

## The Weight of History, Territory and Identity in the Accession to the European Union

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ARTICLE INFO	ABSTRACT
Article History	<b>Purpose:</b> The aim of the study is to explore the current enlargement dynamics of the European Union (EU) from the perspective of history, territory and identity. By looking at these issues in different country/case examples, the aim is to shed new light on why some enlargement processes have moved very slowly and how that compares to the current enlargement dynamics, taking into account new candidate countries from 2022.
Received 10/09/2024 Accepted 04/03/2025	<b>Design/methodology/approach:</b> The study uses qualitative and explanatory approach. The method of inquiry is qualitative because it is focused on particular legal, political and social phenomena that cannot be captured by quantitative methods. That includes the question of minorities, their language, their national identities and the issue of territory “belonging” to a certain identity.
<i>JEL Classifications</i> P29, P50	<b>Findings:</b> The study finds that despite formal legal, economic, institutional and other requirements that candidate countries must achieve in order to join the EU, the current enlargement round is being affected by geopolitical considerations as never before. This has produced certain questions about relevant processes and brought to light some deep and unresolved issues between certain candidate countries and current EU members.
	<b>Research limitations/implications:</b> The analysis is based on legal texts and institutional country and other reports by the EU authorities and other international organizations and bodies. The research would benefit from additional sources, particularly from interviews with higher policy makers at the EU level in the current political setting following the European elections in June 2024.
	<b>Originality/value:</b> The originality of this study lies in its innovative approach to this theme. The value added is the examination of the current EU enlargement round from a particular viewpoint which has been largely neglected in research works on enlargement. This is particularly relevant in the context of the current geopolitical environment which has opened a plethora of processes, questions and decisions on EU enlargement that were unimaginable just a couple of years ago.
<b>Keywords:</b> History, identity, language, EU accession, Ukraine	

### 1. Introduction

According to the Treaty on the European Union (hereinafter: TEU), the bloc is founded on the principles of peace, liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law (TEU, 2012). Article 3(5) of the consolidated version of TEU states that the European Union “shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter” (TEU, p.17). Copenhagen criteria from June 1993 relates to political criteria to be fulfilled by countries seeking to become members of the European Union (hereinafter: EU). The binding political criteria includes institutional stability as a guarantee of democratic order, the rule of law, respect for human rights, as well as respect for and the protection of minorities.

There is a large body of literature that examines EU enlargement from different perspectives (Börzel and Risse 2018; Cameron 1996; Haas 1958), focusing on institutional and other questions (Hooghe and Marks 2019; Ludlow 2013; Walldén 2017). According to the literature about history, territory and identity with regard to the

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accession to the EU, the symbolism of joining the EU may be more important to some countries than any concrete benefit the EU membership could bring (Ludlow, 2017). Some authors argue that the notion of territory or political memory may be crucial (Miháliková, 2012). Some of the newer academic works has examined the importance of national identity (Haller and Ressler, 2006). There are also academic works that elaborate on the question of national identity and nation/state questions in candidate countries of the Western Balkans (Kartsonaki and Wolff, 2023). However, none of the newer academic works (to author's knowledge) has focused on these questions in the current enlargement round that has given a new dimension to this issue that has been brought by new EU candidates.

This paper aims to fill that gap. The aim of the paper is to examine the current EU enlargement process and shed new light on typically neglected questions related to national and regional identities. The focus of this study is on the dynamics in the current enlargement process, particularly with regard to the new candidate countries, Ukraine and Moldova that applied for EU membership in 2022. In addition to typical negotiation elements such as market economy, the rule of law, Copenhagen criteria and similar, some other aspects of accession have surfaced in the current EU enlargement round. These aspects relate to history, nation/state, minority rights, identity, language and the territory of the nation. These important issues have a political dimension also vis-à-vis the understanding of EU values and the concept of identity, sovereignty and state/nation attitude towards the role of the EU in this respect (Kartsonaki and Wolff, 2023).

The finding of this study is that these issues have surfaced in the current EU enlargement round which has produced some extraordinary decisions that have not been recorded in any of the previous enlargement rounds. It remains to be seen if that leads to desired outcomes.

## 2. Review of Literature

Geopolitics in the context of enlargement can be viewed through the lens of the relationship between the power of the state and its territorial interests. There is a large body of literature in this respect, particularly on the relationship of geopolitics (Lundén 2021; Scholvin 2016 ) and EU enlargement (Börzel and Risse 2018; Cameron 1996; Haas 1958; Hooghe and Marks 2019; Ludlow 2013; Walldén 2017). This paper, although building on the theoretical foundation of international relations and geopolitics, does not delve into particular elements of these theories because the focus in this paper is on other relevant works that revolve around the role of the nation/state, territory and identity in history. That was to some extent discussed even before the first EU enlargement to the “East” when the doctrine on enlargement focused on certain challenges (Cameron 1996), followed by ideas ranging from neo-functionalism (Haas 1958) and critical political economy (Schimmelfennig 2018) to liberal intergovernmentalism and recent crises with regard to migrations, economy and security (Börzel and Risse 2018).

The historical and political context within which new countries/nations in eastern and central Europe emerged is important as some scholars found that despite the system of multi-level governance in which authority is diffused across local, regional, national governments, and EU, it is national identity that is crucial in support for European integration (Marks and Hooghe, 2003). The importance of national identity has been analyzed by other authors, including with regard to modernity and nation/state (Haller and Ressler, 2006).

Newer literature has recognized the question of national identity constraints of the EU integration in the Western Balkans by examining the external, internal and transboundary contestations of state and nation (Kartsonaki and Wolff, 2023). There is a growing body of literature on the complex relationship between national identity and foreign policy in Western Balkans (Keil and Stahl, 2023) although the complexity of that issue is not limited only to that region.

## 3. Methodology

The methodology in this paper is qualitative. The study has a qualitative approach because variables examined in this research could not be measured numerically. What constitutes qualitative methodology may be constantly evolving; however, the method of inquiry in this research is focused on complexities that cannot easily be captured with the use of quantitative methods (Brinkmann et al, 2014). In line with established methods of qualitative research (Blatter, Haverland and Hulst, 2016) the approach in this paper is explanatory because its focus is on particular political and social phenomena within a certain context and from the perspective of EU enlargement. The elements of this study are the dynamics of enlargement process following vetos by certain EU member states, the question of minorities, their language, their national identities and the issue of territory “belonging” to a certain identity. At the centre of the analysis are facts and relevant processes that have had an impact on the enlargement dynamics.

The qualitative analysis is based on various country reports and documents from the European Commission, the European Parliament, the Court of Auditors, other EU institutions and authorities, news and similar. Other data sources are EU treaties and institutional reports from the Council of Europe, Council of the EU and other EU authorities. In addition, the research is also based on reports, statements and findings from international organizations such as the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe, the Human Rights Watch, the Immigration and Refugee Board of Canada, the US Department of State, Venice Commission and other sources.

With regard to terminology, the term “state” is defined by sovereignty over a certain spatially defined area and clearly defined borders. It is internationally recognized by other states. The term “nation” is typically understood as a group of people who identify themselves as a nation usually based on certain criteria such as history, language, culture etc. The existence of nations can change depending on certain circumstances and they may spill also over into other states. Not every nation has a state. With regard to the definition of the “nation/state”, this term can be understood as an independent political state formed from a people who share a common national identity (historically, culturally, or

ethnically). It can be also defined more generally as any independent political state (Oxford English Dictionary, 2024). Finally, the term “national identity” is in this paper understood as subjective self-identification of people in candidate countries.

#### 4. Current Enlargement Prospects

EU enlargements have raised many thorny issues over the years, including geopolitical interests and the question of history of the east of Europe. A few days after Russian forces entered Ukraine in February 2022, Ukraine submitted an application to become a member of the EU (Council of the European Union, 2022). Moldova and Georgia applied in March 2022. On 17 June 2022 European Commission presented its opinion on the application of Ukraine, Moldova and Georgia (European Commission, 2022). While Ukraine and Moldova were granted candidate status, Georgia was given a European perspective (European Commission, 2022). The European Commission emphasized that they had worked quickly, very hard and efficiently to be able to present their opinions in record time (Várhelyi, 2022), thereby raising the expectations that Ukraine and possibly Moldova would join the EU soon. Therefore, suddenly, after the accession process had been at a standstill for about a decade, the EU enlargement was suddenly brought back to life.

The war in Ukraine has brought a new momentum to the enlargement process. In its 2023 State of the Union address, the President of the European Commission Ursula von der Leyen stated that the EU had no option than to “admit those of the European family that are still outside”, and not only Ukraine but also Moldova, possibly Georgia and the Western Balkans (State of the Union, 2023). But she also stated that the process would remain based on merit and that ambitious reform from both within the EU and from the candidates were needed (State of the Union, 2023). Still, it was a political decision to grant Ukraine and Moldova a candidacy status. It is unlikely that those two countries would have been offered an EU perspective had it not been for the war in Ukraine.

After Russian tanks entered Ukraine, it became clear that the EU wanted to show its unity in its support for Ukraine and Moldova. Since the start of war in Ukraine the focus of the EU has shifted and a new emphasis has been given to the accession of the Western Balkans (Parandii, 2023). Suddenly, EU’s geostrategic interests in the Western Balkans became important to the EU which became concerned about Russia’s influence in the Western Balkans. It was suddenly found that due to its geographical, political and historical proximity to the core of the EU, the Western Balkans should not be pushed back in the integration process. Although the European Commission President Ursula von der Leyen stated in September 2023 that there will be no fast-tracking Ukraine’s bid because enlargement remains “merit based” (State of the Union, 2023) it appears that the EU wants to move forward with Ukraine urgently despite the fact that there are many serious challenges with regard to its candidacy.

The war in Ukraine obviously led to the opinion that in order to establish long-term security and stability around its borders, Ukraine, Moldova and (also) the Western Balkans should join the EU. The EU promised the Western Balkans to become a part of the EU 20 years ago at the Thessaloniki summit in 2003 but the process has been going on for years with no tangible results (Table 1).

**Table 1: Status of the EU Accession Process as of May 2024**

Country	Application	Candidate status	Open accession negotiations
<b>Western Balkans</b>			
Albania	04/2009	06/2014	07/2022
Bosnia and Herzegovina	02/2016	12/2022	03/2024
Montenegro	12/2008	12/2010	06/2012
North Macedonia	03/2004	12/2005	07/2022
Serbia	12/2009	03/2012	12/2013
<b>Turkey</b>	04/1987	12/1999	10/2005
<b>New candidates</b>			
Ukraine	02/2022	06/2022	12/2023
Moldova	03/2022	06/2022	12/2023
Georgia	03/2022	12/2023	

Source: (Author’s compilation of data from the website of the European Commission, 2024)

The current enlargement round, as indicated by the European Commission, can be therefore viewed more as a geopolitical process than a technical process despite the fact that accession to the EU is typically a long and complex technical process of adjusting legislation, rules, norms, principles and operations of institutions. The application of Ukraine produced a view of a fast-track accession process because the official request by Ukraine emphasized the need for Ukraine to gain immediate membership as it defends itself from a Russian invasion (Euroactiv, 2022). In December 2023 the EU agreed to open accession negotiations with Ukraine and Moldova. Later, in March 2024 it was agreed to open accession negotiations with Bosnia and Herzegovina (Table 1).

There are some ideas that enlargement could be replaced with the so-called progressive European integration through the areas of close cooperation (Alesina, 2022). The President of the European Commission recently mentioned that Montenegro could become a member of the EU before 2030 (European Commission, 2023). Still, it is

not known how the Western Balkan candidate states will proceed vis-à-vis countries that became new EU candidates in 2022.

## **5. Regional tensions over history, identity and territory in EU negotiations**

### **5.1 First EU Enlargement to the East Was “Easy”**

In previous enlargement rounds there were relatively few questions to candidate countries although some EU member states pushed for concessions of specific bilateral interests. For instance, Italy in 1997 threatened to veto Slovenia's application to the EU if Slovenia didn't remove constitutional provision that prohibited foreigners to buy property in Slovenia. As a result, Slovenia in 1997 made the first change to its Constitution. Article 68 of the Constitution of the Republic of Slovenia was amended to state that foreigners could acquire property in Slovenia in line with the conditions, “set by the law or international agreement that must be ratified by the Assembly and on the condition of reciprocity” (Amendment to the Constitution, Official Gazette of the Republic of Slovenia No. 42/97 of 17 July 1997, p.3873).

There was also an issue raised by the Austrian Government which threatened to veto accession of Slovakia in regard to the nuclear power plants in Bohunice and Mochovce. At first Slovakia agreed to close the Soviet-designed Jaslovske Bohunice nuclear power plant in 2000, but then changed its plans to finally agree to close the facility's two units in 2006 and 2008 (European Parliament, 2000).

There was also one different issue that related to the question of the border between a candidate country and an EU member. That was a two decades-long bilateral dispute between Slovenia and Croatia over the final border between the two countries following their declaration of independence from Yugoslavia in 1991. Borders on the Adriatic sea were never defined between the federal units of Yugoslavia (Zajc,2018). Once Slovenia joined the EU in 2004, it began to use its EU membership as a tool to make Croatia agree to Slovenian terms (Zajc, 2018). In December 2008 Slovenia blocked further EU accession talks with Croatia, because documents, including maps, which Croatia had provided during its accession process, might have prejudiced the common border in favour of Croatia (Zajc, 2018). After diplomatic efforts from the EU the temporary solution to remove the stalemate was found: governments of Slovenia and Croatia signed an Arbitration Agreement which temporarily in November 2009 removed the Slovenian blockade on Croatia's accession process. Both governments agreed to submit their border dispute to the Court of Arbitration in the Hague (Republic of Slovenia, 2023) and Croatia was allowed to proceed with its EU accession process. The European Commission praised this solution by stating that this was a “positive political signal for the further development of the good neighbourly relations between the two countries as well as for the Western Balkans regions showing how difficult issues could be solved” (European Commission, 2012). However, due to a set of Slovenia's violation of the Arbitration Agreement (leaks, wire tapes etc.) Croatia decided to reject the whole arbitration process. Croatia's government made it very clear that it would not respect the Tribunal's verdict (Government of Slovenia, 2019). The dispute still remains unresolved as Croatia has been ignoring the verdict of the Court of Arbitration in the Hague and there is no mechanism to force the country to respect that decision.

### **5.2 Current EU Enlargement is Complicated**

As the prospect of a new round of EU enlargement turned more real in 2022, some regional problems and disagreements have become more obvious considering that different ethnic and national narratives lead to conflicting historical interpretations (Grever and van der Vlies, 2017). This has influenced the relationships among nations and countries today (European Parliament, 2019) and the enlargement process as well. Below are relevant examples.

#### **5.2.1 North Macedonia – Greece, Bulgaria**

Greece was blocking North Macedonia's accession negotiations for years. The point of dispute was the name “Republic of Macedonia” that implied Greek cultural heritage of the Ancient Macedonian kingdom and its emperor, Alexander the Great. That bilateral problem in accession negotiations was resolved in 2018 with the Prespa agreement between Skopje and Athens and the change of country's name to “Northern Macedonia” (EEAS, 2021). However, in 2019 the French President Emmanuel Macron vetoed the opening of accession negotiations with North Macedonia and Albania. That was largely viewed as a big mistake and the “betrayal” of the Balkans (Hill, 2019). In March 2020, the members of the European Council endorsed the decision to open accession negotiations with Albania and North Macedonia (Council of the European Union, 2020).

Further, in 2020 Bulgaria blocked the start of the accession talks with North Macedonia and claimed that North Macedonia was stealing Bulgarian history (Euroactiv, 2019). It refused to approve the EU's membership negotiation framework for North Macedonia. Bulgaria's arguments were over history, language and ethnic minorities. The Deputy Prime Minister of Bulgaria in December 2020 stated in a message to Skopje that “if you suddenly decide to create a new nationality, do us the favor of not stealing Bulgarian history” (Greek City Times, 2020). Bulgaria argued that the Macedonian language was just a dialect of Bulgarian, that the Macedonian “nation” are actually people who were originally Bulgarian, and that the republic was a false product of Yugoslavia's communist leaders (Al Jazeera, 2020).

Bulgaria's view was that North Macedonia's path to the membership of the EU should be conditional on its changing its constitution to include Bulgarians. In summer of 2023 North Macedonia agreed to amend its constitution and include Bulgarians in a list of ethnic groups formally listed as living in the country (AP, 2023). It is important to note that Bulgaria does not recognize the existence of a Macedonian minority in Bulgaria (Council of Europe, 2021).

European Parliament's questions to the European Commissions in 2018 stated that ten years after Bulgaria joined the EU, "the Macedonian minority in Bulgaria was still not recognised" and no Macedonian non-governmental organization or political party could be registered or active in Bulgaria. In addition, the framework Convention for the Protection of National Minorities was neglected, and citizens who consider themselves to be Macedonians could not officially state as such, despite 11 rulings by the European Court of Human Rights in support of Macedonian community in Bulgaria (European Parliament, 2018). The European Parliament's question to the European Commission was how it aimed to ensure that Bulgaria respects human rights of Macedonians and how it would make Bulgaria to allow the registration of Macedonians associations, movements and political parties (European Parliament, 2018).

It is clear that North Macedonia, like other countries established on the boundaries of the former Yugoslavia, remains fragile due to its short history as a state.

### 5.2.2 Albania – Greece

The Greek minority is the largest ethnic minority in Albania. It is an indigenous minority and recognized by Albania as a national minority (Hellenic Republic, Ministry of Foreign Affairs, 2023). On May 12, 2023 two days before the mayoral elections of Albania, Dionysis-Fredi Beleri, a Greek candidate for Mayor of the southern municipality of Himarë was arrested. The arrest was based on suspicious of buying votes (Euronews, 2023). Dionysis-Fredi Beleri denied all charges. He won the elections from prison and behind the bars. At the end of July, 2023 Albanian authorities rejected the possibility of releasing Dionysis-Fredi Beleri from police detention. According to some reports "just a few hours before Beleri's arrest" Prime Minister Edi Rama himself allegedly "declared to a television station that the day after the elections he would "account personally" with Belleri" (KeepTalkingGreece, 2023).

In July 2023 the European Parliament's plenary approved an amendment to the 2022 European Commission's report on Albania. The European Parliament resolution of 12 July 2023 on the 2022 Commission Report on Albania under recital 36 expresses its concern

*"at the arrest of the new mayor of Chimara, Freddy Beleris, on the eve of the municipal elections in May, which both violated the presumption of innocence and prevented the mayor-elect from taking office, as he remains imprisoned to this day; underlines that this matter is linked to overall respect for fundamental rights, the pending issue of the properties of members of the Greek ethnic minority in the municipal area and the accusations of encroachments by the State"* (European Parliament, Report on Albania, 2023)

According to the international report from the Human Rights Watch there were also other Greek political leaders who were persecuted by the Government of Albania over the years (HRW, 1995). For instance, five leaders of Omonia, organization representing the Greek minority, who were charged with espionage, were brought to trial that began in August 1994. The Human Rights Watch noted that there was a denial of a fair and public trial, confirming suspicious that it was a targeted attack against a legal organization representing the Greek minority (HRW, 1995). According to the University of Maryland's project Minority at Risk and its chronology for Greeks in Albania from 1984 to 2005, there have been many attacks and other problems for Greeks in Albania (MAR, 2023).

### 5.2.3 Ukraine – Hungary, Romania

Ukraine has large Hungarian, Romanian and Russian minorities. In 2017 Ukraine passed a legislation placing strict limits on the rights of ethnic minorities to be taught in their own languages (OpenDemocracy, 2017). The official argument was that the law aimed to modernize Ukraine's education system and bring it up to EU standards. However, many viewed this law as a restriction to study minority languages in schools. In response to the law Hungary threatened to block Ukraine's further integration with the EU (RadioFreeEurope, 2017). This occurred two months before the Eastern Partnership summit in Brussels in 2017 that was supposed to be focused on the EU's partnerships with Ukraine, Moldova and Georgia. The European Commission called Ukraine to submit the law to the Council of Europe to get an opinion on whether the law met the EU's standards and whether it balanced the goal of instituting Ukrainian as the state language and the need to protect minority and regional languages. Amid criticism that the law was prepared in such a way to establish a mono-ethnic language regime in a multinational state, Hungary asked the EU to review its ties with Ukraine (Business Recorder, 2017).

Further, Romanian President Klaus Iohannis cancelled his previously planned travel to Kyiv and said that the law considerably limited the access of Romanian minorities in Ukraine to their respective native languages (BalkanInsight, 2017). According to the Venice Commission's Opinion on the Provisions of the Law on education of 5 September 2017 (Ukraine), there should have been some amendments. For example, as per recital 120:

*"Article 7 contains important ambiguities and does not appear to provide the guidance needed from a framework law in the application of the country's international and constitutional obligations. ....It actually allows to radically change the previous language regime, at least in secondary education, towards a system focused on the mandatory use of the Ukrainian language as the language of education. This could result in a substantial diminution in the opportunities available to persons belonging to national minorities to be taught in their languages, which would amount to a disproportionate interference with the existing rights of persons belonging to national minorities."* (Venice Commission, 2017, p.24);

recital 124:

*"However, paragraph 4 of Article 7 provides no solution for languages which are not official languages of the EU, in particular the Russian language, as the most widely used language apart from the state language. The less favourable treatment of these languages is difficult to justify and therefore raises issues of discrimination."* (Venice Commission, 2017, p.25)

and recital 125:

*“Having regard to the above considerations, the appropriate solution would certainly be to amend Article 7 and replace this provision with a more balanced and more clearly worded one. In particular, the issue of discriminatory treatment of other minority languages - which are not official languages of the EU - would have to be addressed in this context.”* (Venice Commission, 2017, p.25).

#### 5.2.4 Ukraine - Poland

Another particular bilateral issue is related to the intertwined history between Poland and Ukraine. One of the issues relates to the Ukrainian nationalists under the leadership of Stepan Bandera, a far-right leader who was associated with the Organisation of Ukrainian Nationalists (OUN) and the Ukrainian Insurgent Army (UPA) that were responsible for anti-Jewish pogroms, assistance in the Holocaust in Ukraine and the mass murder of Poles before and during WW2 (Rossoliński-Liebe, 2014; Kościński, 2018). According to some sources, between 1943 and 1945 up to 100,000 Poles, mainly civilians, living in Volhynia and Eastern Galicia were murdered by Stepan Bandera's followers (Rossoliński-Liebe, 2014).

However, since those Ukrainian nationalists didn't carry bloody attacks only against the Poles, but also fought against the Soviet's Red Army, Stepan Bandera was viewed and praised as a symbol of the fight against anti-Communism in Ukraine. The resurgence of the Stepan Bandera cult after WW2, in the 1980s and in post-Soviet Ukraine appears to point that his legacy is considered a part of the current Ukrainian identity as such, although there are differences in regions depending on language or ethnicity (Rossoliński-Liebe, 2014). Many monuments and streets in Ukraine have Bandera's name. However, for many people in Poland that is not easy to accept, because, as some authors emphasized, before the start of WW2 and the fight against the Red Army, it was Poland that was the enemy number 1 for Stepan Bandera (Kościński, 2018). A monument in honour of the UPA in Hruszowice in eastern Poland was dismantled and as a result, the exhumation of Polish victims in Volhynia was halted by the Ukrainian Institute of National Remembrance (Kościński, 2018).

In 2016 the Sejm, Poland's lower house of Parliament declared WW2-era killings by Ukrainian nationalists against Polish civilians as genocide (RadioFreeEurope/RL, 2016). Poland is a strong supporter of Ukraine's candidacy to become a member of the EU. Still, after Ukraine was given the perspective of EU membership in 2022, Poland has issued warnings that without an apology for the Volhynia massacres, Poland could vote against Ukraine's membership in the EU (KyivIndependent, 2023).

#### 5.2.5 Western Balkans

Before 2022 the European Enlargement Commissioner, Olivér Várhelyi announced in February 2020 a revised methodology with regard to the EU enlargement. To become eligible for membership, candidate countries would have to undertake extensive reforms to transpose the EU acquis. According to the European Parliament briefing in 2020 the new methodology “aims to strengthen the process. It improves tools to push reforms forward, notably in the areas of the rule of law and the economy. It makes the accession negotiations more credible, more predictable, more dynamic and guided by a stronger political steer. The candidate countries need to deliver on the reforms they promised and the EU needs to deliver when they do so. The criteria will be made clearer and more concise on what is required” (European Parliament briefing, 2020, p.1). In addition to the Copenhagen criteria, “two specific conditions were added: ‘regional cooperation; and ‘good neighbourly relations’, as a basis for resolving many bilateral problems, including the Kosovo-Serbia dispute” (European Parliament briefing, 2020, p.2).

According to some international sources, the proportion of Albanians in Kosovo<sup>1</sup> grew from 68.7% in 1948 to 77.4% in 1981 (Immigration and Refugee Board of Canada, 1997). The share of ethnic Albanians in the Serbian province was increasing rapidly as Albanians experienced the highest birth-rate in Yugoslavia. During 1970s the outflow of Serbs and Montenegrins from the increasingly Albanized Kosovo continued and from 1981 to 1991 the Albanian majority grew from 77% to 82% (Immigration and Refugee Board of Canada, 1997). In 1999 Albanians constituted 83% of total population, the rest were Serbs (around 10%) and others.

After the NATO bombing of Serbia in 1999, many Serbs and other minorities in Kosovo were killed, others left Kosovo or were pushed by Albanians to leave. According to Human Rights Watch about 164,000 Serbs left Kosovo immediately after the NATO bombing and ceasefire (HRW, 1999). The joined report by the United Nations High Commissioner for Refugees (UNHCR) and the Organization for Security and Co-operation in Europe (OSCE) found that the situation for ethnic minorities was difficult. For instance, the murder of 14 Serb farmers while harvesting in Lipljan municipality was a serious predicament faced by certain minority communities in Kosovo (UNHCR/OSCE, 1999).

That situation was exacerbated over the years to culminate with the violent ethnic Albanians' rioting against Serbs in March of 2004 that was “spurred by sensational and ultimately inaccurate reports that Serbs had been responsible for the drowning of three young Albanian children” (HRW, 2004). In 48 hours thirty-three major riots broke out across Kosovo, involving an estimated 51,000 participants as large ethnic Albanian crowds acted with

*“ferocious efficiency to rid their areas of all remaining vestiges of Serbs and other non-Albanians. In attacks, both spontaneous and organized, violence was directed to every Serb, Roma or Askaeli home. For example, in the village of Svinjare, all 137 homes were burned while Albanian homes were left untouched (HRW, 2004). Even the tiniest Serb presences were a target for the hostile crowds: ethnic Albanian crowds attacked the Serbian Orthodox Church in*

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<sup>1</sup> Throughout this paper Kosovo is understood within the meaning of United Nations Resolution 1244/99

*Djakovica for hours, ultimately driving out five elderly Serb women who were the last remaining Serbs in Djakovica, from a pre-war population of more than 3,000* (Human Rights Watch, 2004).

In the years after that, the Serbian minority shrank even further over the intimidations against Serbs, destroying their property, burned new houses built by those Serbs who returned which made it difficult for Serbs to return, not to mention numerous bloody attacks that remained unresolved (Balkan Insight, 2019). Now the share of Serbs in Kosovo is estimated to be about 6% to 7% (US Department of State, 2017). Kosovars destroyed Serbian properties, monuments and churches and they didn't respect even its own Constitutional Court in regard to the land of the Serbian Church (Kossev, 2021). In 2021 the British, United States, French, German and Italian embassies asked Pristina to finally implement its Constitutional Court's ruling from 2016 about the land around the Serbian 14th Century Decani Orthodox Monastery (Balkan Transitional Justice, 2021).

The intimidation against Serbs has continued since then (United Nations, 2024). Pristina has not respected most of its own obligations with regard to Serbs' minority in Kosovo as committed to in agreements such as the Stabilization and Association Agreement with the EU (SAA Kosovo, 2016). Despite the narrative of normalisation between Kosovo and Serbia, the hostility against the Serbs in northern Kosovo has been well documented (United Nations, 2024).

## 6. Discussion

History and identity are intertwined and sometimes difficult to heal. The case of Bosnia and Herzegovina shows that "signing the Stabilization and Association Agreement in 2008, did not heal the Bosnian identity problem" (Perry 2015, p.179). Bosnia and Herzegovina was given a clear and concrete EU perspective only recently, in March 2024, a few months after Ukraine.

Identity of a nation is contested in North Macedonia. Bulgaria, which vetoed the opening of accession negotiations in 2020, as mentioned earlier, demands that North Macedonia recognize its Bulgarian roots and that its language is derived from them. At the same time, Bulgaria denies the existence of a Macedonian minority in Bulgaria (Refworld UNHCR, 1991). Moreover, North Macedonia is affected by its ethnic composition of 58.4% Macedonian Slavs and 24.3% Albanians, with the latter population growing (Osservatorio Balcani e Caucaso, Transeuropa, 2022).

With regard to Montenegro, some authors have argued that Montenegro might be called a state seeking a nation as Montenegrin nation only "appeared" once the country gained independence in 2006 (Keil and Stahl, 2023). After the country's independence resulted in the secession from the state union with Serbia in 2006, different state/nation related questions appeared which led to debates not only on independence but also on NATO membership.

A state/nation and national identity relationship from a historic point of view is also observed in Ukraine. The war in Ukraine is a particular example in this respect. EU enlargement that would include Ukraine, Moldova and Western Balkans would have large implications both within the EU and vis-à-vis other countries. Widening EU integration may exacerbate many uncertainties, including the notion of history and identity in current and future EU members. The relevance of nation and national identity in Europe has been researched extensively (Haller and Ressler, 2006). According to some researchers, the EU member states attach different meanings to "Europe" and attribute different roles to it (Keil and Stahl, 2023).

There is a special state/nation relationship between new EU candidates and their integration into the EU (Marks and Hooghe, 2003) because new members transfer a part of their state sovereignty to a supranational body (i.e. EU). However, it is not clear how the diversity of values and interests will evolve in the future political dynamics within an enlarged EU. The EU will become more diverse, but whether the overall cultural distance between member states will grow or diminish is not clear.

What is however, certain now, is that the current EU enlargement round is influenced by geopolitics as it has been never before. The EU candidate status was awarded to Ukraine and Moldova in June 2022, only a few months after they applied for EU membership. Never before in the history of the EU it happened that there was such a rapid acceptance and delivery of a candidate status. Typically, it takes years to reach such a decision. There don't seem any merit-based reasons for such a fast-moving decision; it is clear that the ongoing war in Ukraine was the main reason. The current geopolitics also led to some progress with regard to candidate countries in the Western Balkans. For instance, Bosnia and Herzegovina that applied for EU membership in 2016 was given a candidate status only in December 2022, a few months after Ukraine and Moldova. Moreover, the decision to open EU negotiations with Bosnia and Herzegovina was delivered only in March 2024, again a few months after such a decision was made with respect to Ukraine and Moldova.

There is a complex history in the east of Europe. Disputes over history go to the core of each country's identity, language and territory. In the current EU enlargement round, even before Ukraine and Moldova became candidates, there were issues that affected the dynamics of negotiations because they revolved around nation/national identity, history, the language and minorities. However, Ukraine adds a considerably larger weight to this issue given the divisions over Ukraine's history and other issues, including minority rights.

The foundation of the EU as a community of states with common liberal-democratic values that was established in 1957 was based on the idea of peace and prosperity in Europe. There was no reference to a common "European" identity at the time. The deepening of economic integration over the years that followed led to the political integration as well. That has had an impact on the understanding of "sovereignty" of the member states.

However, some countries that joined the EU in 2004, 2007 and 2013 seem to have deviated from key EU values and principles. That particularly relates to media, the rule of law and judiciary (Scheppele, Vladimirovich and Grabowska-Moroz, 2020). Still, in joining the EU, the new members are not only asserting their identification with Europe (Smith, 1992) but are willingly "subjecting themselves to the disciplines of a new institutional framework in order to entrench the values of freedom and democracy, and structures conducive to economic prosperity and



security” (Amato, 1999, p.33). National identities may change with the generations but cultural differences remain an important factor in politics within and between states (Bechhofer et al, 1999).

Looking at the Western Balkans, its engagement with the EU is defined by the EU’s own enlargement framework. Therefore, the policies that countries have to adopt and implement are predetermined by the EU’s approach to enlargement. While the process focuses on the transition to a democratic society and market economy including the transfer of sovereignty, it has also produced long stalemates, for example when an EU member state wants to sort a bilateral issue with a candidate country (Keil and Stahl 2022b). That leads to an unbalanced outcome because a country that is a member of the EU has a stronger position in negotiations simply because it already is in the EU.

All that is relevant for “older” EU candidates that applied for EU membership years before Ukraine and Moldova. It appears that with the application of Ukraine and Moldova all those stalemates and questions that were typical for the accession process before, suddenly became less important. It remains to be seen if Ukraine and Moldova fulfill a number of criteria, including with regard to political systems, the rule of law and respect for minorities. Although the President of the European Commission Ursula von der Leyen in July 2023 told reporters that ““The speed at which Ukraine is advancing in the EU membership [...] is amazing; it’s impressive” (von der Leyen, 2023), it is not clear what criteria (if any) has already been achieved at the time to warrant such a rapid progress.

Historical facts presented in this paper demonstrate that the issues of nation/state, national identity, language and territory, together with minority rights, are still a large issue in all candidate countries. Some long and deep-seated problems in “older” EU candidates have not been resolved, in part because of the mismatch between EU’s expectations of candidate countries and individual countries’ understanding of their identity, language and territory vis-à-vis their formal commitments accepted by the Stabilization and Association Agreements signed with the EU. That, and other internal political issues in the EU itself have contributed to the fact that integration process has progressed at different speeds across the countries of the region. In summary, it must be noted that the demands of diversified and changing societies in EU members and candidate countries need to be constantly confronted with the basic principles of the rule of law, democracy, respect for national history/identity and protection of minorities in practice.

## 7. Conclusion

The contribution of this paper lies in its innovative approach to the question of EU integration. Instead of focusing on typical analysis about economic/trade benefits from integration, institution/building, the rule of law and a strong shift to democratic values, this paper looks at other, equally important but largely neglected aspects of negotiations in the process of EU accession and integration. This aspect about history, identity, language and territory has been given a new dimension with the application of Ukraine, Moldova and Georgia to join the EU. New issues of the enlargement process have been added to the old ones. They relate not only to the candidate countries but to the EU itself, particularly with regard to the EU governance, EU budget and EU treaties.

The EU welcomed new members from eastern and central Europe in 2004, 2007 and 2013 despite their large financial needs for EU structural funds and agricultural subsidies, and despite their weak protection of human rights, minority rights and weak political and other cultures. The perception of EU member states at the time was largely based on a vision of common values, shared identity and a common understanding of history.

The finding of this paper is that today, looking at the current EU enlargement round, with various regional geopolitical issues, economic uncertainty and tensions over history, identity and territory, not to mention the war in Ukraine, the perceptions are different. Today some vetoes and ultimatums towards candidate countries by current EU member states do not seem reasonable. The underlying question in this respect is if the EU membership is really obtained “by own merit” because it seems that other reasons are considered more relevant. It is the responsibility of the EU institutions to be objective and draw a fine line between reasonable arguments and other motivations that may put a brake on the enlargement process of certain EU candidates. That impacts the credibility of the EU as a whole. Otherwise, people in candidate countries may view the real criteria for the EU accession as biased and not consistent.

Future research should examine and follow this particular issue of history, identity and territory in candidate countries in more detail as the process of accession negotiations unfolds.

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