ENLARGEMENT UNDER COPENHAGEN CONDITIONALITY

The path towards EU integration – ‘Nobody said it would be easy’

European Legal Research & Training Network
Rotterdam, the Netherlands
August, 2015
CONTENTS

Abstract
Introduction

Copenhagen criteria – The backbone of EU enlargement

i. Enlargement process main principles
ii. Introducing Copenhagen criteria for membership
iii. Accession conditionality and its legal framework

Conditionality criteria's - Basic tools for accession

i. Political criteria – A prerequisite for accession
ii. Economic criteria – ‘The ‘ticket’ to the common market
iii. Adopting the acquis – The ‘key’ towards legal integration

The complex nature of EU conditionality

i. Accession conditionality: A constantly moving target?
ii. Balkan states conditionality – ‘New states, new rules’
iii. Wester Balkan countries and conditionality

EU conditionality – Raising the bar for the Balkan's

i. SAA process in the Balkans
ii. SAA Agreements – A country tailored process or an illusion?
iii. Member States and their position towards Balkans

Concluding remarks

Acknowledgments
ABSTRACT

There is no doubt that some of the most significant changes in Europe among the last decade, have been linked to the efforts of the Integration process and the mechanisms to its realisation. The enlargement from a Community of six to a Union of 28 Member States is still widely regarded as the EU’s greatest policy triumph today1.

Through the several enlargements, EU has been not just accepting new members and expanding but also going under a transformation process itself which have helped EU to evolve and grow. The Western Balkans and their integration journey- are a good example of such transformative powers.

The enlargement process and its set of overarching criteria under Copenhagen has been followed by a detailed technical process, giving the Westerns Balkan countries the possibility to integrate themselves. Within this great opportunity, however, EU integration has always been going hand in hand with the conditionality for compliance imposed upon such countries.

Ever since, stable institutions pledging democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy and the capacity to cope with competition and market forces in the EU; and the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union, have become the’ equivalent of the ten commandments2.

KEY WORDS: Copenhagen criteria, Conditionality, Legal Integration, Westerns Balkans, Enlargement.

1 Towards an integrated Europe, Graduate Institute of Intern. Studies, R.E. Baldwin, pg. 115
2 20 years that changed Europe, The Copenhagen criteria and the enlargement of the EU, ‘How EU enlargement has shaped and continues to shape Europe, S. Grubjesic, pg 17.
INTRODUCTION

The core principles including liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, forming the so called ‘conditions of eligibility’ for the aspiring countries – have laid down the ground rules for EU membership since the Maastricht Treaty in 1992\(^3\). One year later, the European Council meeting expanded the formal requirements for EU membership, officially presenting the Copenhagen criteria according to which, any European country that submits its candidacy to the Union to become a member state must comply first, with a set of obligations\(^4\).

It has been this role of conditionality in encouraging countries to transform themselves to meet EU standards that has made and still makes EU so proud of its membership strategy and the success of enlargement policy over the past 25 years. In this sense conditionality is the EU’s most powerful and favourite instrument in dealing with the candidate and potential candidate countries, with the Copenhagen criteria at the core of the EU enlargement policy. However, enlargement today means more than just a set of rules and principles, written down a decade ago. Such process, now relies not just on Copenhagen conditions but also on a set of overarching criteria, and a detailed technical process, that been extended hugely since the first EU enlargement. According to such process the aspiring countries who want to join the European family, need to fulfil certain requirements placed by the EU.

Requirements that have several implications and make the completion of the process for current and potential candidate countries even more challenging than the previous states in previous enlargements\(^5\).

\(^3\) Consolidated Version of the Treaty on European Union art. 49, 2012 O.J. C 326/13, at 70 [hereinafter TEU]; see also ARCHICK, supra note 13, at 5 (explaining that according to the Maastricht Treaty, any European country could apply for EU membership if it met certain pol. & econ. criteria)
\(^4\) Article 49 TFEU, Lisbon Treaty
\(^5\) Turkey’s integration into the European Union: Legal dimension. B. Akcay & S. Akipek, pg.2
COPENHAGEN CRITERIA – THE BACKBONE OF EU ENLARGEMENT

The concept of conditionality means that an action, a result or a benefit depends on a specific attitude. It is linked to the idea of conditions that comes from the world of psychology that dictionaries define as "a process in the behaviour of an organism in a particular response that becomes more frequent or more predictable in a given environment, as a result of having associated it with a stimulus or a reward".

Through the years EU has been quite successful in the gradual shaping of such a framework of instruments as to make sure the functional application of the conditionality principle. As a result, a complex system was created where both positive and negative incentives for the candidate countries were used.

However, since the introduction of the conditionality principle, the whole philosophy of enlargements changed and therefore simply being ‘one of us’ ceased to be a sufficient argument to be accepted as a member state of the Union. Membership became something the candidate state had to earn which in turn changed the relationship between the EU and the non EU countries, and it was marked by a presumption of ‘othernesses’.

**Enlargement process main principles**

The essence of the Union enlargements as it stands after the fifth and sixth enlargement rounds can be structured as follows:

- Application criteria
- Enlargement principles
- Enlargement procedures

The application criteria represents a list of requirements that the applicant country has to satisfy before it can submit its application for membership. Such criteria is included in article 49 TEU including: Statehood,

---

6 Historical evolution of conditionality criteria in external relations of the EU, C. Puente, Romanian Journal of European Affairs, vol.14, no. 4, pg. 56
7 EU enlargement and the failure of conditionality, Pre-accession conditionality in the fields of democracy and rule of law. D. Kochenov, pg. 299
8 EU enlargement and the failure of conditionality, Pre-accession conditionality in the fields of democracy and rule of law. D. Kochenov, pg. 298
Europeanness, Adherence to the article 6(1) requirements and membership of the Council of Europe⁹. The enlargement principles consist of a list of positions to which every applicant country has to agree before joining the EU. The idea behind this list of principles is that its elements represent some non-negotiable milestones which the aspiring states are in no position of challenging, but have to accept¹⁰.

This second criteria also includes several sub-criteria’s itself.

- Accepting the rules of the game
- Adjustments are subject of agreement between MS and applicant
- Conditionality principle

For the purpose of our material and subject, let’s take a closer look on the third criteria based on which, a whole mechanism has been built in order to assist potential candidate countries come closer to EU membership.

Conditionality presupposes that the applicants agree with the Union scrutiny of all the spheres of their legal, political and economic reform an also agree to fulfil the demands addressed to them by the Union. As a result, the application of the conditionality principle consists not so much of answering the question if a given candidate country satisfies the necessary requirements for membership, but rather of the monitoring of the reform in the candidate countries accompanied by constant adjustments of the criteria of assessment¹¹.

Each of the above principles consists of other layers of principles and rules that make the enlargement a complicated process which has to be strictly fulfilled under the supervision of the Commission each year. As a result of the complex nature, the pressure on the candidate countries throughout the last few enlargements to satisfy such criteria and its contents has not been small.

The table below gives a short review of the enlargement steps after the 6-th EU enlargement. It does not however include the Western Balkans ‘journey’ in terms of conditionality towards EU.

---

⁹ EU enlargement and the failure of conditionality, Pre-accession conditionality in the fields of democracy and rule of law. D. Kochenov, pg. 38
¹⁰ Idem.
Table 1. Chronology of Enlargement events after the 6-th enlargement

- The aspiring country expresses its desire to join the EU
- The Union recognises that and launches assistance programmes
- The European Council points out to the Copenhagen criteria
- The aspirant country submits application to the Council and conducts national reforms in order to satisfy the Copenhagen criteria and others
- The Council accepts or rejects the application and requests the Commission to issue an opinion on the request for membership
- The Commission issues an opinion accompanied by a summary report and recommends starting the accession negotiations
- The European Council reacts to the Commission’s assessment and requests yearly progress reports and summary papers
- The Council regularly issues accession partnerships drafted by the commission and the candidate countries are expected to alter their national reforms accordingly
- Negotiations commence. The commission proposes and the Council adopts the common position to be taken by the EU in negotiations
- Negotiations between the MS meeting in Council and the applicant country are concluded.
- The EU Parliament gives it assent
- The Commission gives a final opinion
- The Council passes an unanimous act
- The MS and the accession country sign the accession treaty
- The candidate country and the MS ratify the treaty
- The accession treaty enters into force

Introducing Copenhagen: Criteria for EU membership

Copenhagen criteria’s are the membership criteria that must be satisfied by a country that wants to become a member of the European Union prior to accession. Those are also known as the accession criteria. According to such criteria, the accession of a country to the European Union will take
place only and as soon as the associated country is able and ready to assume the obligations of membership by satisfying the economic and political conditions required. Those conditions that an applicant country must fulfil are certain standards known as the Copenhagen criteria:

- Stability of institutions (= political criterion) consisting of democracy, rule of law, human rights, and respect for and protection of minorities.
- Functioning market economy and capacity to cope with competitive pressure and market forces within the EU (= economic criterion)
- Adoption of the EU body of rules and laws (= acquis criterion).

In reference to the aspiring for membership countries, EU conditionality is aimed at integrating those states into the EU through promoting reforms, stimulating the advancement and functioning of democratic institutions and by creating the conditions for a modern market economy, boosting these countries’ capacities to compete within the EU and world markets.

However, the conditionality process has a unique nature in the sense that it sets different standards for each of those countries, depending on their level of achievements, internal situation, economic and political progress and fulfilment of other conditions set up by the Commission and other institutions.

The consequence of such developments is that the enlargement process is far more unpredictable and dependent on politics in EU member states and Commission than on progress in the region, according to the Brussels-based institutions. This can undermine the credibility of integration and the

---

13 In 1993, the Copenhagen European Council also pointed out that the enlargement depends not just on the candidate’s fulfilment of accession conditions, but it is also subject to the Union’s capacity to absorb new members.
14 Integrating the Western Balkans into the EU: Overcoming political and economic constrains, European Perspectives – Journal on European Perspectives of the Western Balkans, Vol. 2, No. 2, pp 79-92, October 2010, G. Qorraj, pg. 80
transformative leverage that the EU can have in the region, with potential negative spill over effects both for the Union and candidate countries\textsuperscript{15}. With the Central and Eastern Europe (CEE) enlargement in particular, much greater emphasis was placed on the principle of conditionality and with the full range of Copenhagen criteria. According to such condition, even through negotiations could be open with the candidate countries that satisfied the political criteria, conclusion of such negotiations would be conditional on their fulfilment of their economic, political and the adoption of the EU acquis criteria\textsuperscript{16}.

The conditionality principle allows the EU to confirm that at each stage an aspirant country is making concrete progress towards meeting the Copenhagen criteria, adopting and effectively implementing the standards as requested by the EU. All in all, the Copenhagen criteria is nothing else but a condition that must be fulfilled by the applicant states, although not a simple one.

\section*{Accession conditionality and its legal framework}

Lisbon Treaty describes the accession for membership process and establishes the conditions of eligibility to apply for EU membership as well as the procedure for becoming a member. Article 49 of the Treaty on European Union (TEU), constituting the legal basis for any accession, states:

‘Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The Applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the assent of the European Parliament, which shall act by a majority of its

\textsuperscript{15} EU MS and enlargement toward the Balkans, ‘European Policy Centre, issue 79, R. Balfour & C. Stridulate, pg. 3

\textsuperscript{16} EU law after Lisbon, ‘Don’t mention divorce at the weeding, darling: EU accession and withdrawal from Lisbon’, A. Biondi, P. Eeckhot, S. Ripley, pg. 128
component members. The conditions of eligibility agreed upon by the
European Council shall be taken into account’\textsuperscript{17}

In turn, article 2 provides:

‘The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail’

In addition, the applicant country must adhere to the principles of Article 6(1) TEU which all the Member States subscribe to and on which the EU is based: freedom, democracy, respect for human rights and fundamental freedoms and the rule of law\textsuperscript{18}.

Article 49 itself, forms merely the departure point for the principles which have been developed through practical experience and later on inserted into the enlargement process framework. The criteria, which states must satisfy before accession have expanded and extended throughout the years\textsuperscript{19}.

The first issue in regard of the EU agenda for accession is that the legal basis for EU accession is a single treaty article. It provides only limited guidance, an indication of the politically-driven nature of the accession process, a process which has not changed but it has developed considerably, in particular through the introduction of economic and legal criteria and through an increased focus on conditionality in the EU’s enlargement strategy\textsuperscript{20}.

Concepts such as democracy or the rule of law or market forces are notoriously vague. And neither is there any sense of which matters the most. For some the only entry ticket is the economic condition. For others,

\begin{itemize}
  \item Article 49, TEU
  \item See article 49 TEU
  \item EU enlargement, pg. 206
  \item The EU accession procedure, Library of the European Parliament. See also http://www.europarl.europa.eu/RegData/bibliothèque/briefing/2013/130437/LDM_BRI%282013%29_130437_REV3_EN.pdf
\end{itemize}
the political and legal criteria are, just as important, and for third parties it’s a combination of all of them, depending on a country national urge to work on some issues harder than on others\textsuperscript{21}.

Describing the main values of the European Union upon which the aspiring states will be ‘evaluated’, the political criteria for membership is at the core of the EU strategy, including democracy, rule of law, human rights and protection of the minorities\textsuperscript{22}. The Treaty provides little or no guidance on the main principles or the various steps of the enlargement process between application and accession. As a result, this article seems to be "vague" and short on detail. EU has never provided an explicit definition of the concepts included in article 49 such as democracy, rule of law and minority rights, although implicit assumptions about their content were made in the Commission’s opinions on readiness for membership\textsuperscript{23}.

Furthermore, while article 49(2) TEU provides for the main aspects of the enlargement, it does not contain any particular provision on the preparation of accession of applicant and candidate states. In proclaiming that ‘accession will take place when the country is able to assume the obligations of membership by satisfying the economic, political and legal criteria, the EU has basically re-defined the constitutional framework for enlarging the Union. This framework has led to development of new instruments such as the accession partnership and SAP agreements, which epitomise the normative nature of Copenhagen criteria\textsuperscript{24}.

The level of the required adaptation, seems higher for candidates stated than it has been for current member states and it requires few efforts to understand that a complicated, unclear and vague process such as the membership has turned out to be, cannot help the aspiring for membership countries to become potential candidates ready to join the EU.

\textsuperscript{21} Ian Ward, the Culture of Enlargement, 12 COLUM. J. EUR. L. 199, 203 (2006)

\textsuperscript{22} Albanian road towards enlargement, Lorena Xhani, pg. 5

\textsuperscript{23} EU enlargement: A legal approach. ‘The Copenhagen criteria and their progeny’, C. Hillion, pg. 13

\textsuperscript{24} A partnership for accession? The implications of EU conditionality for the Central and East European applicants, Robert Schuman Centre Working Paper 12/99, H. Grabbe, pg. 6
CONDITIONALITY CRITERIAS – BASIC TOOLS FOR ACCESSION

Some authors have established a definition for conditionality, as ‘a set of mutual arrangements by which a government takes, or promises to take, certain policy actions, in support and for of which will receive specific amounts of financial assistance’. Many have distinguished several types of conditionality, starting with ex post or ex ant, referring to predetermined conditions, set I advance to access benefits or intended outcomes. Others use another distinction for conditionality referring to unilateral and multilateral conditionality or even positive and negative conditionality. Another distinction has also been made based on the receiving country which involves specifically designed for least developed countries or on the nature of the rewards25.

EU and its member states, however has characterised conditionality as ‘a functional cooperation or pre – accession method of integration, where strict rules are needed and applied in order to provide effective convergence with the EU itself and support transitional societies through and towards the Europeanization process’26. According to the EU, final objective of EU enlargement conditions is to prepare a country for accession, so that the political and economic stability of the Union is secured and maintained. However, the fulfilment of such criteria’s is not a guarantee that the membership will be secured.

Political criteria - A prerequisite to accession

The Copenhagen political criteria stipulates that any candidate country must have achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities in order to access the European Union27. In other words, the EU candidate country has to share its common values along with the guarantying of their

---

25 The effectiveness of EU enlargement conditionality, Evidence by the 2004 and 2007 accession states N. E. Bilik, Erasmus University paper, pg.8
26 Idem.
practical implementation. Any candidate country must have 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, ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union in order to access the Union\textsuperscript{28}.

Compliance with the Copenhagen political criteria is thus a prerequisite for opening of any accession negotiations’, hence the political criteria concerning the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities has been given clearly priority over the economic and legal ones. The political criteria incorporate four legal concepts – “democracy”, “rule of law”, “human rights” and “national minorities”- which can be rightly regarded as milestones of European integration. However, because of the vagueness of concepts and no further explanation of their meaning provided by the Council or Commission, it is far from being clear what kind of democracy, what kind of rule of law, which human rights and minorities protection the Union requires the candidate countries to adhere to\textsuperscript{29}.

\textit{Economic criteria – The ‘ticket ‘to the common market}

Considering the economic profile of the candidates concerned, the formalisation of the economic condition came about on the occasion of the EU enlargement to the EFTA states (Austria, Finland, Norway and Sweden). The commission pointed out that EU membership presupposes a functioning and competitive market economy. It also underlined that an applicant country without these characteristics could not be effectively integrated. In fact, such membership would be more likely to harm than benefit the economy of such a country\textsuperscript{30}.

\begin{footnotesize}
\begin{enumerate}
\item Conclusion of Presidency in European Council in Copenhagen, 21-23 June, 1993
\item Copenhagen Political Criteria and Ukraine’s Accession to European Union: Problems and Perspectives. I. Vityuk, Department of European and International Law, Tilburg University 2011, pg. 1
\item Europe and the challenges of enlargement, EC Bull suppl. 3/92, 11.
\end{enumerate}
\end{footnotesize}
As a result, the economic criteria for membership was established as an accession condition for applicant countries which was also connected to their capacity to fully integrate and participate in the Common market. Perceptions of the candidates' readiness are conditioned by the European Commission’s Regular Reports issued in the autumn of each year.

These provide a general indication of the candidates' progress in preparing for membership, although the wording used is often vague and the substance technical because they cover all areas of the conditions. At present, the candidates are far from being treated as equal partners, having the status of client states, with no say in decision-making and only an observer role in EU foreign policies. Moreover, it is clear to them that the Union is stalling for time while trying to work out how to deal with a qualitatively different kind of enlargement.

**Adopting the acquis – The ‘key’ towards legal integration**

The last Copenhagen criteria equally relate to a long – standing accession condition: the legal criteria. According to such criteria, the applicant country has to show its ability to take on the ‘obligations of membership’, which entail the acceptance and observance of the so called EU acquis, viz. the broadly defined Union rules and objectives.

For the EU’s first four enlargements, adopting the EU acquis was largely sufficient to ensure membership would be granted. Those countries had to make sure that their internal legal system, norms and principles responded to the EU body of rule and laws as a whole and fit its level of legal integration.

But the EU legal order is constantly reviewed and enriched through the legislative activities of the institutions, and the acquis criteria has naturally become more demanding for the latest candidates.

---

31 Idem
33 EU enlargement: A legal approach. C. Hillion, University College London, Faculty of Law, pg. 8
34 EU enlargement: A legal approach. ‘The Copenhagen criteria and their progeny’, C. Hillion, pg. 11
Legislating in line with the acquis has occupied a central place in the commission’s assessment of the development and harmonisation process of the national legislation in the candidate countries in the light of the Copenhagen criteria. Moreover, this process is often viewed not as a legislative but as an administrative process\textsuperscript{35}.

The Copenhagen criteria have become the basis for determining the policy agenda in the applicant countries through defining the political and economic measures in view of fulfilling the criteria’s, under the regular supervision of the Commission.

The elaboration of such criteria’s laid out by Copenhagen as described above could and should suggest that accession conditions has been made progressively more articulate and systematic. This in return should have the advantage of giving further direction to the candidates, at least in principle\textsuperscript{36}.

\textsuperscript{35} How does Europeanisation affect CEE governance? Conditionality, diffusion and diversity, H. Grabbe, 8, JEPP 6, 2001, pg. 1016

\textsuperscript{36} EU enlargement: A legal approach. ‘The Copenhagen criteria and their progeny’, C. Hillion, pg. 12
THE COMPLEX NATURE OF EU CONDITIONALITY

Since its Enlargement Strategy in 2006, EU has been applying a more restrictive approach to further expansion. While aiming at supporting countries on their way to membership, it also envisages ‘ways to foster public support for further enlargement, to address the enlargement challenges and to ensure the EU’s integration capacity [as] the basis for building a renewed consensus on enlargement\textsuperscript{37}.

The non-fulfilment of such pre-defined benchmarks may be sanctioned by the suspension of negotiations in the form of a non-opening of the related negotiation chapter, or possibly in the reopening of the provisionally closed chapter. In the same vein, candidate states’ compliance with the foundational principles of the Union, namely the principles of liberty, democracy, respect for human rights and fundamental freedoms, as well as the rule of law - have become subject to constant monitoring, and a potential case for suspension of the negotiations process\textsuperscript{38}.

Accession conditionality: A constantly moving target?

The substantive growth of the Union’s legal order has brought with it the continuous adjustment of the membership conditions for the aspiring countries. As a result, the approach adopted by the EU as regards to the function of the accession criteria has changed and expanded overtime. The Copenhagen criteria, at first established in the specific context of the EU eastern enlargement, have become an ‘entrenched condition’ for enlarging the Union.

As accession preparation has become more systematic, membership criteria have been applied more strictly too than in previous enlargements. In particular this is the case with the adoption of the EU acquis where the commission insists on the requirement that the candidates should take up the whole EU acquis, prior to accession either through harmonisation and later approximation of the national legal order with EU body of rules\textsuperscript{39}.

\textsuperscript{37} Idem
\textsuperscript{38} Idem
\textsuperscript{39} EU member states and enlargement towards the Balkans, Enlargement policy in perspective,
It seems that the originally conceived as a procedure aimed at making it possible for third states to become contracting parties to the founding treaties, enlargement has become a comprehensive policy whereby the Union actively engages with the applicants’ preparation for membership. There is nothing wrong with this part of course, as long as the fulfilment criteria’s are about fulfilling the standards in order to join the Union. However, EU expansions evolves around the scrutiny of the Commission’s choices and recommendations it addressed to the candidate countries willing to fulfil the criteria outlined.

As a result, the accession policy does not evolve around the Copenhagen criteria anymore, but also at other factors, making the conditionality principle very broad, confusing and open to considerable interpretation; elaboration of what constitutes meeting them has progressively widened the detailed criteria for membership, making the EU a moving target for applicants. This ‘moving target problem’ also has implications for relative strength in negotiating the terms of accession, because the EU is a referee as well as a player in the accession process.

EU agenda has been confusing so far and there has been a lack of space given to the countries to decide themselves upon their agenda and tempo of fulfilling the conditions. As a result, conditionality itself does not guarantee that changes occur in the direction intended by the EU and according to its expectations.

**Balkan countries conditionality – New states, new rules**

Membership conditionality, accession conditionality, enlargement conditionality acquis conditionality, democratic conditionality and political
Conditionality are some of the categories of conditionality defined in the theoretical literature on European integration so far. The stage-structured conditionality model establishes a framework for comparative examination of EU pre-accession and post-accession conditionality by relating the examination of EU enlargement conditionality to the stages of the accession process.

The stage-structured conditionality model specifies that EU enlargement conditionality has three key elements. The first element includes the conditions set out by the EU with which the country aspiring to membership needs to comply. The EU has developed a wide range of incentives in order to induce compliance with its conditions.

This stage is followed by the negotiation and post-negotiation conditions, followed by constant and regular monitoring on the progress and threats for non-compliance by the Commission and other EU institutions.

EU has implemented several mechanisms and structures in order to make sure that the aspiring countries would be ready to become part of the EU one day. The ‘Accession Partnerships’ presented in 1998 to the ten central and east European (CEE) applicants mark a turning-point in the process of EU enlargement. These new instruments tighten the conditionality for membership and reduce the scope for accession negotiations by making a very wide range of policy areas conditional rather than negotiable. EU has progressively increased the scope of its political and economic conditions for CEE, moving from external relations based on trade and aid to areas at the heart of domestic policy-making.

Furthermore, the guaranteed access to different SAP stages provided powerful incentives for compliance with the political and economic conditions, where the implementation of the SAP procedure into these countries plays a key role in a region with unique social, economic, and

---


45 See table 1

46 A partnership for accession? The implications of EU conditionality for the Central and East European applicants, Robert Schuman Centre Working Paper 12/99, H. Grabbe, pg. 2
political character along with its reputation as a source of organized crime, unwanted migrant labour, and other problems. The truth is that membership conditionality no more refers to the accession stage only and it has turned to a more complicated procedure and tool in the hands of the EU. The rigorous approach of the Commission to reporting on the progress made towards accession by each of the candidate as well as potential candidate countries (since 2005) has transformed the scope and nature of the Regular Reports from brief general assessment into detailed evaluation analysis.

The Commission significantly increased the relevance of monitoring reports as it started to use them not only as a basis for its recommendations (whether to grant a reward or impose a sanction), but as an instrument for prioritizing conditions and as well as an instrument for establishing new conditions and introducing new threats. The increasing significance of targeted and differentiated conditionality for the ongoing enlargement round with the countries of the Western Balkans confirms that these features of EU conditionality are definitely an improvement in EU enlargement policy, and therefore, they cannot explain the limited effectiveness of post-accession conditionality.

Following the completion of the last enlargement, research focus has gradually shifted to studying new member states’ compliance with EU rules. This because of the broad nature of the conditionality involving not just pre-accession stage but also the post-accession procedures. However, this stage of conditionality will be analysed in a separate article due to its later relevance upon the current accession stage of the countries.

47 Idem
49 Idem
### Table 2: Stage-Structured (EU Enlargement) Conditionality Model

<table>
<thead>
<tr>
<th>Stages</th>
<th>Conditions</th>
<th>Rewards</th>
<th>Threats</th>
<th>Monitoring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-negotiation</td>
<td>- Conditions for applying for membership (conditions of accession);</td>
<td>Accession advancement rewards:</td>
<td>Explicit threats: Financial sanctions</td>
<td>Regular Progress Reports</td>
</tr>
<tr>
<td></td>
<td>- Conditions for opening Accession Negotiations;</td>
<td>- Providing membership perspective;</td>
<td>Implicit threats (delays of the accession advancement rewards)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Additional (country specific) conditions.</td>
<td>- Signing Association Agreement;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Implementing Association Agreement;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Granting Candidate country status;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Negotiation</td>
<td>Copenhagen criteria;</td>
<td>Accession advancement rewards:</td>
<td>Explicit threats: Financial sanctions</td>
<td>Regular Progress Reports</td>
</tr>
<tr>
<td></td>
<td>- Opening benchmarks (conditions for opening chapters);</td>
<td>- Opening chapters;</td>
<td>Implicit threats (delays of the accession advancement rewards)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Closing benchmarks (conditions for closing chapters);</td>
<td>- Closing chapters;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- 31/35 chapters;</td>
<td>- Credible membership perspective;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Areas of serious concern – highlighted in the monitoring Reports.</td>
<td>- Completion of Accession Negotiations;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Signing Accession Treaty.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Financial rewards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------</td>
<td>----------------------------------------------------------------</td>
<td>------------------</td>
</tr>
</tbody>
</table>
EU CONDITIONALITY – "RAISING THE BAR" FOR THE BALKANS

EU conditionality in the Balkans is a multi-dimensional instrument geared towards reconciliation, reconstruction and reform. It is regional, sub-regional and country-specific; it is economic, political, social and security-related; it is positive as well as negative\footnote{EU Conditionality in South East Europe: Bringing Commitment to the Process, O. Anastasakis & D. Bechev, European Studies Centre, April 2003, pg.6}.

The EU-Western Balkans Summit meeting at Thessaloniki in June 2003 affirmed that ‘the EU reiterates its unequivocal support to the European perspective of the Western Balkan countries. The future of the Balkans is within the European Union’. This ‘European Perspective’ is thus meant to lead to membership and full incorporation in the institutional and policy regimes of the EU\footnote{See: European Commission, Communication from the Commission to the Council and the European Parliament: the Western Balkans and European Integration, Brussels: 21 May 2003, COM (2003) 285. The Thessaloniki ‘promise’ was reiterated at the EU-Western Balkans ministerial meeting at Sarajevo on 2 June 2010, where the EU provided ‘an unequivocal commitment to the European perspective of the Western Balkans’ and re-iterated that ‘the future of the Western Balkans lies in the EU’}.

The Western Balkans candidates are expected to become like the Union in certain areas viewed as essential to the future functioning of the Union. For example, regulatory alignment with the Single Market is non-negotiable: the applicants must remove all trade barriers and meet EU product and process standards\footnote{European Union Conditionality and the acquis, H. Grabbe, International Political Science Review, vol. 23. No. 3, pp. 249-268}.

The application of EU conditionality overlooks the widening discrepancies between the priorities of the EU and the priorities of Balkan governments and populations. The absence of a clear EU strategy with visible benefits for the Balkans runs counter to the main objectives of the EU conditionality. As a result, EU should adapt its policy to make the criteria more relevant to the needs of the citizens in the region\footnote{Idem}.
**Western Balkan countries and conditionality**

Within with support framework for the Western Balkans, EU seeks to promote and police an intense ‘Europeanisation’ strategy for enlargement candidate states which in return aims to ‘modernise’, ‘democratise’, ‘pluralise’ and transform the most fragile part of Europe and progressively connect it to the mainstream landscape of EU politics and the norms of European integration\(^{54}\).

Following the 2004 and 2007 enlargements however, there have been changes to the enlargement process in response to lessons learned. As a result, pre-accession as well as accession processes focus much stronger on good governance criteria – the rule of law, independent judiciary, efficient public administration, the fight against corruption and organised crime\(^{55}\).

According to the Commission, while the enlargement conditionality remains the same, the way it is applied in terms of supporting candidates in meeting the criteria evolves based on lessons learnt from past enlargements\(^{56}\).

The Copenhagen criteria have significantly remodelled the Western Balkans countries, facilitating their transition from post-conflict societies, through stabilization, to association. A continuous and strong support from the EU and the member states is decisive for pulling the Western Balkans countries towards their shared strategic goal – EU membership.

However, although, Copenhagen criteria has given a clear guideline to where an aspirant country should be headed on its path to EU membership, in the case of the Western Balkans countries the EU has moved from


\(^{55}\) 20 years that changed Europe: The Copenhagen criteria and the enlargement of the Union, Copenhagen Criteria – the Backbone of EU Enlargement, S. Füle, EU Commissioner for Enlargement and Neighbourhood Policy, pg. 15.

\(^{56}\) Idem
strictly defined ‘democratic conditionality’ to ‘political conditionality’, which targets specific issues in applicant countries. With the so-called 'renewed consensus on enlargement' in 2006 the EU reinforced its focus on the credibility of the enlargement process, putting rule of law at the centre.

As a result, candidate and potential candidate countries are evaluated not on stated intentions but on tangible and very concrete results on the ground concerning implementation of fundamental rights and freedoms, rule of law, good governance, economic reform and the fight against corruption and organized crime.

As the arbiter of what constitutes meeting the conditions and when the benefit will be granted, the Union has changed the rules of the game. This "moving target problem" also has implications for relative strength in negotiating the terms of accession, because the Union is a referee as well as a player in the accession process.

**SAA Process and the Balkans**

The basic requirement necessary to obtain EU membership is defined in article 49 TEU. However, acceptance of the Western Balkans into EU does not only depend upon the fulfillment of this article, nor the Copenhagen criteria for that matter. The EU accession depends also by the formulated SAA process framework, particularly depending on political dialogue with EU, international cooperation with justice authorities, economic

---

57 20 years that changed Europe: The Copenhagen criteria and the enlargement of the Union, building a Community of Stable and Prosperous States – the Unfinished "Mission" of the EU in the Western Balkans, N. Poposki, pg. 22

58 20 years that changed Europe: The Copenhagen criteria and the enlargement of the Union ‘The Enlargement Remains a Driver of Change, N. Wammen, pg. 6

59 Ibid

cooperation, cooperation in the area of freedom and justice and broadly understood regional cooperation\textsuperscript{61}.

Additional conditions for membership, were set out in the so-called 'Stabilization and Association process', mostly relating to regional cooperation and good neighborly relations\textsuperscript{62}. Throughout the processes of negotiations, the European Commission examines the potential member state’s progress. If the candidate state has applied in EU legislation and has met its other commitments, and requirements, which are essential for any member state who wants to join the EU.

Pursuant to article 49 TEU, the state wishing to become a member of the EU, meeting the conditions resulting directly from the treaty, the Copenhagen criteria and the SAA process – can apply for membership to the Council of EU. The decision however on opening of accession negotiations as well as other decisions related to the enlargement process is of political character and is not made automatically upon meeting of relevant criteria. These are carried at the same time with the process of adaption of the EU acquis, harmonization and other requirements adaption and adjustment to the EU criteria and standards\textsuperscript{63}.

The accession negotiations are carried out in respective chapters corresponding to the areas of the Union law and the activities of the EU. The negotiations are preceded the so called screening conducted by both parties in order to identify differences of the candidates country’s legislating that need to be harmonized with the 35 acquis areas. When the negotiations are finished an individual chapter becomes temporarily closed\textsuperscript{64}.

The stabilization association process is the very core of the EU policy towards the Western Balkans, having as its objective obtaining full integration with the European Union through stabilization, support for

\textsuperscript{61} As confirmed by the UE- the Western Balkans summit in Salonica in 2003, in the course of which it was concluded the Western Balkans Declaration.

\textsuperscript{62} Ibid

\textsuperscript{63} The Western Balkans and the European Integration, perspectives and implications, centre of eastern studies, central European deck, J. Mus, pg. 16

\textsuperscript{64} The Western Balkans and the European Integration, perspectives and implications, centre of eastern studies, central European deck, J. Mus, pg. 17
market transformation and promotion of regional cooperation. Only by fulfilling all the conditions can a candidate country obtain full membership. Furthermore, the most important part of the SAA process is the SAA Agreement which is concluded separately between the Union and each state aspiring to become part of the EU and it defines framework and mechanism which are supposed to facilitate to the respective country achievement of full membership.

The demand for integration in addition to the fulfilment of a whole range of political and economic reforms is the cornerstone of the EU’s principle of conditionality in the region. In each case the Stabilisation and Association Process is a bilateral affair between the EU and the applicant country. In exchange for the fulfilment of political and economic conditions in selected policy fields, the aspiring candidate state proceeds on the gradual process towards EU membership. Furthermore, such agreement regulates in detail and observes the fundamental principles of EU and their implementation such as democracy, human rights, regional cooperation, free movements of goods, as well as issues pertaining matters of judiciary and security.

\[ SAA \text{ Agreements - A country tailored process or just an illusion?} \]

The rationale behind the Stabilisation and Association Process (SAP) formalised in November 2000, includes (1) "the recognition that a credible prospect of European membership, together with the outlining of a set of conditions attached to membership, represented a key driver for reform in the region," (2) the need to encourage bilateral relationships and (3) the need for a more flexible approach tailored to the conditions of the Western Balkans. The SAP was thus created as a flexible device “to accommodate a range of situations from post-conflict reconstruction and stabilisation to technical help with matters such as the approximation of legislation to the core elements of the EU acquis.”

\[ \text{———} \]

65 Ibid  
66 The Western Balkans and the European Integration, perspectives and implications, centre of eastern studies, central European deck, J. Mus, pg. 12  
67 H. Runcheva, ‘Protection of fundamental rights in the EU: The binding EU Charter, pg. 223
Signed for an undefined period of time with a view to contributing to economic and political stabilisation of the country, the process itself consists of three phases: a preparatory phase would set the path of initially-needed reforms and prepare each country individually for the signing of the agreement; the second phase would be the actual negotiation of the agreement and its adoption; the third phase would see the implementation of the agreement by the respective countries, after which they would become fully associated with the European Union, being given the option of 'potential candidate’ status.

During SAP formalisation in Zagreb, EU confirmed its wish “to contribute to the consolidation of democracy and to give its resolute support to the process of reconciliation and cooperation between the countries concerned through the individual agreements with the aspiring countries for EU membership.

However, those ‘individual agreements are not just between the countries and EU, but involve as well all EU Member States as signatories to the agreement due to the fact that the Agreement covers areas of shared EU competences between the EU and the Member States.

Because the accession conditions are flexible and defined individually and on a case by case basis, each candidate country is considered individually and independently from the others, making the requirements for each country mutable. For the Western Balkans countries, this means quite a long path to follow in order to qualify for EU membership.

Taking as example one of the countries however, reveals that such agreements are prepared and formulated according to the timetable and EU agenda and not of the states.

For example, the preamble of the SAA with Albania states:

CONSIDERING the commitment of the Parties to increasing political and economic freedoms as the very basis of this Agreement, as well as their commitment to respect human rights and the rule of law, including the rights

68 Ibid

of persons belonging to national minorities, and democratic principles through a multi-party system with free and fair elections\textsuperscript{70}.

Furthermore, a look through the provisions reveals that the chapters of the free movement of citizens, goods and establishments maintain the central part of the agreements, while chapters on law enforcement, reinforcement of institutions and rule of law, asylum, migration and criminal matters and fight against human trafficking or corruption come after that.\textsuperscript{71} It is clear that economic and political priority and conditionality is at the centre of EU’s attention.

The Balkans is made up of a number of small, independent nations; each with its own currency, laws, policies, culture and traditions and in some cases even languages. Taking Albania as an example – a country with enormous human rights issues, still existent laws such as Kanun\textsuperscript{72} governing a huge part of the country, which must be at the forefront of the agenda for EU integration. Instead, the main chapters Albania is harmonizing right now with the EU acquis is the free market. As a result, the economic wellbeing, the political agenda and other issues are on the desk of EU for the moment, leaving on second hand issues such as minorities, statelessness, human rights issues etc.

The inability, or the to be more correct, the pressure form the EU to deal with the agenda as it is placed under the Copenhagen conditionality, places such countries under doubts as to what is more important to them and their integration towards the EU. SAP agreements with other aspirant countries show the same ‘symptoms’, raising the question id telling such countries what to do and not how to do it – is the right path towards their integration.

\textsuperscript{70} SAA agreement with Albania, preamble
\textsuperscript{71} SAA Agreement with Albania, title VI,
\textsuperscript{72} The most common version of customary law among the Albanians
Member states and their position towards Western Balkans

In general, the EU Member States support the enlargement policy towards the Western Balkans. However, due to different geographical, political, economic, and historic determinants, the positions of such states with respect to the European prospects of the Balkans are to some extent diverse, which had definitely an impact on the accession process\textsuperscript{73}.

The European societies are highly divided in the issue of EU enlargement. It is noteworthy that the acceptance of the new candidates is much higher among the ‘new members’ of the Union rather than the old ones. A difficult situation though is noted in such countries which in principle support the further EU integration and believe in the necessity of the Western Balkan’s integration. They support a pro-European course of the Balkans despite the negative attitude of their own societies towards the process\textsuperscript{74}.

In fact, the big debate on the EU enlargement started with the so called ‘the big bang enlargement’ that took place in 2004. The discussion on the future of the Balkans in the EU has been connected with a broader debate tackling the question whether there should be an ‘external enlargement’ or an ‘internal integration’. The point was to find a balance that would on the one hand guarantee internal cohesion of the EU and on the other, allow for a full benefits from all advantages that can be derived from the enlargement\textsuperscript{75}.

The Copenhagen conditions suggest that applicants have to meet higher standards than do present member states; current members have not been judged on these conditions, and have been able to negotiate opt-outs from parts of the acquis which will not be available to CEE applicants. By contrast, CEE candidates are expected to meet the conditions fully, in advance, without opt-outs, and in the absence of reciprocal commitments from the EU to prepare for enlargement.

\textsuperscript{73} Ibid
\textsuperscript{74} Ibid
\textsuperscript{75} Ibid.
This opening stance is a negotiating position, of course, intended to courage compliance by CEE, and in practice both sides will want transitional periods on different issues\textsuperscript{76}.

Ultimately, the applicants will be ready to join when member states can be convinced that the European Union can cope with this enlargement. However, the position of such states is mainly political. Many political parties hold sceptical views towards a possible accession of new member states, referring to the Western Balkans enlargement as a ‘special case’ and each one of them presents specific standpoints on EU enlargement\textsuperscript{77}.

\textsuperscript{76} A Partnership for Accession? The Implications of EU Conditionality for the Central and East European Applicants, Robert Schuman Centre Working Paper 12/99, H. Grabbe, pg. 7

\textsuperscript{77} Ibid
CONCLUDING REMARKS

The accession to the European Union is a complex process because there are never two candidates with identical characteristics, not only if you consider the political and economic situation of the candidate, but also because the principle of conditionality is applied according to the "merits of each candidate," as it is repeatedly mentioned in documents and conclusions of the European Council presidencies. That means a long and challenging climb to EU accession with additional membership conditions. As accession preparation has become more systematised, membership criteria have been applied more strictly than in previous enlargements, making the level of required adaptation therefore higher for candidate states than for current Member States.

The decision in Copenhagen provided the countries in Central and Eastern Europe with a clear sense of direction as well as a challenging list of homework to do. Nevertheless, the Copenhagen criteria went through a transformation throughout the years, leading to the fact that the original conditionality criterion has lost its power and has become simply "conditionality rules under control". Though seemingly simple, the three criteria were translated into very demanding requirements for a complete transformation of the institutions in each of the prospective member states.

As a result, the uncertain weight assigned to conditionality and the Copenhagen criteria raise important questions about the effectiveness and future of the European Union accession process. Unlike previous accession rounds, the EU has provided no concrete timetable for achieving the Thessaloniki promise of membership. Rather, the process remains open and indeterminate.

---

78 Historical evolution of conditionality criteria in external relations of the EU, C. Puente, Romanian Journal of European Affairs, vol.14, no. 4, pg. 67
79 20 years that changed Europe. ‘The Copenhagen criteria and the enlargement of the EU’, N. Wammen, pg. 22
80 Enlargement fatigue and its impact on the enlargement process in the Western Balkans. J. O’Brennan, pg. 44
Twenty years later, the Copenhagen criteria still set out the right principles for the EU’s enlargement policy, but they only offer the broad brushstrokes of a more complicated enlargement picture\(^81\). Time has come for the EU to reiterate its unequivocal support to the European perspective of the Western Balkans’ countries by defining a new long-term European strategy for this region. Namely, a strategy that has the legal integration at its core instead of the political and economic agreements and a strategy that is tailor based to the situation, main issues and interests of the aspiring countries.

In particular to the Western Balkan countries, although they are individually conditioned to separate and different set of rules, according to their internal preparedness and conditions to apply the EU laws and procedures, EU must require genuine reforms at each step. EU must meet its obligations to allow candidates to progress if reforms have been made. Failure to do so diminishes the EU’s influence and damages the credibility of the enlargement process\(^82\). As a result, the Copenhagen criteria may serve as a lighthouse navigating the candidates on their way towards the EU, instead of being an obstacle to their future enlargement. Western Balkans should be allowed to benefit from this process and by advancing their own societies to benefit the EU as a whole.

The EU-hopeful countries in the Balkans on the other hand should accept that enlargement is now defined by the logic of ‘strict and fair’ and by political ‘frontloading’, which means that the process is more complex, more rigorous and more unpredictable than before\(^83\). The very high degree of conditionality required from candidate states is directly linked to the high level of mutual trust that is required of EU Member States. However, it undermines both internal solidarity and the rationale for pre-accession conditionality\(^84\).

\(^{81}\) See [http://www.publications.parliament.uk/pa/ld201213/ldselect/ldeucom/129/12905.htm](http://www.publications.parliament.uk/pa/ld201213/ldselect/ldeucom/129/12905.htm)

\(^{82}\) The future of EU enlargement, pg.19

\(^{83}\) EU MS and enlargement toward the Balkans, ‘European Policy Centre, issue 79, R. Balfour & C. Stratulat, pg.14

\(^{84}\) EU enlargement: solidarity and conditionality. M. Cremona, European law Review, pg. 1
EU should make the criteria more relevant to the needs of the citizens in those candidate and aspiring for EU membership countries. Conditionality can function successfully only as one element in a well-defined relationship with the Balkan states\(^\text{85}\). Aspirant countries have already expressed concern about the process becoming increasingly wide-ranging and demanding, asking new candidates to meet criteria that were not met by the existing Member States. In this sense, "strict conditioning" could have "counter effects", such as "impeding the integration processes and regional stability”\(^\text{86}\).

---

\(^{85}\) EU Conditionality in South East Europe: Bringing Commitment to the Process, O. Anastasakis & D. Bechev, European Studies Centre, April 2003, pg. 5

\(^{86}\) http://www.publications.parliament.uk/pa/ld201213/ldselect/ldeucom/129/12905.htm
REFERENCES


Enik Pogace, ‘Examining European Community Law principles in a new legal context. Placing the stabilization and association agreement under the constitutional legal framework of Albania’,


Osman Topcagic, ‘Handbook for Harmonization of Bosnia and Herzegovina legislation with European Union legislation’, Directorate for European Integration of B&H.


Suzana Grubje’sic, ‘20 Years that Changed Europe: ‘the Copenhagen Criteria and the Enlargement of the European Union’, How EU Enlargement has shaped and Continues to Shape Europe, Conference report.


Christian Deubner, ‘How can European integration advance in the 21 century? Key policies, methods, and coalitions for the deepening of EU integration’, *Friedrich Ebert Stiftung*.

Helene Sjursen, ‘A CERTAIN SENSE OF EUROPE? Defining the EU through enlargement’, *ARENA Centre for European Studies, University of Oslo*.


Steunenberg, Bernard & Dimitrova, Antoaneta, ‘Compliance in the EU enlargement process: The limits of Conditionality’, *European Integration online Papers 2007*.


Rosa Balfour and Corina Stratulat, ‘EU member states and enlargement towards the Balkans’, *European Policy Centre, EPC ISSUE PAPER NO.79*.

Othon Anastasakis & Dimitar Bechev, ‘EU Conditionality in South East Europe: Bringing Commitment to the Process’, *South East European Studies Programme European Studies Centre St Antony’s College, University of Oxford*.

Elyse Wakelin, ‘The End of EU Conditionality: What next for the EU enlargement process?*


Christophe Hillion, ‘EU enlargement’, Swedish Institute for European Policy Studies


Tim Haughton, ‘Half Full but also Half Empty: Conditionality, Compliance and the Quality of Democracy in Central and Eastern Europe’, POLITICAL STUDIES REVIEW: 2011 VOL 9, 323–333

Carlos Puente, ‘Historical Evolution of Conditionality Criteria in External Relations of the EU with CEEC. From the Cold War to the Accession: an Insider’s Perspective’, Romania Journal of European Affairs, Vol. 14, No. 4


Enik Pogace, ‘Examining European Community Law Principles in a new legal context; Placing the stabilisation and association agreement under the constitutional legal framework of Albania’.

Arolda Elbasani, ‘The SAP process in the Balkans: Overloaded agenda of weak incentives?’, European University Institute, Department of Political and Social Sciences.
ACKNOWLEDGMENTS

European Legal is a Network of lawyers which writes and publishes articles on behalf of its members on the most important and recent topics. We sincerely encourage the members to constantly reveal their interests in certain legal issues and express their opinions about them either by writing or by organising events such as seminars, presentations and conferences.

We, hereby thank all the young professionals involved in preparing the above materials, researching related to the subtopics and other important conclusions made up in regard to it. If this material presents and reflects your point of view as well and you would like to write on relevant and similar themes for us, please do not hesitate to contact us and present your ideas for the next publication.

You can do that by sending an e-mail at: info@legislationnet.com

Thank you for your work,

European Legal
Research & Training Network Team