

EU Enlargement Policy and Europeanisation

Course manual

Study guide number: 142421176Y

Year: 2023-2024

MA European Studies

1. Examiner, lecturers and contact

a. Examiners

Dr. Zamira Xhaferri & Dr. Dorian Jano

b. Lecturers

Dr. Zamira Xhaferri (Course coordinator & Lecturer)

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Read and re-read this syllabus carefully. Failing to read the syllabus may influence your grade negatively in borderline cases. Please ensure you have read the entire document before class starts. Please use Canvas' messaging system for queries about the course. Please resend any unanswered messages after three (working) days. Please use email sensibly. Some questions can be more efficiently dealt with in class (or by re-reading this course manual!)

2. Study material

All texts/documents from the course can be found on Canvas

3. Content and educational objectives

a. Content

The European Union (EU) has grown from a community of 6 Member States to a Union of now 27 Member States. With each subsequent enlargement, the EU has faced questions of the growing political, cultural, and economic divide between Member States. The EU enlargement has been a complex multi-step interaction and multi-dimensional transformation process, involving different actors (the EU, the Member States, and the applicants) with

diverse logic of rational or normative action that persists or changes over time and thus determining the different degrees and the formal institutionalization of horizontal integration (accession, association, or exclusion).

This course combines academic discussion with real-world insights on the EU enlargement. It examines the nature, dynamics, and impact of EU enlargement on the EU itself and candidate Member States. In doing so, it looks into the role of the EU as a normative soft-power actor and the legal framework governing the EU enlargement, its interaction with and the effects in the third States. The course adopts an interdisciplinary approach by combining perspectives of legal studies and political science. We will specifically discuss the conceptual and theoretical framework of EU enlargement and Europeanization with a particular focus on the motivations and explanations associated with them, the EU enlargement process and compliance with EU acquis by the candidate countries emphasizing the main dilemmas and their implications, and EU enlargement and rule of law with an emphasis on Western Balkans.

b. Educational objectives

To understand the development of EU enlargement policy, its legal foundations and the current political debates around it.

- To familiarize students with the analytical and theoretical framework of EU Enlargement and Europeanization.
- To identify the state of play and challenges in the current EU enlargement policy and its impact.
- To provide students with the analytical tools to critically think about the EU's role, its political objectives

and policy mechanism towards EU enlargement dilemmas and deadlocks.

c. Evaluation

Evaluation of academic education starts at the beginning of a course and is a continuous dialogue between students and lecturers. So, for example, at the beginning of a course, you can think about your expectations and your part in reaching that goal that you share with lecturers and students: the best education possible.

Since last year, the examiner has changed the assessment weighting and number of deliverables, based on feedback from last year. Students are requested by email to anonymously evaluate their courses during the final week of teaching. The Lecturer is requested to reserve time for this during class. Please complete the course evaluation, as, among others, lecturers and the programme committees use the results to improve the education in your programme! Be critical during your course evaluation, but also be to the point, polite, and constructive. Finally, ask yourself: could I use this feedback? However, you should not feel as though you have to wait until the end of the course in order to voice any issues that you may have. The course instructors invite you to engage either prior or immediately after a class, or via email to discuss any concerns.

4. Assessment

a. Test formats

The final grade for the course will be determined based on the two following components:

Writing a literature review: 30% of the final grade

Research paper: 70% of the final grade

b. Exam material

Klik hier als u tekst wilt invoeren.

c. Exam dates/deadlines

Deadlines:

1. Literature Review: Deadline: 15 March 2024, 18:00 CET. Max 1000 words (excluding footnotes), Times New Roman, Font 12, Line spacing 1,5. No 10% margin applies. If students exceed the word limit, the grade will be lowered by 1 point. Detailed instructions for writing the paper can be found on Canvas.

2. Research paper Deadline: 27 March 2024, 09:00 AM CET

Students should also write a research paper (from now on referred to as 'paper') on one of the topics published on Canvas. Detailed instructions for writing the paper can be found on Canvas.

Length: Max 3000 words (excluding footnotes), Times New Roman, Font 12, Line spacing 1,5. No 10% margin applies. If students exceed the word limit, the grade will be lowered by 1 point. The paper must be the result of the original and individual work of the student—the presumption of fraud results in a grading of 0.

d. Assessment and weighting

The final grade is calculated based on the respective weight of the literature review counting for 30% of the final grade and research paper counting for the 70% of the final grade. The final grade will be rounded to the nearest decimal point.

Test results lapse after the end of the semester in which the final mark was awarded. If a student does not complete a course that is a compulsory part of their degree programme in one semester, they will have to retake the course at a later opportunity.

e. Results

The results will be posted on Canvas no more than 15 working days after the exam (and at least 5 working days before the resit).

f. Feedback and inspection

As both submissions will be graded on canvas, you will be able to see the grading and comments on Canvas. Should you require further feedback, please do not hesitate to reach out the course instructor.

g. Resit

The department will not offer a new exam to students who miss an exam due to illness or other impediment. Resits are designed to provide for such circumstances. Resits are therefore not intended to always allow students two opportunities to sit an exam.

To pass the course, an average mark of above 5.5 is required. If the weighted grade of both submissions is below 5.5, a re-sit is required. Both the research paper and literature review may be repeated. If you have missed the deadline for the research paper, the latter counts as 0. You can only re-sit the literature review or/and the research paper if the student has made a serious first attempt. For the re-sit, the student(s) will have to choose a different research topic.

h. Fraud and plagiarism rules

The University of Amsterdam Fraud and Plagiarism regulations apply to the assessment of this course. These regulations can be consulted at the Plagiarism and Fraud page on the student website. Also take a look at the Academic integrity guide: fraud and plagiarism (pdf) [Links to an external site.](#)

5. Social safety

If you experience an unsafe situation or undesirable behaviour in this course or study programme, you can turn to the UvA Social Safety Support Guide for students.

6. Course overview by week

Week 1 Lecture: 13 February 2024

External Relations and the EU Enlargement: A legal Approach

In the course of enlargement, the EU has already become increasingly heterogeneous but if heterogeneity results in such different interests that consensus on necessary measures can no longer be reached within the framework of European policies, then the EU, trapped in a resulting inability to act, falls into a state of “imperial overstretch” that threatens its existence. This lecture outlines the role of the EU as a global actor and the legal framework governing the external relations of the EU and the enlargement process more specifically. It takes a bottom-up approach to critically examine the current legal framework and open up the debate for Treaty changes.

Required reading

- P. Van Elsuwege, “The Legal Framework of EU Enlargement”, p. (Brill 2008), p. 199-218 (uploaded on Canvas)

Week 1 Seminar: 15 February 2024

In this seminar, students will discuss critical questions of the opening and widening of the EU. The focus will be on (i) options for Treaty change, (ii) differentiation, and (iii) managing the enlargement process. Each group will be asked to identify pertinent issues relating to these themes and include them as bullet points in a common Google Document. The final document will be discussed in the class.

Required readings

- 2023 European Commission Communication on EU Enlargement Policy, Brussels, 8.11.2023 COM (2023) 690 final (uploaded on Canvas)
- Emerson, S. Blockmans. “*The 2023 Enlargement Package – Major Political Proposals and Glimmers of a Staged Accession Approach*” 2023 (uploaded on Canvas)
- Report of the Franco-German working group on EU Institutional Reform. *Sailing on High Seas: Reforming and Enlarging the EU for the 21st Century* (Paris-Berlin), 2023 (uploaded on Canvas) (p. 30-40 only).

Week 2 Lecture: 20 February 2024

The EU Enlargement in the Western Balkans: A Rule of Law Perspective

Implementing EU-driven reforms in candidate countries largely depends on the rule of law-based enlargement and a clear EU perspective. Overpoliticisation of the enlargement process renders the EU's enlargement law futile and undermines both the transformative effect of the pre-accession process and the EU's values. While EU action has contributed to reforms in technical and operational areas, such as improving the efficiency of the judiciary and the development of relevant legislation, it has had little overall impact on fundamental rule of law reforms in the region.

Required readings

- Ognjanoska, Leposava. “Promoting the Rule of Law in the EU Enlargement Policy: A Twofold Challenge.” *CYELP* 17, (2021): 237-277.
- Hoxhaj, Andi. “The EU Common Regional Market Proposals for the Western Balkans.” *Legal Issues of Economic Integration* 49, no. 3 (2022): 311-338.
- Hoxhaj, Andi. “The EU Rule of Law Initiative Towards the Western Balkans.” *Hague Journal on the Rule of Law* 13, (2021): 143-172. Bashkeska, Elena. “EU Enlargement in Disregard of the Rule of Law: A Way Forward Following the Unsuccessful Dispute Settlement Between Croatia and Slovenia

and the Nam Change of Macedonia.” *Hague Journal on the Rule of Law* 14, (2022): 221-256.

Week 2 Seminar: 22 February 2024

In this seminar, students will compare selected chapters of the Commission’s progress reports released on the 8th of November, 2023. Each group will be asked to identify 3-5 main issues relating to the assigned candidate country (Albania, Kosovo, North Macedonia, Serbia), compare them with Poland and Hungary’s rule of law reports, and include them as bullet points in a common Google Document. The final document will be discussed in the class.

Required readings

- European Commission, Directorate-General for Communication. “Foreign affairs and security policy.” In *The European Union: what it is and what it does*, 30. Publications Office, 2020.
- European Court of Auditors, *EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist*, 2022.
- 2023 Progress reports of Albania, Kosovo, Serbia and North Macedonia (only selected pages) (uploaded on Canvas)
- 2023 Rule of Law reports of Poland and Hungary (only selected pages) (uploaded on Canvas)

Week 3 Lecture: 27 February 2024

EU Membership Process: The Case of Kosovo

This week, **the ambassador of Kosovo, Dr. Dren Droli** will give a guest lecture on the EU membership process of Kosovo. The lecture will explore questions of Kosovo’s unilateral approach in mimicking the accession processes, the EU mediated Kosovo-Serbia Dialogue & and EU’s neutrality, challenges and dilemmas of the Kosovo’s EU membership: a win-win deal for both parties considering current geopolitical situation.

Required readings

- Nezaj, Novitet Xh. The development of Kosovo and its relationship with the EU, Discussion Paper, No. 4/15, p. 2-21 (uploaded on Canvas)
- S Novak, ‘Can the EU Make Member States Recognise Kosovo?’ (2023) 19 CYELP 299. (uploaded on Canvas)
- Fedele, *A Country, but not a State? The Apparent Paradox of International Statehood in Case C-632/20, P. Spain V Commission (Kosovo)*, EJRR (2023), p. 537-546.

Week 3 Seminar: 29 February 2024

In this seminar, we will review and comment on the ruling of the CJEU in Case C-632/20 P, Spain v European Commission, which provided the opportunity to explore Kosovo’s status under EU law.

- CJEU, Case C-632/20, *Kingdom of Spain V European Commission* https://curia.europa.eu/juris/document/document_print.jsf?mode=DOC&pageIndex=0&docid=269345&part=1&doclang=EN&text=&dir=&occ=first&cid=142893 Links to an external site.
- S. Goris Op-Ed: "C-632/20 P, Spain v Commission: What is Kosovo for the EU? A third country? A third State? Aren't both concepts the same? (uploaded on Canvas)

Week 4 Lecture: 5 March 2024

Understanding EU Enlargement and Europeanization of Candidate Countries

We will discuss the main theoretical arguments and the motivations behind EU enlargement. We will also expose the discussion on the Europeanisation concept, the process and the specific mechanisms and conditions of the impact the process has on the domestic politics and policies of the acceding countries. The focus of this session will be to set up a conceptual and theoretical framework that enables us to understand the EU approach, its mechanisms and conditions that matter the most in EU enlargement, as well as the EU transformative power and domestic capacities to comply with EU acquis.

Required readings

- Schimmelfennig, Frank and Ulrich Sedelmeier. The politics of EU enlargement: Theoretical and Comparative Perspectives, in *The Politics of European Union Enlargement: Theoretical Approaches*, edited by Schimmelfennig, Frank and Ulrich Sedelmeier. New York: Routledge, 3-25.

Recommended readings

- Hillion, Ch. 2011. EU Enlargement in The evolution of EU law, edited by Craig, Paul and Gráinne de Búrca. Oxford: Oxford University Press, 188-216.
- Schimmelfennig, F, and U. Sedelmeier. Introduction: conceptualizing the Europeanization of Central and Eastern Europe. In *The Europeanization of Central and Eastern Europe*, eds. F. Schimmelfennig and U. Sedelmeier, 1–28. Ithaca, NY: Cornell University Press.
- Sijrsen, H. 2002. Why Expand?: The Question of Legitimacy and Justification in the EU's Enlargement Policy. *Journal of Common Market Studies* 40(3), 491-513.
- Olsen, J. P. (2002). The Many Faces of Europeanization. *Journal of Common Market Studies* 40(5), 921–952. doi:10.1111/1468-5965.00403

Week 4 Seminar: 7 March 2024

In this seminar, we will discuss the historical development, the structural thematic relationship, and the changing academic foci in EU Enlargement Studies. The aim is two-fold. On the one side, we present some methods and tools helpful in conducting a systematic quantitative literature review, and on the other side, we will synthesize, categorize, and map

the existing body of scientific literature on EU enlargement. The seminar will provide students with practical insights into bibliometric mapping methods, enabling them to understand how to conduct a systematic quantitative literature review, explore dominant research themes, and understand how research on the EU Enlargement has advanced over time.

Week 5 Lecture: 12 March 2024

EU Enlargement Rounds and Dilemmas

This session will look at the EU enlargement process both from a historical and a comparative approach. We will look at how EU enlargement has proceeded over time and discuss ‘whether’ and ‘when’ a country joins the European Union. This session will focus on the successful rounds of enlargement, the reluctant and the awkward cases, and the ongoing (laggard) Southeastern Enlargement round, and discuss the motivations and explanations associated with each of them. Emphasis will be given to the main EU enlargement dilemmas and their implications for the current (unfinished) enlargement round.

Required readings

- [Jano, D. \(2022\). “EU Enlargement Rounds and Dilemmas: The Successful, the Reluctant, the Awkward, and the Laggards”. In B. Costa \(Ed.\), *Challenges and Barriers to the European Union Expansion to the Balkan Region*. 18-38. IGI Global. \[Links to an external site.\]\(#\)](#)

Recommended readings

- Kaiser, W., & Elvert, J. (Eds.). (2004). *European Union Enlargement. A Comparative History*. Routledge.
- Ikonomou, H. A., Andry, A., & Byberg, R. (Eds.). (2017). *European Enlargement across Rounds and Beyond Borders*. Routledge. DOI: 10.4324/9781315460017
- George, S. (1992). *An Awkward Partner: Britain and the European Community*. Clarendon Press.
- Ugur, M. (2010). Open-ended membership prospect and commitment credibility: Explaining the deadlock in EU-Turkey accession negotiations. *Journal of Common Market Studies*48(4), 967–992. doi:10.1111/j.1468-5965.2010.02082.x

Week 5 Seminar: 14 March 2024

Historically, EU enlargement process has often been confronted with several persistent dilemmas, albeit pertinent and highlighted more in different rounds depending on the specific context, the geopolitics, and the socio-economic situation of either the EU or the applicant countries. In this seminar we will discuss on what are the main dilemmas that EU enlargement is facing, and we will argue if they are real tensions or only perceived as such.

Week 6 Lecture: 19 March 2024

Compliance with the EU Acquis

This session will offer an overview of the process and mechanisms of compliance with EU acquis by the candidate countries. It will discuss EU and national instruments used for the adaptation and implementation of EU acquis into domestic legislation as well as provide empirical data and case studies of the candidate countries performance in adopting and implementing EU laws.

Required readings

- Böhmelt, T., & Freyburg, T. (2018). Forecasting candidate states' compliance with EU accession rules, 2017–2050. *Journal of European Public Policy* 25(11), 1667–1685. DOI:10.1080/13501763.2017.1348385

Recommended readings

- Jano, D. (2016) Compliance with EU Legislation in the Pre-accession Countries of South East Europe (2005–2011): A Fuzzy-set Qualitative Comparative Analysis, *Journal of European Integration* 38(1), 1-22, DOI: 10.1080/07036337.2015.1055738
- Treib, O. (2014) Implementing and complying with EU governance outputs", *Living Rev. Euro. Gov.* 9, <http://europeangovernance-livingreviews.org/Articles/lreg-2014-1> [Links to an external site.](#)
- Steunenbergh, B. and A. Dimitrova. 2007. Compliance in the EU Enlargement Process: The Limits of Conditionality. *European Integration online Papers* 11(5).

Week 6 Seminar: 21 March 2024

In this seminar, we will discuss *if* and *to what extent* the EU candidate countries from the Western Balkans (WB) have been Europeanized (that is, bringing their policies and institutions in line with EU standards, both in formal and practical terms). Many concerns and doubts have been raised about the Europeanization capacity of Western Balkan countries, and the 'transformative power' of the EU in the region has been questioned.

Most academic contributions speak of the limited impact of EU incentives in the Western Balkans, especially if compared to the EU transformative power in the countries of Central and Eastern Europe (CEE). Unlike in CEE, the successful Europeanization through EU conditionality had proceeded slowly, partially, and in some cases (countries and/or sectors) it has been delayed or even has had negative unintentional consequences. Drawing on the lecture, we will discuss: i) why do candidate countries respond differently to Europeanization? ii) what are the main reasons for a successful (or a failed) Europeanization process?