PART THREE

THE BALTIC STATES AND THE EU’S PRE-ACCESSION STRATEGIES
CHAPTER ONE

THE LEGAL FRAMEWORK OF EU ENLARGEMENT

§ 1. *The Formal Accession Procedure*

Shortly after the conclusion of the Europe Agreements, the three Baltic States applied for EU accession.¹ This set the enlargement procedure, based on Article 49 of the Treaty on European Union (ex Article O), in motion. Pursuant to this provision:

Any European state [which respects the principles set out in Article 6(1)] may apply to become a member of the Union. It shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the assent of the European Parliament, which shall act by an absolute majority of its component members.

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.²

The basic procedure and the principles of Article 49 EU go back to Article 237 of the original EEC Treaty.³ The Single European Act added the assent of the European Parliament.⁴ With the Treaty of Maastricht a single admission procedure was established, replacing the previous practice of application to the three Communities into an application to the EU.⁵ The reference to Article 6(1) EU—i.e. to the Union’s foundational principles of liberty, democracy, respect for

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¹ Latvia made its application for accession on 13 October 1995, Estonia and Lithuania on 24 November and 8 December 1995 respectively.