbouring Azerbaijan over the Armenian ethnic enclave of Nagorno-Karabakh in that country. Its relationship with Turkey is also poor; the disputed massacres of Armenians in 1915-16, which Armenians blame on Turkey, have poisoned relations for decades. Whilst there have been some recent attempts to improve the situation on both sides, progress has been extremely slow and currently Armenia and Turkey do not have diplomatic relations with one another. As Turkey is a candidate country for EU membership, this is a major problem.

Armenia has not officially decided that it wishes to join the EU, although that is the position of the official opposition Heritage party. In the absence of a clear political commitment to joining, the EU does not at

present have to decide whether Armenia is in Europe or not but as a country east of Turkey and south of Georgia, it is hard to classify it as 'European', its Christian heritage notwithstanding.

Georgia is different from Armenia in that its government has expressed a wish to join the EU. Georgia is a divided country, with the enclave of South Ossetia having declared independence following the brief conflict between Georgia and Russia in August 2008. Abkhazia is considered by most countries, and Georgia itself, to be part of Georgia but is *de facto* governed independently following the 1992-94 war between the Abkhaz and Georgians. These territorial disputes represent significant obstacles in the way of Georgia meeting its aspiration to join the EU (and also NATO) and fear of upsetting Russia also affects the attitude of Member States to potential Georgian membership. The uncertainties following the Russo-Georgian conflict of 2008 mean that the question of Georgian membership is unlikely to be seriously raised for some time.

Finally, the situation of Azerbaijan – the furthest east of the countries of the South Caucasus – is similar to that of Armenia and Georgia, although it definitely aspires to join the EU. It has developed a relationship with the EU, not least because of the importance of its energy resources to a number of Member States. The key Baku-Tbilisi-Ceyhan pipeline goes from Azerbaijan to Turkey via Georgia carrying crude oil. But the political instability that followed independence, with several coups and attempted coups, coupled with the location of the country has made Azerbaijan unlikely to be seen as a candidate country in the medium term.

### Conclusion

The EU cannot expand forever; it does not aspire to replace the United Nations. In the absence of any limits to "Europe" laid down in the founding treaty, Member States will have to decide pragmatically where the final frontiers of the EU should lie.

No one disputes the right of the countries of the Western Balkans to call themselves European and few would object to Moldova or Ukraine making a similar claim. But once the Black Sea is reached, it seems hard to argue that countries east of it can be considered European, whatever their economic, cultural, religious or other ties to the countries to their west. The most likely southern border for the EU is the Black Sea and the Caucasus mountains.

Establishing the EU's final frontiers may seem an esoteric (or even quixotic) quest: it is anything but. It is vital for the economic and development of countries that will in practice not be admitted to the EU that they have clarity about their chances of joining. The EU should not mislead the countries of the Southern Caucasus and undermine necessary improvements to the EU's relationship with this strategically important group of nations by holding out the prospect of membership whilst having little or no intention of making it a reality.

## Notes

1. 'Five years of an enlarged EU has brought lasting benefits and left Europe better placed to tackle the current crisis', Press Release, European Commission, 20.02.09.
2. Quoted in *ibid*; full report: *Five years of an enlarged EU: Economic achievements and challenges*, European Commission, February 2009, at: [http://ec.europa.eu/enlargement/5years/documents/impact/publication14078\\_en.pdf](http://ec.europa.eu/enlargement/5years/documents/impact/publication14078_en.pdf)
3. A point made by Graham Avery in his essay. See also, *On High Stakes, Stakeholders & Bulgaria's EU Membership*, Antoinette Primatarova, European Policy Institutes Network, Working Paper 27, April 2010.
4. 'More efforts needed by Bulgaria and Romania to tackle judicial reform and corruption', Commission press release 23.07.08.
5. Interim report from the Commission to the Council and the Parliament, 23.03.10: [http://ec.europa.eu/dgs/secretariat\\_general/cvm/docs/com\\_2010\\_113\\_en.pdf](http://ec.europa.eu/dgs/secretariat_general/cvm/docs/com_2010_113_en.pdf)
6. Interim report from the Commission to the Council and the Parliament on Bulgaria, 23.03.10: [http://ec.europa.eu/dgs/secretariat\\_general/cvm/docs/com\\_2010\\_112\\_en.pdf](http://ec.europa.eu/dgs/secretariat_general/cvm/docs/com_2010_112_en.pdf) Primatarova makes the same point about a lack of political will in Bulgaria in her paper [see note 3].
7. Presidency Conclusions, European Council, Madrid, 15 & 16 December 1995, in Part III.
8. Presidency Conclusions, European Council, Santa Maria da Feira, 19 & 20 June 2000, Part V.

9. The progress of candidate countries is described in detail in annual reports by the Commission. For Croatia see, [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/hr\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/hr_rapport_2009_en.pdf)

10. See: [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/al\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/al_rapport_2009_en.pdf)

11. See, [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/mn\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/mn_rapport_2009_en.pdf)

12. See, [http://ec.europa.eu/enlargement/pdf/key\\_documents/2009/sr\\_rapport\\_2009\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2009/sr_rapport_2009_en.pdf)

13. Quoted in *EU Business*, <http://www.eubusiness.com/news-eu/ukraine-diplomacy.370>

14. Quoted in *EU Observer*, 28.04.10, <http://euobserver.com/24/29960>

15. [http://hdr.undp.org/en/media/HDI\\_2008\\_EN\\_Tables.pdf](http://hdr.undp.org/en/media/HDI_2008_EN_Tables.pdf), table 3, p.34



## Senior European Experts



The Senior European Experts group was set up 11 years ago to provide high quality briefing papers on the European Union to opinion-formers within the UK. The Senior European Experts group consists of five former UK Ambassadors to the EU, former senior officials in the EU Institutions and others who have worked in a senior position in or with EU Institutions.

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# Where Will the EU's Final Frontiers Lie?

## Senior European Experts

### Introduction

How far can the European Union's expansion continue? Where if anywhere, should its final frontiers be established? In 50 years it has grown from 6 to 27 members, and continues to attract neighbouring countries. But with the addition of 12 new members in 2004 and 2007, and more countries officially considered for membership, the question of whether or not the EU should now set geographical limits is often posed.

Since the prospect of membership has been such a successful instrument for extending stability and prosperity to neighbouring countries, some believe that the EU should continue to expand without setting pre-determined geographical limits. But is this realistic? The EU's basic Treaty says 'any European state may apply to become a member'. Logically, however, it cannot expand indefinitely: it was not designed as a system of world government. But should an attempt be made to determine what the Treaty's vague provision means in more precise terms? Or should the EU continue to take decisions about enlargement on a case by case basis and without making a priori assumptions?

### Europe - Physical and Political



## European Union Member States



### Why Frontiers?

Some commentators ask whether the EU really needs fixed borders and a territorial definition. With globalisation, frontiers are less significant than in the past, and when they divide peoples with historic links on different sides of a border, as is the case in parts of Eastern Europe, they can cause social and economic problems.

But although the EU is not a state, it is based on laws, and to apply laws a territorial definition is needed. Boundaries are necessary for the operation of the single market, the free movement of persons, and many other EU policies. But it is perfectly possible for the EU to have different boundaries for different policies. This is already the case for the euro and the Schengen zone for free movement of persons. In this sense, although the EU has territorial boundaries, it is already a multi-tier, multi-frontier system.

Nevertheless there is an important distinction between states which enjoy – or could in the future enjoy - the rights of membership and those which do not. All EU members, and all applicant states, want to be full members with equal rights in decision-making; from the institutional point of view there is a clear territorial distinction between membership and non-membership. Half-membership of the EU has not yet been invented: the idea of a 'core-group', with certain states having more rights than others, has sometimes been suggested, but never accepted.

### What is Europe?

How should we define 'European'? Opinions differ on what it means in geographical and cultural terms. It is sometimes said that membership of the EU relies on shared values rather than geography. If this argument is correct, we could expect like-minded states in distant parts of the world to be considered as future members – for example, New Zealand. But plainly geographical contiguity or proximity is a precondition for membership of the EU. Exceptions which prove the rule are France's overseas departments (Guadeloupe, Martinique etc.) which are geographically outside Europe but administratively within the EU only because they are part of French territory.

So what are the geographical limits of the European continent? As the map shows, Europe is well defined to the North, West and South by seas and oceans<sup>1</sup>, but to the East there is no definitive boundary, although the Ural Mountains<sup>2</sup> and the Caspian Sea are often invoked as natural frontiers. However, a number of geographers consider Europe not even as a continent but as the western peninsula of the Asian landmass. Some argue that Turkey (or most of it) lies outside the geographical definition of Europe, but against this it should be remarked that Cyprus - a member state of the EU - is geologically part of Asia, and Greece's Dodecanese Islands are an extension of Asia Minor.

In any case, different geographical and political concepts of Europe have prevailed at different times. Asia Minor and Northern Africa were included in the political and economic area of the Roman Empire, while much of today's EU was outside it. Other historical periods are cited as characterising Europe in cultural terms, such as the experience of the Renaissance and the Enlightenment. For some, the Christian religion is a defining factor, while for others this approach is unacceptable. These examples show how difficult it would be to arrive at an agreed definition.

## The EU and its Limits

The Treaty of Rome in 1957 stated simply 'any European state may apply to become a member'. The EU institutions have never decided what that means in geographical terms, although the Treaty of Amsterdam in 1997 did define the values which need to be respected by candidate countries by stating in Article 49 that 'any European state which respects the principles set out in Article 6 (1) may apply to become a member of the Union', while Article 6 (1) says 'the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States'.

When the European Commission considered the question of the EU's final frontiers in a report to the European Council in 1992 it concluded:

The term 'European' has not been officially defined. It combines geographical, historical and cultural elements, which all contribute to the European identity. The shared experience of proximity, ideas, values and historical interaction cannot be condensed into a simple formula, and is subject to review by each succeeding generation. It is neither possible nor opportune to establish now the frontiers of the European Union, whose contours will be shaped over many years to come.

When it reviewed the question again in 2006, the Commission came to the same conclusion. Meanwhile none of the other European institutions such as the Council of Ministers or the European Parliament have addressed the question, in a definitive manner.

## Copenhagen Criteria

In 1993 the European Council in Copenhagen decided that 'Membership requires:

- that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and, protection of minorities.
- the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union.
- the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union'.

These 'Copenhagen criteria' initially applied to the countries of Central and Eastern Europe, but they have now become the rule for all applicants.

The same summit decided that: 'The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries'.

### Other Europeans

Is it so difficult to determine which countries are generally accepted today as European? Let us look at two other important Europe-related intergovernmental organisations - the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) – which have wider memberships than the EU.

The *Council of Europe* has 47 members:

European Union countries (27)	Armenia
Albania	Azerbaijan
Bosnia-Herzegovina	Georgia
Croatia	Moldova
Macedonia (FYROM)	Russian Federation
Montenegro	Ukraine
Serbia	Andorra
Turkey	Liechtenstein
Iceland	Monaco
Norway	San Marino
Switzerland	

The *Organisation for Security and Cooperation in Europe* has 56 members:

Council of Europe countries (47)	Canada
Belarus	United States
Kazakhstan	Holy See
Kyrgyzstan	Turkmenistan
Tajikistan	
Uzbekistan	

Evidently the Council of Europe and the OSCE, which have different origins and aims than the EU, have not felt the need to have the same membership. The OSCE in particular, by including the US and Canada

which are not geographically European (and the same is true of the Central Asian members), goes well beyond any geographical definition of Europe.

So let us examine them critically in the context of EU membership. For that purpose we can leave aside:

- the transatlantic members of OSCE (USA, Canada)
- the 'Central Asian' members of OSCE (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan)
- the mini-states which have no interest in joining the EU (Andorra, Liechtenstein<sup>3</sup>, Monaco, San Marino, the Holy See).
- That leaves 18 European states which are not yet members of the EU.
- Albania, Bosnia-Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia
- Turkey
- Iceland, Norway, Switzerland
- Armenia, Azerbaijan, Georgia, Moldova, Belarus, Ukraine
- Russia.

Of these 18, the first 9 (including Kosovo, although there is disagreement between EU Member States over its recognition as an independent state) are under consideration by the EU as potential members.<sup>4</sup> Could it eventually embrace all the others? Will the final limits of the EU be set at 45 countries?

The simple reply to this question is that the EU will not necessarily have 45 members since:

- No European state is obliged to apply for membership
- The EU is not obliged to accept any applicant state
- New states may be created
- States may also leave the EU.

Nevertheless this list helps us to define the concept of European states as recognised by international treaties in the first decade of 21st century; in particular, it allows us to say that it would be difficult for the EU to refuse an application from any of these states on the grounds that they are not European. Of course, it could refuse membership on other grounds – because the applicant does not satisfy the accession criteria, or because the EU itself is not ready – but not because it is not European.<sup>5</sup>

So let us pursue the question, which of these states are actually likely to become members of the EU? First, we can examine the states which have already been accepted by the EU as official candidates and thus as potential members, and then the remaining European states. The first group – countries already in the ‘accession process’ – may be said to indicate the *next* frontiers of the EU, while the second group may be regarded as representing its possible *final* frontiers.

### The EU's Next Frontiers

This section deals with the countries which the EU has recognised as prospective members, that is Turkey, the countries of the Western Balkans, and Iceland.

#### Turkey

Turkey's Association Agreement in 1964 referred to its ‘European vocation’ leading to future membership of the EC (in the same way as the Association Agreement with Greece of that year). Although Turkey's formal application for EU membership was made in 1987 and the EU opened accession negotiations in 2005, Turkey's future membership is still questioned by a number of Member States.

Turkey with a population of 76.8 million, expected to grow to 90 million, is the biggest country ever to apply for EU membership.<sup>6</sup> However, in proportion to EU population as a whole, the UK's accession in 1973 was larger than Turkey's would be. Its position on Europe's south-eastern flank gives it geostrategic importance, both in terms of routes for energy supply and in relation to the Middle East and the countries around the Black Sea. As a member of NATO, it has played a key role in European security.

Turkey's EU membership, with its growing economy and young labour force, would bring benefits for the single market, and although there would be costs for the EU's budget for expenditure in Turkey on agriculture and cohesion policy, the overall economic impact of Turkey's accession should be positive.

Although the majority of its population is Moslem, Turkey has been a secular state since the creation of the republic in 1923. The AK (Justice and Development) Party which formed the government in Turkey in 2002 while clearly Moslem in its electoral appeal remains fully committed to a secular state and has embraced the prospect of EU membership and

used it as a lever to drive wide-ranging political and economic reform. Turkey's efforts to conform to European standards of democracy, human rights and rule of law are monitored closely by the EU. Much progress has been made towards meeting the Copenhagen criteria, but more still needs to be done. Among Turkey's problems are a lack of freedom of expression, the treatment of the Kurdish minority, and the political role played by the military.

In foreign policy, Turkey's membership would be positive for the EU in many ways – in the field of security, for example, Turkey has more soldiers than any other European member of NATO. But it would also bring new problems and risks: with Turkey's accession, the EU's external frontiers would extend to Azerbaijan, Armenia, Iran, Iraq, and Syria, bringing the EU into direct contact with an unstable region.

Many argue that by bringing Turkey into its club, the EU would give a powerful signal to other countries that it accepts Islam and Islamic society; to refuse Turkey would show that Europe is culturally prejudiced, might lead to a reversal of its reforms, and could even turn it against the West. Others consider this argument to be exaggerated: just as religion is not a reason to say 'no' to Turkey, it is not a reason to say 'yes'. Although Turkey's population is Islamic, it is not an Arab country, and it has a historic legacy of difficult relations with neighbours such as Armenia.

Much of public opinion in the existing members of the EU is hostile to Turkish membership not only because of the fear of an influx of Turkish migrant workers, but also because of a widespread view that Turkey is not part of Europe in geographical or cultural terms. Opposition to Turkish membership is expressed by politicians in countries such as France, Germany and Austria, sometimes for populist reasons but also on the grounds that the EU would no longer be able to function effectively with a new member state of the size of Turkey.

The unresolved Cyprus dispute also remains a problem. Turkey occupied the north of the island in 1974, and the Turkish Republic of Northern Cyprus, not recognised by the rest of the international community, is separated from the south by a UN peacekeeping force. Hopes of reuniting the island were dashed when the Greek Cypriots in the south said 'no' to the UN plan which had been accepted by the north. As a result, the EU's enlargement of 2004 brought in a divided island. But current negotiations under the UN's aegis offer the possibility, although far from certainty, that the island will be united as a bi-zonal, bi-communal federation.

All these problems put a question-mark over Turkey's bid for EU membership. Although accession negotiations began in 2005, no-one expects them to conclude in the near future. Some argue that, even if it does not finally become a member, Turkey and the EU have a strong interest in continuing its modernisation and 'Europeanisation' – in other words, the accession process may be useful even if it does not have a positive conclusion. But in such a situation of ambiguity, the leverage of EU accession is much less effective. And Turkey has rejected the idea of an alternative to membership, such as a 'privileged partnership'.

### Western Balkans

The Western Balkans region, with a total population of about 25 million, comprises:

4.5 m.	Croatia
7.3 m.	Serbia
0.7 m.	Montenegro
2.1 m.	Kosovo (not yet fully recognised as a state)
4.6 m.	Bosnia-Herzegovina
2.1 m.	Former Yugoslav Republic of Macedonia (FYROM)
3.6 m.	Albania

These countries, which have been geographically surrounded by the European Union since the accession of Bulgaria and Romania, received a promise of membership at the EU summit at Thessaloniki in 2003. But although they have embarked on political and economic reforms, they have a difficult historical legacy to overcome.

At one time under Turkish, and Austro-Hungarian domination, the Balkan region was united for a time in Yugoslavia, but when that federation disintegrated in the 1990s, ethnic and religious conflict led to civil war. Although the USA and Russia continue to have influence in the region, the international community now views it as Europe's responsibility, and its path to reform and recovery is linked to the prospect of EU membership.

The countries are at different stages on the way to membership: Croatia, which opened accession negotiations in 2005, is the nearest to EU membership, maybe in 2012; Macedonia applied in 2004 and was formally accepted as a candidate in 2006; Montenegro applied in 2008 and Albania in 2009; Bosnia and Serbia have not yet applied for membership but (like the others) are in the EU's Stability and Association Process (SAP). Meanwhile Kosovo, while its status remains disputed, has

a major European Union Rule of Law Mission whose presence is aimed at stabilising its political and economic institutions.

For the EU, the Western Balkans pose the biggest test yet of its transformative power. Can it use the leverage of membership as successfully as it did for the countries of Central and Eastern Europe? The Western Balkans have begun the accession process from a different starting-point. The post-conflict situation, with ancient rivalries and fears lying just below the surface, has made their economic reconstruction and political reconciliation difficult. Several of them still have basic problems of statehood – it was only in 2006 that Montenegro separated from Serbia, Kosovo declared its independence in 2008 but does not have full international recognition, while Bosnia is still under UN tutelage and suffers from tensions between its Bosnian, Serb and Croat communities.

Coupled with problems of bad governance, corruption and criminality, the countries suffer from a syndrome of political dependency, in which solutions are expected to come from outside. But the necessary reforms, and EU membership itself, require an autonomous functioning democracy.

Nevertheless, the question for the Western Balkan countries is not whether they will join the EU, but when. The fact that Slovenia (like them, once part of Yugoslavia) is a member of the EU shows that they too can make the grade. But it will take a considerable time, and it would be rash to predict the dates at which they will join; following the arguably premature accession of Bulgaria and Romania, the EU is likely to be cautious.

### Iceland

Following its financial and economic crisis in 2008, Iceland sought shelter by applying for EU membership in 2009, hoping in particular to join the euro. With its history of democracy, its developed economy, and its membership of the European Economic Area (EEA) and the Schengen passport-free zone, Iceland fulfils all the main criteria for EU membership. As a small country (with its population of 0.3 million it would be the smallest EU member) its accession could pose few problems. Accession negotiations are expected to begin in 2010, and although the EU's common fisheries policy could be very contentious, the negotiations should not last long on other matters; membership will then depend on a referendum in Iceland.

## Forgotten Applicants

It is sometimes forgotten that Norway (4.8 million) and Switzerland (7.3 m) have both applied in the past for EU membership. Oil-rich Norway negotiated and signed two Accession Treaties, but did not join when its people said 'no' in referendums in 1972 and 1994. This experience was so divisive that Norwegian politicians are reluctant to reopen the question of EU membership without a shift in public opinion.

As a member of the European Economic Area (EEA), Norway enjoys a close relationship with the EU, to which it makes a financial contribution. It has access to the single market and participates in many other EU policies. In fact, the EEA (which includes Iceland and Liechtenstein) is the closest form of relationship that the EU has ever made with non-member countries. Nevertheless, Norway finds it frustrating not to have a full voice in EU decisions which directly affect it, so one day it may apply again to become a member. Meanwhile it will observe with interest the progress of its neighbour Iceland.

Switzerland's application for EU membership was withdrawn when its people said 'no' in a referendum in 1992 on membership of the EEA; since then it has pursued its interests through bilateral agreements with the EU. While the French-speaking part of its population is in favour of EU membership, the majority of the German-speakers are opposed. Switzerland's unique system of plebiscitary democracy could pose problems for its membership.

However, from the EU's point of view, Norway and Switzerland as small prosperous countries are attractive candidates, and if they decided to re-apply would be likely to be welcomed.

## The EU's Final Frontiers?

This section deals with countries which are not presently considered as prospective members of the EU, but which – as European countries – could one day apply for membership.

### European Neighbourhood Policy

With its expansion to 27 members and the extension of its frontiers to include Central and Eastern Europe, the EU encountered a series of 'new neighbours' to the east. Already having a Euro-Mediterranean Partnership with countries to the south, it was obliged to rethink its relations with

countries in the 'post-Soviet' space of Eastern Europe. New members such as Poland and Hungary did not want their accession to lead to the erection of new barriers to countries with which they had long enjoyed cultural, social and economic links. The result was the development of a 'European Neighbourhood Policy' covering 16 countries: Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Belarus to the east ('neighbours in Europe') and Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, the Palestine Authority, Lebanon, Syria, to the south ('neighbours of Europe')

The aim of this EU policy is to develop political links and economic integration, to extend stability, prosperity and security. The main instrument is an 'action plan' negotiated with each partner country and backed by financial and technical assistance for the adoption of policies compatible with the EU. The system is modelled, in fact, on the EU's accession process, for it involves the neighbours taking over European standards and regulatory frameworks. But unlike the accession process it does not include the prospect of joining the EU (though it does not exclude it).

For the East European neighbours such as Ukraine, the fact that the policy is 'accession-neutral' is a disappointment. It lacks the big incentive of the enlargement process – the 'golden carrot' of accession – and although it offers long-term benefits, it demands reforms that are difficult and costly. Its message to the neighbours has been summarised by critics as 'be like us' not 'be one of us'. In fields such as agricultural trade, or visas for travel to the EU, it does not satisfy their wishes. But it provides increased financial aid and a closer political relationship, and it is now being developed further.

The EU's offer to include Russia in its Neighbourhood Policy was rejected. Russia prefers to be treated as a 'strategic partner', and is suspicious of the EU's links with countries that it considers historically as part of its 'near-abroad'.

### Eastern Partnership

Following France's proposal in 2007 to launch a 'Mediterranean Union' which later became the 'Union for the Mediterranean' – an upgrade of the southern dimension of the EU's Neighbourhood Policy – Poland and Sweden launched the idea of an 'Eastern Partnership' to upgrade the eastern dimension. The new Partnership was agreed in 2009 with six countries: Armenia (population 3.2 million), Azerbaijan (9 million), Belarus

(10 million), Georgia (4.4 million), Moldova (3.6 million) and Ukraine (47 million).

A Declaration affirmed that the Eastern Partnership is without prejudice to the question of the countries becoming members of the EU, but nevertheless it is based on the shared values of 'democracy, the rule of law, and respect for human rights, as well as the principles of market economy, sustainable development and good governance'. In addition to deepening the EU's institutional links with the countries concerned and increasing its financial support, the Partnership aims to lead to Association Agreements between the EU and those of the countries who 'have made sufficient progress towards the principles and values' and who wish to commit to a 'deep and comprehensive free trade area' with the EU.

### Prospects for EU Membership

This new framework represents an important step in rhetorical and institutional terms towards European integration for the six countries; although it makes no explicit mention of membership, the objective of Association Agreements is significant, for traditionally the EU has included the prospect of accession in this type of agreement.

What are the prospects for these 'post-Soviet' countries one day applying for EU membership? The government of Ukraine has declared its dissatisfaction with the Neighbourhood Policy and the Eastern Partnership because they do not respond to Ukraine's long-term ambition to join the EU. But it understands that a premature application for membership could be counter-productive, since it would not lead to the opening of negotiations but to a diplomatic rebuff.

The political and economic situation of Ukraine and other countries in the Eastern Partnership is such that EU membership is unlikely in any case for many years. They are far from meeting the Copenhagen criteria, and several of them (Moldova, Azerbaijan and Georgia) are involved in territorial disputes which have little prospect of early solution. For some commentators the countries in the Caucasus region (Armenia, Azerbaijan, Georgia) are further away from the possibility of EU integration than the others (Ukraine, Belarus, Moldova) not only from the political point of view but also for geographical reasons.

Finally, what about the Russian Federation (population 142 million)? Russians consider their country to be European, as well as Asian, and the idea of its membership of the EU has been mentioned by leaders on both sides (Yeltsin, Berlusconi). But the present Russian government has made

it clear that it has no interest, and for the foreseeable future Russian membership is not on the agenda for either side.

### Attitudes in the EU

Experience shows that enlargement of the European Union takes place as a result of applications by countries that wish to join: it is a reactive, demand-driven process. What are the prospects on the supply-side? Further EU expansion will to some extent depend on the attitude of Europe's public and politicians. Many consider that the EU is suffering from 'enlargement fatigue' as it absorbs the effects of expanding recently to 27 members. It is argued, for example, that enlargement was one of the reasons why the French, Dutch and Irish people said 'no' in referendums on the European Constitution and the Lisbon Treaty. It is also suggested that the increase from 15 to 27 renders the EU's decision-making dysfunctional. In fact neither of these arguments is convincing: enlargement was certainly not the main reason for the result of the referendums, and since the enlargement of 2004 the EU's capacity for decision-making seems to have worked about as well (or as badly) as it did in the past. Now that the Lisbon Treaty is in force, EU decision-making should be improved.

Nevertheless, an important element in the debate on enlargement remains the question of the EU's 'absorption capacity'. By referring to the need for the EU to 'maintain the momentum of European integration' at the same time as it defined the criteria for EU membership, the summit at Copenhagen in 1993 arguably linked the process of enlargement to the EU's own internal progress, particularly its institutional reform. The debate on 'widening versus deepening' will inevitably accompany future enlargement, and those who want further integration will naturally use the occasion of expansion to drive their agenda. In the case of relatively small countries such as Iceland or the Western Balkan countries, the problem of the EU's 'absorption capacity' is not so evident. It is also now understood that an accession treaty can be a useful vehicle for minor modifications of the basic Treaties: this was the solution agreed for the concessions to Ireland and the Czech Republic for ratification of the Lisbon Treaty. But in the case of countries like Turkey or Ukraine the question of the EU's absorption capacity cannot be ignored.

Independently of these 'institutional' considerations, there are practical reasons why enlargement now encounters more resistance on the EU side than it did in the past. It is widely accepted that the enlargement of 2007 was premature, bringing in Romania and Bulgaria as

new members without adequate preparation to solve the problems of bad governance, corruption and criminality. These problems of governance continue to be much in evidence also among the prospective member countries in the Western Balkans. Meanwhile the financial and economic crisis makes it more difficult for the EU to envisage taking on additional burdens: the prospect of new members is more difficult to handle in bad times than in good.

### Decide the Limits Now?

There have been demands by politicians in recent years for a public debate and even a decision on the future limits of the EU. Would such a decision actually be possible? And if so, is it desirable?

An attempt by the EU institutions to decide its future limits – a decision requiring unanimity – would be unlikely to give a clearer answer than that offered by the Commission in 1992. Member States have differing views on future membership. Those which have borders with non-members often wish to include them in the EU, for reasons of stability and security – and so that they can take over the task of managing the EU's external frontiers. Poland, for example, wants its neighbour Ukraine to be a member of the EU, but other states such as France have a more restrictive position on the inclusion of Turkey. In fact, a discussion of the 'limits of Europe' can easily become a debate on 'should Turkey join'? Why try to decide 'yes or no' prematurely, particularly when 'no' could have undesirable consequences for both sides? In any case, the long-term alternative to membership of the EU is not yet clear either for Turkey or for the East European countries.

In this situation, prudence argues for keeping open the prospect of EU enlargement in order to maintain effective leverage, since neighbouring countries are often willing to modify their behaviour in the hope of obtaining membership. To define the EU's ultimate borders now would de-motivate those excluded, and diminish the leverage for those included. Thus a diplomatic policy of 'constructive ambiguity' seems likely to prevail..

### Conclusion

- In the period from 1995 to 2007 the EU more than doubled its membership from 12 to 27, and increased its population by one-third.
- In coming years it will expand more slowly. It will be rigorous in applying conditions to the countries already accepted as

potential members, and cautious in making new commitments to others.

- In the short and medium term, it will limit its expansion to:
- The countries of the Western Balkans (Croatia, Bosnia, Serbia, Montenegro, Macedonia, Albania, and Kosovo)
- Turkey, whose accession is uncertain and in any case will not take place for many years
- Iceland, which may join more rapidly, and the same would apply to Norway and Switzerland if they decided to apply.
- In the long term the EU may eventually accept other East European countries as potential members, such as Ukraine, but in the meantime they remain in the framework of the EU's Neighbourhood Policy and its Eastern Partnership.
- The final limits of the European Union are likely to result from the course of events and successive political decisions, rather than from a clear-cut geographical choice made in advance.

## Notes

1. Note however that geologists do not accord European status to some islands which are customarily considered to be European. Tectonically, Iceland belongs neither to the European continent nor to North America; it is on a raised part of the oceanic crust, not a continental land mass. Cyprus is also on the meeting point between tectonic plates (African and Eurasian) and is considered by some to be geologically part of Asia.

2. But the designation of the ridge of the Ural Mountains as a frontier of Europe is relatively recent, being the result of a convention created in the 18th century by a surveyor working for Catherine the Great; until then the Eastern limit of Europe was traditionally the River Don, known to the ancient Greeks as Tanais.

3. Liechtenstein is an interesting borderline case: although it is a member of the European Economic Area, it has signified that, with its tiny population (34,000) it prefers to stay outside the European Union. The burden of managing its representation in the various EU institutions would be excessive.

4. Kosovo, like neighbouring states in the Western Balkans, has the confirmed prospect of EU membership. But Kosovo's independence is not yet recognised by all EU members (not by Greece, Spain, Slovakia, Cyprus and Romania) nor by some other members of the international community.

5. After the EU's official acceptance of Turkey as a candidate for membership, it would be difficult for it to refuse the European identity of other countries in this list.

6. Population figure from CIA World Factbook, 2009 edition; population growth forecasts are published by the UN and they show Turkey's population growing to over 90 million by 2030 (medium variant). See: <http://esa.un.org/unpp/p2k0data.asp>

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Sir John Gieve

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Sir John Gieve was Deputy Governor of the Bank of England from January 2006 to February 2009. In addition to his membership of the Monetary Policy Committee, he had specific responsibility for the Bank of England's Financial Stability work and was a member of the FSA.

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Lord Brittan was European Commissioner for Competition 1989-1992 and Vice President of the European Commission 1995-1999. Lord Hannay was UK Permanent Representative to the European Communities 1985-1990 and the UK Permanent Representative to the United Nations 1990-1995. Professor Jan Zielonka is Ralf Dahrendorf Fellow at St Antony's College, Oxford, and author of *Europe as Empire: The Nature of the Enlarged European Union*.

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John Monks is General Secretary of the European Trade Union Confederation (ETUC) and previously General Secretary of the Trades Union Congress (TUC). John Cridland is Deputy-General of the Confederation of British Industry (CBI) and Vice Chair of the National Learning and Skills Council. Professor Sylvia Walby is UNESCO Chair in Gender Research and author of *Globalisation and Inequalities: Complexity and Contested Modernities* (Sage, 2009). Sarah Lambert is Head of the European Commission Representation in the UK.

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Graham Avery is Senior Member of St. Antony's College, Oxford University, Senior Adviser at the European Policy Centre, Brussels, and Honorary Director-General of the European Commission. He co-authored *The Enlargement of the European Union* (1998) and contributed to *The Future of Europe: Enlargement and Integration* (2004) and to *The European Union: How Does It Work?* (2008). Sir Michael Butler was British Permanent Representative to the European Communities, 1979-85, and is chairman of the Senior European Experts. Nicholas Kent is a writer and consultant specialising in education policy and in European Union affairs. He is secretary to the Senior European Experts.

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