

Summary of the report

The Creeping Nationalisation of the EU Enlargement Policy

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Originally conceived as an intergovernmental *procedure* to allow third states to become contracting parties to the EU treaties, enlargement has become a *policy* through which the Union's institutions transform third states into Member States. This EU Member State-building policy has allowed the Union to exercise its normative power, and to organise the continent in its own image.

Hailed as 'the most successful EU foreign policy', enlargement has nonetheless been marked by shortcomings that have weakened the credibility, effectiveness and legitimacy of the policy. Motivated by past experiences of some candidates' lack of preparedness for admission, mounting doubts about the systemic sustainability of further expansion and increased demands for democratic accountability, adjustments have been made in recent years. On the whole, these changes have entailed the strengthening of Member States' control over the conduct of the policy.

Beyond their craving for control, Member States have

also been showing less scruple in instrumentalising enlargement for domestic political gains. The EU Member State-building policy is thus increasingly dominated, if not held hostage, by national agendas. The result of this creeping nationalisation has been a process congested with (sometimes unpredictable) legal and political hurdles, raising new questions as to the credibility of the EU commitments towards aspirant states, and consequently the effectiveness of the enlargement policy's acclaimed transformative power. It may also compromise the integrity of the Treaty provisions and conflict with fundamental principles of EU law, not least the very goal of European (re)unification reaffirmed by the Treaty of Lisbon.

While legal remedies do exist to address the current national *dérive*, the required rebalancing between Member States' interests and EU commitments is however more likely to stem from policy adaptation than from judicial intervention. Whatever the preferred approach, legal or otherwise, it is becoming critical to address the current atmosphere of unpredictability that damages the EU's standing.

The full report is available at www.sieps.se