

Bigger or Better?

*Linking Voting Rights to Reform:
A Staged Approach to EU Enlargement*

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1. Introduction

Russia's invasion of Ukraine in 2022 blurred the line between deepening EU integration and expanding its membership. The Strategic Agenda 2024 to 2029 confirmed this shift by defining enlargement as a geopolitical tool. Security considerations now stand alongside the Copenhagen criteria as a guiding principle of accession policy. Bigger and better have become simultaneous obligations.

These two goals do not contradict each other by nature. They only come into conflict under the current institutional setup, where participation in EU decision making is separated from the quality of democratic governance. Embedded Staged Integration has emerged as the main response to this tension, but it still lacks a clear mechanism that links reform progress to institutional rights.

EU enlargement preserves governance capacity only if staged Council voting rights are systematically linked to verified reform milestones. The cost of getting this wrong is not hypothetical. It is already visible in practice.

2. The Problem: Enlargement vs Governance Capacity

Since 2011, 46 vetoes have been recorded in the Council, with a clear increase after 2022. In 2024 alone, there were seven. Hungary accounts for 19 of these cases, blocking decisions on the Ukraine Facility, sanctions, and accession steps. The pattern is consistent. Vetoes are often withdrawn after financial concessions. In other words, obstruction pays. This dynamic, often described as soft hostage taking, rewards non cooperation and exposes the system to external pressure.

This does not only affect isolated cases. Ukraine and Moldova remain institutionally adrift because unanimity fails even for the Union's highest priority candidates. The system struggles most where political urgency is highest.

With EU36, this problem grows by design. The QMV blocking threshold rises from 15 to 20 member states. The post communist bloc expands from 41 to 55 percent, while founding states drop from 22 to 17 percent. This is institutional arithmetic, not political speculation.

The 90 billion euro package agreed in December 2025 through Article 122 and EU bonds shows that creative solutions are possible. But these are temporary fixes. The underlying voting system remains structurally unchanged.

Embedded Staged Integration is meant to address this. In its current form, however, it reproduces the same incentive problems.

3. Why Existing Approaches Fail

Embedded Staged Integration does not fail because the idea is wrong. It fails because the mechanism is incomplete.

First, the off ramp problem. Stage II and Stage III already offer 75 to 100 percent of funding together with access to decision making in standard areas. This makes quasi membership an attractive end point. Candidate states have less reason to complete difficult reforms once core benefits are secured. At the same time, existing member states have a clear incentive to keep candidates in these intermediate stages, since full membership further reduces their voting weight. The drop of founding states from 22 to 17 percent in EU36 makes this effect tangible. As a result, ESI tends to stabilise this intermediate state rather than move beyond it.

Second, the legal constraint. The Pringle ruling limits Article 49 adjustments to technical measures. Restricting veto rights goes beyond that and requires Article 48, including a Convention, an intergovernmental conference, and unanimous ratification. In practice, this process is difficult to complete. Denmark and Ireland have blocked treaty revisions in referenda. Transitional arrangements for Bulgaria and Romania applied to secondary law, not to core decision making rights. This distinction matters, because it shows that staged limits on voting power cannot simply be justified as standard transitional measures.

Third, the empirical gap. In 2023 and 2024, the Commission released NRPP funds to Hungary despite ongoing rule of law concerns. Discretion based conditionality depends on political will. When that weakens, the system loses credibility.

Taken together, these points show a consistent problem. Without a clear and reliable link between reform and rights, conditionality remains incomplete.

4. Core Mechanism: Staged Voting Rights and Reform Conditionality

The model focuses on one central adjustment. Voting rights are no longer treated as a political concession but as a direct result of verified reform.

The Reform Linked Voting Gate is embedded in accession treaties under Article 49 and its annex. Voting rights at each stage only come into force after positive verification in the Fundamentals Clusters. This makes them a pre accession condition rather than a post accession restriction. It is a *Beitrittsbedingung*, not a *nachträglicher Entzug*, which avoids the legal issues linked to Article 48.

Verification follows a dual structure. A European Rule of Law Panel carries out the technical assessment, and the Commission issues the formal report. Neither can act alone. This separation increases credibility and reduces political discretion.

If backsliding occurs, newly gained voting rights are frozen. Any downgrade requires a qualified majority among existing member states. This keeps the system enforceable while maintaining legitimacy.

Three elements work together as one system. The Voting Gate ensures that rights follow reform, not the other way around, and RRF proves milestone-based systems function at scale. The Super QMV Bridge allows Stage III members to take part in standard legislation under QMV, while more sensitive areas require higher thresholds such as 20 member states and 65 percent of population. These thresholds apply to all members, which keeps the system fair while protecting critical decisions. Automatic NRPP Repurposing adds a financial layer. When backsliding is confirmed through a Commission report and European Parliament approval, funds are redirected to independent institutions and civil society. This shifts the cost of non compliance to governments while protecting the population. Together, these instruments transform conditionality from a political option into a self-enforcing system, where legal design, financial incentives, and institutional participation reinforce each other.

In practice, this setup changes incentives on both sides. Stage III is deliberately designed to be unstable. Full financial contributions combined with limited influence create pressure to continue reforms, while access to instruments such as the Fifth Freedom Protocol and Horizon Europe with a volume of around 175 billion euros provides a clear positive incentive for compliance. The system is designed to push both sides toward convergence rather than rely on political goodwill.

The logic is coherent. The remaining question is whether it works in practice.

5. Implementation Logic

Implementation follows four steps, each based on existing tools.

First, the European Council, initiated by a core coalition including the Weimar Triangle (Germany, France, Poland), activates Article 48(7) to introduce Super QMV in selected areas. National parliaments can object but do not need to ratify the decision. This avoids the political risks of full treaty revision. If this step fails, the Voting Gate still functions independently. QMV Lite provides an additional procedural fallback. For the system to fail completely, all these elements would have to fail at once, which has no precedent in EU decision making.

Second, the Voting Gate is included in accession treaties, starting with Montenegro as the first application.

Third, Automatic NRPP Repurposing is anchored in the MFF Regulation for 2028 to 2034, with the European Parliament confirming its activation.

Fourth, tailored security roadmaps apply the same logic to conflict situations. In the case of Ukraine, the PACT model allows early political integration while technical negotiations continue.

These steps are modular. If one slows down, the others can still move forward.

Before turning to feasibility, it helps to see how this approach compares to existing alternatives.

6. Comparison with Alternatives

Three main alternatives are currently discussed.

The Security First approach focuses on security partnerships outside full membership. This avoids veto problems but does not create incentives for reform. The trade off is clear. Security cooperation may improve, but democratic performance can weaken. Georgia illustrates this dynamic, where democratic security has declined rather than strengthened.

EEA plus models avoid legal complications and the stigma of second class membership. However, they do not provide access to Council decision making. Without this leverage, it is difficult to respond to backsliding once economic integration is achieved.

Horizontal and vertical deepening keeps the accession process merit based but does not address veto inflation. Expanding budgets without changing decision rules leaves the core issue unresolved.

In March 2026, EU ambassadors rejected reverse enlargement and phased integration for Ukraine as unrealistic. This underlines a key point. Viable solutions must combine reform incentives with institutional participation. Only the proposed model does both.

7. Feasibility

From a legal perspective, Article 48(7) offers a workable path. It requires unanimity in the European Council but only gives national parliaments an objection right. This makes it more flexible than full treaty revision. At the same time, the lack of momentum for broader treaty change makes this route more realistic. If it fails, fallback mechanisms remain in place.

Politically, the coalition is plausible. Germany, including recent support from Friedrich Merz in 2026 for “innovative elements” in enlargement policy, aligns with Poland and the Baltic states. Front runner

candidates benefit from a predictable, rule based process. France shows caution ahead of the 2027 election but does not necessarily block progress. The Netherlands supports strong conditionality. Hungary's position weakens as the Union grows. Bulgaria remains a potential veto player, but Automatic Repurposing limits the effectiveness of such strategies. Super QMV thresholds offer smaller states stronger protection than standard QMV, which gives them a clear reason to support the model.

Fiscally, estimated accession costs of around 170 billion euros over seven years can be covered by existing instruments. Some redistribution effects will need to be managed, but they do not challenge the overall feasibility.

8. Policy Proposal

The proposal consists of four measures that reinforce each other.

First, the Reform Linked Voting Gate. Legal basis: Article 49 and annex. Trigger: verified reform in the Fundamentals Clusters. Responsibility: Commission verifies, Council decides, European Parliament oversees. Montenegro serves as the first example.

Second, the Super QMV Bridge. Legal basis: Article 48(7). Thresholds: 20 member states and 65 percent of population, with higher thresholds for sensitive areas. Responsibility: European Council initiates, national parliaments may object. A ten year review prevents long term stagnation.

Third, Automatic NRPP Repurposing. Legal basis: MFF Regulation 2028 to 2034. Trigger: Commission report and Parliament confirmation. Outcome: funds are redirected and later restored once compliance is achieved.

Fourth, tailored security roadmaps and the PACT model. Legal basis: integration within the Fundamentals framework. Trigger: political anchoring in conflict situations combined with review clauses. Responsibility: Commission, Council, and Parliament.

Together, these measures create a system where reform and institutional rights move in step. In combination, they operationalise the reform–rights linkage as a binding rule rather than a discretionary choice, ensuring that enlargement no longer weakens the Union's capacity to act.

9. Counter Argument and Defence

A common concern is that Stage III could become a permanent resting point. The model addresses this in three steps. First, voting rights are conditional and do not advance automatically. Second, financial mechanisms such as NRPP Repurposing make it costly to remain in an incomplete state. Third, institutional features like sunset clauses and downgrade options create pressure to move forward.

A second concern relates to fairness and Article 4(3) TEU. Here, the design is consistent. All member states operate under the same Super QMV thresholds in sensitive areas. Past transitional arrangements, such as those for Bulgaria and Romania, show that time limited differentiation is compatible with EU practice. Clear rules and built in review mechanisms help maintain legitimacy. As a result, the model does not create a permanent intermediate equilibrium, but structurally favours progression toward full membership while preserving the Union's decision-making integrity.

10. Conclusion

Without reform, veto dynamics will intensify as the Union expands. Intermediate solutions will continue to encourage partial compliance, and discretionary enforcement will remain fragile.

The real choice is not between enlargement and stability. It is between adapting institutions in a controlled way and allowing tensions to grow unchecked.

Bigger and better are not mutually exclusive. They can be achieved together, but only if voting rights follow democratic reform rather than precede it.

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