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July 2026

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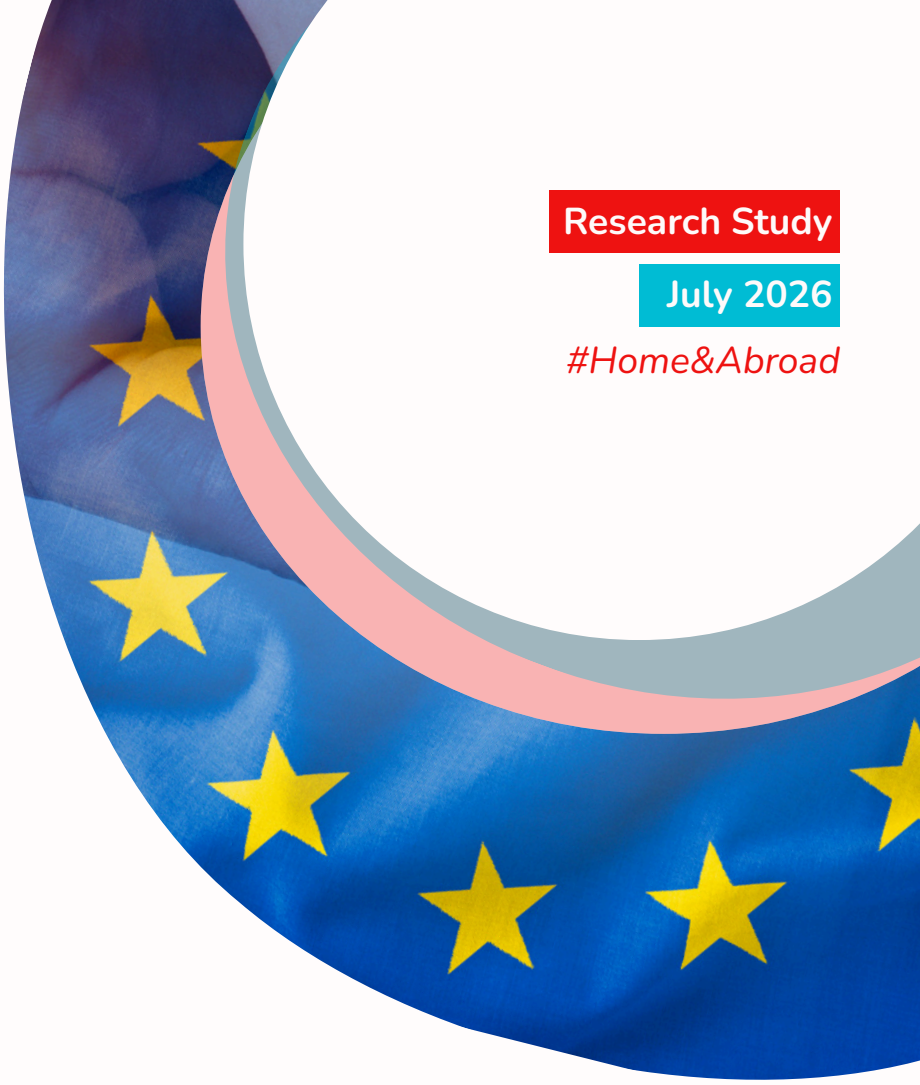

Pathways to Gradual Integration: A Comparative Analysis of the EU Association Framework

Stabilisation Association Agreements & Association Agreements/Deep and Comprehensive Free Trade Agreements

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CENTRO PER LA COOPERAZIONE INTERNAZIONALE

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This research is realised with the support of the Unit for Analysis, Policy Planning and Historical Documentation - Directorate General for Political Affairs and International Security of the Italian Ministry of Foreign Affairs and International Cooperation, in accordance with Article 23 – bis of the Decree of the President of the Italian Republic 18/1967.
The views expressed in this report are solely those of the authors and do not necessarily reflect the views of the Ministry of Foreign Affairs and International Cooperation.

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Introduction

The European Union (EU) enlargement process continues to be a complex task which has taken different shapes throughout the years. While the historic 'big bang' enlargement of 2004 and 2007 demonstrated the Union's capacity to project stability and prosperity across Europe,[1] the subsequent two decades were defined by profound 'enlargement fatigue'.[2] Driven by internal crises and concerns over absorption capacity, progress with the Western Balkans 6 (WB6)[3] stalled dramatically, leading also to low willingness to progress with the foreseen reforms and accession path.[4] Despite the formal Stabilisation and Association Process (SAP), and the reiterated European perspective for the region, their accession journeys devolved into a struggle with lengthy negotiations, domestic governance deficits often termed 'stabilitocracy',[5] bilateral disputes frequently instrumentalised by individual member states (MS), and a sense of disillusionment described as a process without an end.[6]

Seeking to revitalise this stalled momentum, the European Commission (EC) introduced a revised enlargement methodology in 2020. The new methodology aimed to inject more dynamism in the accession process, more predictability, and a stronger political steer into the process by clustering negotiations chapters into clusters, and reinforcing the 'fundamentals first' principle,[7] ensuring that Cluster 1 (Fundamentals)[8] opens first and remains open until the very end. Most notably, the 2020 methodology formally introduced two new principles: the principle of gradual integration (also referred to as phased or accelerated integration/accession) and the reversibility option.[9] Gradual integration - also referred to as phased or accelerated integration - was designed to allow candidate countries to progressively participate in specific EU policies, markets, programmes and institutions before full membership. The underlying logic was to offer tangible socio-economic benefits earlier in the process, thereby sustaining the reform momentum in candidate countries.

1 Dimitrova, A., et al.(2019) *Learning from Enlargement? Comparing EU Capacity Building and Monitoring under Enlargement with the Implementation of the Association Agreements*. EU-STRAT.

2 Esch, V. & Kabus, J. (2014) *EU Enlargement: Between Conditionality, Progress, and Enlargement Fatigue*. Aspen Institute Germany;

3 WB6 refers to the geographical area that consists of the following countries: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia.

4 Mariacq, F. (2025) *Pragmatic, Gradual, Geopolitical: What's Left of the Ambitions of the European Union's Enlargement*. CIFE; Becker, P. & Lippert, B. (2024) *Acceding Countries' Gradual Integration into the EU Single Market: Prerequisites, Opportunities and Hurdles*. German Institute for International and Security Affairs.

5 Bieber, F. (2018) *The Rise (and Fall) of Balkan Stabilitocracies*. Horizon Journal of International Relations and Sustainable Development, no. 10, pp. 176-85. JSTOR.

6 Bachev, D. (2024) *Can EU Enlargement Work?*. Carnegie Europe.

7 European Commission (2020) *Enhancing the Accession Process - A Credible EU Perspective for the Western Balkans*.

8 Cluster 1: Fundamentals includes Judiciary & Fundamental rights, Justice, Freedom & Security, Public Procurement, Statistics, Financial Control, Economic Criteria, Functioning of Democratic Institutions, and Public Administration Reforms.

9 Ibid, 7.

However, it was the dramatic geopolitical shift following Russia's full-scale invasion of Ukraine in 2022 that truly operationalised the concept of gradual integration in the 2020 methodology.[10] Viewing enlargement as a geostrategic imperative, the EU granted candidate status to the Associated Trio (Ukraine, Moldova and Georgia) and Bosnia and Herzegovina while rapidly deploying new instruments, such as the EU Growth Plan (GP) for the Western Balkans and the Ukraine Facility, to drive integration through strict, conditionality-linked financial incentives and selective market access.[11] With this renewed geopolitical focus, the discussions regarding the EU's readiness for enlargement have intensified. Such debates focus on the necessity for internal institutional reforms - such as budgetary adjustments and potential shift towards Qualified Majority Voting (QMV) for intermediate enlargement steps - to ensure the Union can function effectively with new members.[12]

While gradual integration has become the central pillar of the current enlargement strategy, this must be operationalised through existing legal frameworks negotiated in entirely different eras for entirely different purposes.

First, the Stabilisation and Association Agreements (SAAs), which are tailored for the WB6 countries within the SAP framework, aimed at post-conflict stabilisation and preparing countries for eventual membership.[13]

"While gradual integration has become the central pillar of the current enlargement strategy, this must be operationalised through existing legal frameworks negotiated in entirely different eras for entirely different purposes."

Second, the Association Agreements, including Deep and Comprehensive Free Trade Areas (AA/DCFTAs) concluded with Ukraine, Moldova and Georgia. These were initially conceived for deep integration without a membership perspective but have been politically repurposed as key pre-accession instruments following their application.[14]

This paper argues that relying on these distinct legal frameworks creates a structural integration paradox. The AA/DCFTA model inherently provides a significantly deeper and institutionally robust foundation for gradual integration due to its dynamic mechanisms. In contrast, the SAA relies on static, evolutionary clauses that require massive external policy intervention to convert regulatory alignment into tangible market access. To demonstrate this asymmetry, this study employs a qualitative, comparative legal and policy analysis.

10 Lippert, B., (2024) *EU Enlargement: Geopolitics Meets Integration Policy*. German Institute for International and Security Affairs;

11 You can read more about the EU Growth Plan for WB6 here: https://enlargement.ec.europa.eu/enlargement-policy/growth-plan-western-balkans_en

12 Zweers, W. et al., (2024) *Unblocking Decision-making in EU Enlargement: Qualified Majority Voting as a way forward?*. Clingendael, DGAP, and ELIAMEP.

13 Find more at: https://eur-lex.europa.eu/EN/legal-content/summary/the-stabilisation-and-association-process.html

14 Van Elsuwege, P. & Chamon, M. (2019) *The Meaning of 'Association' under EU Law: A Study on the Law and Practice of EU Association Agreements*. European Parliament Research.

It draws upon a textual examination of primary treaty texts, specifically the SAA with Albania and the AA/DCFTA with Ukraine. The core analysis is contextualised through relevant secondary EU legislation, and policy documents.

The paper proceeds as follows: next section outlines the overarching EU association Framework and defines the operational logic of gradual integration. The core comparative analysis is then structured along three distinct integration pathways. Pathway I evaluates the capacity for economic integration into the EU Single Market, contrasting the static logic of market liberalisation of the SAA with the dynamic market access mechanism of the AA/DCFTAs. Pathway II explores institutional inclusion, assessing how both frameworks facilitate access to EU agencies, programmes, etc. Pathway III analyses the financial architecture, charting the shift from standard capacity-building grants to the transformative, performance-based conditionality of the new generation financial instruments. The paper concludes by summarising the integration paradox and offering policy recommendations for bridging the structural gap between the two regions.

The EU Association Framework

In order to assess the potential for gradual integration, it is crucial to first understand the legal aspects governing the EU's accession process and their relationship with the two regions.

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Although both SAAs and AAs share a common legal basis under Article 217 of the Treaty on the Functioning of the European Union (TFEU), the political mandates and technical mechanisms embedded within them diverge significantly.

It is exactly these structural differences that fundamentally shape the capacity of each framework to enable and facilitate gradual integration.

Stabilisation Association Process and Stabilisation Association Agreements

Stabilisation and Association Process (SAP) and its legal instruments, the SAA's, constitute the EU's legal framework towards the Western Balkans. The SAAs were launched to stabilise the region in response to the aftermath of the Yugoslav wars, with the overarching goal of promoting political stability, fostering regional cooperation and establishing a free-trade area (FTA) - wrapped into the promise of eventual EU membership.

However, it is worth noting that, as highlighted in their names, these agreements aimed mostly at political stabilisation rather than deep economic integration with the EU. [15]

SAA's were explicitly designed as pre-accession instruments. With this logic, through them, the EU acknowledged the 'potential candidate' status of WB6 countries,[16] thus establishing a clear link between the implementation of the agreement and progress toward EU membership.[17] The primary goal of these agreements was to anchor the region in peace and stability through regional cooperation, with the trajectory toward membership in the EU. As such, the agreements generally prioritise political dialogue and regional stability over the technical mechanisms of integration.[18]

SAAs, among other things, focus largely on the liberalisation of the market, and the legal obligations for harmonising the national legislations of accession countries with the EU *acquis*.[19] It is worth noting that this legal obligation is best described as a soft or evolutionary measure. Generally, the SAA clauses oblige the partner country merely to 'endeavour to ensure' that its future legislation is compatible with the EU *acquis*.[20] Unlike the later agreements, the SAA lacks a mechanism to automatically update legal targets to fulfil this harmonisation. This is especially relevant considering the long years of the accession process and the evolving nature of the EU acquis in the last two decades.

Association Agreements / Deep and Comprehensive Free Trade Aarea

Unlike the SAA's, the current AAs concluded with Ukraine, Moldova and Georgia (the Associated Trio) represent a new generation of EU agreements. The main difference between these two types of agreements stems from the fact that the latter were born out of the European Neighbourhood Policy (ENP) and were originally intended as alternatives to EU membership, following a logic of *'integration without membership'*.[21]

15 Lehne, S. et al. (2025) *Access Before Accession: Rethinking the EU's Gradual Integration*. Carnegie Europe.

16 An important legal exception exists for Kosovo. Because five EU Member States (Cyprus, Greece, Romania, Slovakia, and Spain) do not recognise Kosovo's independence, its SAA was concluded as an "EU-only" agreement to bypass the need for national ratification. Furthermore, the agreement employs a status-neutral language: it purposefully omits the term "potential candidate" found in all other Western Balkan SAAs, referring instead only to Kosovo's "European perspective and rapprochement with the EU". You can read more at: *Van Elsuwege, P. (2017). Legal Creativity in EU External Relations: The Stabilisation and Association Agreement Between the EU and Kosovo. European Foreign Affairs Review, 22(3), 393-410.*

17 Ibid, 14.

18 Becker, P. & Lippert, B. (2024) *Acceding Countries' Gradual Integration into the EU Single Market: Prerequisites, Opportunities and Hurdles*. German Institute for International and Security Affairs.

19 Nezirovic, S., et al (2022) *Stabilisation and Association Agreement between the Western Balkan Countries and the European Union*. Journal of Geography, Politics and Society, 12(2), p. 36-50.

20 Ibid, 17.

21 Dragneva, R. & Wolczuk, K. (2025) *Integration and Modernisation: EU's Association Agreement with Ukraine*, in Ukraine's Thorny Path to the EU - From "Integration without Membership" to "Integration through War" (Eds. Maryana Rabinovych and Anne Pitsch). Palgrave Studies in European Union Politics.

Due to the lack of membership opportunity, the EU DCFTA was offered as a compensation mechanism for this region. This mechanism was built on the idea of 'sharing everything but the institutions', hence necessitating a far more detailed and rigorous legal framework to allow these non-members to participate in the EU Single Market.[22]AA/DCFTAs were especially praised for their defining feature, the 'dynamic approximation' mechanism.[23] These agreements contain an extensive annex listing specific EU Regulations and Directives that the partner country must adopt within a set of deadlines. Most importantly, as seen in the case of the EU - Ukraine AA, there are specific articles that oblige the country to update its domestic legislation as the EU *acquis* evolves.[24] This allows the Associated Trio to be more synchronised with Brussels, compared to the WB6 countries, where such provision is not present.

Considering that these agreements were originally prepared with the idea of gaining access to the EU Single Market, rather than EU membership, they have been considered as more advanced than the SAAs when it comes to the legal approximation and reforms, as well as receiving the economic benefits of these reforms.

Gradual Integration

Gradual integration, also referred to as 'phasing in' or 'accelerated' integration, represents one of the fundamental efforts of the European Commission (EC) in rethinking the EU enlargement process, presented in the new Enlargement Methodology 2020. In its core, the gradual integration aims to allow candidate countries that have completed demanding reform benchmarks to progressively integrate into (i) selected EU policy areas, (ii) participate in EU programmes, and (iii) most critically, gain access to parts of the EU Single Market prior to attaining full membership in the Union.[25] Given the general enlargement fatigue present in the enlargement process for the last 20 years, gradual integration was also brought up with the idea of incentivising the candidate countries to progress with their reforms (legal, institutional, economic and political ones).[26]

It is worth noting that the gradual integration remains just a concept/approach, rather than a legal process regulated in any of the accession agreements. As a concept/approach, it is not meant as an alternative to full EU membership, and there are no formal links between it and the official and legal enlargement process.

"Gradual integration remains just a concept, rather than a legal process regulated in any of the accession agreements."

22 Van Elsuwege (2025) *Revisiting EU-Ukraine Association Agreement: A Crucial Instrument on the Road to Membership*, in Ukraine's Thorny Path to the EU - From "Integration without Membership" to "Integration through War" (Eds. Maryana Rabinovych and Anne Pitsch). Palgrave Studies in European Union Politics.

23 Ibid, 21.

24 Art. 463 of EU - Ukraine AA/DCFTA.

25 Ibid, 15.

26 Buras, P., et al. (2025) *Gradual Integration: Bringing Aspiring Members Closer to the EU*. Think Tank Europa and European Council on Foreign Relations.

In itself, gradual integration is not linked to nor does it impact in any way the progress of countries in accession negotiations - opening or closing accession chapters - or vice versa.[27] The accession negotiations remain a legal and political process dependent on the fulfilment of conditions set in the accession agreements, and most importantly, the political will of MS not to block this progress.[28]

Although there is no clear explanation from the EC on how gradual integration plays in real-life cases, its functional logic rests on 3 pillars:

1. Sectoral Market Access - aiming to grant early access to specific sectors of the Single Market (be it energy, transport, digital, etc.) once countries have adopted relevant acquis. Through this, the EU treats the candidate countries as member states within that specific sector.
2. Institutional Inclusion - aiming to allow representatives from candidate countries to attend EU Council meetings and working groups as 'observers' (formally or informally) to socialise them into EU decision-making processes.
3. Financial Convergence - aiming to increase pre-accession funds to a higher level in order to prevent economic shocks upon gradual accession into the EU and its structures.

Gradual integration is also strengthened by a critical safety valve through which benefits can be immediately withdrawn if a country backslides on fundamental reforms, particularly regarding the Rule of Law. This has been largely promoted and discussed in the process of the gradual integration of the WB6 countries.[29] However, it must be noted that gradual integration implies different operational realities for the two regions analysed in this paper, mainly due to their distinct legal provisions in place.

For the Associated Trio, a gradual integration path was provided before they actually received the candidate status. As it was mentioned earlier, the AA/DCFTAs were originally designed to offer 'integration without membership', as an alternative to accession. They are built on a 'dynamic approximation' clause that, by default, facilitates deep sectoral integration.[30] Therefore, for this region, gradual integration, in essence, means the full implementation of the agreements they signed.

Whereas the WB6 region faces a different reality. For them, the gradual integration is a remedial process. The SAAs determining their accession process are of an older generation of agreements and lack the 'dynamic' mechanism for deep market integration we find in the DCFTAs. In light of market integration necessity, the EC introduced the EU New Growth Plan as a supplementary political instrument to retroactively grant the WB6 market access similar to that provided to the Associated Trio through the DCFTAs.

27 Ibid.

28 Zeneli, S. & Smolica, G., (2024) *Navigating the EU Conditionality in the New Growth Plan for the WB6.* Re-ACT Lab.

29 See more at footnote 11.

30 Petrov. R, et al. (2015) *The EU- Ukraine Association Agreement: A New Legal Instrument of Integration Without Membership?*. Kyiv-Mohyla Law and Politics Journal, 1(1), p. 1-19; Van der Loo, G., (2016) *The EU-Ukraine Deep Association Agreement and Deep and Comprehensive Free Trade Area. A new Legal Instrument for EU Integration without Membership*. BRILL.

This difference is of utmost importance. While Associated Trio is integrating into the EU and its Single Market primarily through their legal agreements, the WB6 region is advancing its integration through the new aspects introduced into the Growth Plan, which, in essence, remains a financial instrument rather than a legal process/agreement.

The three pillars of the gradual integration mentioned above will be used as pathways to integration to orient the comparative analysis between the two accession agreements, the SAA on the side of WB6 countries and the AA/DCFTAs on the side of the Associated Trio countries.

Integration Pathways

Pathway I: Gradual Integration to the EU Single Market

Potentially one of the most interesting and advantageous pathways of integration for both the EU and candidate countries is economic integration. This pathway is largely predicated on a simple logic: the candidate country adopts the EU acquis in a specific sector, and in return, the EU removes technical barriers to trade, effectively treating the partner as a member state within that specific sector of its market. Although it sounds simple on paper, this pathway operates fundamentally differently under the two legal frameworks analysed in this paper.

The next sections will explore and compare the potential of operationalisation of this gradual integration in both legal frameworks, focusing on several elements of the gradual integration into the EU Single Market.

The Four Freedoms

Free Movement of Goods

By far, the most tangible test of gradual integration into the EU Single Market remains the removal of the Technical Barriers to Trade (TBTs) for industrial products. As such, it is particularly this area where sharp distinctions can be drawn between the AAs/DCFTAs and SAAs.

The DCFTAs provide a 'visa-free sectoral regime' through the mechanism of the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA).[31] This defines the legal mandate explicitly. Article 56 of the EU - Ukraine AA requires full alignment with EU technical regulations and quality infrastructure. Crucially, Article 57 stipulates that once this alignment is verified, an ACAA must be added as an additional Protocol to the agreement. In simple terms, this creates a mandatory roadmap: once the technical steps are completed by Ukraine, the removal of barriers is a treaty right, effectively treating Ukrainian goods as if they were produced in the EU. In essence, this would allow Ukrainian industrial goods to enter the EU Single Market without additional conformity testing, effectively eliminating Technical Barriers to Trade (TBTs) and treating Ukrainian factories as if they were in the EU.

31 ACAA is a type of Mutual Recognition Agreement which allows industrial products, which have been certified as compliant with relevant standards in one country, to be placed on the EU market without undergoing conformity assessment procedures. The ACAAs are primarily used to remove non-tariff barriers to trade.

In comparison, the potential for Single Market integration within the SAA framework has generally been limited.[32] However, the SAAs are not completely legally barren in this context. For example, Article 80 of the Albanian SAA actually allows for the conclusion of ACAAs. However, what is different, and to a large extent missing in the SAA regime, is the absence of a binding roadmap to activate these clauses. In essence, while the DCFTA acts as a legal automation triggering market access upon alignment (dictating the creation of the ACAA protocol), the SAA provisions are enabling rather than mandatory (they permit the negotiation of an ACAA, but do not legally foresee the requirement for the EU to grant one upon alignment). In practical terms, without an ACAA, even if an Albanian manufacturer perfectly aligns its products with EU safety and quality standards, those goods cannot automatically enter the Single Market; they must still undergo costly and time-consuming re-testing and certification by an EU-recognised body at the border before they can be legally sold in the EU.

Right of Establishment & Freedom to Provide Services

Similarly, there is an extensive divergence in the services sector, highlighting a structural gap between 'market liberalisation' and 'market integration' logics.

The DCFTAs offer 'Internal Market Treatment' [33] in specific service sectors, which goes beyond simple non-discrimination to grant 'national treatment'. This means that once Ukraine implements the *acquis* listed in the annexes, a Ukrainian company is treated legally as an EU company within that sector. A prime example of this is the Telecommunication services - Ukraine's alignment with the European Electronic Communications Code[34] led to a formal update of Appendix XVII-3, legally paving the way for Ukraine to join the 'Roam-Like-At-Home' area.[35]

The SAA, by comparison, operates in a more limited logic. Article 50 of the Albanian SAA grants the 'Right of Establishment', allowing EU companies to set up subsidiaries in Albania (and vice versa) on a non-discriminatory basis. However, Article 59, which governs the cross-border supply of services, is weak: it merely obliges the Council to *"take the necessary measures"* to progressively allow supply without granting the rights necessary for services to flow freely without a local branch.

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32 Sretic, Z. (2023) *Sectoral Integration Opportunities in the SAA Regime. The Case for the Internal Market Treatment of Products*. CEPS.

32 Annex XCII of EU-Ukraine AA/DCFTA

32 Art. 102 of EU-Ukraine AA/DCFTA

32 Ibid, 22.

The Roam-Like-at-Home initiative serves as a good comparative example, illustrating the divergent legal mechanisms in action. Unlike in the case of Ukraine, where alignment with the European Electronic Communication Code as part of their DCFTA annexes, in the case of WB6, achieving the Roam-Like-at-Home remains an ongoing, ad-hoc process. The extension of this initiative relies on a separate, voluntary agreement signed between the EU and regional telecommunications operations. This agreement mandates a phased reduction of price caps, with the ultimate goal of fully eliminating additional roaming fees only by 2028.

Table 1: Comparative Mechanisms between AAs and SAAs for Gradual Integration to the EU Single Market

Feature	AA/DCFTAs	SAAs
Approximation Logic	Dynamic (Art. 463): Require continuous alignment with the evolving EU Law.	Evolutionary: Obligation to 'endeavour to ensure' compatibility (Art. 70). No automatic update mechanism.
Industrial Goods	ACAA conclusion is a mandatory protocol once technical alignment is verified (Art. 57).	Allows for mutual recognition agreements (ACAA) but requires political activation (Art. 80)
Services	Annex XVII grants national treatments in sectors like Telecoms and Postal Services.	Right of Establishment (Art. 50): Prevents discrimination but lacks internal market treatment for cross-border trade.
Dispute settlement	Binding arbitration with mandatory reference to the European Court of Justice (ECJ).	Political resolution in the SAA council

Free Movement of Capital and Persons

While the movement of goods and services is largely a story of TBTs and regulatory alignment, the movement of capital and persons touches on core national interests and sovereignty. Therefore, both the SAA and AAs approach these freedoms with caution.

In the discussion of the movement of capital, the SAAs operate on a logic of phased liberalisation. More concretely, Article 60 of the Albanian SAA mandates the immediate freedom of direct investments and the liquidation of those investments. However, for other forms of capital movement (e.g. portfolio investments, financial loans and credits), the agreement does not grant immediate freedoms. Instead, Article 61 established a strict timeline, stipulating that Albania shall grant these freedoms only *"as from the expiry of four years"* following the entry into force of the agreement. This approach is a reflection of the stabilisation logic of the agreement itself.

In contrast, the AA/DCFTA of Ukraine approaches capital movement not just as a financial freedom but as a regulatory obligation. Article 145 guarantees the free movement of capital regarding direct investments and credits. However, unlike the SAA, which focuses on the timing of liberalisation, the DCFTA focuses on the rules governing that capital. The agreement explicitly links capital movement to the 'dynamic approximation of the EU's anti-money laundering regime and counter-terrorism financing acquis.[36] In comparison to the SAA, which allowed the capital flow after a waiting period, the DCFTA mandates that Ukraine adopts the EU's entire protective system as a prerequisite. As such, this creates a fundamentally different environment; under the SAAs, WB6 countries liberalise capital into a national regulatory framework, whereas the Eastern Trio, under the DCFTAs, effectively extend the EU's financial regulatory border to include the partner country.

In terms of the free movement of people, this remains a red line in both legal frameworks. Neither region is granted full access to the EU labour market, with slight differences between the two.

The SAA generally establishes the principle of non-discrimination for free movement of people, but it is strictly limited to workers who are already legally employed in the territory of a Member State. It explicitly states that access to employment remains subject to the "conditions and modalities applicable in each Member State".[37] In essence, the SAA offers protection to the diaspora but provides no legal mechanism for new labour migration at the EU level. Nevertheless, several member states have bilateral agreements with the WB6 countries, regulating the free movement of workers. This has also been criticised in several accounts due to its impact on the brain drain of the region.

The AAs also contain similar restrictions regarding general labour movement, but it has a critical loophole on services that, in a way, functions as a partial substitute for free movement. This loophole is found in the mechanism of 'Mode 4' (Movement of Natural Persons for Business Purposes), or as known in international trade: the temporary movement of professionals for business purposes. Article 85 of the Ukraine AA grants a legal right of entry and temporary stay for specific categories of professionals: key personnel (managers and specialists), graduate trainees and business service sellers. This advantage is best understood under the economic needs test - the standard protective immigration rule where a government denies visa to a foreigner if there are qualified local citizens available to do the job.

Under the SAA, professionals in WB6 are entirely subject to the economic needs test. However, the DCFTA, under Article 85, effectively strips away this requirement.. In simple terms, it limits or completely waives the right of EU Member States to apply an economic needs test to specific categories of Ukrainian professionals.

36 Annex IX of EU-Ukraine AA/DCFTA

37 Article 46 Albania - EU SAA

This creates a critical practical difference between the two agreements. While a Ukrainian factory worker has no more rights than an Albanian one, a Ukrainian software engineer or corporate manager has a treaty-based right to enter the EU and provide a service, bypassing local labour protections. Whereas, the Albanian engineer, lacking such treaty protection, remains at the mercy of standard, often restrictive, national visa bureaucracies and can be easily blocked to protect local jobs.

Table 2: Comparative Provisions on Free Movement of Capital and Persons

Feature	AA/DCFTAs	SAAs
Capital Liberalisation	Direct investment is immediate; portfolio investment and loans are delayed (Art. 61).	Direct investment is immediate; portfolio investment and loans are delayed (Art. 61).
Workers (General)	Protects existing legal workers only. No right of entry (Art. 46).	Protects existing legal workers only. No right of entry (Art. 46).
Business Mobility	Entry is subject to the laws of Member States; no specific key person guarantees.	Entry is subject to the laws of Member States; no specific key person guarantees.

Beyond the Four Freedoms: The Second Layer of EU Single Market

Deep integration requires a level more than just the removal of border controls. While the 'Four Freedoms' represent the opening of the market, this second layer represents the rules of the game that ensure fair play. Without concrete measures on Competition Policy (specifically State Aid) and Public Procurement, the removal of tariffs and quotas would be economically dangerous. It is particularly in this area where the distinction between free trade and integration is most evident. In a standard free trade agreement, parties agree to general principles of non-discrimination. In the Single Market, however, members surrender a degree of regulatory sovereignty to ensure a 'level playing field'.

Competition Policy and State Aid

The litmus test of integration in this domain of the EU Single Market is State Aid control. In this context, the EU requires that any government support to industry (subsidies, tax breaks) is monitored by an independent authority to ensure it does not distort trade between member states.

In the case of Ukraine's AA, the agreement does not merely ask the country to adopt EU competition principles; it requires the establishment of an operationally independent State Aid regulator with power mirroring those of the EC (Directorate-General for Competition- DG COMP).[38]

36 Art. 253 of EU - Ukraine AA/DCFTA.

However, the critical divergence lies in the judicial enforcement. Art. 264 obliges Ukraine to interpret its competition law "in conformity with the case law of the Court of Justice of the European Union" (ECJ). This is a significant legal commitment: it effectively exports the EU's judicial sovereignty to Kyiv, ensuring that a subsidy deemed illegal in a Member State is also deemed illegal in Ukraine, based on the same ECJ precedents.

The SAAs, in comparison, approach the competition policy through a more diplomatic lens. Article 71 of the Albanian SAA declares that any state aid which distorts competition is incompatible with the functioning of the agreement. However, the assessment is based on the loose criterion of applying "the rules of the Community Treaties", without the binding explicit link to ECJ case law found in the AA/DCFTA.

In general, such ambiguity has allowed the WB6 governments to maintain State Aid Commissions that lacked operational independence, often approving subsidies that would be illegal in the Single Market. The SAA provides no legal mechanisms for the EU to challenge these domestic decisions short of suspending the agreement - a rather extreme action which was never used.

Public Procurement

Public procurement accounts for a significant share of the GDP in the EU, representing a massive market segment. Access to this market is itself an ultimate test of mutual trust between the EU and candidate countries.

In the AA/DCFTA, public procurement access is treated not as a binary switch but as a graduated ladder. Article 153 of the Ukraine AA provides a clear five-phase roadmap. The logic is strictly reciprocal and conditional: Ukraine gains access to EU tenders (e.g., the right to bid on a Member State infrastructure project) only as it completes specific legislative phases and institutional reforms. This 'more-for-more' mechanism provides a powerful domestic incentive for reform. Under such conditions, the Ukrainian businesses have the incentive to pressure their own governments to align legislation so they can unlock the next phase of market access.

The SAA are less creative in this aspect. Article 74 of the Albanian SAA granted EU companies immediate access to Albanian tenders (asymmetric opening). However, regarding the access of Albanian companies to the EU market, the agreement is vague, stating only that the SAA Council shall "*periodically examine*" the possibility of opening the market. Unlike the AA/DCFTA, there is no automatic roadmap. Therefore, leaving the WB6 companies with no clear legal path to EU procurement markets, removing the domestic incentive for fast alignment.

New Frontiers: Convergence in the Digital and Green Markets

While the analysis of four freedoms, competition policy, state aid and public procurement reveals a sharp legal asymmetry between the two regions, this distinction does not hold when analysing the 'new frontiers' of the Single Market.

The Digital Single Market and the European Green Deal represent horizontal regulatory regimes that were not fully anticipated by either the SAAs or the AAs/DCFTAs. As such, both frameworks are legally obsolete in these domains. To fulfil this legal vacuum, the EU has increasingly turned to Sectoral Communities - multilateral instruments that bind both regions equally to the EU's evolving regulatory framework, effectively bypassing the limitations of the bilateral treaties.

The most advanced example of this convergence is the energy sector. Neither the SAAs nor the AAs/DCFTAs contain adequate provisions to enforce the European Green Deal decarbonisation targets, such as the introduction of the Carbon Border Adjustment Mechanism (CBAM) or the integration of the renewable energy markets. Instead, gradual integration in this sector is driven almost exclusively by the Energy Community Treaty (ECT). This multilateral treaty acts as a 'sectoral constitution' binding both the WB6 countries and the Associated Trio to the EU energy acquis. Through the adoption of the decarbonisation roadmap, the ECT imposes binding obligations on all contracting parties to implement the EU Emissions Trading System (ETS) monitoring rules and renewable energy targets.[39]

A similar convergence is evident in the digital domain. Both the AAs/DCFTAs and SAA predate the Digital Service Act (DSA) and Digital Markets Act (DMA); consequently, neither treaty provides a ready-made legal mechanism for integrating these regions into the modern Digital Single Market.

To bridge this gap, the EU has relied on 'programme association'. Both WB6 and Associated Tio countries have been granted access to the Digital Europe Programme (DEP), allowing them to participate in EU funding for supercomputing, artificial intelligence, and digital skills on equal footing with Member States. Furthermore, the Regional Roaming Agreement, signed by the WB6 countries in 2019 and now being extended to the Associated Trio, demonstrates that functional integration can proceed through ad-hoc regional deals.

Assessment of the Single Market Pathway

The analysis of Pathway I reveals a fundamental structural asymmetry at the heart of the EU's gradual integration agenda. While the political objective for both WB6 and the Associated Trio is identical - participation in the Single Market prior to membership - the legal frameworks available to achieve this are operating on two fundamentally different logics. The central finding of this section is that the DCFTA functions as a self-executing legal automaton for integration, whereas the SAA functions as a static framework that requires external policy interventions to push forward the gradual integration logic.

This sheds light on a striking historical paradox. For two decades, the WB6 have held official candidate status and a membership opportunity under the legal framework (SAA) that is structurally limited in its capacity to deliver actual market integration.

36 Emerson, M. & Blockmans, S. (2023) *Sectoral Policy Integration in Advance of Accession - an Alternative or Complement to the Staged Accession Model?*. CEPS.

In contrast, the AAs/DCFTAs of Associated Trio were originally designed as an alternative to membership, but with deep integration logic. As a result, the Associated Trio now possesses treaty-based rights to market access that are legally binding and judicially enforceable, whereas WB6 remains more limited in this aspect, despite their long-term engagement in the accession process.

"The DCFTA functions as a self-executing legal automaton, whereas the SAA functions as a static framework requiring external policy interventions."

In comparison, the SAAs, although containing provisions that permit deep integration (such as Article 80 on ACAA), lack the mandatory triggers and detailed technical annexes found in the DCFTA to make these provisions operational. Consequently, access to the Single Market for WB6 is a matter of political discretion for the EU Council. Without the legal automaticity of the DCFTA, the SAA framework struggles to convert regulatory alignment into tangible market access, leaving the region in a stabilisation loop rather than a gradual integration trajectory.

The legal divergence leads to a critical policy conclusion: the SAA, in its current form, is technically insufficient to deliver on the idea of gradual integration. While the Associated Trio can integrate simply by implementing their existing treaties, the WB6 require an external policy intervention to bridge the gap between their static agreements and the dynamic reality of the Single Market, as we have seen with the case of the EU Growth Plan for WB6.

Pathway II: Gradual Integration to EU Institutions and Agencies

While the first pathway is the main 'hardware' of economic integration - the free movement of goods, services and capital - the second pathway represents the 'software' - basically, the political decision-making structures, administrative institutions and technical agencies of the EU. In the context of gradual integration logic, this pathway evaluates how both legal frameworks facilitate the integration of candidate countries in these institutions.

Although important, conducting a comparative analysis between the legal frameworks on this matter is more ambiguous. While both SAA and AA/DCFTAs establish an institutional architecture to manage bilateral relations, their foundational aspects are largely different. Most importantly, in this analysis, it is evident that the overarching association institutions reflect the strict limits of both respective agreements, whereas actual gradual integration of institutions and agencies relies on a parallel and ad-hoc logic.

The Formal Association Institutions

Both agreements establish relevant institutions that facilitate cooperation among the partners, be they councils, committees, and sub-committees. Nonetheless, a closer examination of their mandates reveals the differing integration capacities of these institutions.

The institutional framework of the SAA was explicitly designed as a diplomatic 'waiting room' to monitor post-conflict stabilisation and pre-accession reforms. The main body, the Stabilisation and Association Council (SAC),[40] meets at the ministerial level and functions primarily as a forum for high-level political dialogue rather than active regulatory management. It delegates day-to-day implementation to the Stabilisation Association Committee,[41] which is composed of senior civil servants.

Most importantly, the SAA's dispute settlement mechanism is inherently political and diplomatic. Under Article 119 of the Albania-EU SAA, disputes regarding the application or interpretation of the agreement are submitted to the SAC. The SAC may settle the dispute by means of a binding decision, but this inherently requires mutual political agreement between the EU and the partner country. The agreement does not foresee any independent judicial body to break a deadlock. Consequently, integration disputes are ultimately resolved through political negotiation and diplomatic leverage rather than legal adjudication.

The AA/DCFTA, on the other hand, even in this case, was designed with much more robust institutional mechanisms. Going back to the very reasons why this agreement was prepared in the first place (to deliver deep integration without formal membership), its institutions were granted quasi-legislative capabilities to manage the relationship dynamically. The Association Council[42] and the dedicated Association Committee in Trade configuration[43] hold the explicit power to dynamically update the treaty's technical annexes[44] to keep pace with the evolving EU law, ensuring the agreement remains a living document. Furthermore, the Ukraine AA/DCFTA explicitly formalises civil society's (CSOs) role through the Civil Society Platform,[45] while such an institutional layer is absent in the WB6 SAAs.

The most profound structural difference between the two agreements lies in the dispute settlement level. The AA/DCFTA abandons the purely diplomatic approach, moving in favour of a quasi-judicial framework. If political consultations fail, disputes are submitted to an independent Arbitration Panel.[46] Even more importantly, Article 322 of Ukraine-EU AA/DCFTA mandates that if a dispute raises a question concerning the interpretation of the EU law, the Arbitration Panel must request a binding ruling from the Court of Justice of the European Union. This mechanism essentially exports EU judicial sovereignty to the associated country, providing a far stronger, right-based institutional link that prevents political deadlocks from stalling technical integration.

40 Art. 116 of Albania-EU SAA

41 Art. 120 of Albania-EU SAA

42 Art. 461 of Ukraine-EU AA/DCFTA

43 Art. 465 of Ukraine-EU AA/DCFTA

44 As per Art. 463 of Ukraine-EU AA/DCFTA

45 Art. 469 of Ukraine-EU AA/DCFTA

46 Chapter 14, Art. 306 of Ukraine-EU AA/DCFTA

Table 3: Comparative Institutional Set-Up

Institutional Features	AA/DCFTAs	SAAs
Main Political Body	**Association Council (Art. 461)**: Meets at the ministerial level. Focuses on political association and manages the dynamic implementation of the treaty.	**Stabilisation and Association Council (SAC) (Art. 116)**: Meets at the ministerial level. Focuses on high-level political dialogue and monitoring pre-accession reforms.
Executive/Operational Body	**Association Committee (Art. 464) & Trade Configuration (Art. 465)**: Highly powerful body. The Trade configuration specifically manages the DCFTA and holds quasi-legislative powers.	**Stabilisation and Association Committee (Art. 120)**: Assists the SAC. Prepares meetings and ensures continuity of the association relationship.
Parliamentary Oversight	**Parliamentary Association Committee (PAC) (Art. 467)**: Composed of Members of the European Parliament and the Parliament of Ukraine.	**Stabilisation and Association Parliamentary Committee (SAPC) (Art. 122)**: Similar composition, providing democratic oversight over the implementation of the agreement.
CSO Engagement	**Civil Society Platform (Art. 469):** A formal treaty body ensuring civil society organisations can monitor the implementation process and submit recommendations.	**Not explicitly institutionalised in the core text**: Relies on broader dialogue and non-binding joint consultative committees formed ad hoc.
Dispute Settlement Mechanism	**Quasi-Judicial & CJEU-Linked (Art. 306 & 322)**: If consultations fail, disputes go to an independent Arbitration Panel. If the dispute involves interpreting EU law, the panel must seek a binding ruling from the Court of Justice of the European Union (CJEU).	**Diplomatic & Political (Art. 119)**: Disputes are submitted to the SAC. Resolution requires a binding decision based on mutual agreement between the EU and Albania. No independent judicial body exists to break deadlocks.

Leeway for Access to EU Agencies & Programmes

While the formal institutions (councils and committees) manage the bilateral treaties at the macro-political level, the very push for the second pathway of gradual integration lies within the EU's network of technical agencies and regulatory bodies. It is exactly here that the candidate countries transition from policy alignment on paper to operational integration in practice. According to a study carried out by GIZ on accelerated integration opportunities, there are up to 333 distinct avenues for candidate countries to engage across various EU bodies.[47]

47 See more: Andrija Pejovic, A. & Radvic, M. (2025) *Study on the Accelerated Integration Opportunities for the Western Balkans*. GIZ.

However, the analysis of these opportunities reveals that the legal basis for accessing these opportunities is different depending on whether a country is governed by an SAA or an AA/DCFTA.

The legal architecture of the treaties dictates the degree of leverage a candidate country possesses to demand a seat at the table. The SAA provides a weak and generic legal basis for agency access. An examination of Title VII (Cooperation Policies) of the Albania-EU SAA reveals that the text relies almost exclusively on broad cooperation clauses. Provisions typically state that the parties shall establish close cooperation or exchange information in specific sectors, but the treaty does not mandate the partner country's direct participation in the corresponding EU agencies. Because the SAA does not guarantee a legally binding gateway to agency access, any institutional integration for the WB6 countries requires the negotiation of entirely separate, standalone bilateral agreements outside the core SAA framework.

In the case of the AA/DCFTA, integration into EU agencies and programmes is included in the agreement itself. The AA/DCFTA provides a much clearer bridge to institutional inclusion. For example, the Ukraine-EU AA/DCFTA contains specific protocols, such as Protocol III on a Framework Agreement on the general principle for the participation of Ukraine in Union programmes, which legally anticipate and facilitate the partner country's integration into the EU's administrative space as a direct reward for regulatory alignment.

It is worth noting that despite these legal differences, neither treaty grants candidate countries voting rights in EU agencies, as that remains a constitutional privilege reserved strictly for MS. Instead, gradual integration operates on a spectrum of secondary statuses:

- Observer Status - allowing attendance at meetings and access to information without decision-making power.
- Affiliated Member/Associate - represents a more advanced phase of integration, offering deeper operational access and alignment (e.g., WB6 access to the European Environment Agency) but stopping short of voting rights.
- Cooperating on the Basis of an Agreement - the most common integration mechanism where access is governed by bespoke, agency-specific contracts (e.g., Status Agreements with FRONTEX).

When examining empirical evidence, it becomes evident that securing these secondary statutes is ultimately driven more by mutual sectoral necessity and geopolitical reality than by the text of the underlying association agreements.

Once again, due to the limitations of the SAA framework in facilitating gradual integration into European structures, the EU is relying on the GP to drive this integration. For instance, the ad-hoc operational inclusion of pushing candidate countries to join the Single European Payments Area (SEPA). While SEIPA is governed by the European Payments Council rather than a traditional EU agency, it functions as a highly integrated, critical pan-European programme. Because the SAA lacks a dynamic, mandatory mechanism to integrate the region into such advanced financial architectures, the GP uses its financial leverage to push the process.

Under the GP, countries have foreseen relevant reforms into their domestic legislation aligning with the EU's Payment Services Directive and Anti-money Laundering rules, as one of the preconditions to gain early access to the SEPA membership.

Assessment of the Institutional Pathway

On paper, the AA/DCFTA offers a higher institutional integration. Its dynamic management committees, explicit textual mandate to integrate into EU agencies, and ECJ-linked quasi-judicial dispute settlement mechanisms provide a highly structured, right-based environment for managing integration. The SAA, by contrast, relies on static political dialogue that lacks the explicit legal mandate to force the doors of EU agencies open.

"Success in this pathway depends far less on whether a country holds an SAA or AA/DCFTA, and far more on the EU's political willingness to integrate them."

However, regarding the critical goal of actual gradual integration into EU institutions and agencies, the reality is that access is largely ad hoc and disconnected from the associated agreements themselves.

While the AA/DCFTA is the legally stronger treaty, gradual integration in Pathway II is ultimately advanced by a patchwork of bilateral policy decisions and standalone operational agreements. The success of a candidate country in navigating this institutional pathway depends significantly less on whether they hold an SAA or AA/DCFTA, and far more on their administrative capacity to negotiate secondary agreements and the EU's overarching political willingness to integrate them.

Pathway III: Gradual Integration into the EU Financial Instruments

While Pathway I focused on economic integration, Pathway II focused on institutional architecture, Pathway III represents the critical 'fuel' required to drive the gradual integration process. In the context of the 'reform-for-access' logic, the legal texts of the SAAs and AA/DCFTAs provide the regulatory map, but it is the EU's financial instruments that supply the tangible incentives necessary to compel costly domestic reforms. A comparative analysis of this financial pathway reveals a profound shift in EU methodology. While the overarching bilateral treaties remain static or difficult to amend, the EU has radically redesigned its financial instruments to facilitate gradual integration, transitioning from traditional capacity-building grants to a tiered system of strict, reform-based conditionality.

Financial Access in Levels

The Old Generation (Level 1)

Both agreements offer broad cooperation clauses regarding financial assistance, but historically, both regions relied on standard, external-action functioning instruments. This represents Level 1 of financial access: standard, project-based aid. For the WB6, the primary vehicle has been the Instrument for Pre-accession Assistance (IPA). Governed by the pre-accession logic of the SAA, IPA was primarily designed for basic capacity building, institutional alignment and post-conflict infrastructure development. For the Associated Trio, financial cooperation was initially governed by the European Neighbourhood Instrument (ENI) and later by the NDICI-Global Europe framework.

While essential for basic state building, these old-generation instruments lacked the strict, reform-based lock mechanism necessary to force deep regulatory alignment. Their conditionality was often deemed too broad or too loosely enforced to effectively drive the granular legislative requirements of the Single Market. The financial incentives at Level 1 were insufficiently linked to specific, immediate market access rewards, leading to periods of reform stagnation, as the political cost of implementing complex EU acquis frequently outweighed the perceived financial benefits of standard project grants.

This dynamic presents a stark contrast to the early accession of the case of Croatia, which successfully navigated this phase using similar pre-accession instruments. However, it is important to note that the main difference lies in the credibility of the ultimate reward. For Croatia, the imminent and highly credible guarantee of full EU membership provided the overriding political justification required for domestic elites to absorb the painful cost of structural reform. However, the 20 years of enlargement fatigue and delay present in the case of the rest of WB6 countries lead to the lack of incentives for such reforms within the region. Without a credible near-term prospect of formal accession, the short-term political cost of enacting the necessary reforms outweighed the limited financial benefits of standard Level 1. Besides that, the emergence of new actors funding development projects in the region, without the strict conditionalities that the EU uses, has also pushed these countries to look for alternatives with countries like China, Turkey and Gulf Countries.

Intermediate Step: Access to EU Programmes (Level 2)

To bridge the gap between external aid and full internal market integration, a secondary level of financial access emerged: direct participation in specific EU programmes. As identified in several studies on gradual integration, candidate countries can access thematic, internal EU funding pools by paying financial contributions or 'entry tickets'.[48] This Level 2 access bypasses the broad IPA or ENI allocations and allows partner countries to compete directly for funds alongside EU MS.

48 See more: Andrija Pejovic, A. & Radvic, M. (2025) *Study on the Accelerated Integration Opportunities for the Western Balkans*. GIZ.

This level of integration is highly visible in strategic sectors. WB6 and Associated Trio countries already actively participate in the Digital Europe Programme to fund supercomputing and artificial intelligence, Horizon Europe for advanced research and innovation, and the EU4Health programme to modernise healthcare infrastructure. Furthermore, access to instruments like the Connecting Europe Facility (CEF) has become vital for integrating regional transport and energy networks into the Trans-European Networks. This level represents a crucial operational shift from passive aid reception to active, co-financed participation in the EU's internal policy budgets, although this access is heavily regulated by standalone, programme-specific agreements rather than core SAA or AA/DCFTA texts.

The New Generation (Level 3)

The most profound evolution in the financial pathway is the introduction of Level 3 access. Recognising the inadequacy of traditional instruments to absorb the massive socioeconomic shocks of deep Single Market integration, the EU deployed transformative, performance-based facilities. These new-generation instruments abandon the project-by-project approach of Level 1 in favour of direct budget support driven by a strict performance-based model. In this new paradigm, the structural conditions and reform milestones are agreed upon ex-ante, but the actual disbursement of funds occurs strictly ex-post - the financial reward is released only after the EC successfully verifies that the required reforms have been implemented.

For the WB6, this paradigm shift is embodied in the EU GP and its accompanying Reform and Growth Facility, which injects additional funds into the region to accelerate socio-economic convergence. Similarly, funding under the Ukraine Facility and the newly established GP for Moldova operate on an identical basis. Under these instruments, partner governments must commit to highly ambitious, bespoke Reform Agendas focusing on several areas (rule of law, digital and green transition and business reforms). Payments are released directly to national treasuries - biannually - only after the EC verifies that the agreed-upon reform steps and quantitative milestones have been fully completed.

Assessment of the Financial Pathway

"Gradual integration is no longer driven by the static legal text of the agreements, but by dynamic, conditionality-locked financial instruments."

The comparative assessment of this pathway reveals that finance serves as the essential tool for gradual integration logic. The evolution from standard, capacity-building aid such as the IPA and ENI to transformative, performance-based facilities like the GPs and the Ukraine Facility demonstrates a radical shift in EU methodology.

What is most striking is that financial conditionality acts as the ultimate equaliser between the different SAA and AA/DCFTA frameworks. Where the SAA lacks the legal mandate and dynamic annexes to facilitate deep market integration, the GP utilises financial leverage to artificially stimulate the AA/DCFTAs reform-for-access logic for the WB6. Ultimately, gradual integration is no longer primarily driven by the static legal text of the association agreements, but by the dynamic conditionality-locked financial instruments and policies.

Conclusions

This study explores a very important question for both the EU and the enlargement countries: do the existing legal frameworks (SAAs and AA/DCFTAs) provide equal and viable pathways for the gradual integration of candidate countries? The analysis demonstrates a profound 'integration paradox' that defines the current situation. The WB6, despite holding a concrete membership perspective for decades, are governed by a legally static, older-generation framework, not well equipped to deliver on gradual integration without other policy interventions. In contrast, the Associated Trio countries, although initially not considered as prospective membership candidates, possess an advanced, dynamic legal framework designed precisely to facilitate the deep sectoral integration that the EC seeks to achieve through the gradual integration approach.

Responding to our core inquiry of how these legal frameworks operate across the three gradual integration pathways, the findings demonstrate that the AA/DCFTA functions as a self-executing legal automaton, whereas the SAA acts as a politically dependent, enabling framework.

"The ultimate driver for deep reform is not financial compensation alone, but the credible political guarantee of full EU membership."

In Pathway I (Economic Integration), the AA/DCFTA grants treaty-based rights to market access through mechanisms like dynamic approximation and mandatory agreements on conformity assessment.

The SAA lacks these automatic triggers, leaving the WB market access subject to political negotiations. In Pathway II (Institutional Inclusion), the AA/DCFTA provides explicit legal bridges to the EU agencies and utilises quasi-judicial dispute settlement linked to the European Court of Justice. The SAA, lacking this robust architecture, relegates institutional integration to fragmented ad-hoc working arrangements. Ultimately, it is only within Pathway III (Financial Instruments) that the two regions converge. Both legal frameworks are linked to the pre-financing instrument (IPAs), and the EU has bypassed any limitations, deploying new-generation instruments like the Growth Plan for WB6 and Moldova, and the Ukraine Facility as the primary instruments operationalising and driving gradual integration.

The findings of this study expose important policy implications for both the EU and candidate countries. The most immediate implication is that the SAA, in its current form and without any other policy intervention, cannot drive gradual integration. To prevent the WB6 from falling further behind, the EU must continuously deploy external policy initiatives. The GP is the concrete example of such a policy initiative successfully simulating the missing 'reform for access' logic of the AA/DCFTAs. However, it would be a critical flaw to conclude that the financial conditionality alone can permanently resolve the integration setbacks. As the successful accession of previous member states demonstrates, the ultimate driver for deep domestic reforms is not entirely or only tied to financial compensation, but also the imminent and highly credible political guarantee of full EU membership.

However, this dependency on temporary, ad-hoc policies creates a fragile integration architecture highly susceptible to political winds in Brussels. Moreover, it is premature to assume that these new instruments will not encounter the same blockages that stalled previous efforts; money alone cannot automatically resolve the domestic political resistance or bypass the rule of law deficits among the candidate countries.

To address these imbalances, the EU should institutionalise the mechanism of GP into a permanent, legally binding pre-accession instrument, effectively upgrading the operational reality of the SAAs without reopening the complicated process of treaty amendment. Brussels should establish clearer mandatory 'triggers' for WB market access, ensuring that verified regulatory alignment through the reforms implemented under the GP is met with immediate, predictable integration rewards, mirroring the legal certainty inherent in the AA/DCFTAs. Yet, these technical upgrades must be coupled with a restoration of overarching political credibility regarding the final accession destination.

Moving forward, the current situation explored in this study opens several important avenues for future research. As the GPs for WB6 and Moldova are moving forward with their implementation, empirical studies will be required to assess whether such instruments successfully overcome domestic political resistance to the rule of law and market reforms. Additionally, a deeper inquiry is needed to evaluate the long-term institutional impact of integrating non-member states into the EU's evolving regulatory frontiers, particularly the Digital Single Market and the European Green Deal, which remain entirely outside the scope of both legal frameworks.

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CENTRO PER LA COOPERAZIONE INTERNAZIONALE

Imprint

Publisher
Regional Action Lab (Re-ACT Lab)

Contact
www.re-actlab.org | info@re-actlab.org

July, 2026

ABOUT THE PUBLICATION

This publication was produced as part of the project **InteGraLe**, implemented in collaboration with *OBCT (Italy)*. The project explores the gradual integration of the Western Balkans and the Associated Trio into the EU by analysing bilateral agreements and assessing opportunities for early inclusion in European cohesion policy. You can read more about the project at this link.

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SUGGESTED CITATION

Zeneli, S. & Smolica, G. (2026) *Pathways to Gradual Integration: A Comparative Analysis of the EU Association Framework*. Re-ACT Lab.

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