



The EU's Internal and External Borders in a World Torn by Conflict

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THE INCREASING PRECARIOUSNESS OF OPEN BORDERS

Physical borders are salient in a world marked by threats to security, the movement of migrants, and economic and technological competition between states (Andreas, 2003). Many contemporary threats are cross-border in character, among them pandemics, climate change, and organized crime in all its forms (Bakardjieva Engelbrekt et al., 2022). The precariousness of maintaining open borders within the EU has become

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apparent in recent years, as some internal borders have reappeared as a response to various threats. First, for reasons of domestic security to hinder the movement of terrorists and migrants. Later, as an ultimately futile attempt to keep the COVID-19 virus from spreading across borders (Bengtsson, 2022). Some of these measures remain in force, albeit as exceptions to the principles of open borders, but because of their longevity have become a challenge to the freedom of movement of people. The EU continues to exert an attraction across its external border for goods, capital, and people seeking a way into Europe and as long as that is the case, the pressure on its external border will persist. Within the EU, meanwhile, a reinforcement of the external border is seen as necessary for preserving the freedoms that membership brings to people and businesses inside Europe, and for defending liberty within from threats to security from the outside. For these reasons, the derogations from the policy of open border within the EU in the wake of the COVID-19 pandemic are problematic although the states upholding them are not questioning the principle of open border per se (see, Pettersson Fürst in this volume).

As seen in Chapter 1, the borders of the EU have fluctuated greatly during its 70 years of existence. The EU has seen its membership widened to include new members seven times since 1973 when the United Kingdom (UK), Ireland, and Denmark first joined. Thereafter, the EU's membership further increased from nine to 28 member states, then reduced to 27 as the UK withdrew from the Union in 2020. With enlargement has the geopolitical importance of the EU as a global actor grown. From previously being concerned mainly with international trade and development aid to the countries in Africa, the Caribbean, and the Pacific, along with the stability and economic development of the countries in its neighbourhood (see also Jonasson in this volume), it is in the 2020s involved in most major issues of international politics.

Since the creation of the Common Foreign and Security Policy (CFSP), the EU has carved out a role as a post-sovereign actor with diplomatic capabilities deployed in areas of particular concern, many of which have links, direct or indirect, to the pressures on the EU's external borders. In this regard, the EU is taking concerted action on the global agendas on climate change and sustainability under the auspices of the UN with the aim of promoting and assisting climate change mitigation, sustainable social and economic development, and stability in developing

countries. With time, the migration-security nexus has become increasingly prominent and the EU's ambition to tackle the drivers of migration in a long-term perspective is clearly linked to these global agendas (Bremberg et al., 2019; Michalski, 2020). In this vein, the EU has developed a more advanced partnership with the African continent going beyond the traditional development agenda by establishing the EU-Africa strategic partnership and the joint EU-Africa Strategy in 2007, and engaging African leaders in recurrent summit diplomacy, involving also the African Union (AU) (Council of the EU, 2007). The EU's renewed focus on Africa is partly in response to China's increasingly influential position on the African continent, partly to find solutions to problems related to the EU's southern border caused by a lack of development, political repression, and security concerns in African countries. In this concluding chapter, we widen the perspective of the role of the EU's internal and external borders to review a number of challenges and opportunities which have impact on the future of the EU's border policy. We put particular emphasis on external developments in the EU's neighbourhood and the ongoing shift in international politics because of their significance for the EU's ability to extend its borders further through enlargement.

IMPLICATIONS OF THE GEOPOLITICAL SHIFT

Since the mid-2000s, an ever more palpable geopolitical shift is taking place. The rules-based international system is being broken down gradually by states that do not respect its principles. These states wield power in the pursuit of their national interests, to the detriment of cooperation on the basis of common rules and practices (Finnemore et al., 2021; Han & Paul, 2020; Johnston, 2019; Mearsheimer, 2019; Sørensen, 2011). The concept of the rules-based international system has been used more and more often in the new millennium to describe the multilateral order from the 1990s up until the mid-2000s when the international norms and rules underpinned interstate cooperation and global governance. The rules-based international system as a concept bears comparison with the earlier concepts of Pax Americana, used in reference to the security community created after World War II for Western countries under the protection of the United States (US), and the Bretton Woods system which refers to the American economic hegemony which underpinned the economic and financial institutions set up to manage the international (until the fall of the Berlin wall in 1989, in practice, western) economic system, chiefly the

International Monetary Foundation (IMF), the World Bank (WB) and the forerunners to the World Trade Organization (WTO).

A closely related concept is that of the ‘liberal world order’, which has its origins in the political dominance and consequent hegemony of the US during the Cold War. Liberal values, such as political rights and freedoms linked to liberal democracy, make up the backbone of the order, along with the rule of law and the market-based economy which were used as reference points to distinguish between the political models of liberal democracy of the US and its allies, and the command economy of the authoritarian Communist regime of the Soviet Union and its satellite states (Ikenberry, 2011, 2018). In the golden days after 1991 and the fall of the Soviet Union, the rules-based system was credited to instil stability and predictability into the international system, and nourished a belief in the strength of liberal democracy which other states sought to emulate (Kagan, 2018). It was also associated with the imagery of the ‘free world’ inspired by the Kantian perpetual peace theory based on the belief that democratic nations are less likely to start a war between them. The liberal world order has not been purely ‘good’, to be sure. Geopolitical tensions in the Cold War led to so-called proxy wars in Asia and Africa, or even outright wars, as in Vietnam and Korea, as well as the bullying of weaker states in Latin America and elsewhere. These originated in the tug of war between the US and the Soviet Union, each of which attempted to shape the world in such a way as to strengthen its own security and economic and military dominance.

The rules-based international system as a concept rests, however, more on the theory of liberal institutionalism set forth in the 1980s by American political scientists, such as Robert Keohane, John Ruggie, Stephen Krasner, and Robert Axelrod (see for example Keohane & Martin, 1995). How is it, these researchers asked, that cooperation between states arises and then persists over time? The solution to the puzzle that they proffered is that the inherent risks of international cooperation—that other states will not fulfil their commitments—can be obviated through the establishment of regulatory frameworks enforced by international organizations. These scholars and others have found that, over time, international organizations have established durable regimes that have made it possible to hold member states accountable for their commitments, and to persuade them to comply with common rules. This is perhaps most evident in the case of the WTO, which has given rise to a strong international trade regime based on common rules and lasting commitments. Trade has

grown as a result, forming the foundation for economic globalization and making the advantages of multilateral cooperation clear, even for countries, such as China whose spectacular rise to an economic superpower bears witness to. When EU leaders speak of defending the rules-based international order, they are referring to principles, such as multilateralism and the rule of law, as well as to norms like human rights and democracy (Dworkin & Leonard, 2018). Moreover, they insist international organizations need to be strengthened, and bodies like the WTO must be reformed in view of a changing international order.

Why does the rules-based international system need to be defended, and against whom? If we are to answer this question, we must first note that the multilateral system is founded on mutual trust—trust that all states taking part will follow the rules and carry out the commitments made (Kydd, 2005; Natorski & Pomorska, 2017). If there are repeated violations of the rules, or recurrent patterns of behaviour are at odds with them, such trust will be eroded, and the belief that cooperation always pays off in the long run will be undermined. It is therefore something of an anathema that possibly the gravest threat to the liberal world order came from within in the guise of Donald Trump, who as President of the US between 2016 and 2020, undermined the rules-based international system, for example by refusing to appoint judges to the WTO's appellate court or threatening to withdraw support to military alliances with Japan, South Korea, and Europe (Hicken et al., 2021). Since Joe Biden came to power in 2021, the economic dimension of American foreign policy has remained orientated towards domestic interests in line with his predecessor. Concerning security and defence, the US has followed a double-edged strategy of withdrawal (Afghanistan) and engagement (Ukraine).

Yet, it is the rise of autocratic great powers which has captured the attention of policy-makers, not least due to their ambition to change many of the premises of the rules-based order (Cooley & Nexon, 2020). From the mid-2000s onwards, China's economic success has upset the equilibrium of the global system. For a number of years now, China has accounted for the largest single share of world trade, with large trade and investment surpluses vis-à-vis other countries and the EU, which registered a record trade imbalance with China of almost 400 billion euros in 2022 (Moritsugu, 2023). The vast country also has a high-tech advantage in certain sectors, and it dominates the production of rare earth metals.

The hope that China would accommodate itself to the rules-based international system as a consequence of its entry into the WTO in 2001 has failed to bear fruit. Growing problems with steel dumping, forced technology transfer, trade-distorting subsidies, infringements of international intellectual property laws, and more recently the arbitrary enforcement of new security laws, are among the recurring complaints heard from companies operating on the Chinese market. Dumping and unfair price competition are recurring grievances of industries whose home-market position has been weakened by imports of Chinese goods. China dominates the European market for solar panels, and perhaps in the future, also for electric vehicles. To make things worse, despite being the world's second-biggest economy behind the US, China protects its WTO status as a developing country in order to enjoy the advantages that follow from that. This stands in stark contrast to China's claim in the WTO that it should have been automatically recognized as a market economy at the end of the transition period in 2016. Western WTO member states, including the EU and the US, opposed granting China a market economy status and the issue was not yet solved in 2023, further undermining necessary reforms.

FROM DE-COUPLING TO DE-RISKING: THE EU AND THE CHALLENGES FROM A WEAKENING RULES-BOUND SYSTEM

The problems surrounding the weakening of the rules-bound system could have been mitigated, perhaps resolved, within the framework of the WTO, if only the two great powers, China and the US, would agree on using the available instruments. Since Xi Jinping came to power in 2012, China has increasingly exploited its dominant position in certain sectors, such as in the extraction of rare earth metals and in the production of solar cells and batteries, in order to influence the shape of the rules-based international order. This became evident not least during the early stages of the COVID-19 pandemic, when China used its dominance in certain production lines to break value chains and to influence the view expressed by various countries of its responsibility regarding the origins of the pandemic. China's efforts in this regard included benign measures, such as the donation and sale of face masks, as well as punitive measures, such as trade bans (which it imposed on some Australian products, for example).

Even before the pandemic, China imposed sanctions on countries that took a stance it viewed as insulting or disrespectful, or that raised questions about human rights violations in Tibet and Xinjiang or the status of Taiwan. One such punitive measure—a ban on salmon imports from Norway—was introduced after political dissident Liu Xiaobo was awarded the Nobel Peace Prize in 2010. Another example concerns China's decision to temporarily suspend diplomatic relations with Denmark in 2009 in the run-up to the COP15 climate summit in Copenhagen to express its displeasure that Danish Prime Minister Løkke Rasmussen had met with the Dalai Lama in May the same year (Sverdrup-Thygeson, 2015). In December 2021, moreover, China removed Lithuania from its customs registry, rendering that country unable to export goods to China. It did so in response to Lithuania's decision to allow Taiwan to open a representative office in Vilnius in its name (Reuters, 2022). This type of punishment is part of economic coercion, a strategy of weaponizing economic interdependence that flies in the face of global free trade.

Since the war in Ukraine broke out in February 2022, weaponized interdependence and various types of economic coercion are becoming more ubiquitous (see Sjöholm in this volume). Its origin is an unforeseen deviation of the global economic system and the integration of markets and the extension of the just-in-time method of production (Drezner et al., 2021). As global economic interdependence grew certain states could dominate value chains by controlling access to critical natural resources, production facilities etc. This control could also be used as a weapon against strategic rivals. Strategic use of economic dependence is of course not a new phenomenon, but the scope and depth of economic ties between countries in the global economy of the early 2020s has greatly worsened states' potential vulnerability. The EU felt the impact of the dependency of several of its member states on Russian gas, fertilizers, oil, and other products at the onset of the war in Ukraine (see also Becker and Åslund in this volume). Russia has been known to use to control the dependency on its gas against neighbouring countries, such as Ukraine, starting in the early 2000s but up until the war in Ukraine, EU member states had not been directly concerned, except for a short gas dispute between Russia and Ukraine in 2009 (Pirani et al., 2009). However, after Germany's decision in early 2022 not to complete the certification of Nord Stream 2 in reaction to Russia's actions in Ukraine, gas deliveries via Nord Stream 1 were greatly reduced. Then, in September 2022, both gas pipelines were badly damaged in an explosion, and deliveries

were stopped altogether. For EU members dependent on Russian gas for a large portion of their energy needs, the sudden lack of access to Russian gas had significant consequences. Germany in particular, which despite international warnings had increased its dependence on Russian gas by co-financing Nord Stream 1 and 2, had left itself vulnerable to Russian pressure (Sturm, 2022). In May 2022, the European Commission presented a strategy for energy security—REPowerEU—the aim of which is to diversify gas imports, eliminate dependence on Russian oil and gas, and invest in energy efficiency and renewable energy sources. Since then, the import of Liquefied Petroleum Gas (LPG) has increased significantly to make up for the shortfall of Russian gas, and disused coal power plants have been reactivated.

Russia and China are the countries most often in focus when the shift from a rules-based world order to one based on power is discussed. They have a so-called geopolitical worldview, which affects how they see relations with other countries. In their way to see the world, borders and territory play a prominent role, because the control over transport routes and the possession of natural resources yield power. Countries fall hierarchically into spheres of political dominance, and instruments of power are both economic and military. China's strategy for international economic development—the Belt and Road Initiative (BRI)—has drawn considerable attention in this regard, because countries in receipt of this aid have become dependent in many cases on China, both economically and politically (Rolland, 2017). China expects loyalty in return (not least on the issue of Taiwan) in various international and regional forums, such as the United Nations General Assembly or the 16 + 1 group. China has also secured access to natural resources through the BRI, as well as markets for the products supplied by state-owned companies. Russia, for its part, has sought to draw former Soviet republics into the Commonwealth of Independent States and the Eurasian Economic Union, in order to establish a sphere within which it can exercise power and dominance. A consequence of the geopolitical turn in the international system is the great power rivalry between the US and China for hegemonic dominance, with the issue of Taiwan and the dominance of maritime transportation routes in the East and South China Seas as potential flashpoints. The rivalry has also spilt over to the economic realm as the US under Donald Trump introduced tariffs on Chinese goods, chiefly steel. Under Joe Biden, the US's aggressive stance towards China has continued and taken the form of various investment bans, for instance the prohibition to sell strategic

goods, mainly for the production of microchips and armament, to China. For China, the American stance is seen as a blatant attempt to halt its rise to power by adopting a strategy of containment while for the Americans its policy towards China is a necessary pushback on its territorial claims and de-coupling of their bilateral economic ties.

From the standpoint of the EU, these international developments are worrying. The Russian regime has been taking a more and more extreme approach towards neighbouring countries that were once part of the Soviet Union, and the significance of this shift has sunk in only slowly (Götz, 2017). It was not until the war in Ukraine in 2022 that its full import was revealed. Likewise, it has taken several years for EU leaders to realize the implications of China's international norm dissemination and its territorial ambitions in the South China Sea to control access to international sea transport routes. Nevertheless, for the Europeans, the greatest factor generating uncertainty, finally, was the less-than-friendly attitude towards NATO and the EU expressed by Donald Trump, then president of the US. This attitude on Trump's part, together with his tendency to break agreements entered into, seemed to call the durability of American commitment to Europe's security and international free trade into question (Cooley & Nexon, 2020). Taken together, these developments have prompted Europe's leaders to take a greater interest in the idea of European strategic autonomy. Since the beginning of the 2020s onwards, the EU has gradually equipped itself with various instruments to meet the threat of weaponizing economic interdependence, punitive statecraft directed at individual EU member states and companies, and balancing the competitive disadvantages for domestic firms which need to comply with the EU's stricter environmental and climate mitigation rules. Among these instruments are the anti-coercion instrument of 2023 with the aim of protecting member states that fall victim to coercive measures, the Foreign Direct Investment (FDI) regulation, operational since October 2020, with the aim to equip the EU to identify, assess and mitigate potential risks for security or public order, and the carbon border adjustment mechanism, approved by the EU Council in 2022 which puts a levy on imports that originate in countries with lax environmental and climate mitigation regimes (European Commission, 2021a, 2021b, 2021c; European Commission, 2022; Council of the EU, 2019; Council of the EU, 2020; Allenbach-Ammann, 2023). In December 2020, the EU adopted a new global human rights sanctions regime which makes it possible to pursue individuals who are in breach of human rights (Council

of the EU, 2020). This regime is distinct from the sanctions that the EU has adopted in accordance with the UN Security Council (international sanctions) or against specific countries, such as those adopted against Russia since its invasion of Crimea and later in the war in Ukraine, which have been taken on the basis of article 29 of the Treaty on the European Union and article 215 of the Treaty on the Functioning of the EU (Ecks, 2018).

For the EU, the American strategy of de-coupling economically from China carries too big a risk to its economy given that many European firms, especially in Germany, are dependent on the Chinese market for their turnover and profit. The EU has therefore been reluctant to follow the US down the road of de-coupling from the Chinese economy. However, China's refusal to condemn Russia for its invasion of Ukraine, its continued restriction of access to sought-after raw materials and its stepped-up discriminating treatment of European firms in China, prompted a response from the EU. To this end, the European Commission President von der Leyen held a speech in April 2023 where she called for a de-risking of the EU's relations with China starting with 'recognizing how China's economic and security ambitions have shifted' (von der Leyen, 2023b). Economic de-risking for von der Leyen implied making the European economy more competitive and resilient, using the existing instruments in the EU's toolbox, including defensive trade measures in certain sectors, and teaming up with partners around the world which grapple with similar concerns regarding China. In September 2023, the European Commission opened an investigation into the threat of dumping of Chinese electric vehicles in the EU (Blenkinsop, 2023). This action was followed by the visit to China in September 2023 of the European Commissioner Valdis Dombrovskis to convey the concerns of the EU regarding issues with access to the Chinese market and the conditions for European companies operating there. He also addressed the growing imbalance in bilateral trade and the necessity to rebalance the EU–China economic and trade relationship on the basis of transparency, predictability, and reciprocity (European Commission, 2023a).

The changed geopolitical map and the new adjacent political mindset are also reflected in the investment policies of global multinational firms (MNEs). As pointed out by Ghauri et al. (2024), the increased tensions after the financial crisis of 2008–2009 and the development in geopolitics in the wake of Russia's invasion of Ukraine have contributed to reducing the assumptions for a well-functioning global value chain. The

reappearance of border frictions calls for careful adaptation of corporate strategies and government policies. As a result, the 2020s onwards will witness a dramatic reorganization of investments. Ghauri et al. (2024) point to five corporate strategies. These strategies reside on various means at the disposal of companies to divest and bring back their investment to the home market to escape the uncertainty surrounding border passages. Another means available to companies is to opt for a regionalized strategy of which one region may be the EU. The corporate abandonment of the efficient use of global resources inherent in the principle of the global value chain or global factory will come at a huge welfare cost. However, on the positive side, the reorganization of global value chains provides an opportunity to meet the United Nations Sustainable Development Goals (SDGs) and to make sustainable investment decisions by internalization of environmental, social, and governance (ESG) considerations.

RUSSIA'S WAR AGAINST UKRAINE. THE IMPLICATIONS FOR EUROPE

Russia's invasion of Ukraine on 24 February 2022 will go down in history as the fateful day when Europe's contemporary security order was shattered (see also Engelbrekt in this volume). This order emerged during the final phase of the Cold War, when the Soviet Union lost its grip on the countries of Central and Eastern Europe, and thereupon collapsed as a result of internal frictions caused by the Soviet regime's mismanagement of the economy and its inability to achieve social, cultural, and political development. For the EU, the geopolitical shift in Europe at the beginning of the 1990s led to a new era, marked by deeper political integration, a far-reaching enlargement of the EU's membership, and an expansion of the powers and policy areas in the hands of Union institutions.

Russia's war against Ukraine has prompted the EU's institutions and its member states to mobilize—morally, economically, and militarily—in support of the Ukrainian people and their government (European Commission, 2023b). Russia's actions pose a great challenge to the member states, worsening the security threat they face and unleashing an energy crisis. The latter fuelled the rate of inflation, and created economic uncertainty for both companies and the population at large in the winter of 2022–23. In the first 18 months into the war, EU, with the European Commission at the forefront, responded in an unexpectedly resolute fashion to these challenges. In her State of the Union address in 2022, the

president of the European Commission, Ursula von der Leyen, expressed her satisfaction with the EU's efforts at crisis management as follows: 'Fifteen years ago, during the financial crisis, it took us years to find lasting solutions. A decade later, when the global pandemic hit, it took us only weeks. But this year, as soon as Russian troops crossed the border into Ukraine, our response was united, determined, and immediate. *And we should be proud of that*' (von der Leyen, 2022. Emphasis in original.)

At the beginning of 2024, the war against Ukraine has soon raged for two years, and the contours of a new world order can be discerned. As discussed earlier in the chapter, the emerging order is based less on cooperation and more on competition and rivalry, not least between China and the US. What does this geopolitical shift mean for the EU's ability to act in the international arena? We can expect attempts to strengthen multilateralism to face great difficulty, and norm competition to remain a permanent aspect of interchange between states. As we have seen, on many fronts the EU has adjusted its approach to foreign policy accordingly to stand a better chance to achieve its goals. In accordance with the global trend, its main foreign-policy instrument—external trade policy—is now focused mainly on regional and bilateral trade ties. In a number of areas, moreover, it seeks to achieve certain political objectives, both internal and external, and to help promote greater strategic autonomy for Europe. In its trade agreements, therefore, the EU includes clauses on human rights (although there are exceptions), the rule of law, sustainable development, and adaptation to climate change (see also Öberg in this volume). Less directly, by the sheer size of its market and its considerable regulatory capacity, the Union exerts a powerful unilateral effect on other countries and private companies extending its regulatory standards in areas such as sustainable fisheries, forestry, product safety, data protection and competition policy (Damro, 2012).

On the diplomatic level, the Union aims to create alliances with like-minded states and partners in Asia, Africa, the Pacific, and Latin America. Moreover, faced with the war in Ukraine, and Russia's ever closer alignment with China, the Union has embraced the discourse according to which the world is witnessing a struggle between autocracy and democracy. It has also supported the French initiative for a European Political Community. Ursula von der Leyen's (2019) vision of a geopolitical Commission, which she set out at the start of her term of office, has thereby been fulfilled. She has set the European Commission's sights on breaking vulnerability and dependence in energy, technology, and raw

materials; on taking a harder line on strategic investments, economic coercion, and harassment of states and companies; on pursuing joint diplomatic initiatives on human rights, climate issues, and sustainable development; and on strengthening the strategic autonomy of the Union. Finally, with Finland and Sweden having joined NATO, conditions are improving further for close cooperation between the EU and NATO, as the two organizations seek to build a new European security order in the wake of the war in Ukraine.

Despite the stronger consensus that has prevailed within the West since the outbreak of the war in Ukraine, the place of the EU in a new world order is far from secured. Regulatory competition at the global level in advanced technology and digitization is fierce. The Union can invest, for example, in the manufacture of microchips and batteries in Europe, but it cannot thereby guarantee that Europe will become a world leader in these areas, or that its industries will be able to withstand the global competition. China is far ahead in certain sectors, and many organs of international standardization are now dominated by that country, which seeks, and sometimes succeeds, to have its norms and standards adopted globally (Rüling, 2021). Where the climate transition is concerned, major powers such as the US and China have faltered, and the commitments they have made to help achieve the UN's climate goals have failed so far in the early 2020s to bear fruit. The question is how far the Union's climate diplomacy of forming partnerships with countries in Asia and Africa can persuade said countries to adopt European objectives on climate, sustainable development, and the environment. The EU's goals in these areas, after all, are ambitious, and the economic and political incentives it offers are not necessarily more lucrative than those extended by China.

A EUROPEAN SECURITY ORDER AND THE FUTURE ENLARGEMENT OF THE UNION

As discussed in Chapter 1, when Russia invaded Ukraine in February 2022, it broke definitively with the security order that had prevailed since the dissolution of the Soviet Union in December 1991 (see also Engelbrekt in this volume). With the fall of communist regimes in Central and Eastern Europe at the end of the 1980s, the task fell to the EU and NATO to integrate the new democracies into the political, economic, and security order of Western Europe. Since Russia's annexation of Crimea in 2014, the European security order has been under challenge, not least

with regard to the principle of the inviolability of borders which was laid down by the Conference on Security and Cooperation in Europe (CSCE) in 1975. The invasion of Ukraine is a direct violation of international law breaking, not least, with the principles of the UN Charter of 1945. It has made close relations between Russia and Ukraine impossible for a long time to come, and it has decisively accelerated the latter country's orientation towards the West.

NATO's eastern enlargement took place in several rounds, beginning in 1990 with the reunification of Germany, followed by the Czech Republic, Hungary, and Poland, which became members in 1999. The Baltic States followed in 2004, together with four countries in Eastern Europe, namely Bulgaria, Romania, Slovakia, and Slovenia. In the years since, four Balkan nations have joined the alliance as well. NATO has applied an open-door policy in principle towards the admission of new members, and Europe's security community has gradually expanded thereby, although in practice both European states and the US were quite circumspect towards the inclusion of Ukraine throughout the 2010s which made known its membership aspirations already in 2002 (D'Anieri, 2023). Countries that wish to join must meet the requirements set forth in the North Atlantic Treaty regarding 'democracy, individual liberty, and the rule of law'; and they must be able to contribute to NATO's mission and mutual defence. To be sure, the successive enlargements have given rise to debate among NATO's member states, and Russia has protested throughout (Marten, 2023). Otherwise, the process has been relatively uncomplicated. In the case of Ukraine, however, the prospect of enlarging NATO to a country still at war is impossible. At the summit in Vilnius in July 2023, the NATO member states reconfirmed NATO's open-door policy and its unwavering support for Ukraine, but did not open up for a fast-track enlargement, simply noting that it 'will be in a position to extend an invitation to Ukraine to join the Alliance when Allies agree and conditions are met' (NATO, 2023).

The incorporation of new member states in the EU is a long and complex process that puts far-reaching demands on candidate countries to adjust their legislation and policies to EU standards. In connection with the Eastern enlargement that began in the late 1990s, the EU developed a policy with four phases: (1) an evaluation of the applicant country's eligibility—economically, socially, and politically—to become a member of the Union, followed in the favourable case by a decision to grant the country candidate status; (2) preparations in the candidate country, with financial

and administrative support from the EU, to adjust its national legislation to EU law, to strengthen its administrative capacity, and to consolidate its democratic system; (3) negotiations on membership, which in practice means granting the candidate country exemptions for a limited period in certain sectors—since adjusting to EU laws and policies is not negotiable; and (4) entry into the Union, together with a follow-up of the adjustment process in specific areas where the Union has not granted full membership to the candidate country—e.g., in connection with the Schengen Area or the third stage of monetary union (i.e., transition to the euro) (Michalski, 2014; Pridham, 2008). It is telling that the candidate countries in the western Balkans have made very slow progress towards the goal of EU accession, and their adoption of the EU rules and legislation is characterized by fits and starts. Since the eastern enlargement in 2004 and 2007, the EU has become much more circumspect with the candidate countries' genuine economic, political, and social adaptation to membership. Problems with corruption and political instability in Romania and Bulgaria, as well as the democratic backsliding of Poland and Hungary, the latter of which maintains good strategic relations with Putin's regime in Russia, are real causes of concern for the EU.

The EU has long-standing principles for enlargement (European Union, 2023; Michalski, 2014). In order to join the Union, a country must satisfy the so-called Copenhagen and Madrid criteria. These criteria, adopted in 1993 and 1995, specify that a country that seeks to join the EU must have a democratic political system, with guarantees for human rights, the rule of law, and protection for minorities (Cremona, 2003; Hillion, 2004). It must also have a functioning market economy that can cope with competitive pressures on the internal market as well as possess sufficient administrative capacity to assume the obligations of membership and to adhere to the aims of political, economic, and monetary union. It must incorporate EU laws and policies, the so-called *acquis*, into its own legislation before it can become a member. Finally, it must have no unresolved border disputes at the time of its entry into the Union. The last-mentioned criterion has been applied with greater flexibility than the one pertaining to the adoption of EU legislation, as can be seen in the case of the admission of the Republic of Cyprus (which did not extend to the Turkish Republic of Northern Cyprus). This criterion was tightened, however, in the case of Serbia, which must normalize its relations with Kosovo before it can become a member.

On 28 February 2022, the government of Ukraine submitted an application for EU membership. In June of the same year, after a decision-making process of record speed, the European Council conferred official candidate status on Ukraine. Moldova and Georgia followed soon thereafter, submitting their respective applications for membership in March 2022 (Petrequin & Corder, 2022). Moldova was granted candidate status at the same time as Ukraine, while Georgia would first need to meet certain requirements set by the EU before achieving this status. The European Commission has signalled that membership negotiations with Ukraine may take a long time, and that adjustment to EU legislation and fulfilling the Copenhagen criteria for membership is a huge task for a country still at war. Given the criteria regarding border disputes, there is no realistic prospects that Ukraine could accede to the EU as long as there is no permanent border settlement with Russia. Therefore, it is to be expected that the Union and its member states take the initiative for Ukraine's reconstruction once a peace agreement with Russia has been reached and that this will be integrated with the requirements for membership. However, this does not preclude that the EU and Ukraine begin with the long preparation for fulfilling the European *acquis* well before that moment. It is, for instance, of utmost importance that Ukrainian authorities convince Western benefactors and sponsors that it is getting on top of the endemic corruption, which for a long time has been a problem in Ukrainian politics and within its public administration. In this vein, the European Commission published in June 2022 its opinion on the capacity for Ukraine to fulfil the criteria for EU membership (European Commission, 2022). The Commission recommended that Ukraine is granted candidate status and that a path towards membership is staked out on the understanding that Ukraine make progress on continued judicial reform, strengthening the fight against corruption and money laundering, implementation of the Anti-Oligarch Law, tackling the influence of vested interest by adopting a Media Law, and finalizing the reform of the legal framework for the protection of national minorities. Some commentators expected the European Council in December 2023 to take a decision to open formal negotiations with Ukraine on membership which it subsequently agreed to (Bastasin, 2023).

In Agenda 2000—a report produced in 1997—the European Commission (1997) not only assessed the then candidate countries' readiness to become members of the EU, but also laid out the consequences for the EU of a near-doubling of the number of members. This was the first

time in the history of European integration that the EU evaluated its own readiness to enlarge, or as it was called at the time: its absorption capacity. Three issues were highlighted where the EU needed reform: the EU institutions, the EU decision-making, and a settlement of the costs of enlargement, including the financial position of the member states after accession. The last issue was particularly tricky as some of the then existing member states who benefited from EU funding, chiefly Spain and Portugal, stood to lose their status as net recipients as the prospective new member states were poorer, and many of them had important agricultural sectors which at the time absorbed large sums of the EU's budget. The issue was settled by setting a cap on financial transfers from the structural funds and the cohesion fund of 4 per cent of GDP. The EU's overall absorption capacity is highly relevant in the context of future enlargement of the EU to Ukraine, Moldova, and the other candidate states on the Balkan Peninsula. Without comparison, the integration of Ukraine, given its size, in terms of geography, population, and agricultural sector, as well as its needs as a war-torn country will be very demanding (see also Åslund and Becker in this volume). The implications of enlargement are huge for the functioning of the EU institutions and decision-making procedures, which will need recalibration. However, the most difficult sticking point will probably be over the allocation of EU funds as the prospective newcomers will, unless the current rules are changed, become net beneficiaries while the present beneficiaries will become net payers to the EU budget. Given the uproar in Poland over the cheap grain imports from Ukraine in the autumn of 2023, which saw a long-standing supporter of Ukraine turn into an adversary by blocking Ukraine imports against EU rules, it is evident that the political sensitivity of the access to EU funding, the rules of the Common Agricultural Policy, and other market access issues are very significant in certain EU member states. To solve these issues while at the same time anchor Ukraine, Moldova and the Western Balkan states within the sphere of the EU, the Union might feel obliged to come up with alternatives to full EU membership, at least temporarily.

Closer in time looms the issue of the reconstruction of Ukraine (see Åslund and Becker in this volume). The European Commission (2022), together with the World Bank, and the Ukrainian government estimated, in a first report on 9 September 2022, the cost for the country's reconstruction at 349 billion euros—a cost that increases with each day the war continues. The economic resources needed for Ukraine's reconstruction are thus colossal, and the complexity of implementing such a project will

naturally be enormous as well. Ursula von der Leyen has promised that the EU ‘will support Ukraine every step of the way towards our Union’ (von der Leyen, 2023a). There is a clear ambition to coordinate Ukraine’s reconstruction with its adjustment to EU laws and regulations. It remains unclear, however, how the Union’s promises of help with reconstruction and EU entry are to be balanced against the need for Ukraine to meet the criteria for membership. The EU’s commitment to Ukraine is long-term, but the challenges are great. Security and stability in the region are crucial, but a deep democratization of political processes is needed too, as is a more secure rooting of the rule of law within the country. There must be modernization of the state apparatus, greater transparency in economic life, and a greater willingness among economic actors to follow the rules. During this long process, it is of great importance that the EU’s external border with Ukraine does not become a dividing line, but rather serves as an area for contact—for trade, for the dissemination of norms, for interchange between people, and for joint projects in green energy, sustainable development, and adaptation to climate change.

Closing in on the mid-2020s, the EU has a great many challenges on its hand which are in the main caused by external events and crises but with significant implications for the political cohesion among its member states and in extension its ability to face up to, and deal with, their consequences. The EU’s external borders are likely to remain the physical flashpoint of the insecurity and war in the neighbourhood as well as the instability and lack of economic and social development further afield. Moreover, the calamities caused by global warming and increasingly unstable weather patterns will further drive people away from their own countries towards Europe and the illusion of a better life. In this perspective, the EU’s external borders are likely to become even harder than today and therefore the difference to be inside or outside the EU even greater. The EU needs to find a way to enlarge its membership to countries which fulfil the criteria to become a membership without erecting hard borders towards those which do not. Internally, the dismantlement of national frontiers in the late 1980s was an act of faith in other European states and a conviction that together the EU member states could trust each other to guard each other from unwanted border crossings. This trust is now being eroded and internal borders are again being erected. Yet, to withstand the external challenges, the EU is dependent on the willingness of its member states to uphold their joint commitment to the common management of open borders.

REFERENCES

- Allenbach-Ammann, J. (2023). EU Agrees on Anti-Coercion Instrument to Fight Foreign Interference. *Euroactive*, 28 March, Accessed on 2 October 2023 at: <https://www.euractiv.com/section/economy-jobs/news/eu-agrees-on-anti-coercion-instrument-to-fight-foreign-interference/>.
- Bastasin, C. (2023). Want Ukraine in the EU? You'll Have to Reform the EU too. The Brookings Institution. Accessed on 2 October 2023 at <https://www.brookings.edu/articles/want-ukraine-in-the-eu-youll-have-to-reform-the-eu-too/>
- Bengtsson, L. (2022). COVID-19 and the EU's Ability to Manage and Prevent Health Crises. In Bakardjieva Engelbrekt, A., Ekman P., Michalski, A. and L. Oxelheim (eds.) *Routes to a Resilient European Union* (Basingstoke: Palgrave Macmillan), pp. 89–113.
- Blenkinsop, P. (2023). EU to Investigate 'Flood' of Chinese Electric Cars, Weigh Tariffs. Reuters. 13 September. Accessed on 2 October 2023 at <https://www.reuters.com/world/europe/eu-launches-anti-subsidy-investigation-into-chinese-electric-vehicles-2023-09-13/>
- Bremberg, N., Sonnsjö, H., & Mobjörk, M. (2019). The EU and climate-related security risks: A community of practice in the making? *Journal of European Integration*, Vol.v41. No., 5, 623–639.
- European Commission. (2021a). EU Strengthens Protection Against Economic Coercion. Brussels. Accessed on 6 March 2023 at https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6642
- European Commission. (2022). European Green Deal: Agreement reached on the Carbon Border Adjustment Mechanism (CBAM), Press release, 13 December 2022, accessed on 2 October 2023 at https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7719
- European Commission. (2023a). EU Calls for Greater Market Access and Fair Competition at EU-China High-Level Dialogue. Accessed on 2 October 2023 at https://ec.europa.eu/commission/presscorner/detail/en/ip_23_4609
- European Commission. (2023b). EU Solidarity with Ukraine. Brussels. Accessed on 6 March 2023 at https://eu-solidarity-ukraine.ec.europa.eu/index_en
- Cooley, A., & Nexon, D. (2020). *Exit from Hegemony*. New York, NY; Oxford University Press.
- Council of the EU. (2007). *The Africa- EU Strategic Partnership. A Joint Africa- EU Strategy*. 2007/16344, 9 Dec. Brussels.
- Council of the EU. (2019). Regulation Establishing a Framework for the Screening of Foreign Direct Investment (FDI) into the EU, 2019/452, 19 March, Brussels, accessed on October 2 2023 at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0452&qid=1695822905475>

- Council of the EU. (2020). Regulation concerning restrictive measures against serious human rights violations and abuses, 2020/1998L 410 I/1, 7 December 2020. *Brussels: Official Journal*, 2020.
- Cremona, M. (2003). *The Enlargement of the European Union*. Oxford University Press.
- D'Anieri, P. (2023). *Ukraine and Russia. From Civilized Divorce to Uncivil War* (2nd ed.). Cambridge University Press.
- Damro, C. (2012). Market Power Europe. *Journal of European Public Policy*, 19(5), 682–699.
- Drezner, D., Farrell, H., & Newman, A. (2021). *The Uses and Abuses of Weaponized Interdependence*. Washington. Brookings Institution Press.
- Dworkin, A. & Leonard, M. (2018). Can Europe Save the World Order? *European Council on Foreign Relations*.
- Eckes, C. (2018). The Law and Practice of EU Sanctions. In S. Blockmans and P. Koutrakos (eds.) *Research Handbook on the EU's Common Foreign and Security Policy* (Edward Elgar, 2018), pp. 206–229.
- European Commission. (2022). Joint Press Release: Ukraine Recovery and Reconstruction Needs Estimated \$349 Billion. Brussels, 9 September. Accessed on 6 March 2023 at https://ec.europa.eu/commission/press-orner/detail/en/ip_22_5428
- European Commission. (1997). Agenda 2000 - Volume I - Communication: For a Stronger and Wider Union. DOC/97/6. 15 July.
- European Union. (2023). Joining the EU. Brussels. Accessed on 6 March 2023 at https://european-union.europa.eu/principles-countries-history/joining-eu_en
- Finnemore, M., Kenneth Scheve, Kenneth A. Schultz and Erik Voeten, 'Preface', *International Organization*, 75:2 (2021), pp. iii-iv.
- Ghuri, P. N., Oxelheim, L., and Randøy, T. (2024). "The Changed Geopolitical Map: Implications for Business Policy in a Sustainable Finance Perspective". In Gugler, P. and Tavares, A. (Eds.), *Handbook on International Business Policy*. Cheltenham: Edward Elgar Publishing.
- Götz, E. (2017). Putin, the state, and war: The causes of Russia's near abroad assertion revisited. *International Studies Review*, 19, 228–253.
- Han, Z., & Paul, T. V. (2020). China's Rise and Balance of Power Politics. *Chinese Journal of International Politics*, 13(1), 1–26.
- Hicken, A., Jones, P., & Menon, A. (2021). The International System After Trump and the Pandemic. *Current History*, 120(822), 3–8.
- Hillion, C. (2004). *EU Enlargement. A Legal Approach*. Hart Publishing.
- Ikenberry, J. G. (2011). *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*. Princeton University Press.
- Ikenberry, J.G. (2018). The End of Liberal International Order? *International Affairs*, Volume 94, Issue 1, January, pp. 7–23.

- Johnston, A. I. (2019). China in a World of Orders: Re-Thinking Compliance and Change in Beijing's International Relations. *International Security*, 44(2), 9–60.
- Kagan, R. (2018). *The Jungle Grows Back: America and Our Imperiled World*. Knopf.
- Keohane, R. & Martin, L. (1995). The Promise of Institutional Theory. *International Security* (1995) 20 (1): pp. 39–51.
- Kydd, A. H. (2005). *Trust and mistrust in International Relations*. Princeton University Press.
- von der Leyen, U. (2019). 2022 Speech by President-Elect von der Leyen in the European Parliament Plenary on the Occasion of the Presentation of Her College of Commissioners and Their Programme. Brussels. Accessed on 6 March 2023 at https://ec.europa.eu/commission/presscorner/detail/es/speech_19_6408
- von der Leyen, U. (2022). 2022 State of the Union Address by President von der Leyen. Brussels. Accessed on 6 March 2023 at https://ec.europa.eu/commission/presscorner/detail/en/speech_22_5493
- von der Leyen, U. (2023a). Statement on Twitter about Ukraine. 9 February. Accessed on 6 March 2023 at www.twitter.com/vonderleyen/status/1623609001580560384
- von der Leyen, U. (2023b). Speech on EU-China Relations, Brussels, 30 March 2023, accessed on 2 October 2023 at: https://ec.europa.eu/commission/presscorner/detail/en/speech_23_2063.
- Marten, K. (2023). NATO Enlargement: Evaluating Its Consequences in Russia. In: Goldgeier, J., Shiffrin, J.R.I. (eds) *Evaluating NATO Enlargement*. Cham: Palgrave Macmillan.
- Mearsheimer, J. (2019). Bound to Fail: The Rise and Fall of the Liberal International Order. *International Security*, 43(4), 7–50.
- Michalski, A. (2014). The Enlarging European Union. In D. Dinan (Ed.), *Origins and Evolution of the European Union* (2nd ed., pp. 274–301). Oxford University Press.
- Michalski, A. (2020). The EU and Global Development Policy in Challenging Times, *UI Report* 4/2020. <https://www.ui.se/globalassets/butiken/ui-report/2020/ui-report-no.-4-2020.pdf>
- Moritsugu, K. (2023). EU Commissioner Calls for More Balanced Trade With China and Warns That Ukraine Could Divide Them. AP News. 23 September. Accessed on October 2, 2023, at <https://apnews.com/article/eu-china-trade-dombrovskis-31d10030134f46429e10cf40273a20ea>
- NATO. (2023). Vilnius Summit Communiqué. Press Release. 11 July. Accessed on October 2, 2023 at https://www.nato.int/cps/en/natohq/official_texts_217320.htm

- Natorski, M., & Pomorska, K. (2017). Trust and Decision-Making in Times of Crisis: The EU's Response to the Events in Ukraine. *Journal of Common Market Studies*, 55(1), 54–70.
- Petrequin, S. & Corder, M. (2022). European Union Makes Ukraine a Candidate for EU Membership. *AP News*. June 23. Accessed on 6 March 2023 at <https://apnews.com/article/russia-ukraine-brussels-european-union-ff560e01c6b3e4f9c70777fad97be397>
- Pirani, S., Stern., & Yafimava. K. (2009). *The Russo-Ukrainian Gas Dispute of January 2009: A Comprehensive Assessment*. Oxford: Oxford Institute for Energy Studies.
- Pridham, G. (2008). The EU's Political Conditionality and Post-Accession Tendencies. *Journal of Common Market Studies*, 46(2), 365–388.
- European Commission. (2021c). Proposal for a Regulation Establishing a Carbon Border Adjustment Mechanism, COM(2021) 564 final 2021/0214 (COD). 4 July 2021. Brussels.
- European Commission. (2021b). Proposal for a Regulation on the Protection of the Union and its Member States From Economic Coercion by Third Countries, COM(2021) 775 final 2021/0406 (COD), Brussels, 8 December 2021.
- Reuters. (2022). Lithuania Demands China Revoke Sanctions Against Official Over Taiwan Visit. August 18. Accessed on 6 March 2023 at <https://www.reuters.com/world/lithuania-demands-china-revoke-sanctions-against-official-over-taiwan-visit-2022-08-18/>
- Rolland, N. (2017). China's "Belt and Road Initiative": Underwhelming or Game-Changer? *The Washington Quarterly* Volume 40, 2017 - Issue 1, pp. 127–142.
- Rüling, T. (2021). China, Europe and the New Competition over Technical Standards, *UI Brief* 1/2021, Stockholm: The Swedish Institute of International Affairs.
- Sørensen, G. (2011). *A Liberal World Order in Crisis: Choosing Between Imposition and Restraint*. Cornell University Press.
- Sturm, C. (2022). Between a Rock and a Hard Place: European Energy Policy and Complexity in the Wake of the Ukraine War. *Journal of Industrial and Business Economics*, 49, 835–878.
- Sverdrup-Thygesen, B. (2015). The Flexible Cost of Insulting China: Trade Politics and the "Dalai Lama Effect". *Asian Perspective*, Vol. 39, No. 1 (Jan-Mar), pp. 101–123.

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