



Following the Council's green light – what next?

The European Council, i.e. the leaders of the EU member states, has taken the historic decision to give a green light for EU accession negotiations with Bosnia and Herzegovina. But what does this mean and what comes next?

Enlargement is one of the European Union's most successful policies, promoting stability and prosperity across the continent. The opening of accession negotiations is a major milestone for any country aspiring to join the European Union. It is the beginning of a structured process during which a country on the EU path prepares itself to fully adopt the common rights and obligations that are binding on all the EU member states. The full corpus of EU legislation is known by the French term 'acquis communautaire', or more simply, the 'acquis' (which roughly translates as 'the common achievements of the European Community').

> What is in the 'acquis communautaire'?



The member states of the European Union have agreed to be governed by a number of common laws and pool their sovereignty in key areas where they have determined they have an interest in doing so. By doing so, they are stronger together, giving all a greater voice internationally, and helping preserve high standards in important issues such as human rights, rule of law, democracy, environment, product safety, competition law, energy and other areas.



For the purposes of accession negotiations, the acquis is currently divided into 35 'chapters'. These chapters are divided thematically, for example – Free movement of goods, free movement of workers, freedom of services, free movement of capital etc. This provides a rational framework for any country wishing to join the EU to work with, while aligning its domestic legislation with the acquis.



In 2020, the European Commission adopted a revised methodology to make the enlargement process even more credible, predictable, dynamic and subject to stronger political steering. Under the new methodology, the chapters of the acquis are grouped into six clusters (fundamentals; internal market; competitiveness and inclusive growth; green agenda and sustainable connectivity; resources, agriculture and cohesion; external relations). Negotiations on each cluster open as a whole, once the country fulfils the opening benchmarks.



Importantly, the cluster on fundamental reforms, which includes the rule of law, the functioning of democratic institutions and public administration is the first to open and the last to close. The EU is a Union of values and the 'fundamentals' are – as the name suggests – the most important element of the accession process.

> Following the Council's green light, what happens next?

When the European Council gives a green light for accession negotiations to begin, the next step is to agree on the negotiating framework – i.e. the guidelines and principles for conducting the accession negotiations. The European Commission drafts a negotiating framework for the EU, which is then submitted to the Council for adoption. The conclusions of the March 2024 European Council specify that before the adoption of the negotiating framework, BiH needs to fulfil all the relevant steps set out by the European Commission in October 2022 when candidate status was recommended.

Bosnia and Herzegovina, like any country starting accession negotiations, will also need to establish its negotiating structure, negotiating mandate and framework. In particular, the country needs to adopt decisions on:

- 1) Coordination between the executive authorities,
- 2) The role of the BiH Parliamentary Assembly;
- 3) Involvement of external experts, civil society and the business community
- 4) Transparency and communication strategy.



It will also be crucial for Bosnia and Herzegovina to appoint a Chief Negotiator. This is someone who needs to be chosen by consensus, and who leads a team of nonpartisan experts. Accession negotiations require a country to agree on common internal positions and speak with one voice.

The negotiating framework is adopted by both sides at the first Intergovernmental Conference between the EU member states and the applicant country. This is when the accession negotiations formally begin.

➤ How prepared is BiH currently for EU membership? How aligned is it with the acquis?

Bosnia and Herzegovina's level of alignment with the acquis and preparedness for EU membership in different policy areas was assessed in the 2019 Commission's Opinion on its EU membership application and the accompanying Analytical Report, and is further evaluated in annual Country Reports. The latest Report on BiH was published in November 2023.



As the first step in the accession negotiations, the European Commission together with country applying for EU membership conducts a formal screening process. This assesses how well the country is prepared for EU membership according to the chapters of the acquis and the clusters. As part of the screening process, Bosnia and Herzegovina will be expected to present to the European Commission its National Plan of Approximation with the EU Acquis (NPAA). The screening process will also provide preliminary indications of the issues that will come up in the negotiations.

The findings of the screening are published in a Screening Report, which provides the analytical framework for the negotiations.

➤ How long do accession negotiations take?



The EU accession process has a number of stages including establishing the negotiating framework, an Intergovernmental Conference to launch negotiations, a screening process, opening benchmarks, cluster/chapter negotiations, the Commission's Opinion on readiness for membership following the conclusion of negotiations, European Council and European Parliament agreement to accept an applicant country as a member and ratification of the accession treaty by all EU member states.

While there are a number of steps, the timeframe for meeting each milestone depends solely on the capacities and willingness of a country to move forward.

➤ What support does the EU offer during accession negotiations?

In her State of the Union address in September 2023, European Commission President Ursula von der Leyen spoke about the need to answer the 'Call of History' by completing the European Union through enlargement. As Bosnia and Herzegovina's most consistent and loyal partner and most substantial provider of assistance, the EU will remain committed to supporting Bosnia and Herzegovina to progress on the EU path and meet the membership criteria. Support will continue in the form of financial assistance, technical support and strategic advice. Bosnia and Herzegovina can also benefit from the Growth Plan for the Western Balkans, which allocates more than 2 billion BAM for the country alongside key reforms which will boost investment, growth and jobs. As part of the Growth Plan, Bosnia and Herzegovina will have the opportunity to become more closely integrated in the European Single Market, bringing significant benefits for the economy and citizens.

