

How the UK joins the EU, and how long it would take

Evidence and analysis of how Article 49 would apply to the United Kingdom

October 2026

By **Oliver Nicholls**
And **Tom Brufatto**

**Evidence.
Action.
Hope.**

Best for Britain

The problems Britain faces are real, the solutions being offered are false. **Our job is to provide the evidence-led answers that fix Britain.**

Economic growth has stalled.

We are working to reintegrate our economy with the EU to get GDP growing again.

Neither business nor government can invest what's needed to fix Britain.

We will advocate for the policies needed to make the most of the economic gains achieved by removing UK-EU trade barriers or rejoining the EU.

Voters, impatient for improvements in quality of life, are turning to extreme politicians.

We uncover the frustrations and emotions driving voters to the far-right, and provide evidence-led answers for progressive parties to keep extremists out of No.10.

Authors



Oliver Nicholls
Senior Manager, Policy



Tom Brufatto
Executive Director of Policy and Research

Executive Summary

Previous Best for Britain research has demonstrated the economic case and political support for UK membership of the EU. This report sets out the practicalities: namely, the process – under Article 49 of the *Treaty on European Union* (TEU) – that the UK would follow to rejoin.

At Labour Conference in September, the Prime Minister said he would use the next UK-EU Summit, predicted to be in November, to set out options for our longer-term relationship with the EU. He committed to explore ‘what is doable’ and the ‘pros and cons’ of each option.

Beyond the boost it would give to [UK GDP](#) and to Labour’s [parliamentary seats](#), EU membership has much to recommend it on procedural grounds. First, of all the options, it is arguably the most predictable. 22 countries (the UK among them) have followed the well-trodden path of joining the EU through the Article 49 accession procedure. In contrast, only three countries have negotiated a bespoke Customs Union with the EU, with each different in scope. And only three countries have negotiated accession to the European Free Trade Association (the mechanism to join the Single Market), the last being Liechtenstein in 1991.

Second, under Article 49 the EU must consider a membership application from any qualifying European state. No such obligation applies to a Customs Union, which the EU may negotiate entirely at its discretion. Nor does it apply to the current UK preference for sector-by-sector improvements, under which the EU can rule out areas it sees as offering no economic benefit or threatening the integrity of the Single Market (such as the mutual recognition of conformity assessments).

That’s not to say that joining the EU is quick or easy. But no candidate has faced this process as a former member state. Several factors should ease the UK’s path: the limited regulatory divergence since 2020; the market integration being pursued through the UK-EU Summits (for example, in agrifood and electricity); and the UK and EU’s shared values and norms.

Reports that accession would take a decade are wide off the mark. While joining takes an average of five years, the example of Finland proves that the process can be far quicker when there is a high degree of existing alignment and strong political will. It took Finland just under three years from applying for candidate status to formally joining the EU. That is less time than it took the UK to negotiate and ratify its Free Trade Agreement with India. Once the UK files its application, EU membership could be within reach in a single Parliament.

Much has been made of the potential pitfalls of the Schengen area and the Eurozone, where the UK previously had opt-outs under the conditions of its former membership. First, there is still the possibility that those conditions would be back on the table, as former Brexit negotiator Michel Barnier said himself on the occasion of the tenth anniversary of the referendum. And, as this report argues, the Common Travel Area with Ireland and the importance of avoiding a hard border on the island of Ireland would mean there is a good case for a Schengen opt-out.

Any argument that the UK would be forced to join the Euro and Schengen area upon entry also ignores the process by which both work. No country that joins the EU automatically adopts the Euro or joins Schengen; they only do so after meeting additional further requirements and indicating their readiness to join. Many EU member states still remain outside of the Euro (Czechia, Denmark, Hungary, Poland, Romania, and Sweden) and Schengen (Ireland and Cyprus).

Finally, the conversation about new forms of membership has gathered pace since Commission President Ursula von der Leyen invited Canada to become the EU's first 'associate member'. It is an exciting political development – but not necessarily because the UK could adopt this model. There is as yet no precedent or legal basis for associate membership. Senior Commission officials have also suggested it would not be on offer to European countries such as the UK, for whom membership is an available model.

Instead, it is another indication that, in the current geopolitical climate, the EU is looking more flexibly about the form and process of membership. It also shows that a strong demonstration of political will, of the kind that Canadian Prime Minister Mark Carney has shown towards the EU, can open up new possibilities and accelerate the conversation. The UK should heed that lesson as the possibilities for our long-term relationship with the EU take shape.

Headlines

1. As a former member state with a high degree of regulatory alignment, the UK could join the EU within a single Parliament from submitting its application. This is based on the precedent that Finland joined in less than three years.
2. The Common Travel Area, and the UK and EU's shared commitment to avoid a hard border on the island of Ireland, present a strong case for the UK to have the same arrangement as Ireland, which remains outside the Schengen Area.
3. To join the Eurozone, countries must first join Exchange Rate Mechanism II (ERM II). This is voluntary. Therefore, it is unlikely that the UK would have to adopt the euro: six EU member states do not use the currency (including Denmark who have a formal opt-out).
4. EU accession is based on a number of criteria: geography; merit; and, most importantly, compliance with EU rules before accession.
5. It is a structured and rigorous process, with five thresholds that countries must pass through: acquiring candidate status; formal opening of negotiations; formal closing of negotiations; approval and signature of the accession treaty; and treaty ratification.

Table of Contents

1. Legal basis and eligibility	6
1.1 Legal basis	6
1.2 Eligibility	7
1.3 The Copenhagen criteria	7
1.4 The Council vote	8
2. EU enlargement: the five steps	9
3. Candidate status	10
3.1 Membership application	10
3.2 The Commission Opinion	10
3.3 Candidate status	11
4. Opening negotiations	12
4.1 The first Intergovernmental Conference	12
4.2 The screening process	12
5. Closing negotiations	14
5.1 Closing benchmarks	14
5.2 The <i>acquis communautaire</i>	14
5.3 The chapters	15
6. Accession treaty	16
6.1 Approving accession	16
6.2 The legal basis of the treaty	16
7. Ratification	17
7.1 Another referendum?	17
7.2 The French constitution	18
8. Timelines	19
9. Opt outs: Schengen	20
9.1 What is the Schengen area?	20
9.2 Why did the UK opt out previously?	20
9.3 Ireland's position: the Common Travel Area	21
9.4 Could the UK opt out of Schengen again?	22
10. Opt outs: Eurozone	23
10.1 The Maastricht criteria	23
10.2 The Maastricht criteria for the UK	25
11. Potential reform	26
11.1 Speeding up the accession process	26
11.2 Associate membership	26

1. Legal basis and eligibility

To join the EU, a country must meet several conditions, covering geography, merit, and compliance with EU rules.

Looking at current EU Member States, it has taken an average of around five years to join the EU, from the opening of accession negotiations to the ratification of the accession treaty¹. But this timeframe is not fixed and can be significantly shorter with strong political will and a high degree of existing alignment with EU rules.

The example of Finland shows that EU accession can move relatively quickly. Finland's accession negotiations took around fifteen months, from the opening to conclusion of accession talks². That is shorter than the UK's FTA negotiations with Australia (18 months), New Zealand (20 months) and India (40 months).

The whole process, from Finland applying for candidate status to all member states ratifying the treaty, took just under three years – nearly half the average timeframe for current member states³.

1.1 Legal basis

Article 49 of the *Treaty on European Union* lays down the legal basis for joining the EU:

Article 49, Treaty on European Union

"Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.

"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."⁴

¹ UK in a Changing Europe, [How new member states join the EU](#), 31/03/2020

² Usherwood, S., '[And there are different options](#)', 01/10/2026

³ Corbett, R., [Imaginary and real obstacles to Britain resuming its membership of the EU](#), 06/10/2026

⁴ Official Journal of the European Union, [Treaty on European Union](#), 1992 [2012]

Article 2 of the same *Treaty* refers to the following values:

Article 2, Treaty on European Union

“The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.”⁵

1.2 Eligibility

Taken together, these Articles set out three key conditions that make countries eligible to become a candidate to join the EU.

First, a country must be European ('Any European state').

Second, the country must respect and promote the EU's common, founding values.

These include dignity, freedom, democracy, equality, rule of law, human rights (specifically minority rights), pluralism, non-discrimination, tolerance, justice, solidarity, and equality.

Finally, the country's application must be approved unanimously by the Council of the EU and by majority at the European Parliament. At the end of the process, once negotiations have concluded, the Council of the EU and the European Parliament (by majority) must also give final approval for membership (the former unanimously, and the latter by majority). All member states and the acceding state must also ratify the accession treaty, in line with any domestic constitutional requirements.

1.3 The Copenhagen criteria

In 1993, the European Council set more defined rules for assessing whether a country was ready to join the EU. As Denmark held the EU Presidency at the time, these became known as the Copenhagen criteria. They responded to the collapse of the Soviet Union in 1991. Several Eastern European states were interested in joining the EU, but were still building democratic institutions and market economies. To manage this potential enlargement, the EU established the following:

⁵ Official Journal of the European Union, [Treaty on European Union](#), 1992 [2012]

- **First, the Copenhagen criteria establishes certain political requirements:** stability of institutions guaranteeing democracy; the rule of law; human rights and respect for and protection of minorities.
- **Second, an economic requirement** to have a functioning market economy and the ability to cope with competitive pressure and market forces within the EU.
- **Finally, an administrative requirement** to be able to take on the obligations of membership. This means having the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the 'acquis'). It also involves adhering to the aims of political, economic and monetary union⁶.

1.4 The Council vote

There are three key EU institutions involved in the EU accession process:

1. The **European Commission**, the executive body made up of officials who undertake the technical work of assessing candidate readiness;
2. The **European Parliament**, the elected body representing EU citizens, which has a limited role to approve candidates at the start and end of negotiations;
3. And **the Council of the EU**, where Ministers from all 27 member states unanimously approve whether a candidate can progress through the stages of its application.

Article 49 only legally requires unanimity once: when the Council of the EU responds to a country's membership application. But in practice, this requirement has expanded so that the Council now votes unanimously at nearly every stage of accession. This includes the opening and closing of individual negotiating chapters. This practice does not have a formal treaty basis, but is usually laid out in the negotiating framework, a country-specific document agreed by the EU at the launch of talks.

EU membership is one of several policy areas considered sensitive enough to require Council unanimity. Others include foreign and security policy, EU finances, and harmonising national legislation on indirect tax or social security⁷.

By introducing around 150 points at which unanimity is required, the current process creates risks. The Council is made up of representatives of each of the Member States. That means a bilateral dispute between one country and the candidate can be elevated to a matter of European concern⁸.

⁶ EUR-Lex, [Accession criteria \(Copenhagen criteria\)](#), 1993

⁷ Council of the EU, [Unanimity](#), 12/02/2026

⁸ GEO-POWER-EU, [Empowering the geopolitical EU in Eastern Neighbourhood and Western Balkans](#), 31/07/2025

2. EU enlargement: the five steps

Countries that want to join the EU must complete five main steps, listed below. The remaining sections of this report explain each step in more detail.

Step one: Being granted candidate status

1. The country submits a membership application to the Council under Article 49.
2. The Commission submits an Opinion on the application to Council.
3. The Council votes unanimously to grant candidate status. If granted, the Council asks the Commission to draft a negotiating framework.
4. The Council sets a date for talks to start (the first Intergovernmental Conference).

Step two: Opening accession negotiations

5. The Commission drafts a negotiating framework. It covers the principles, substance, and process for talks. The Council must approve it unanimously.
6. The candidate country drafts its own negotiating framework. It outlines their vision and perspectives on dynamics and potential challenges.
7. Accession negotiations formally open at the first Intergovernmental Conference. Negotiating frameworks are made public.

Step three: Concluding accession negotiations

8. Negotiations begin for 35 chapters, starting and ending with the “Fundamentals” chapter. For each, the country must show how they will adopt EU law and standards.
9. For each chapter, the Commission writes a screening report with closing benchmarks to be met. The Council must vote unanimously to open and close each chapter.

Step four: Agreeing the Accession Treaty

10. Once all chapters close, the Commission gives an Opinion to the Council on the country's readiness to join. If positive, the Commission drafts an Accession Treaty.
11. The European Parliament must give consent to membership through a Resolution.
12. The Council must unanimously adopt a Decision approving membership.
13. Leaders of member states and the candidate country sign the Accession Treaty.

Step five: Ratifying the Accession Treaty

14. All countries, including the candidate, must ratify the treaty in line with national procedures.

3. Candidate status

Before accession negotiations can begin, a country must apply for – and be granted – candidacy status. Nine countries currently have EU candidate status.

3.1 Membership application

Countries address their application to the member state holding the Council presidency. This moment is often highly ceremonial. For example, Finland's application was signed by the President and Prime Minister, before officials handed it over that same day in Brussels. A few days later, the Finnish Prime Minister also delivered it in person⁹.

The Council nearly always requests an Opinion from the Commission on the application. One exception was Morocco's 1987 application. The Council rejected the application without requesting an Opinion, arguing that Morocco failed the geographic test of 'being a European state'¹⁰.

The Council has not requested an Opinion on Kosovo's application (2022) because several member states do not recognise Kosovo as a state, and the lack of 'good neighbourly relations' with Serbia. This became an additional requirement for Central and Eastern European states at the Essen European Council in 1994¹¹.

3.2 The Commission Opinion

The Commission Opinion influences how quickly a country is granted candidate status. The Commission's recommendation sets out one of two paths. Either It can recommend granting candidate status immediately, sometimes with conditions before accession negotiations can be opened¹². Alternatively, it can recommend delaying candidate status until a country has made sufficient progress towards the Copenhagen criteria. This usually requires implementing a pre-accession strategy, which can take years.

The example of Romania illustrates the second path. The Commission's 1997 Opinion identified gaps in areas such as anti-corruption efforts, the integration of the Roma minority, the modernisation of agriculture, and in environmental legislation. Candidate status was only granted in 1997, two years later¹³.

⁹ Finnish Foreign Policy Papers, [From Cold War to Common Currency](#), 01/11/2011

¹⁰ European Parliament, [Briefing 23: Legal questions of enlargement](#), 19/05/1998

¹¹ European Parliament, [Extract from Essen European Council presidency conclusions](#), 10/12/1994

¹² See Opinions on [Finland](#) and [Ukraine](#)

¹³ See Opinions on [Romania](#) and [Georgia](#)

The UK is already closely aligned with EU institutions and norms, so it is unlikely to face the same hurdles in an Opinion.

The fastest turnaround for a Commission Opinion was Norway. In that case, the Commission's Opinion took three months – from being requested in December 1992 to being given in March 1993¹⁴.

Following a recommendation in the Commission Opinion to grant candidate status, the General Affairs Council (made up of ministers responsible for European affairs from member states) must approve unanimously. The European Council (made up of member state leaders) must endorse this conclusion for the country to become a candidate.

3.3 Candidate status

Nine countries hold EU candidate status, at very different stages. Montenegro and Albania lead the field (Montenegro has closed 18 chapters, Albania 3). Ukraine and Moldova have opened chapter negotiations recently but have not closed any chapters. Serbia's bid has stalled due to democratic backsliding. Similarly, North Macedonia and Bosnia and Herzegovina have candidate status but opening chapter negotiations is dependent on reforms. Georgia's bid effectively halted in 2024 after its Prime Minister announced suspension of accession negotiations.

Table 1: EU candidate countries, in order of most/least progressed towards accession

Country	Progress
Montenegro	Negotiations opened in 2013, 18 chapters provisionally closed, aims to join by 2028
Albania	Negotiations opened in 2020, 3 chapters provisionally closed
Ukraine	Negotiations opened in 2024, opened first cluster in 2026
Moldova	Negotiations opened in 2024, opened first cluster in 2026
Serbia	Negotiations opened in 2014, 2 chapters provisionally closed
North Macedonia	Negotiations opened in 2020, but opening chapters depends on reform
Bosnia and Herzegovina	Candidate since 2022, but opening chapters depends on reform
Georgia	Candidate since 2023, negotiations stalled since 2024
Türkiye	Candidate since 1999, negotiations stalled since 2016

¹⁴ Finnish Foreign Policy Papers, [From Cold War to Common Currency](#), 01/11/2011

4. Opening negotiations

Once the Council of the EU and the European Council approve candidate status, negotiations can formally open at the first Intergovernmental Conference (IGC). There can be a delay. For example, Croatia became a candidate in June 2004, but its first IGC date was not set until December 2004, to take place in March 2005.

4.1 The first Intergovernmental Conference

The EU formally launches negotiations at the first Intergovernmental Conference (IGC).

IGCs provide a regular bilateral touchpoint where the 27 EU Member States negotiate with the candidate country from a unified position. The position is presented by the Council Presidency, which is chaired by a Head of Union delegation (usually a Foreign Minister in the Presidency host country). Positions are prepared within the EU Council based on Commission drafts. A Minister from the candidate country will also lead their own delegation.

An IGC will usually happen in the margins of a General Affairs Council, with up to four in any given year (usually June/December at a Ministerial level; and April/October with the heads of negotiating teams).

At the first IGC, the EU presents its Negotiation Framework. This is a largely procedural document that sets out the basis and process under which negotiations are conducted. There is a limited degree of customisation to the country's specific context. For example, the Framework for negotiations with Moldova references Moldova's obligations under the existing Association Agreement¹⁵. It is likely that a UK document would reference the UK's obligations under the Trade and Cooperation Agreement, Windsor Framework, and any 'reset' deals.

For its part, the acceding country will also present its overall negotiating position, usually in the form of an Opening statement. Moldova's statement was delivered by their Prime Minister, outlining their strategic interest in joining, areas of interest and focus, and a proposed timeline (for Moldova, to achieve readiness "by 2030")¹⁶.

¹⁵ European Commission, [Negotiation Framework \(Republic of Moldova\)](#), 01/11/2024

¹⁶ Government of Republic of Moldova, [Opening Statement](#), 26/06/2024

4.2 The screening process

After the first IGC, the European Commission and the candidate country conduct a detailed screening process. This examines the degree to which the candidate country's legislation aligns with the EU *acquis communautaire* (see Section 5.2).

First, the European Commission holds Explanatory sessions in Brussels to go through the *acquis* chapter-by-chapter. Six to twelve weeks later, there are bilateral sessions in Brussels where the candidate country presents where it currently stands on each chapter of the *acquis*: the extent to which it already applies the *acquis*; any problems that might arise in implementation; and plans for full harmonisation. The candidate country is encouraged to prepare a comprehensive national plan for full harmonisation.

The European Commission then drafts screening reports, organised by clusters of the *acquis*. Each report assesses the country's readiness and flags potential challenges in negotiations¹⁷. The screening report leads to one of two outcomes:

1. **Opening benchmarks.** If the country is not yet prepared, the Commission can set opening benchmarks. These are key reforms that must be completed before talks can start. They are set only where needed, based on a country's specific circumstances. The Commission can then submit an Opening Benchmark Assessment Report where, if sufficient progress has been made, it can recommend that the Council invites the candidate to submit its negotiation position. The report also proposes closing benchmarks.
2. **Direct opening:** If no opening benchmarks are needed, the screening report itself can recommend the opening of the cluster and propose closing benchmarks.

In either case, the Council of the EU must then decide unanimously whether to open the cluster, and it sets closing benchmarks based on the Commission's proposals. Chapters are opened in clusters but are provisionally closed one at a time.

¹⁷ For an example, see European Commission, [Screening report: Croatia \(Chapter 4\)](#), 04/07/2006

5. Closing negotiations

Starting and ending with the “Fundamentals” cluster, member states agree unanimously to open each cluster. They act based on the Commission’s advice in the screening report or Opening Benchmark Assessment Report. Chapters are then provisionally closed one at a time, again by unanimous agreement among member states, usually when the Commission advises that closing benchmarks have been met.

5.1 Closing benchmarks

Most chapters have closing benchmarks, which test whether the candidate has adopted EU law and can implement it. The main exceptions are chapters 25 (science and research) and 26 (education and culture), which contain little EU *acquis* and are therefore usually opened and closed on the same day, without the setting of benchmarks.

By contrast, given their significance, Chapters 23 (judiciary and fundamental rights) and 24 (justice, freedom and security) are opened early, after the candidate has adopted a detailed action plan. Since 2012, these chapters have also included interim benchmarks that must be met before closing benchmarks can be set.

5.2 The *acquis communautaire*

The *acquis communautaire* (or the *acquis*) is the full body of EU law built up since the founding treaties. It includes all the EU treaties, declarations, regulations, and directives, as well as judgments of the Court of Justice.

A country joining the EU must align with and implement the *acquis* in full. The candidate country must use the accession process to set out how and when it will do this. It can show that its laws already align (including by passing new ones). It can, in limited cases, commit to adopting rules not yet passed, with a clear plan to do so. Or, in even rarer cases, it can negotiate temporary derogations or transitions, on the road to eventual alignment.

By starting talks, a candidate implicitly accepts that it will eventually align with the full *acquis*. The negotiations are therefore less about *whether* the candidate will adopt EU rules, but more about *when and how they will do so*. There is potential for limited technical adjustments or transition arrangements. It is usually the candidate (rather than the EU) that asks for these, in sensitive policy areas, though member states have been known to request them too. For example, some member states have requested transition periods around freedom of movement to manage migration flows. Any transition arrangements must be limited in scope and time.

5.3 The chapters

The *acquis* is made up of six thematic clusters. The Cluster process is designed in part to identify opportunities for early alignment and potential “phasing-in” to individual EU policies¹⁸.

Cluster	Chapters	Cluster	Chapters
Fundamentals (opened and closed first)	23 - Judiciary and Fundamental Rights 24 - Justice, Freedom and Security 5 - Public procurement 18 - Statistics 32 - Financial control	Green agenda and sustainable connectivity	14 - Transport policy 15 - Energy 21 - Trans-European networks 27 - Environment and climate change
Internal market	1 - Free movement of goods 2 - Freedom of movement for workers 3 - Right of establishment and freedom to provide services 4 - Free movement of capital 6 - Company law 7 - Intellectual property law 8 - Competition policy 9 - Financial services 28 - Consumer and health protection	Resources, agriculture and cohesion	11 - Agriculture and rural development 12 - Food safety, veterinary and phytosanitary policy 13 - Fisheries 22 - Regional policy and coordination of structural instruments 33 - Financial and budgetary provisions
Competitiveness and inclusive growth	10 - Information society and media 16 - Taxation 17 - Economic and monetary policy 19 - Social policy and employment 20 - Enterprise and industrial policy 25 - Science and research 26 - Education and culture 29 - Customs union	External relations	30 - External relations 31 - Foreign, security and defence policy

¹⁸ European Commission, [Revised enlargement methodology: Q&A](#), 05/02/2020

6. Accession treaty

Once chapter negotiations conclude, the Commission issues a final Opinion on application. If positive, the Commission will begin to prepare an accession treaty in parallel.

6.1 Approving accession

The Council of the European Union first gives its unanimous approval to the accession treaty.

Following this, the European Parliament will approve the accession treaty.

Finally, it will be signed by the Heads of State or Government at a ceremony between the candidate country and all Member States.

Once the Treaty is signed, the state becomes an 'accessing country', holding observer status in EU institutions before full membership takes effect upon ratification. It is able to comment on draft EU proposals and initiatives and can speak (but not vote) in EU bodies and agencies.

6.2 The legal basis of the treaty

The accession treaty, as per Article 49 of the *Treaty on European Union*, sets out the conditions of accession 'and the adjustments to the Treaties on which the Union is founded, which such admission entails'¹⁹.

The EU considers accession treaties to have the same value as the founding Treaties, given they modify and supplement them²⁰.

The structure of the Accession treaty is as follows:

1. **Treaty:** This is usually brief (around four articles);
2. **Act:** This is highly detailed, setting out conditions of accession, any transitional measures, and necessary adjustments to EU institutions;
3. **Annexes:** This provides detail on the technical application (including permanent and temporary provisions);
4. **Protocols** which may provide lasting derogations;
5. **Final Act:** Summary of the whole Treaty.

¹⁹ Official Journal of the European Union, [Treaty on European Union](#), 1992 [2012]

²⁰ Institut Jacques Delors, [The accession treaty to the EU](#), 02/2026

7. Ratification

A state joins the EU only once the Accession Treaty has been ratified by all 27 Member States plus the acceding country, in accordance with their own domestic constitutional processes. Ratification by all Member States takes, on average, around 14 months²¹.

7.1 Another referendum?

For the acceding country, national referendums are often part of the accession process. Of the 13 countries who joined since 2004, 11 held referendums. This has either been to fulfil a constitutional requirement, or to give the decision democratic legitimacy²².

Notably, the majority of these referendums were held at the *conclusion* of negotiations, to ratify the outcome at the end of the process, rather than a broader 'in/out' question at the start of negotiations. For example, In the 2004 'Big Bang' enlargement, nine of the ten candidate countries had a referendum. But six of those were held at the end of the process to ratify the Accession Treaty. Only Malta, Slovenia and Hungary had referendums before the signing of the Treaty of Athens to authorise the decision to join the EU.

In 2012, Croatia had a referendum to ratify the deal (after negotiations had concluded) before they joined in 2013. Bulgaria and Romania did not have referendums on membership.

In part due to the Swiss system of semi-direct democracy, Switzerland has had two referendums on whether to join the EU. Both times, the Swiss voted 'no' meaning talks were never opened²³. In August 2026, Iceland had a referendum on whether to reopen paused talks on accession, with 52.8% voting 'no'.

These precedents demonstrate the lack of hard and fast rules on referendums. Some countries hold them at the initiation stage, others at conclusion, and in some cases none have been held at all. It is therefore up to the government of the day to decide if and when a referendum is necessary.

7.2 The French constitution

France has an additional constitutional requirement to ratify any new EU accession treaty either by a three-fifths majority in both chambers of the French Parliament or by

²¹ Carnegie Endowment for International Peace, [EU Integration Without Ratification?](#), 04/05/2026

²² European Parliament, [Referendums on EU issues](#), 02/2022

²³ House of Commons Library, [Referendums on the EU](#), 22/04/2016

referendum. This was born out of a 2005 amendment to address controversy around opening accession negotiations with Türkiye²⁴. It has so far not been tested, because a 2008 reform made clear that this rule would apply to any enlargements *after* Croatia.

²⁴ Institut Jacques Delors, [The French referendum on EU accession](#), 03/2026

8. Timelines

On average, the process from being granted candidate status to joining takes just under five years. However, when there is already existing alignment and strong political will, the process can proceed much quicker.

Finland is a useful precedent, as they were already engaged in negotiations to join the European Economic Area before applying for EU accession. The process took Finland approximately two years and nine months: their candidate stage lasted nine months; negotiations lasted fifteen months; and it took ten months for the formal ratification of the accession treaty.

Precedent from Finland

Based on the Finnish precedent and high level of regulatory alignment between the UK and EU, it is likely that UK accession could be concluded in under five years or within one Parliament.

Date	Finland's accession milestones
Mar 1992	Finland applies for EU membership
Nov 1992	Commission Opinion published
Dec 1992	European Council agrees to open accession negotiations
Feb 1993	Finland's accession negotiations open
Jun 1993	European Council sets a target date of Jan 1995 for conclusion
Mar 1994	Negotiations conclude
May 1994	European Parliament assent and Council approval
Jun 1994	Signing of Accession Treaty
Oct 1994	Finnish referendum
Nov 1994	UK ratifies Accession Treaty
Dec 1994	Belgium ratifies; Italy ratifies
Jan 1995	Finland becomes an EU member state

9. Opt outs: Schengen

Under its previous membership, the UK had a formal opt-out from participation in the Schengen area and the Eurozone. There has been considerable debate about whether the UK could gain similar terms on accession²⁵. In June 2026, former EU Brexit negotiator Michel Barnier said he thought this would be 'perfectly possible' for the UK to rejoin with opt-outs on Schengen and the euro²⁶.

It should be noted that, under UK law, the (now repealed) European Union Act of 2011 made a referendum an essential condition for the UK to adopt the euro or join Schengen.

9.1 What is the Schengen area?

The Schengen area is the world's largest free travel area. By harmonising controls at external borders, it removes internal border controls within the Schengen area (except in cases of specific threats).

Currently, 29 countries belong to the Schengen area. Not all Member States participate, with Ireland and Cyprus remaining outside. And some non-Member States do participate: specifically, all members of the European Free Trade Association (Iceland, Liechtenstein, Norway and Switzerland).

The Schengen area is a related but distinct concept to freedom of movement. Freedom of movement guarantees EU citizens rights to live and work across the bloc. Schengen makes this principle easier: for example, by regulating the crossing of EU external borders (including the issuing of required visas); and by harmonising the conditions of entry for non-EU nationals for short stays of up to three months.

It is therefore possible to accept the principle of freedom of movement without being a part of the Schengen area, as was the UK's position before leaving the EU. The UK allowed EU citizens to live and work in the UK without a visa or work permit (one of the Single Market's essential 'four freedoms'), but required EU citizens to show a passport at the border (with caveats in the case of Ireland, as below).

9.2 Why did the UK opt out previously?

The 1997 Treaty of Amsterdam incorporated the Schengen agreements into EU law.

²⁵ The Guardian, [No 'tailor-made' deal for UK](#), 18/05/2026

²⁶ The Guardian, [The UK could keep special pre-Brexit terms if it rejoined EU](#), 18/06/2026

During the negotiations, the UK secured an opt-out to being part of the Schengen area, as well as the right to decide (on a case by case basis) whether to opt in to police and judicial cooperation²⁷.

The UK's opposition to Schengen can be explained through both politics and geography. Throughout the 1990s, immigration had grown in salience as a political issue in the UK. Records from the House of Lords demonstrate a concern that the external frontiers of the Schengen area 'may not be policed as effectively and to the same standards and controls as exercised by the United Kingdom'²⁸. The Foreign Secretary therefore argued that 'because Britain is an island, it is sensible for us to retain controls at the point of entry' and 'that, because of our long historical and cultural ties with other parts of the world, it is important to retain control of our own immigration policy'²⁹.

The Protocol granted a derogation from the Schengen *acquis* to both the UK and Ireland in order to continue the special arrangements between them for maintaining the 'Common Travel Area'. As a result Ireland and the UK were exempted from the Schengen *acquis* relating to the Schengen border control system and the abolition of controls on people at internal borders³⁰.

9.3 Ireland's position: the Common Travel Area

The Common Travel Area (CTA) allows Irish and UK citizens to reside in either jurisdiction without restriction and to travel passport-free between them (meaning the CTA operates similarly to the Schengen Area).

The arrangement predates both countries' membership of the EU. It derives from Ireland's previous status as a part of the United Kingdom (1801-1922). The principle was enshrined in the Ireland Act (1949) upon Ireland declaring itself a republic³¹.

The Amsterdam Treaty recognised this unique constitutional arrangement and gave both the UK and Ireland an opt-out from the Schengen area, so that 'The United Kingdom and Ireland may continue to make arrangements between themselves relating to the movement of persons between their territories ('the Common Travel Area')'.

In theory, both the UK and Ireland both joining Schengen would remove the need for the CTA (since the Schengen area would achieve the same purpose). However, if either party

²⁷ Article 1 of Protocol 30 attached to the Treaty of Amsterdam

²⁸ Hansard, [House of Lords Debate](#), 07/05/1999

²⁹ House of Lords, [Schengen Agreement: A Short History](#), 07/03/2016

³⁰ EU Migration Law Blog, ['Joining Schengen - Cutting a Gordian Knot for Romania and Bulgaria?'](#), 13/04/2018

³¹ Irish Department for Foreign Affairs and Trade, [CTA Information Note](#)

joined Schengen and the other did not, the CTA would be disrupted. As a consequence, the politically sensitive land border between Northern Ireland and the Republic of Ireland would become an external EU border that would need to be policed.

9.4 Could the UK opt out of Schengen again?

Ireland, as part of the Common Travel Area, retains a formal opt-out from Schengen to avoid a hard border on the island of Ireland.

The EU may therefore judge that UK accession might need a formal opt-out from Schengen to preserve the integrity of the Common Travel Area and give reassurance to all parties. The UK could not join Schengen unless Ireland joined at the same time, and a consistent EU priority throughout the Brexit negotiations was avoiding a hard border on the border of Ireland. It is hard to see a world in which the Commission would put any pressure on Ireland to join the Schengen area to resolve the UK's position.

Nor is there evidence that Ireland wants to join. Its position outside of Schengen is long-standing and was maintained throughout the Brexit process. It also gives Ireland significant autonomy over its own visa policy and security measures, which it may be reluctant to give up. Any decision to opt in would need the assent of both Houses of the Oireachtas³².

Even without a formal opt-out, the UK could remain in the EU but outside Schengen in practice. Joining the Schengen area only happens after accession to the EU. Internal border checks can only be lifted once a country declares its readiness for a Schengen Evaluation process and, at the end of this process, the Council of the EU votes unanimously to lift controls. Cyprus continues to remain outside of the Schengen area (but in the EU) due to a lack of confidence in the country's capacity to police external borders.

The Common Travel Area and Schengen

Ireland continues to have a formal opt-out from the Schengen area. Given the Common Travel Area, and the UK and EU's shared commitment to avoid a hard border on the island of Ireland, it is unlikely that the UK would be required to join the Schengen area, since it would put pressure on Ireland to join at the same time.

³² <https://www.oireachtas.ie/en/debates/question/2024-04-23/4/>

10. Opt outs: Eurozone

A country only starts the process of joining the euro after it has formally joined the EU. Only EU member states can join the Eurozone: while Kosovo and Montenegro have both adopted the euro as legal tender, they have done so without the EU's formal agreement.

New members must commit to meeting the convergence criteria to join the euro. One of these involves joining the **Exchange Rate Mechanism II (ERM II)** in the future. However, no country has to join ERM II as a condition of entering the EU itself.

10.1 The Maastricht criteria

The Maastricht Treaty (formally the Treaty on European Union) was signed in 1992 and came into force in 1993. It laid the foundations for the launch of the euro in 1999 and set the criteria that a country must meet to join the euro (the Maastricht or convergence criteria).

Meeting the Maastricht criteria is not a condition of EU membership. Countries join as Member States with a derogation. That means they are committed to adopting the euro, but only once they meet the criteria. The table below outlines the criteria, whether the UK meets it, and whether member states have previously joined the euro without meeting it.

As the table shows, the UK would struggle to meet the criterion around deficit. UK debt is close to 100% of GDP and increasing. Recent entrants, in contrast, have had a debt that was falling even when it was above the 60% threshold. However, the EU might overlook this given only 15 of the 27 current member states have debt-to-GDP ratios below 60% of GDP (Italy, Spain and France are all above 100%)³³. Even so, admitting a country to the Eurozone with 100% debt-to-GDP ratios would be a significant break from past practice.

The rules on the ERM II are more significant. A country must take part in ERM II for at least two years before it can join the euro. **Joining ERM II is voluntary, and many countries have chosen not to, often because voters oppose the euro (including Poland, Sweden, Hungary, Czechia and Romania).**

ERM II and the Eurozone

Given the UK can decide not to join ERM II after it becomes an EU member state, the UK would not be forced to join the euro. Denmark, Sweden, Poland, Czechia, Hungary and Romania are all in the EU but do not use the euro.

³³ Eurostat, [Government debt at 87.8% of GDP in euro area](#), 22/04/2026

Criteria	Current UK compliance	Member state compliance
Price stability Rate of inflation no more than 1.5% higher than three best performing MS	MET In April 2025, UK inflation was 3.5%, above the 2.8% reference value derived from the three best-performing Member States.	MOSTLY MET Member States joining the Eurozone have mostly met this metric. Malta's rate upon joining was 2.2%, while Croatia's was 4.7% (0.2 percentage points below the reference point at the time).
Excessive deficit Ratio of government deficit to GDP no more than 3%;; Ratio of government debt to GDP no more than 60%	NOT MET Deficit to GDP ratio of 5.2% of GDP, debt to GDP ratio of 94.2%. A downward path is unlikely. In 2024, the OBR predicted that debt to GDP ratios could reach 274% by 2071.	NOT ALWAYS MET Several member states have joined the euro with debt above 60% of GDP, usually because it was below 80% and falling. Malta's debt stood at 66.5% in 2006 but was judged on a downward path (Euro adopted 2008); Croatia cut its debt from 87% in 2020 to 73.1% in 2023. In 1998, founding members Belgium and Italy qualified for entry with 117% and 115% respectively. But as founding members, political factors trumped economic ones.
ERM II Participate for at least two years, with exchange rate close to central rate in ERMII	NOT MET UK has never taken a decision to join ERMII.	ERMII AN ESSENTIAL CONDITION; 5 MEMBER STATES NOT PART OF ERMII OR EURO Poland, Sweden, Hungary, Czechia, Romania have not joined ERM II, mostly to avoid joining the Eurozone. Denmark is in ERMII but has a permanent opt-out; Bulgaria is trying to join the euro. The Maltese lira and the Croatian kuna both stayed stable relative to the euro in the period they were in the ERMII before joining the Eurozone.
Long-term interest rate Average rate not exceeding by more than 2% the three best performing MS	MET 4.91% average May-24 to Apr-25 (lower than 5.1% reference value).	MOSTLY MET Maltese and Croatian interest rates had been comfortably below the reference values in the decade prior to joining.

10.2 The Maastricht criteria for the UK

Denmark is the only EU member state that has a formal opt-out, and the UK is unlikely to secure one again. It could, however, follow Sweden's lead and simply stay out of ERM II.

In theory, the EU could start infringement proceedings against a member state that fails to join the ERM II as a necessary step towards the Eurozone. However, EU commissioners have previously said opening infringement proceedings would not be 'desirable' (in the case of Sweden)³⁴. It is hard to imagine the EU opening infringement proceedings against the UK alone, given other member states still do not use the euro. At least once every two years, the Commission and European Central Bank report on Member States with a derogation and their progress on the convergence criteria. However, these reports carry no penalties. Euro expansion was a priority under the Juncker Commission but has not had the same strategic importance under von der Leyen.

It was previously a requirement under UK law to have a referendum on joining the euro. Denmark and Sweden have both had referendums on joining the euro where it was rejected. Bulgaria and Poland both considered referendums on the euro but neither went ahead. Bulgaria has since joined the euro.

³⁴ EU Observer, [Alumni says 'undesirable' to act on Sweden's euro refusal](#), 25/10/2006

11. Potential reform

The accession process has been criticised for being bureaucratic and unwieldy, with all the benefits delayed until the conclusion of the process. Some member states have suggested ways to accelerate the process. Other stakeholders have advocated for new models of membership altogether.

11.1 Speeding up the accession process

Several options for reforming the accession process have been suggested. In June, France and Germany wrote a joint paper proposing reforms such as giving more power to the Commission on whether to open clusters, and perks along the way to accession.

Others have argued for voting reform³⁵. Germany also attempted to introduce Qualified Majority into the Negotiating Framework of Ukraine's negotiations, but this was blocked by Hungary and others³⁶.

In response to pressure from member states, reports in June 2026 suggested that the Commission was drawing up plans for 'gradual integration', giving candidate countries some of the economic benefits of EU membership before they join the bloc (including partial access to the single market and EU funding programmes).

11.2 Associate membership

In September 2026, European Commission President Ursula von der Leyen used a visit from Canadian Prime Minister Mark Carney to suggest a new status of 'associate membership'.

Associate membership is not a new idea. In May 2026, Chancellor Merz wrote a paper arguing for a new 'associate status' that would capture geostrategic priority countries such as Ukraine.

However, at this moment, 'associate membership' has no legal basis or precedent, and does not exist as anything more than a proposal. Senior EU officials have also stated that the model would not be open to geographically European countries, who have the option in the Treaty to pursue full membership. Therefore, the UK would likely be ineligible.

³⁵ Centre for European Reform, [Does EU enlargement require voting reform?](#), 09/05/2025

³⁶ New Union Post, [Overcoming the unanimity rule](#), 17/07/2025

With thanks to:

Ayesha Chaudhry, David Henig, and Naomi Smith

Published by:

Best for Britain Limited, October 2026

36-38 Cornhill, London, EC3V 3NG

Copyright © Best for Britain, [2026]

ISBN 978-1-0654205-1-4

The moral right of the authors has been asserted. All rights reserved. Without limiting the rights under copyright reserved above, no part of this publication may be reproduced, stored or introduced into a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise), without the prior written permission of both the copyright owner and the publisher of this book.

Published and promoted by Cary Mitchell on behalf of Best for Britain Limited at International House, 36-38 Cornhill, London EC3V 3NG

bestforbritain.org

**Evidence.
Action.
Hope.**