

Ukraine opens accession negotiations with the EU

Krzysztof Nieczypor

On 25 June, the first Intergovernmental Conference (IGC) was held at ministerial level to formally launch the EU's accession negotiations with Ukraine. This was possible after the Council of the EU on 21 June agreed on the General EU position, which includes the Negotiating Framework for Ukraine, and sets out the main guidelines and principles for accession talks with the EU. Before this document was adopted, the European Commission had released a positive assessment of Ukraine's progress in meeting the conditions for starting negotiations. The decision to launch membership talks means that the EU will officially start the screening process –the review of Ukrainian law for its compliance with EU regulations– which is likely to take several months.

In a special address, President Volodymyr Zelensky described this event as 'historic' and expressed his conviction that Ukraine's integration into the EU is irreversible. He also stressed that the timing of accession would depend on how efficiently Ukraine would implement the *acquis communautaire* and on the political will of the EU's member states. The President of the Commission, Ursula von der Leyen, emphasised that the negotiation process would be difficult and that she did not foresee any 'shortcuts'.

Commentary

- The swift opening of the negotiations, just two years after Ukraine was granted candidate status, marks the culmination of the country's preparations and reforms that have been executed at lightning speed. Since 2014, public support for this process has remained high, peaking at 77-87% following the Russian invasion in 2022. This strong public backing has been a key factor in mobilising the Ukrainian government to pursue accession to the EU. Achieving membership in the bloc is now one of Ukraine's most important foreign policy goals; President Zelensky sees the latest success in the integration process as a factor that strengthens his image as an effective politician.
- The EU was able to launch the negotiations when Hungary dropped its opposition. After threatening a veto, it was the only EU member to abstain from the December 2023 vote in the European Council on opening membership talks; it remains sceptical about Ukraine's potential admission to the EU. However, pressure from other EU member states and some concessions from Ukraine on the issue of protecting national minorities (although Hungary still sees these as insufficient) were enough to persuade the Hungarian government to endorse the Negotiating Framework.
- It was also to Hungary's advantage that the first intergovernmental conference was held before it assumes the presidency of the Council of the EU on 1 July. This will allow it to

focus on the EU's enlargement policy towards the Western Balkans, which is a priority for the Hungarian government, and to avoid addressing the issue of Ukraine's accession. At the same time, the Hungarian presidency will not significantly impact the EU's actions towards Ukraine as it will be the Commission's job to conduct the screening. However, Hungary is likely to persist in its hostile rhetoric towards Ukraine and its calls for a peace settlement with Russia.

- The 35-strong Ukrainian delegation in charge of talks with the EU, established by Zelensky's decree on 21 June, was headed by Deputy Prime Minister for European Integration, Olha Stefanishyna, who formally coordinates the country's preparations for EU integration. The fact that Andriy Yermak, head of the President's Office and Zelensky's closest aide, joined the delegation reflects the presidential administration's desire to put a positive media spin on its success in launching the negotiations and to gain direct influence over their progress. Moreover, Zelensky and his associates are convinced that decisions on integrating new members largely depend on the political will of existing EU countries, which may prompt Ukraine to focus on applying diplomatic pressure rather than implementing reforms.
- The screening and subsequent negotiations will take place in six thematic clusters that include 33 chapters. Even before the formal start of the talks, the Commission has been holding 'explanatory sessions' since February to outline the scope of each chapter. Bilateral sessions will now follow to determine their level of alignment with EU legislation, outline plans for further alignment, set priorities for reforms, and identify possible conditions (benchmarks) for opening individual clusters and chapters. The Council of the EU will then approve reports from the screening in each cluster by unanimous vote. Reforms within the first cluster– addressing fundamental issues such as the judiciary and fundamental rights, the functioning of democratic institutions and public administration, and public procurement– will be crucial for the pace of the negotiations. This area is a priority for the EU and covers issues which the Ukrainian state has been struggling with for years; it is a critical factor that determines Ukraine's ability to advance further in its EU integration. At the same time, these issues have been defined in broad and ambiguous terms; some EU countries that are wary of admitting Ukraine may use this to block its accession. Important decisions on Ukraine's integration and on formulating the conditions for opening individual clusters, will probably be taken during the Polish presidency of the Council of the EU in the first half of 2025.