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# Reining in the Enlargement Vetoes: The German-Slovenian Non-Paper Under Review

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Few aspects of EU enlargement policy have sparked as much debate as its decision-making procedure. Amid shifting geopolitical realities and an expanding pool of candidate countries, a growing number of think tanks and member states are advocating a shift from unanimity to qualified majority voting (QMV) as a way to reduce the risk of potential deadlocks. Under QMV, a decision can be adopted if supported by 55% of member states representing at least 65% of the EU population. The core argument is that requiring unanimity for all decisions – including those of a purely technical nature – creates uncertainty for candidate countries, who reasonably fear that the process may be misused by individual member states. This, in turn, undermines the credibility of the enlargement policy and weakens the Union itself over time. In light of these challenges, the [German-Slovenian non-paper](#), submitted to the Council in 2024, has echoed the call for change. As efforts to build consensus around it continue, this paper takes the discussion further by exploring the practical implications of applying QMV to the enlargement policy – aiming to dispel the concerns of those still sceptical about its adoption.

By showing how the non-paper's proposal would specifically affect different groups of candidate countries (the Western Balkans and the Eastern Trio), the paper helps readers better comprehend to what extent it benefits these countries and whether it calls into question member states' ability to safeguard their core interests. Drawing on concrete findings, the paper advances two key arguments. First, the German-Slovenian non-paper introduces only modest immediate benefits, accelerating candidates' accession progress to varying degrees depending on each country's specific context.

While it does not fundamentally transform the enlargement process, it nonetheless represents a meaningful step toward greater predictability for candidates – at least through the point of cluster opening. Second, even if member states were to implement the proposal as suggested by the non-paper, they would still retain the majority of their existing veto opportunities. Yet, since the unconvinced member states will likely require even stronger safeguards to support dropping the unanimity for some steps, the paper recommends adopting *reinforced QMV* – requiring 65% of member states representing 72% of the EU population – as a more workable compromise.



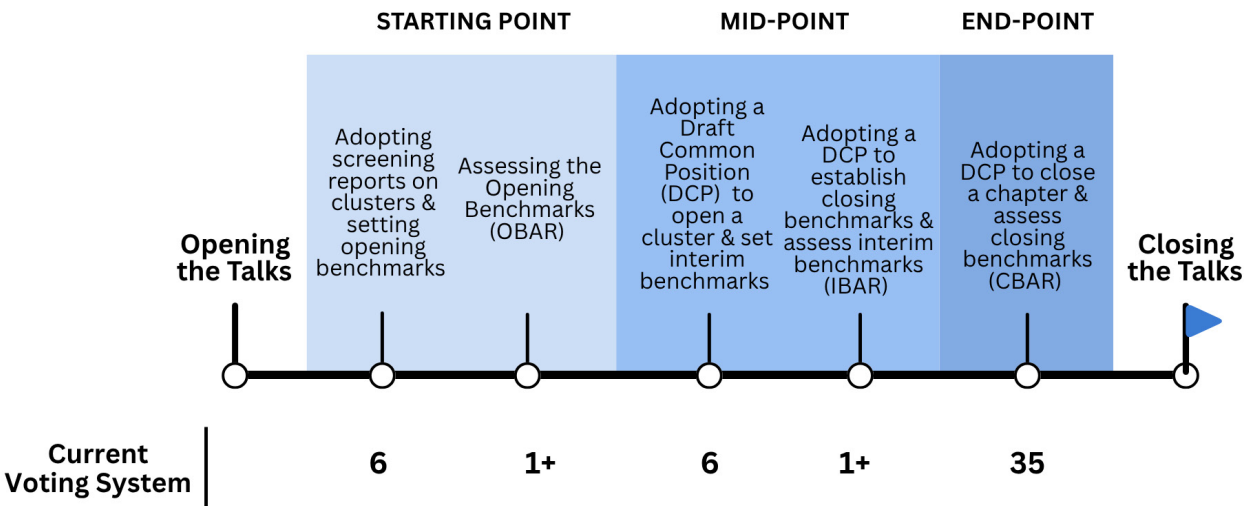
# The Urgency of the Matter

Unanimity has always been the cornerstone of the enlargement policy. As such, it was intended to reassure member states that they would remain fully in control of the accession process. At the same time, however, history shows many examples of this approach backfiring, with the unanimity principle allowing for the issues unrelated to the accession process to essentially dictate its pace – and, sometimes, even derail the talks. This challenge stems from the fact that there are at least 49 veto opportunities per member state – or 1,323 in total – that span the accession talks (see Table 1). To illustrate how these opportunities are distributed, the negotiations can be broken down into the following three key segments:

- Starting point – adopting screening reports, setting opening benchmarks, and adopting a positive benchmark assessment report (OBAR).<sup>1</sup>
- Mid-point – opening clusters, setting interim benchmarks, assessing interim benchmarks (IBAR),<sup>2</sup> and setting closing benchmarks.
- End-point – assessing closing benchmarks and closing each of the negotiation chapters individually.

Importantly, unanimity also applies beyond the formal negotiation stages — both in the lead-up to talks and after all chapters are closed. The former includes granting candidate status, opening the talks, and adopting the negotiating framework, while the latter requires the Accession Act to be ratified by all 27 national parliaments (alongside the European Parliament). This highlights that becoming an EU member state is a highly complex process, offering member states ample opportunities to influence and control their pace at every stage.

Table 1. Current Veto Opportunities between Opening and Closing of Talks



1 As per the revised enlargement methodology, “a roadmap for the rule of law chapters equivalent to the previous action plans will constitute the opening benchmark” for the Fundamentals cluster. While accounting also for roadmaps for the functioning of democratic institutions and public administration reform, Albania, for instance, had no additional opening benchmarks. This contrasts with Montenegro and Serbia, which had over a dozen opening benchmarks across multiple chapters under the previous methodology. Nonetheless, the designation “1+” is used to indicate the possibility of additional opening benchmarks per cluster being introduced for other candidates at a later stage, should member states deem it appropriate and necessary in response to changing circumstances.

2 Interim benchmarks were originally introduced as a means of ensuring continued focus on reforms within the Fundamentals cluster. As such, obtaining a positive assessment in the interim benchmark assessment report (IBAR) is necessary to move from the mid-point to the end-point of negotiations. The designation “1+” is used to indicate the possibility of additional interim benchmarks being introduced for other candidates at a later stage, if circumstances demand it.

The urgency of effectively addressing this matter has become one of the most prominent topics in expert debates. Think tanks have long championed the need to streamline the process by moving to QMV. Among them are the [Clingendael](#) from the Netherlands, [Europeum](#) from the Czech Republic, [DGAP](#) from Germany, and [SIEPS](#) from Sweden, to name a few. Beyond these institutions, it is evident that the number of member states in favour of this voting system has grown since the start of the war in Ukraine in 2022. Reportedly [backed](#) by Sweden, Finland, the Baltic States, Czechia, Romania, Portugal, and Spain, the German-Slovenian non-paper on QMV presents a promising alternative to the status quo in enlargement (see Image 1).<sup>3</sup> Another notable example is the “[Group of Friends of the QMV](#)”, which includes Germany, France, Italy, Spain, the Netherlands, Luxembourg, Belgium, Finland, Denmark, Sweden, Slovenia, and Romania, with Ireland and Slovakia participating as observers (see Image 2). Although this group’s support for QMV in the area of Common Foreign and Security Policy (CFSP) does not necessarily reflect their position on its use in the accession talks, it is nonetheless indicative of a broader appetite for this voting method.<sup>4</sup> Now that Ukraine and Moldova risk being blocked, discussions on the adoption of QMV continue, in an effort to prevent these and other countries from joining North Macedonia in what may turn into a “forever queue”.

Image 1. Support for German-Slovenian non-paper

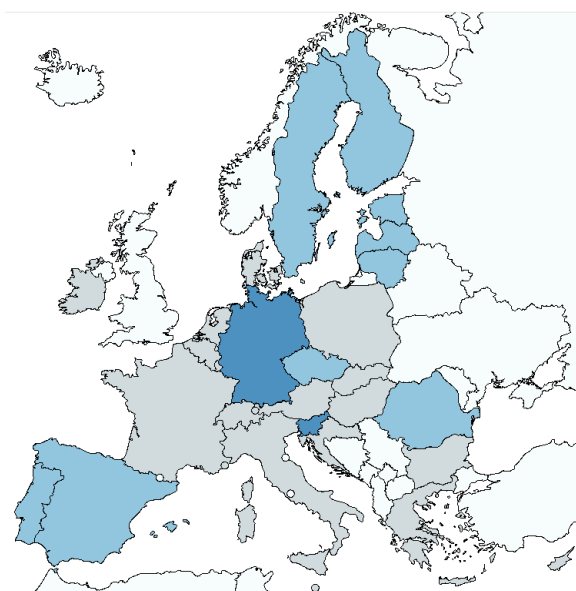
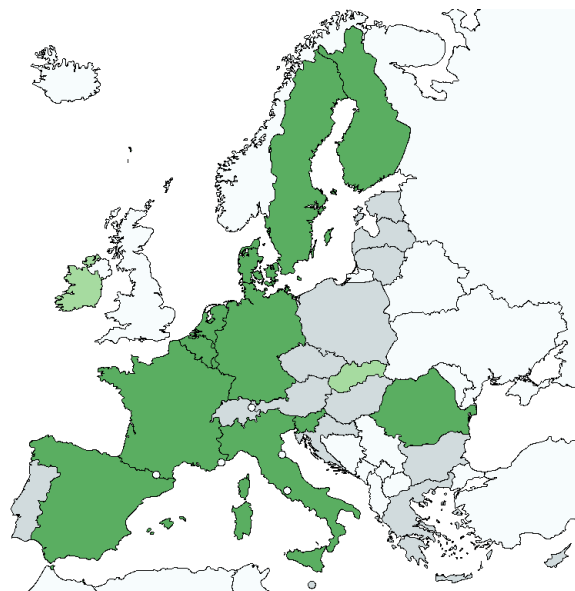


Image 2. Group of Friends of the QMV



## Unpacking the German-Slovenian Non-paper

Building on the critical momentum that has developed since the start of the war in Ukraine, Germany and Slovenia have put forward a proposal to initiate a debate on the taboo subject of reducing the excessive use of unanimity in the enlargement policy. Widely referred to as the “German-Slovenian non-paper”, the proposal argues that the initiative aligns with the European Council’s call for an accelerated accession process. In light of the growing demand for more efficient decision-making and a credible European perspective for (potential) candidate countries, the paper calls for exploring the possibility of “empowering the Council” by introducing QMV to certain (technical) interim steps of the enlargement process. Although the non-paper stops short of providing a legal basis for implementing the proposal, it is important to underline that any such initiative would necessarily have to build upon Article 49 of the Treaty on European Union (TEU). Being the only

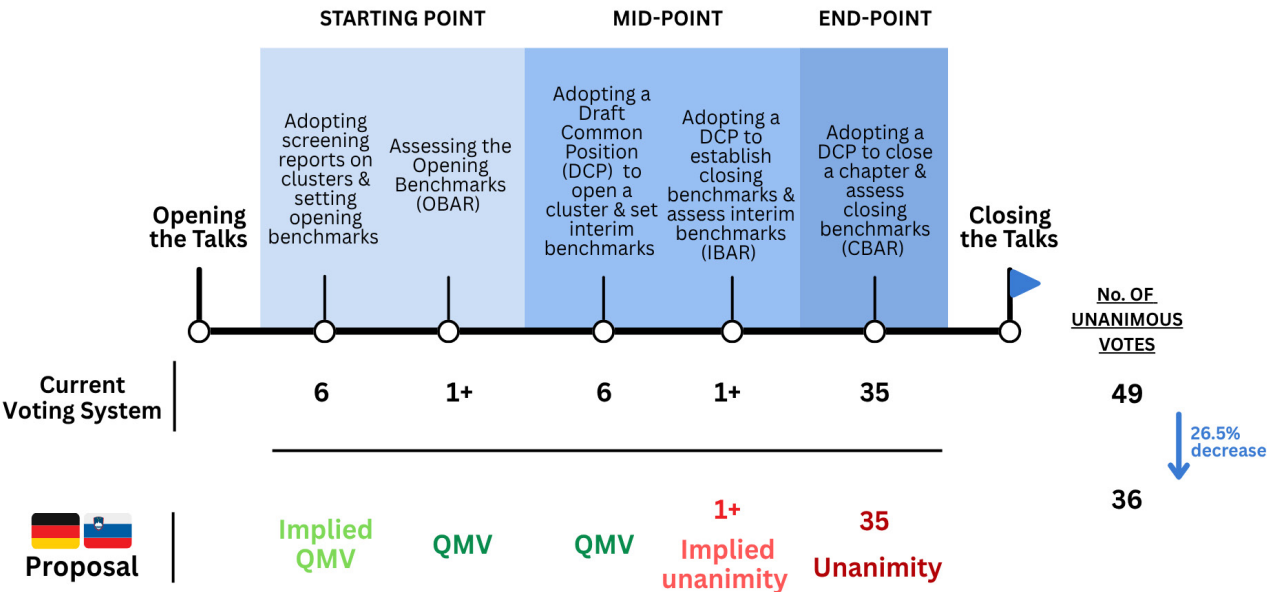
<sup>3</sup> The paper referred to [cites](#) the backing of identified member states as of December 2024. Half a year later, it is possible that the number of those willing to publicly support the German-Slovenian non-paper has increased.

<sup>4</sup> This is an impression reinforced by the author’s own engagement with stakeholders from various member states.

treaty article [regulating](#) enlargement, it places exclusive emphasis on two points in time with respect to voting: requiring unanimity at the beginning and at the conclusion of accession talks, without addressing how interim steps should be handled. Instead, it is the individual negotiation frameworks with candidate countries that outline and insist on unanimity at each and every step – with the sole exception of the reversibility procedure, which allows for reversed QMV. In short, there are no treaty-based obstacles standing in the way of the non-paper’s proposal coming to fruition. To implement it, all that is needed is consensus among member states to revise the individual negotiation frameworks.

As the transition towards QMV decision-making evidently faces political rather than legal obstacles, the non-paper stops short of advocating for QMV across all interim stages of the talks. Instead, it explicitly calls for its application only at specific points – namely, the *assessment of the fulfilment of opening benchmarks* (OBAR) and the *opening of negotiating clusters*. This suggests that other preceding procedural steps – such as the *adoption of screening reports on clusters* and the *setting of opening benchmarks* – would also fall within the proposal’s scope. In contrast, the non-paper affirms that unanimity would remain the rule for key stages of the accession process, including the *formal opening of negotiations*, the *closure of individual chapters*, and the *conclusion of talks, encompassing national ratifications of the accession treaty*. It follows implicitly that QMV would not extend to the *assessment of interim benchmarks* or the *setting of closing benchmarks*. By proposing the use of QMV for all steps up to the opening of a cluster, the proposal would cut the number of potential veto points from 49 to 36—an approximate *25% reduction* (see Table 2). This reflects a calibrated approach by the non-paper’s authors: one that aims to reduce candidate countries’ exposure to unilateral vetoes from the outset of negotiations, while preserving member states’ sense of control by maintaining a substantial majority of veto opportunities.

Table 2. Tracking Changes in the Number of Unanimous Votes





## Mapping out the Non-paper’s Potential Impact on the Candidates

Assuming the Council adopts the non-paper’s proposal and begins applying QMV at the initial stages of accession negotiations, it is important to consider how this shift might play out in practice. This section undertakes that task by categorising candidate countries into three groups, based on the expected impact of the proposal on their respective accession trajectories. The categorisation draws on publicly available information on instances where member states have exercised their veto to delay or block the advancement of specific candidates. Accordingly, the groups are the following:

- Group 1 – “Saving Grace” includes candidates that would clearly benefit from the proposal’s application. In these cases, QMV would serve as a positive intervention, adding tangible value to their accession prospects.
- Group 2 – “Limited Remedy” consists of candidates for whom the proposal’s impact would be conditionally positive – effective only if they first overcome the unanimity requirements for the steps preceding the actual negotiations (i.e. obtaining candidate status, opening accession negotiations, and adopting the negotiating framework).
- Group 3 – “Neutral Tool” refers to candidates for whom the proposal would likely have no practical effect, as they have already progressed beyond the stages where the non-paper recommends introducing QMV.

As Table 3 illustrates, the proposal does not yield uniform outcomes. Instead, its consequences vary significantly depending on each candidate’s current status, track record, and political context. It should also be emphasised that these groupings are not static. The introduction of QMV could alter member state behaviour, potentially reducing the tendency of some governments to rely on others to voice objections they are reluctant to raise themselves. Thus, assuming all things remain unchanged – particularly, member states’ voting behaviour – the following sub-sections examine each group in greater detail.

Table 3. Applying the German-Slovenian non-paper to (potential) candidates

Saving Grace	Deferred Remedy	Neutral Tool
Albania Moldova Serbia Ukraine	Bosnia North Macedonia Kosovo Georgia	Montenegro

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## Group 1: QMV as a Saving Grace

The non-paper's proposal would primarily benefit candidate states that have already begun accession negotiations, as QMV would apply to all the steps leading to the opening of clusters.

- *Albania* stands out, having opened four clusters in under three years. With the proposal in place, it could likely count on the remaining two being opened without a credible risk of member states forming a blocking minority.<sup>5</sup>
- *Serbia*, in contrast, has seen its EU path stagnate since 2021 due to **vetoes** by Croatia, Bulgaria, Lithuania, Latvia, Estonia, Finland, Sweden, and the Netherlands against the opening of Cluster 3 (Competitiveness and Inclusive Growth). Although the Commission reiterated (for the 4th year in a row) that Serbia has **fulfilled** the benchmarks needed to open this cluster, several member states have raised concerns regarding democratic backsliding and lack of foreign policy alignment. If the opening of Cluster 3 were subject to QMV, it might have passed, as the eight blocking countries represent about 11% of the EU's total population – well **below** the 35% population requirement needed to form a 'blocking minority' under QMV. However, such an outcome should be considered conditional, particularly in light of the currently widespread concerns among member states over the Serbian government's (mis)handling of the 2024/25 student protests.
- *Ukraine* has similarly been facing a **blockage** in the opening of Cluster 1 (Fundamentals) by Hungary, which has cited concerns over the (mis)treatment of the Hungarian minority in Ukraine. This affects, by extension, Moldova as well – given the fact that its accession process is coupled with Ukraine's. If the non-paper's proposal had been followed, these two countries could have been able to open Cluster 1, as screening for this cluster had already been **completed** in both cases.

These examples suggest that implementing the non-paper's proposal would help streamline the accession process by reducing the risk of prolonged delays at the cluster-opening phase – both for countries that have recently started the talks (e.g. Albania, Ukraine, and Moldova) and conditionally for those that have stagnated at this stage (e.g. Serbia, prior to 2024/25 student protests).

## Group 2: QMV as a Deferred Remedy

While the QMV proposal would offer clear benefits for some candidates, it would do little to address the immediate barriers faced by those (potential) candidates that have yet to formally begin and engage in accession negotiations.

- *North Macedonia* can progress on its accession path only upon **amending** its constitution in response to Bulgaria's demands – mainly concerning the recognition of Bulgarians as a national minority. Since this condition is now embedded in the candidate's negotiating framework, no change of voting procedure would alleviate this impasse. Accordingly, further progress ultimately depends on Skopje mustering the political will to fulfil the condition.
- *Bosnia and Herzegovina* also remains unable to formally open accession talks until it **adopts** key EU-mandated reforms and legislation, primarily 14 priorities as set out in the European Commission Opinion. In this case as well, procedural adjustments at the EU level cannot substitute for the internal political progress required.
- *Kosovo* faces a unique challenge that adds additional complexity to its process: the unresolved bilateral relations with Serbia, and the **non-recognition** of its statehood by five EU member states. These factors render the QMV proposal completely ineffective for its accession prospects at this stage.
- *Georgia's* government recently **announced** it would freeze its accession aspirations until

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<sup>5</sup> Albania initially faced a delayed negotiation opening, due to Greece's objections regarding the arrest and two-year prison sentence of Alfred Beleri, an ethnically Greek politician from Albania. Application of the QMV rule could have allowed Albania to hold its second Intergovernmental Conference (ICG) sooner even in the face of Greek objections.

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2028. This decision makes the QMV proposal inapplicable to this country for the foreseeable future.

Although the proposal offers no immediate benefit to these countries in their current status, it can offer a deferred form of predictability. By signalling that the cluster-opening phase will be more streamlined once negotiations begin, it may help generate the political will necessary to meet the preconditions for opening talks. This reassurance – aimed at both political elites and the broader public – could mitigate fears of future arbitrary or politically motivated delays.

### Group 3: QMV as a Neutral Tool

For the only candidate that has opened all negotiation clusters/chapters, the QMV proposal would be neither helpful nor harmful, as the closure of chapters would still require unanimity.

- *Montenegro* began closing individual chapters in 2024 and is widely seen as the front runner for EU membership, with optimistic [projections](#) suggesting accession by 2028 and more realistic estimates pointing to 2030. Although Montenegro remains on track, it encountered a [risk](#) of blockage of its EU path in 2024 after adopting a Resolution on Jasenovac, a move that Croatia strongly condemned. In response, Croatia [settled](#) for blocking the closure of Chapter 31 (Foreign, Security, and Defence Policy), resulting in only three of the four planned chapters being closed during that period. This episode illustrates how, even at an advanced stage of accession, any single member state can delay progress by withholding unanimity on chapter closures. Moreover, even if Montenegro were to secure unanimity for all 35 individual chapters, member states would need to make a final decision to accept it as a newcomer – a decision that would have to be ratified by all national parliaments.

Therefore, Montenegro cannot rely on any proposals at this stage to change the Council's procedural rules in its favour. Instead, its progress will continue to depend on sustained reform efforts and diplomatic engagement to maintain a broad consensus on its membership prospects.

### Looking Ahead: Reinforced QMV as a Viable Middle Ground

Juxtaposing the German-Slovenian non-paper with the actual trajectories of candidate countries reveals that, in practice, the proposal would bring only modest changes to the EU enlargement process. While its immediate impact would vary across national contexts, its overarching benefit lies in the potential to foster greater predictability. For candidates already engaged in negotiations, this could help accelerate the early phases of the process. For those yet to begin, it could incentivise reform by reducing the fear of unilateral vetoes – at least until the cluster-opening stage. This added predictability could, in turn, strengthen the credibility and strategic direction of the enlargement process – an especially important development amid shifting geopolitical dynamics. Despite these advantages, many member states remain hesitant, driven largely by concerns about being “easily” outvoted. Yet the evidence suggests these concerns are overstated: the non-paper's proposal would preserve at least *three-quarters* of existing veto opportunities. Specifically, it would maintain 36 veto points per member state – or 972 in total – at which a candidate's progress could still be blocked if deemed necessary. To reconcile these concerns with the need to overcome unanimity in the early stages of accession, a viable middle ground lies in the often-overlooked mechanism of *Reinforced Qualified Majority Voting*.

Just as there are no legal barriers preventing member states from moving away from unanimity to QMV, they are equally free to agree on applying a higher voting threshold under the reinforced

QMV procedure.<sup>6</sup> Under this arrangement, a decision for technical steps would require the support of 72% of member states, representing at least 65% of the EU population. In practical terms, this means that instead of the usual requirement under standard QMV – 15 member states representing roughly two-thirds of the EU population – threshold rises to 20 member states. Such an elevated threshold offers a stronger safeguard against narrow majorities pushing through sensitive decisions. The rationale behind this voting procedure is to ensure that outcomes reflect a broader consensus and carry greater political legitimacy – an especially important consideration given that enlargement is not only a technical exercise, but also a profoundly political process. At the same time, this approach preserves the predictability that candidate countries need, as it still sufficiently reduces the risk of veto-induced deadlocks. Accordingly, this paper proposes the introduction of the described higher voting threshold – exceeding those set out in the German-Slovenian non-paper – while applying them to the same technical steps which span from the start of the screening process through to the opening of clusters. As a pragmatic second-best option, this proposal seeks to strike a balance between more streamlined decision-making and member states’ desire to retain meaningful control over the enlargement process.

For the proposal to deliver, however, it is essential to ensure that the use of reinforced QMV does not come at the expense of member states that find themselves in the minority on key decisions related to candidates’ progression. Even when the required majority is reached – such as in the case of opening a negotiation cluster – it remains crucial to maintain structured and proactive engagement with dissenting member states. Without such follow-up, isolated instances of being outvoted can easily turn into lasting frustration, undermining both Council unity and the perceived legitimacy of the enlargement process. This, in turn, risks delaying subsequent steps that do require unanimity – such as the closing of chapters – ultimately penalising the candidate country despite earlier progress. To prevent these outcomes, reinforced QMV must therefore go hand in hand with continued political dialogue – not only between member states and candidates, but also among member states themselves – as part of a genuine effort to reach compromises and avoid future deadlocks. Only through this balanced approach can effectiveness and sustainability in Council decision-making be ensured, and enlargement progress wherever there is genuine European aspiration.



<sup>6</sup> As the enlargement policy is fully in the hands of member states, no legal barriers are standing in the way of the Council to start applying the reinforced QMV. This is so as long as the cases concern proposals that [do not originate](#) from the European Commission or the High Representative for Foreign Affairs and Security Policy. The Commission’s recommendation for the Council to open a cluster – issued when it deems the opening benchmarks and level of preparedness to have been met – does not constitute a formal proposal within the meaning of the Treaties.



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