

From Compliance to Ownership: Sustaining EU Migration Governance Reforms in the Western Balkans

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Executive Summary

- > Migration governance has become a core test of enlargement preparedness in the Western Balkans, especially through Chapter 24 under the European Union (EU)'s 'Fundamentals First' approach.
- > The case of Montenegro shows that conditionality can deliver legal alignment and operational improvements, including better asylum processing and stronger cooperation with EU agencies.
- > However, persistent gaps in staffing, data systems and visa alignment show that progress does not automatically translate into self-sustaining administrative capacity.
- > This creates risks under both delayed and accelerated accession scenarios.
- > The EU's approach should therefore focus more on operational sustainability, internal accountability and better use of existing regional cooperation frameworks.

The European Union (EU)'s renewed focus on enlargement has propelled the Western Balkans to the centre of its strategic agenda. Following years of stagnation, recent geopolitical developments, most notably Russia's war against Ukraine, have injected new momentum into the process, with enlargement increasingly framed as a geopolitical investment in stability and security. Yet this renewed momentum also raises a broader question about the depth and durability of reforms in candidate countries. In the field of migration governance, the key policy challenge is not simply whether EU reforms are adopted, but whether they translate into sustainable domestic change and improved capacities. Progress on the ground remains uneven, reflecting persistent structural challenges in

candidate countries as well as the broader political sensitivities surrounding enlargement within the Union.

At the same time, migration has re-emerged as a defining priority of EU external action. According to Frontex, detections of irregular border crossings at the EU's external borders decreased by 26% in 2025, falling to around 178,000 – less than half the levels recorded in 2023 and the lowest figure since 2021 (Frontex 2026). However, this downward trend does not amount to a structural resolution of migratory pressures. Frontex warns that migration pressure can shift quickly between routes, shaped by conflict, instability and smuggling networks, while hostile actors may also seek to exploit migration flows (ibid.). Within this landscape, the Western Balkans occupy a central position as both a crucial transit region and a group of candidate countries increasingly embedded in the EU's external migration governance architecture.

The Western Balkans play a central role in this evolving landscape. As a key transit region along the EU's external borders, they have become an essential partner in the Union's efforts to manage migration flows. This is reflected in the increasing operational presence of Frontex and the deepening of cooperation frameworks, which have contributed to a marked decline in crossings along the Western Balkans route (Frontex 2026). More broadly, the region has become embedded in the EU's external migration governance architecture, functioning simultaneously as a buffer zone and a prospective area of integration.

This growing centrality of migration is institutionally embedded in the EU's accession framework. Since the introduction of the *Revised Enlargement Methodology* in 2020, the 'Fundamentals First' approach has placed rule of law and internal security at the core of the negotiation process. In this context, Chapter 24 (Justice, Freedom and Security) has become the primary channel through which migration governance conditionality is applied, covering key areas such as border control, asylum, visa policy and cooperation with EU agencies. As one of the first chapters

opened and the last to be closed, it ensures continuous scrutiny and provides the EU with substantial leverage over candidate countries' migration policies.

While this framework has proven effective in generating legal alignment and operational improvements, it raises a critical policy challenge for the next phase of enlargement: whether EU-driven reforms can be internalised as sustainable domestic capacity rather than remaining dependent on external incentives and support.

The risks associated with this challenge vary depending on the pace of enlargement. If accession remains protracted, reforms adopted to satisfy EU benchmarks may gradually lose political priority and remain dependent on external support. If accession accelerates, insufficiently consolidated systems may be carried into the EU's area of freedom, security and justice. In both scenarios, the key issue is whether migration governance reforms are embedded as durable national capacities.

Focusing on migration conditionality under Chapter 24, this policy brief examines how EU reforms operate in practice in the Western Balkans, drawing on the case of Montenegro as an illustrative example. It then analyses the sustainability challenges associated with different enlargement timelines and explores the underdeveloped role of regional cooperation in supporting institutional learning. Finally, it proposes targeted policy recommendations aimed at strengthening the long-term resilience and ownership of migration governance reforms across the region.

Migration governance as a test of enlargement preparedness

Migration governance is no longer a secondary or purely technical issue within the enlargement process. In the Western Balkans, it has become one of the clearest areas where the EU links accession progress to concrete operational performance. Chapter 24, which covers asylum, migration, visas and border management, has become the primary channel through which migration conditionality is applied in candidate countries. The 2020 *Revised Enlargement Methodology* further strengthened this logic by placing Chapter 24 within the 'Fundamentals' cluster, to be opened first and closed last, and by reinforcing benchmarks, monitoring and reversibility. In practice, this means that migration governance is treated as a test of institutional maturity and credibility in the broader context of accession.

This is especially relevant because the Western Balkans occupy a dual position in EU migration governance. On the one hand, they are candidate countries expected to align with the *acquis*. On the other hand, they are also transit countries located along a strategically sensitive route towards the Union. This dual role has made the region a particularly

important arena for the externalisation of EU migration governance, with candidate countries increasingly acting as de facto extensions of the EU's external border regime before accession itself.

The EU's approach to migration governance in the Western Balkans reflects this dual logic. Accession conditionality is increasingly combined with operational cooperation and financial support, linking progress in negotiations to concrete performance in areas such as border management, asylum systems and cooperation with EU agencies. This integrated approach has created strong incentives for reform. However, it has also embedded migration governance within a security-driven enlargement dynamic, where progress is often assessed through operational outputs and formal alignment rather than through the longer-term consolidation of domestic institutional capacity.

Montenegro: conditionality can deliver results, but not automatically durable capacity

Montenegro illustrates particularly well how conditionality in the field of migration governance operates in practice. As the most advanced Western Balkan candidate, it provides a useful reference point for assessing both the effectiveness and the limits of the EU's approach over time.

On the one hand, EU conditionality has clearly delivered results. Legislative alignment in the field of asylum and migration is broadly in line with the EU *acquis*, and cooperation with EU agencies has continued to deepen. In 2025, the Commission again assessed cooperation with the European Union Agency for Asylum (EUAA) as "very good", and this was further reinforced through the signature of the Second Joint Roadmap for Cooperation (2024–2027) (European Commission 2025a, 58). Concrete operational improvements have also been introduced and, for example, equipment for the electronic identification and registration of people expressing an intention to apply for international protection is now operational at two border police premises, in Božaj and Pljevlja. At the same time, the Directorate for Asylum further reduced its backlog, and decision-making quality appears to have improved, with few decisions overturned in the second instance (*ibid.*, 59).

These developments confirm that clearly defined benchmarks, sustained monitoring and operational cooperation can drive measurable progress. The Commission's broadly positive assessment of Montenegro's performance under Chapter 24, after having adopted closing benchmarks in 2024, supports the view that conditionality in this field can function as an effective driver of reform.

However, these advances do not yet amount to fully stable and self-sustaining administrative capacity. The remaining

weaknesses are not marginal technical details; they concern the main capacities needed for migration governance to function over time. Although staffing in the Directorate for Asylum increased, four positions still remained vacant in 2024 (European Commission 2025a, 58). More strikingly, staffing levels in the Border Police Sector deteriorated further: only 956 out of 1,508 posts were filled, equivalent to 63% of the total and the sector's lowest level since its establishment (ibid., 62). This suggests that legal alignment can coexist with fragile institutional capacity.

The same pattern appears in data systems and operational preparedness. Montenegro is still in the process of putting in place a more robust identification and registration system along new migratory routes, and the Commission continues to call for stronger technical and human capacities. This illustrates a broader limitation of conditionality: it can encourage the adoption of systems and procedures, but it does not necessarily ensure that they are fully operational, adequately staffed or resilient under changing migratory pressure.

Visa policy points to another limit of conditionality. Montenegro's visa regime is still not fully aligned with the EU's, and the Commission continues to treat full alignment as a matter of urgency under Chapter 24 (European Commission 2025a, 59). The pattern observed in 2025 — including both regressions and later corrective steps — suggests that alignment remains politically sensitive and only partially consolidated. In this area, the challenge is not simply administrative capacity, but the extent to which politically costly reforms are internalised as national priorities rather than pursued mainly in response to EU pressure.

Taken together, these examples show what the Montenegro case illustrates about the limits of conditionality. While reforms have been adopted and systems improved, their day-to-day functioning still depends heavily on external support, including EU funding, technical assistance and broader donor engagement. The Commission explicitly notes that Montenegro remains heavily reliant on the EU and other donors for border management equipment and procurement. The challenge, therefore, is not whether conditionality produces results, but whether those results can be maintained over time without constant external input.

The real policy challenge is what happens over time and across the region

This leads directly to the central policy question: how to ensure that progress achieved under Chapter 24 remains durable under different enlargement timelines.

If accession is significantly delayed, the risks are primarily political and institutional. Migration governance reforms —

often costly, technically demanding and politically sensitive — may lose priority if the prospect of membership becomes more distant. In such a scenario, governments may reduce investment in staffing, infrastructure and coordination, especially where reforms are not firmly embedded in domestic policy priorities. Political commitment can fluctuate, and reforms driven primarily by external incentives are more vulnerable to stagnation over time.

If accession is accelerated, however, different challenges emerge. Formal compliance with EU requirements does not necessarily guarantee that administrative systems are fully functional or robust. A country may meet benchmarks and still enter the Union with gaps in staffing, coordination or data management. In that case, weaknesses that were manageable under pre-accession support frameworks risk becoming internal challenges within the EU's area of freedom, security and justice. The issue is therefore not only whether reforms are implemented, but whether they are sufficiently consolidated before accession.

A second, related challenge concerns the regional dimension of migration governance. Migration flows across the Western Balkans are inherently cross-border: IOM data shows both frequent re-routing within the region and continued reliance on facilitated border crossings, with 44% of surveyed migrants reporting that they had been facilitated across a border in March 2024 (IOM 2024, 1-2). Cooperation between neighbouring countries is already taking place through operational arrangements, joint activities supported by Frontex and regional platforms such as the Migration, Asylum, Refugees Regional Initiative (MARRI). In addition, a number of EU-funded initiatives support regional capacity-building and training in migration management, including joint training centres and peer-to-peer learning programmes. However, these initiatives often remain project-based and are only loosely connected to the enlargement framework.

While conditionality is applied primarily at the national level, there are limited mechanisms to assess or incentivise how countries work together in practice. This creates a mismatch between the regional nature of migration challenges and the largely national structure of reform incentives.

Rather than introducing entirely new mechanisms, this suggests a more incremental policy opportunity. Existing regional cooperation frameworks could be used more systematically to support institutional learning, exchange of practices and gradual alignment of procedures across the region. Strengthening these elements would not replace the merit-based approach towards accession, but could complement it by reinforcing the practical functioning of migration governance systems in a cross-border context.

Policy implications and recommendations

The analysis suggests that the key challenge for EU policy-makers is how to ensure that key results regarding rule adoption translate into functioning and self-sustaining administrative systems over time. Addressing this challenge requires a shift in emphasis: from measuring the adoption of reforms to assessing how they operate in practice.

Refining how progress is assessed under Chapter 24

A first implication concerns the evaluation of progress. Current monitoring frameworks already cover a wide range of indicators, including legal alignment, staffing levels and the adoption of strategies. However, as the case of Montenegro illustrates, these indicators do not always reflect how systems function on a day-to-day basis.

One policy option is to complement existing benchmarks with a more systematic focus on operational indicators under Chapter 24. This could include asylum backlog reduction, average processing times for asylum applications, staffing retention in key services such as asylum authorities and border police, the regular use of registration and data-management systems, the frequency and effectiveness of inter-agency coordination, and progress in visa policy alignment. The point would not be to create an entirely new monitoring framework, but to use existing reporting more systematically to assess whether reforms are functioning in practice and remain stable over time.

The advantage of this approach is that it would align monitoring more closely with the ultimate objective of accession: ensuring that candidate countries can operate effectively within the EU's area of freedom, security and justice. The main trade-off is the risk of increasing the complexity of the assessment process and creating additional reporting burdens. To mitigate this, such adjustments should build on existing monitoring tools rather than introducing entirely new layers of conditionality.

Prioritising long-term administrative capacity in EU support

A second implication relates to the design of EU support. Financial and technical assistance has been essential in strengthening migration governance, particularly in areas such as border infrastructure, equipment and operational cooperation. However, the evidence suggests that these forms of support do not always translate into durable institutional capacity.

A more sustainable policy option would be to prioritise institution-building over one-off operational outputs. This would mean directing EU support not only towards equipment, infrastructure or short-term projects, but also towards the administrative systems that allow reforms to

function over time. In practice, this could include embedding EU-supported training into national institutions, supporting staff retention in asylum and border management authorities, and developing permanent registration, data management and coordination systems rather than temporary project-based solutions.

The advantage of this approach is that it would help reduce long-term dependence on external assistance and strengthen national ownership. It would also make EU support more closely aligned with the purpose of enlargement: preparing candidate countries to operate migration governance systems independently after accession. Its main limitation is that institution-building can be less visible in the short term than investments in equipment, infrastructure or other immediate operational measures and may therefore be more difficult to communicate politically.

Strengthening domestic ownership through internal accountability

For Western Balkan governments, the main implication is that the sustainability of migration governance depends on how reforms are managed internally. Coordination mechanisms across ministries and agencies are largely in place. The main issue is ensuring that they function effectively and are subject to regular domestic scrutiny, rather than operating mainly in response to EU monitoring.

One priority is to strengthen internal monitoring and evaluation. Governments could develop clearer reporting on how coordination bodies operate in this policy area, whether information is effectively shared between asylum, border, police and foreign affairs authorities, and how decisions are implemented at the operational level. These reports should not only record the adoption of strategies or action plans, but also assess whether they are producing concrete administrative improvements.

Parliamentary oversight in the Western Balkan countries could also play a stronger role. Relevant parliamentary committees could hold periodic hearings on Chapter 24 implementation, request information on staffing shortages, asylum backlogs, visa alignment or border management needs, and follow up on government commitments. This would help anchor migration governance reforms more firmly in national political systems, rather than leaving them primarily within executive or EU-focused administrative structures.

A further priority is structured consultation with civil society and expert communities. Migration policies often have strong security components, but their effectiveness also depends on transparency, accountability and respect for fundamental rights. Regular consultation with civil society organisations,

legal practitioners, academics and migration experts could help identify implementation gaps, assess the practical impact of reforms and improve public trust.

The advantage of these measures is that they strengthen ownership and reduce reliance on external incentives. Their limitation is that they require sustained political commitment and administrative effort at the national level.

Making better use of regional cooperation frameworks

Finally, the analysis highlights an opportunity in the regional dimension of migration governance. Given the regional nature of migration dynamics in the Western Balkans, cooperation already takes place through operational arrangements, EU-supported activities and regional platforms, but these efforts often remain fragmented and project-based.

Greater emphasis could therefore be placed on making more systematic use of these existing frameworks to support institutional learning, more regular exchanges of practices, joint training activities, and gradual alignment of operational procedures between neighbouring countries.

The advantage of this approach is that it builds on structures that are already in place and does not require major institutional changes. It also respects the principle of a merit-based approach towards enlargement. The main limitation is that regional cooperation can be uneven and depends on sustained political willingness among participating countries. This is particularly challenging in the Western Balkans, where bilateral issues and political tensions can at times spill over into regional initiatives across different policy areas.

Conclusion

Migration governance conditionality in the Western Balkans has proven effective in driving legal alignment and measurable operational improvements. However, as this policy brief has shown, the key challenge is no longer the adoption of reforms, but their consolidation into functioning and self-sustaining administrative systems.

Whether enlargement accelerates or remains protracted, insufficiently embedded reforms risk either losing momentum or being carried into the European Union with underlying structural weaknesses. In this sense, the sustainability and ownership of migration governance are not secondary concerns, but central to the credibility of enlargement policy and to the effective functioning of the EU's area of freedom, security and justice.

The recommendations advanced in this brief point to one common logic: moving from compliance to ownership. This requires assessing not only whether reforms are adopted, but whether they function in practice; shifting EU support from one-off outputs towards long-term institutional capacity; strengthening domestic accountability rather than relying primarily on external monitoring; and using regional cooperation not as an add-on, but as a tool for institutional learning. Only under these conditions can enlargement fulfil its transformative promise rather than remain a primarily compliance-driven process at the Union's borders.

Further Reading

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