

**The Limits of EU Influence: The Revisited External Incentives
Model in Montenegro and North Macedonia**

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Abstract

This study aims to test the influence of credibility of European Union (EU) accession and domestic political costs on the degree of compliance with EU conditionality in Western Balkan (WB) states. It does so by applying the revisited External Incentives Model (EIM) by Schimmelfennig and Sedelmeier (2020). The model assumes that credibility and adoption costs are central determinants for WB states to comply with conditionality. For the research, a case study was done into the compliance with chapter 15 and chapter 23 of the EU *acquis*. To do so, progress reports from the European Commission were systematically researched to distinguish trends in compliance and compare them to levels of credibility and political costs. The findings show no convincing co-variance between credibility and compliance in Montenegro and North Macedonia. The same goes for political costs and compliance. The explanatory value of the revisited EIM is therefore not upheld in this study.

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List of abbreviations

Abbreviation	Meaning
CEECs	Central and Eastern European Countries
DPS	Democratic Party of Socialists of Montenegro
EIM	External Incentives Model
EP	European Parliament
EU	European Union
FYROM	Former Yugoslav Republic of Macedonia
PM	Prime-minister
SEECs	Southeastern European Countries
SDSM	Social Democratic Union of Macedonia
VMRO-DPMNE	Internal Macedonian Revolutionary Organization – Democratic Party for National Unity
WB	Western Balkans

1. Introduction

In 2024, the European Union (EU) celebrated the 20th anniversary of the ‘big bang’ enlargement round: the biggest round yet with ten new member states joining the EU in 2004. Two additional new member states followed in 2007. These enlargement rounds have marked a considerable expansion of EU borders to the east with ten post-communist countries (and Malta and Cyprus) joining the EU (European Parliament, n.d.; Wunsch & Olszewska, 2022; Brzozowski et al., 2024). After the enlargement rounds, the EU conditionality mechanism for acceding states was celebrated as the most powerful and successful foreign policy tool of the EU, displaying its transformative power (Schimmelfennig & Sedelmeier, 2005).

When it was time for the states on the Western Balkans (WB) to start their accession process, the transformation did not run as smoothly. The states had to deal with different circumstances than the Central and Eastern European Countries (CEECs): the EU was more reluctant to embrace new members and the countries had a more troublesome domestic situation (Zhelyazkova et al., 2018;

Academic literature about European integration therefore focused on the conditionality mechanism to explain European policy adoption in aspiring member states (Schimmelfennig & Sedelmeier, 2005). However, the process did not run as smoothly for the states located on the WB as it did in the CEECs.

Scholars tried to explain the Europeanization process in the WB, but the existing theoretical frameworks did not always suffice (Zhelyazkova et al., 2018). The External Incentives Model (EIM) was, up to that point, the most established framework to explain policy adoption in the CEECs. The rationalist-institutionalist theory revolved around four factors: determinacy, size and speed of rewards, credibility of rewards and adoption costs. The main proposition is that policy-makers weigh these factors in a cost-benefit analysis before adopting EU policies (Schimmelfennig & Sedelmeier, 2005). Because of the changed circumstances in the WB, Schimmelfennig & Sedelmeier (2020) revisited their model to better fit the WB context and concluded that credibility and adoption costs revolving around political factors are central determinants to the cost-benefit analysis in the WB. To test the explanatory value of this revisited model, the following question arises:

How do credibility of rewards and political costs explain the effectiveness of the European Union's pre-accession conditionality in the Western Balkans?

1.1. Societal relevance

The WB are seen as a 'geopolitical chessboard'. Most notably, both Russia and China are trying to increase their influence in the region, while the EU has increasingly seen the importance of good neighbourly relations with the region (Bieber & Tzifakis, 2019). In this geopolitical struggle, EU enlargement to the WB has risen on the EU's priority list. However, the process does not proceed smoothly (European Commission, 2018). By gaining more insight in what drives WB states to comply with EU conditionality (or not), research is needed. An informed academic discussion can help the EU in engaging effectively with the WB. This study adds to that discussion.

1.2. Academic relevance

The academic relevance of this research is that it can provide insight into the explanatory value of the revisited EIM for the effectiveness of EU conditionality in the WB. Earlier theoretical frameworks have come short to explain the mechanisms that drive EU policy adoption in the WB (Zhelyazkova et al., 2018; Schimmelfennig & Sedelmeier, 2020). Schimmelfennig and Sedelmeier (2020) have only recently published their revisit and it has not been applied in ample fashion. This study adds to a limited body of literature. In doing so, it contributes about an informed theoretical debate about the effectiveness of EU conditionality in the WB.

2. European Union conditionality in the Western Balkans

2.1. European Union conditionality

Central in the Europeanization literature is conditionality, which is the central tool in the EU's enlargement policy and has been the most prominent way in which the EU has interacted with post-socialist states since the 1990s. It is often mentioned as the most successful foreign policy tool of the EU due to the achievements in the promotion of democracy, human rights and the rule of law, especially in Central and Eastern European countries (CEECs), since it has had considerable effects on the democratization of post-communist states (Schimmelfennig et al., 2005; Vachudova, 2005; Schimmelfennig, 2008; Anastasakis, 2008). This is attributed to the high reward of EU membership that was a credible perspective at the time. Furthermore, there was much political will and institutional capacity to comply to EU conditionality (Vachudova, 2005; Schimmelfennig, 2008).

The role of conditionality is essentially to set the conditions for non-member states to join the EU. In 1993, the Copenhagen criteria were formulated as basis of the conditionality mechanism. These are divided in political criteria, economic criteria and the administrative institutional capacity to effectively implement the *acquis communautaire* (European Commission, 2018). When the European Commission (hereafter: Commission) determines that a country has fulfilled these criteria, they can recommend awarding the applicant country the status of candidate member state or to start negotiations, after which the Council of the European Union (hereafter: Council) must accept that by unanimity (European Commission, 2018). The negotiations entail the implementation of 35 chapters that all represent different parts of the *acquis*, ranging from the rule of law to mobility. This dimension of the conditionality is more formal and content-related as it concerns the adoption and implementation of EU rules and legislation (European Commission, 2018; Kochenov, 2008).

2.2. Effectiveness of conditionality

The causes for the effectiveness of conditionality in achieving Europeanization in applicant countries has been extensively studied (e.g. Schimmelfennig & Sedelmeier, 2005; Vachudova, 2005; Anastasakis, 2008; Freyburg & Richter, 2010). This research has predominantly been focused on the accession processes of CEECs (Schimmelfennig & Sedelmeier, 2005). Some scholars argue that the effectiveness can be attributed to the relevance the EU attaches to the fulfilment of certain conditions and the way it communicates urgency towards the target states (Kochenov, 2008). However, many scholars agree that the success of conditionality is

determined by the interaction between the factors on the EU and on the domestic level (Schimmelfennig & Sedelmeier, 2004; Vachudova, 2005; Schimmelfennig, 2008; Freyburg & Richter, 2010). The interaction is determined by the possible reward and the costs to achieve that reward. This is all based on the presumption that the reward of membership is the carrot that creates the transformative power of the EU (Schimmelfennig & Sedelmeier, 2004; Vachudova, 2005; Magen, 2006; Börzel & Schimmelfennig, 2017). Within this approach, Schimmelfennig and Sedelmeier (2004, 2005) have proposed three theoretical models. One of the models, the External Incentives Model (EIM), is a rationalist bargaining model revolving around a cost-benefit analysis (Schimmelfennig & Sedelmeier, 2004; Schimmelfennig et al., 2005). The other two models Schimmelfennig and Sedelmeier (2004, 2005), the social learning and lesson-drawing models, can offer alternative explanations. In contrast to the EIM, the social learning model follows the 'logic of appropriateness' (March & Olsen, 1984), which assumes that actors make decisions based on identities, values and norms and choose the measure that is most appropriate in that light. According to the lesson-drawing model, states adopt EU rules because they deem the rules to be effective remedies to domestic needs and challenges, not particularly in reaction to incentives coming from the EU (Schimmelfennig & Sedelmeier, 2005). These models have originally been created to explain EU rule adoption in CEECs and have generally been accepted to be a successful explanatory mechanism, especially in the area of democratization and the adoption of rules from the *acquis communautaire* (e.g. Schimmelfennig & Sedelmeier, 2004, 2005a, 2020; Vachudova, 2005; Böhmelt & Freyburg, 2013; Steunenberg & Dimitrova, 2007). However, the EIM has been the most prominent and widely used explanatory model for EU rule adoption. That framework will form the basis for this thesis.

3. Theoretical framework

3.1. The External Incentives Model

The External Incentives Model (EIM) is a rationalist model that is centred around the actors and the idea that conditionality is a bargaining game with rational actors who seek to maximize their material and political interest. Actors therefore make a cost-benefit analysis based on the possible costs and rewards. The biggest reward, EU accession, is nowadays preceded by smaller intermediate rewards, such as visa-free travel or sectoral and regional agreements to support step-wise economic or policy integration, but accession remains the greatest reward (Renner & Trauner, 2009). In the pre-accession phase, the EU cannot sanction non-compliance but can merely withhold rewards, so non-compliance will not create extra costs for actors. Because of this system of reinforcement by reward, actors can make cost-benefit analyses on whether to adopt a certain condition or not, based on the expected reward and the implementation costs (Schimmelfennig & Sedelmeier, 2004, 2005). A general proposition of the EIM would therefore be that “a government adopts EU rules if the benefits of EU rewards exceed the domestic adoption costs” (Schimmelfennig & Sedelmeier, 2005: 12).

More concretely, Schimmelfennig and Sedelmeier (2004, 2005) argue that the cost-benefit analysis in the EIM is based on four factors:

1. the determinacy of conditions;
2. the size and speed of rewards;
3. the credibility of conditionality, and;
4. the size of the adoption costs.

3.1.1. *Determinacy*

The determinacy of conditions concerns the clarity and formality of a rule that a country must implement. The determinacy matters because clearer rules will make it easier to implement and more difficult to circumvent. It is clear for the actor what must be done to get the reward.

3.1.2. *Size and speed of rewards*

The size and speed of rewards by the EU can differ in the sense that there are different degrees of association with the EU, ranging from an associated state to a member state, which all give different benefits.

3.1.3. *Credibility*

The credibility of conditionality depends on the credibility of the promise of rewards and the threat of withholding rewards in case of non-compliance. This means that credibility is dependent on the signals and behaviour of the EU: if the country, based on those signals, can expect to be rewarded with EU membership if it fulfils the criteria, then the reward is credible. That means that states should be able to assume that the same conditions apply to all candidate member states, and that accession is merely dependent on states' compliance (Schimmelfennig et al., 2006). Mixed signals, both through communication or inconsistent application of conditionality, can have negative influence on credibility (Schimmelfennig, 2008), but it can also be a result of monitoring problems on behalf of the EU. Credible conditionality increases the leverage of the EU and incentivize target countries to comply.

3.1.4. *Adoption costs*

Adoption costs are a vital part of the cost-benefit calculation of the target state. Costs are assumed to be high, otherwise conditionality would not have been necessary for implementation of the policies but can be exceeded by the rewards. If, however, adoption costs are higher than the rewards, an actor is less likely to adhere to EU conditionality. As the cost-benefit analysis for compliance is made by governments, costs are considered to be on the government's side. Apart from material costs, for example monetary costs of implementation or opportunity costs, costs are often political by nature. These costs can have different sources.

First, political costs can originate from the loss of power. This can happen by losing the support of public or private actors who are important for the government's maintenance of power. Examples are those actors that have influence in the institutional setting or in the shaping of the public opinion. In some instances, there are the so-called veto-players: actors that have the capacity to block reforms. If more veto-players are affected, the adoption costs will rise (Schimmelfennig & Sedelmeier, 2004, 2005, 2020; Vachudova, 2005).

Second, adoption costs increase when domestic voters oppose certain policies, either because of a general contestation of EU policies in public opinion or due to the salience of a specific policy area. Losing electoral support leads to higher costs for governments. For example, when public opinion is negative about EU accession, adoption costs for implementing EU policies are higher. Furthermore, domestic contestation by voters also depends on the policy area. In general, it is assumed that in salient policy areas, policy change is more likely to happen

(Jones & Jenkins-Smith, 2009). However, when reforms in salient policy areas are demanded by the EU, adoption costs increase due to domestic contestation to external actors interfering in salient policy areas. In these cases it is more likely that veto-players will mobilize to oppose EU-induced reforms (Schimmelfennig & Sedelmeier, 2005; Jacoby, 2004).

Furthermore, Schimmelfennig and Sedelmeier (2005) and Vachudova (2005) argue that democracies with liberal and/or pro-EU parliamentary majorities have lower costs of compliance, as EU reforms are backed up by the majority of domestic voters. Second, the regime type in a state is important for the height of the adoption costs. More democratic regimes are more reform-oriented and are thus more likely to comply with EU conditions. Those democracies with a liberal and/or pro-EU majority in parliament are even more inclined to implement EU policies. Costs for less democratic regimes and less liberal or nationalist parties are higher because EU policies can impair their domestic power, especially when specific conditions threaten the regime or undermine the incumbent government's power. This has shown to be an obstacle for compliance in CEECs (Vachudova, 2005) and could only be overcome in the final stages before accession due to the closeness of the reward (Schimmelfennig et al., 2006; Schimmelfennig, 2008). Third, when there is more political competitiveness within the party constellation of the national parliament, the costs for non-compliance are higher: the scrutiny of political opposition can lead to loss of political power. In more competitive party systems, governments are more likely to comply, especially when all major parties are pro-EU (Vachudova, 2005).

3.2. The External Incentives Model in the context of the Western Balkans

Because of the different situation to that of CEECs, it is unclear whether the EIM is also applicable to the situation in the WB. Therefore, Schimmelfennig and Sedelmeier (2020) have revisited the EIM to see whether it remains valid in the context of pre-accession conditionality in Southeastern European Countries (SEECs): the WB and Turkey. The researchers assessed which background factors are different in the context of the SEECs to that of the CEECs. They observe that the less credible promise of EU accession to the WB is the most prominent factor that deviates from the context of the accession of the CEECs and that compliance has varied accordingly. Therefore, they argue that credibility is, in the context of the SEECs, the key factor in the EIM. They point out the cases of North Macedonia and Turkey to show that compliance declined when the credibility of membership deteriorated. Furthermore, the case of Croatia shows that credible and imminent rewards can boost compliance with conditionality, even if they involve high political costs. A notable example is the Croatian government's action in 2010

to arrest former prime minister Sanader, who was a government party member and associated with corruption, in an attempt to show the EU that Croatia was doing serious effort to fight corruption while the negotiations on the chapter were in the closing stages (Noutcheva & Aydin-Düzgit, 2012; Schimmelfennig & Sedelmeier, 2020). So, according to Schimmelfennig and Sedelmeier (2020), a highly credible membership perspective can incentivize states to comply with conditionality, even when adoption costs are high. Credibility of rewards is therefore the central determinant factor for compliance to conditionality in the WB context. This proposition leads to the following hypothesis:

H₁: Compliance with EU conditions in Western Balkan states increases when credibility increases

Although credibility is a central determinant in the WB situation, adoption costs remain an integral part of the cost-benefit calculation for governments: it is the eventually decisive factor for governments to decide whether compliance is worthwhile. Adoption costs can still outweigh high and credible rewards and prevent compliance with conditionality. Schimmelfennig and Sedelmeier (2020) claim that adoption costs in SEECs are generally higher than in the CEECs, because the starting point was less favourable due to recent conflict and subsequent issues of statehood. The initiation of the Europeanization process therefore required more reforms and was more costly. Furthermore, WB countries are, more often than others, confronted with two issues that increase political costs.

First, identity-related issues are often considered to have high political costs. In the WB, where ethnic and political divide is present in many parts of society, policies have a higher chance of being salient when looked at through the lens of identity. Freyburg and Richter (2010) that national identity is a relevant constructivist factor that can help explain differences in compliance between countries. They claim that national identity serves as a filter that colours the way that national actors make their cost-benefit calculation: conditionality criteria first “have to pass an implicit *identity test*” (Freyburg & Richter, 2010, p. 266). When the conditionality criteria are considered problematic from a national identity perspective, the adoption costs are considered to be higher. These identity concerns are typically present in the more politicized policy areas or ‘core state powers’, such as national defense, taxation and border control, while integration in the area of environment, transport or research policy would be less conflicting with identity due to their technical nature (Rittberger et al., 2013; Schimmelfennig et al., 2015; Zgaga et al., 2023).

The concept of 'state capture' is the second source of high political costs in the WB. Captured states are considered to be states in which private interests and clientelist, informal networks play an integral part in the government decision-making process (Keil, 2018; Vachudova, 2019; Richter & Wunsch, 2019). Therefore, in countries with high degrees of state capture, costs for the adoption of democratic conditionality are high. Not only because of the weak institutional capacity, but also because elites would impair their own power by weakening their grip on the institutions (Richter & Wunsch, 2019, Vachudova, 2019). It is seen as undermining the effectiveness of EU conditionality, as implementation is heavily dependent on preferences among elites in clientelist networks and raises the unpredictability of the process, both for the EU and actors in the WB states. State capture is increasingly seen in the countries in the WB by both the academic literature (Richter & Wunsch, 2019; Vachudova, 2019; Keil, 2018; Zweers et al., 2022) and the Commission (2018).

In captured states, there is an increased chance of 'formal' or 'symbolic' implementation of conditions: policies are formally adopted but not implemented into practice or reinforced. It is a form of free-riding that in some cases is used to signal to the EU that conditions are implemented and there is full compliance (Böhmelt & Freyburg, 2017), but there are no domestic implementation costs (Steunenberg & Dimitrova, 2007; Böhmelt & Freyburg, 2017). An example is the implementation of anti-corruption laws and the establishment of anti-corruption agencies in Montenegro which, in practice, did not have effective competences (Vucković et al., 2020). According to Schimmelfennig and Sedelmeier (2004), formal compliance is more likely to happen when measures are contested domestically and adoption costs are thus high.

The above shows that in the WB there is a higher number of sources that can lead to political costs, which can be detrimental for compliance with EU conditionality. Schimmelfennig and Sedelmeier (2020) take that into account and acknowledge that this is often a decisive factor in the cost-benefit analysis for governments in the WB. This observation leads to the following hypothesis:

H₂: Compliance with EU conditions in Western Balkan states decreases when political costs are increase

4. Methodology

For this thesis, a small-N comparative case study is conducted to apply and test the revisited EIM and its explanatory power for the WB region. The focus will be on the influence of credibility of the reward of EU accession and political costs on compliance with EU conditionality. The research is done through case studies according to the co-variational approach. This methodological approach is aimed at providing empirical evidence for causal relationships between the independent and the dependent variable. In other terms, it is used to assess whether a certain factor has an effect. Furthermore, the co-variational analysis is used in instances with a small number of cases and adopts a qualitative approach because in contrast to quantitative approaches, it helps to deepen the understanding and establish causal links in specific cases (Blatter & Haverland, 2012). The co-variational design fits the goal of this thesis, which is to research the effects of credibility and political costs on compliance with EU conditionality. On top of that, it is suitable for the low number of available cases in the WB and, for the same reason, more appropriate than quantitative approaches that put more emphasis on generalisability.

The internal validity of a co-variational analysis depends heavily on the case selection. To establish a causal effect, cases must differ on the independent variable but must be similar on all other variables, i.e. the control variables. If there are dissimilarities in the control variables, it is difficult to claim that it is the independent variable, and not another variable, that influences the dependent variable (Blatter & Haverland, 2012). In the following sections, I will elaborate on the process of case selection for this thesis.

4.1. Case selection

4.1.1. Country case selection

For this thesis, I must select cases that differ on the independent variable (i.e. credibility of EU membership) but are similar in other variables. First of all, the cases must be selected from one of the countries that are located in the WB region. Countries generally considered to be part of the WB are Albania, Bosnia and Herzegovina, Croatia, North Macedonia, Kosovo, Montenegro, and Serbia (European Parliament, n.d.). It is not feasible to provide an in-depth analysis of all WB countries. Therefore, I will select two cases that have had different EU membership perspectives. In the WB, countries have much in common, as most of the countries have been part of the former communist Federal Republic of Yugoslavia and are geographically located in

the same area. However, as mentioned earlier, there are also differences, as all countries have had different trajectories after the dissolution of Yugoslavia and all states have particular demographics because of the ethnic divides in the region.

Therefore, the cases of Montenegro and North Macedonia were selected. Montenegro has been one of the front-runners in the EU accession race since the start of the negotiations in 2010 (Soyaltin-Colella, 2023; Moens et al., 2023; European Commission, 2023). Although negotiations have been sluggish at times, there have at least consistently been negotiations and thus a perspective to become an EU member eventually. On the other hand, North Macedonia only started negotiations in 2022, even though the country received the EU candidate status in 2005 and the Commission and the Parliament have consistently recommended opening of negotiations, the start of negotiations was blocked in the Council by Greece due to the dispute over the name 'Macedonia', which was only resolved in 2018 with the Prespa Agreement in 2018 (European Parliament, n.d.; Popovikj, 2021). In 2020, the Council agreed to the opening of negotiations which only started in 2022, because it was delayed by a dispute between North Macedonia and Bulgaria over constitutional issues related to identity (European Parliament, n.d.; Dimeska, 2023). Due to these deadlocks, the membership perspective of North Macedonia has been low throughout the last decade and the country has been bumped down the list of WB countries first acceding in the EU (Demjaha, 2020).

In other variables, Montenegro and North Macedonia are similar (see Table 1). Based on data from 2022, both countries both countries are performing above average for WB countries, with Montenegro outperforming all WB countries and North Macedonia coming third after Serbia (World Bank, n.d.). Politically, both countries have been struggling with building strong democratic institutions. According to Freedom House (n.d.), they have the same Democracy Score and are both considered 'transitional or hybrid regimes': electoral democracies with fragile democratic institutions and challenges to the protection of political rights and civil liberties. Furthermore, they have similar ratings on the World Bank Government Effectiveness indicators (World Bank, n.d.). Lastly, they both have a convincing majority that would vote 'yes' in a referendum asking about EU accession (International Republican Institute, 2022).

Table 1*Control variables*

Variable	Montenegro	North Macedonia
GDP per capita (USD)	10,093.40	6,591.5
Freedom House – Nations in Transit Democracy Score	3.82	3.82
World Bank Government Effectiveness	0,0	-0,1
% of the public in favour of EU accession	71%	66%

Note. Data from 2022.

4.1.2. Chapter case selection

To research the influence of political costs, two chapters of the *acquis* are chosen that differ in their nature. The research will feature chapter 23 concerning the judiciary and fundamental rights and chapter 15 concerning energy policy. Although they differ in their nature, they are both difficult to implement. Chapter 23 demands large reforms to strengthen relatively fragile democracies and meet European standards, while chapter 15 requires countries to privatize their energy sector and create a competitive market, among others. Both chapters therefore entail high implementation costs, but the main difference lies in their nature and their political costs.

Chapter 23 is considered to be one of the ‘fundamentals’ in the accession process and is political and democratic in its nature. This chapter is subdivided in three main subjects, namely the functioning of the judiciary, anti-corruption measures and the protection of fundamental rights and freedoms (European Commission, 2018). As explained earlier, these subjects can lead to higher adoption costs in the WB due to the limited experience with democracy, the higher degrees of state capture and issues related to identity. Furthermore, sovereignty of governments and institutions is often contested by ethnic groups that do not consider themselves part of the ‘nation’, which makes the strengthening of these national institutions controversial

(Freyburg & Richter, 2010; Bieber, 2020; Conces, 2007). In sum, conditionality entrenched in chapter 23 is generally considered to be salient in the WB context.

Chapter 15 sees upon the implementation of the *acquis* in the area of energy policy and is more technical in its nature. Although different dimensions of energy policy are included in the chapter (among which are the security of supply and the production of renewable energy) the main focus of the EU in chapter 15 is the privatization of the energy sector and creating a competitive and accessible energy market, both domestically and regionally (European Commission, n.d.; Lindstrom, 2011). This is the main source of controversy in the WB: the privatization of the energy sector is repugnant to the vested interests of powerful actors in the energy sector. Furthermore, the energy sector has traditionally been an important employer in the WB, especially during the Yugoslavian period (Lindstrom, 2011). Although not uncontroversial, the technicality of chapter 15 bear less political costs, as they are considered to be less conflicting with national identity issues than political and democratic conditions (Freyburg & Richter, 2010). Furthermore, energy policy is less eye-catching for the general public and therefore not broadly opposed (Lindstrom, 2011). So, without denying the controversiality of energy policy, we can consider conditions in chapter 15.

4.1.3. *Timeframe*

Based on the case selection, I can also demarcate a timeframe for which data will be collected. The start of the period under research will be 2006, the year after which North Macedonia was granted candidate member status as the first of the two countries selected as cases and the Commission started reporting on the country as such (European Commission, n.d.-a). In the same year, Montenegro gained independence from the former confederation Serbia and Montenegro (Constitution of Montenegro, 2006). This marks a good starting point for the analysis of the compliance with EU conditionality.

The timeframe ends in 2022, the year in which on the 24th of February marked the start of the war in Ukraine after the invasion by Russia. This upset the geopolitical situation and the EU's stance towards enlargement in general and the WB in particular: it sped up the enlargement process because of a more pragmatic and strategic approach by the Commission (Brzozowski, 2022; Anghel & Džankić, 2023). Because of this large change in dynamics, I will not include 2022 and the subsequent years in the analysis. The last year included is 2021.

4.2. Operationalization

4.2.1. Compliance

To identify changes in variables, operationalization is needed. Compliance is considered as the degree in which countries comply with EU conditions. This is measured through the Commission's own judgement in their country-specific progress reports, the Commission assigns a certain value to the amount of progress a country has made in the area of all negotiating chapters. They do not use quantitative values, but a five-tier assessment scale, ranging from *backsliding* to *very good progress*. Although it has officially introduced this five-tier assessment scale in 2015, it has already used the scale in the years before (European Commission, 2015; Knezević Bojović, 2015). This allows for the assignment of scores to the terms. However, the Commission sometimes deviates from this assessment scale. In some instances, the Commission uses the terms *progress* or *limited progress*. Especially phrasing *limited progress* seems to have a less positive connotation than the more neutral *some progress*. Also, when the Commission observes *limited progress*, it is accompanied with a more critical substantiation than when *some progress* is observed. Therefore, *limited progress* is added as a separate value and is placed in between *no progress* and *some progress* (see Table 2). Furthermore, in some reports the Commission does not use any of the values described above. In those cases, the scores are based on interpretation of the descriptions the Commission gives about the progress that was made in the previous year.

Table 2*Coding of progress statements in the European Commission Progress Reports*

Statement	Score
Backsliding	1
No progress	2
Limited progress	3
Some progress	4
Good progress	5
Very good progress	6

4.2.2. Credibility

As said before, credibility is the probability that states are rewarded with membership when they fulfil the accession criteria. This essentially refers to how credible membership is perceived by states. To research credibility, it is therefore important to look into the messages dispersed from the EU, both explicit and implicit. This can be done on two levels: the institutional level and the member state level. On the institutional level, it is relevant to look at how entrepreneurial the Commission and the European Council have been in seeking rapprochement with the WB. Besides the institutional level, it is important to assess the position of member states towards enlargement; they have the final say in the Council and have the veto-power to block rewards. When member states oppose steps in the accession process for reasons unrelated to the fulfilment of conditions, then credibility suffers. Lastly, Montenegro and North Macedonia both have own levels of credibility based on their own situations. These were assessed by distinguishing key moments in their accession processes.

The level of credibility is therefore mainly based on communication and behaviour that send certain signals to states on the WB. The signals can be dispersed through conduct or statements made by institutions and highly placed public officials representing the EU institutions or member states. By distinguishing these key moments, it is possible to create a timeline and observe trends in the credibility of the membership perspective for WB states

through conduct of the EU. By using these timelines, the theoretical framework could be applied to point out moments at which credibility is either low or high and countries are expected to comply to EU conditionality or not.

Data on credibility was collected from news sources and communication by the EU. News sources were found and collected through searches on Google and in Lexis Nexis. Only credible news sources were used. Communication by the EU was found through their websites, by looking for communication that was aimed at the WB or specific countries.

4.2.3. Political costs

Political costs are operationalized as the costs for political elites that stem from the loss of power or influence, both through the loss of electoral or political support, as well as through the loss of informal power. This can be done by taking into account a variety of factors. For this thesis, four main factors were used. First, the research looked at the salience of the policy areas to establish whether political costs are high for compliance with EU conditionality. As said before, conditionality in chapter 15 (energy) is generally less salient than conditionality in chapter 23 (judiciary and fundamental rights). Although the degree of salience can differ between the countries, chapter 15 was considered to be less salient than chapter 23.

Second, the preferences of domestic voters are taken into account. More opposition to the EU will lead to higher political costs to the implementation of EU rules in general. Both Montenegro and North Macedonia have consistently had majorities in favour of EU accession, so costs in that area are considered to be low (Stratulat et al., 2020; Bechev, 2022).

Third, the political context in both countries is analyzed. In the analysis, the political systems and the party constellations were included, along with the political orientation of the major parties. As said before, political costs are lower when there is a liberal and/or pro-EU democratic government with high degrees of political competitiveness. If the major opposition parties are also pro-EU, costs are even lower. Data was collected through databases of Europe Elects and Nordsieck's Parties and Elections in Europe database, along with news sources found through Google and Lexis Nexis. Fourth, corruption levels and degrees of state capture are utilized to assess whether there is a risk of losing power for governments. This was done by using the Corruption Perceptions Index (CPI) of Transparency International, the Democracy Score by Freedom House and by analyzing NGO reports and news sources on the topic, again found through Google and Lexis Nexis.

4.3. Validity and reliability

Internal validity refers to the extent that a causal relationship between variables can be established (Creswell & Creswell, 2017). To have internal validity in results, the data must show an actual causal relationship between the factors researched. This may be enhanced by using triangulation of methods, for example using multiple methods or cross-checking findings through multiple sources by various researchers (Creswell & Creswell, 2017). In this research, that is done by using multiple sources: EU documents, news sources and NGO reports.

Furthermore, a careful case selection can enhance the internal validity by selecting cases that do not differ on control variables. If there is no sufficient attention to control variables, it is even more difficult to establish a causal relationship between two variables, as other variables that could have been singled out might have interfered in the results (Blatter & Haverland, 2012). This is done by a careful case selection, as outlined above.

External validity concerns the generalizability of findings. The conclusions of small-N research are difficult to generalize but can offer a contribution to the theoretical discourse (Creswell & Creswell, 2017). Furthermore, the reliability (e.g. the repeatability) is enhanced by using and explaining abstract theoretical concepts, being transparent about the steps that were taken in the process of analysis, and by basing conclusions on publicly available and transparently communicated data.

5. Compliance

In this section, compliance in both cases is outlined. First, compliance in Montenegro in chapter 23 and chapter 15 is discussed, after which the same is done for North Macedonia.

5.1. Montenegro

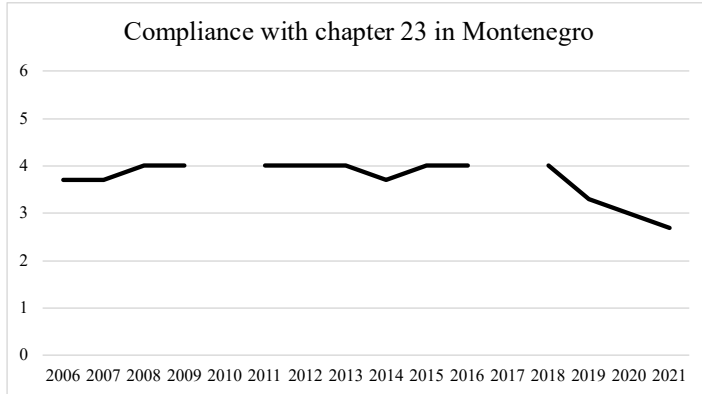
5.1.1. Compliance with chapter 23: Judiciary and fundamental rights

In general, Montenegro started off with implementing EU conditions in chapter 23 quickly. After becoming independent, it has made gradual progress in the first years after 2006 (see Figure 1). The first challenge for Montenegro was to establish an institutional and legislative framework that is capable of ensuring a strong judiciary, fighting corruption and protecting fundamental rights (European Commission, 2006). According to the progress reports, the efforts of the Montenegrin government resulted in steady progress in the years from 2006 up to the start of the negotiations in 2012, showing a consistent image that was consistently assessed with *some progress* by the Commission, but it was accompanied by the encouragement for greater efforts. In 2010, no progress report appeared due to the Commission's opinion on Montenegro's membership application (European Commission, 2010). In 2014, there was a small downward trend, mainly due to insufficient capacity to fight corruption, but this was partly corrected in 2015 and 2016. All in all, Montenegro made relatively steady progress with the adoption of the *acquis* in chapter 23 between 2006 and 2016. The Commission stressed that legal frameworks were increasingly brought in line with European standards, but implementation needed more attention: many measures did not yet see 'real-life' results.

In the years 2019-2021, the European Commission notices that the speed of policy adoption decreases. The tone becomes increasingly critical, and the European Commission assesses the progress as *limited*. Especially in the area of anti-corruption and the functioning on the judiciary, the Commission expresses its worries and sees a downfall and a risk of backsliding. They add that the lagging process is mainly caused by a lack of political will (European Commission, 2019, 2020, 2021). Illustrative for this development is Freedom House (2020) removing the earmark 'democracy' from the Montenegrin government and replacing it with that of 'hybrid regime', which shows that democratic institutions are fragile and the protection of fundamental rights is challenged.

Figure 1

Compliance with chapter 23 in Montenegro



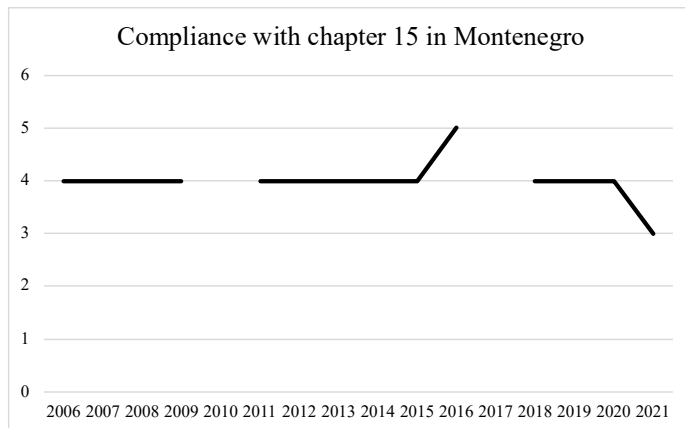
5.1.2. Compliance with chapter 15: Energy Policy

At first glance, the progress reports sketch a consistent picture on Montenegro's progress to comply with the conditions in chapter 15 on energy policy. In the years 2006-2015, the European Commission has observed *some progress* in this area. In the early years after independence, Montenegro was mainly preoccupied with ratifying the European Energy Treaty and creating a regulatory framework for a competitive energy market. In 2009, the Commission started to emphasize the importance of the implementation and enforcement of the newly adopted rules to gather tangible results (European Commission, 2009).

From 2011 onwards, Montenegro picked up the pace. The Commission saw increased efforts, especially for the strengthening of the internal energy market and increasing its competitiveness (European Commission, 2011, 2012, 2013), but was also critical on a lack of progress in ensuring the security of supply of energy sources (European Commission, 2011, 2012). In the years between 2015 and 2019, the Commission was positive about the progress made in Montenegro, mainly because of the adoption and implementation of new laws that would bring the Montenegrin energy system in line with the Third Energy Package, the European regulations in force at the time (European Commission, 2016, 2017, 2018). In 2021, the Commission observed *limited* progress, because Montenegro failed to address the recommendations made a year earlier and the implementation of important rules necessary for future progress in the energy sector (European Commission, 2021).

Figure 2

Compliance with chapter 15 in Montenegro

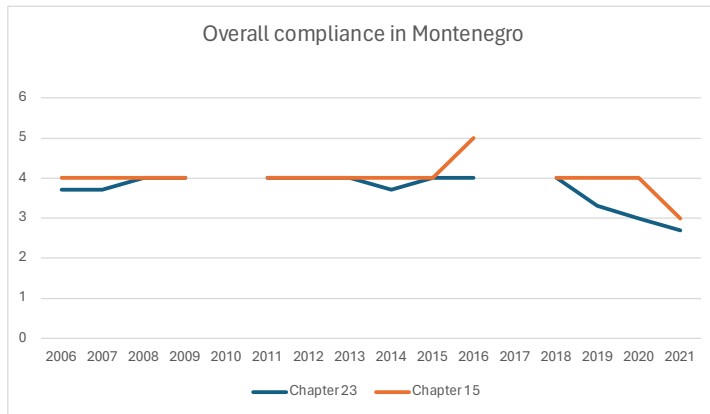


5.1.3. Overall compliance in Montenegro

Montenegro's compliance in both chapters overall gives a similar image (see Figure 5). From the years 2006 until 2018, compliance has been relatively stable and consistent, both in chapter 23 and chapter 15. In 2018, compliance with chapter 23 starts to drop and in 2020 compliance with chapter 15 also starts a downward trend.

Figure 3

Overall compliance in Montenegro.



5.2. North Macedonia

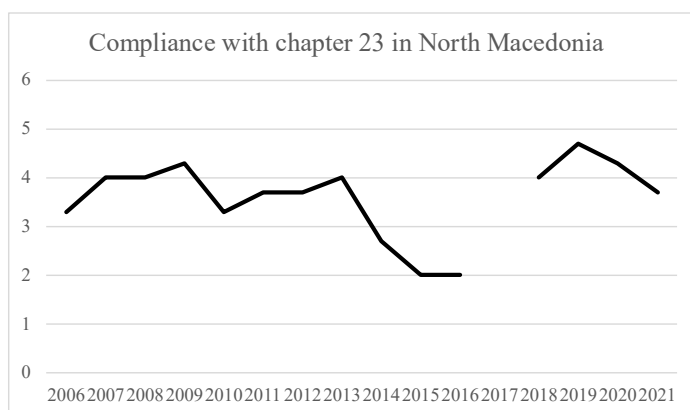
5.2.1. Compliance with chapter 23: Judiciary and fundamental rights

After receiving candidate membership in 2005, North Macedonia showed gradual improvement in complying with chapter 23 between 2006 and 2009 (see Figure 4). In 2010, compliance dropped due to limited progress in the area of the judiciary and fundamental rights. The Commission saw no steps were taken in ensuring the independence of the judiciary and the implementation of rules for the protection human rights was lacking (European Commission, 2010). In the period until 2013, North Macedonia slightly increased its rate of compliance but the implementation of fundamental rights frameworks kept falling behind (European Commission, 2011, 2012, 2013). In 2014, the Commission noted that the legislative frameworks in the area of the judiciary and anti-corruption admittedly were in place, but there was a risk of backsliding (European Commission, 2014). The Commission did not see backsliding happen after that but did observe *no progress* in all areas of chapter 23 in 2015 and 2016. The Commission even saw a risk of North Macedonia getting into a political crisis, after a wiretapping scandal in which the North Macedonian government was accused of putting taps on telephones of members of the opposition and people in the judiciary (European Commission, 2015; Gardner, 2015). Compliance was increased again from 2018 until 2020, especially due

to good performance in the judiciary and in the fight against corruption, after which the speed of compliance decreased in 2021 but still saw *some progress*.

Figure 4

Compliance with chapter 23 in North Macedonia



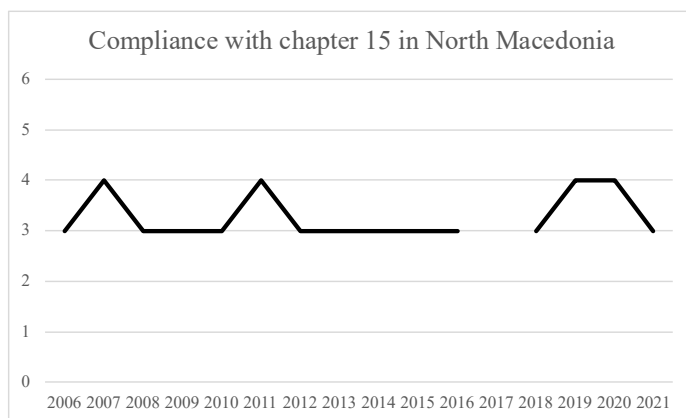
5.2.2. Compliance with chapter 15: Energy policy

North Macedonia has been a consistent performer in complying with chapter 15 (see Figure 6). Between 2006 and 2021, the Commission observed at least *some progress*, while 2019 and 2020 consecutively saw *good progress*. North Macedonia particularly got off to a good start by quickly ratifying the Energy Community Treaty in 2006, creating a strong internal energy market and promoting the production of renewable energy (European Commission, 2006, 2007a). In the years to follow, the Commission kept seeing progress, but urged North Macedonia to speed up implementation and strengthen institutional capacity to enforce policies (European Commission, 2008a, 2009a, 2010a). In 2011, North Macedonia adopted a new comprehensive energy law to open up the electricity market and strengthened the internal market, which was complimented by the Commission (European Commission, 2011). In the period leading up to 2019, North Macedonia kept making progress but to the taste of the Commission, implementation needed to be sped up (European Commission, 2013a, 2015a, 2017a). North Macedonia received good assessments for their performance in 2019 and 2020, mainly because of the alignment of legislative frameworks with the Third Energy Package and redrafting action plans for renewable energy and energy efficiency to be able to reach the goals

set by the EU, but the Commission did not yet see all measures implemented in 2021 (European Commission, 2019a, 2020a, 2021a).

Figure 5

Compliance with chapter 15 in North Macedonia

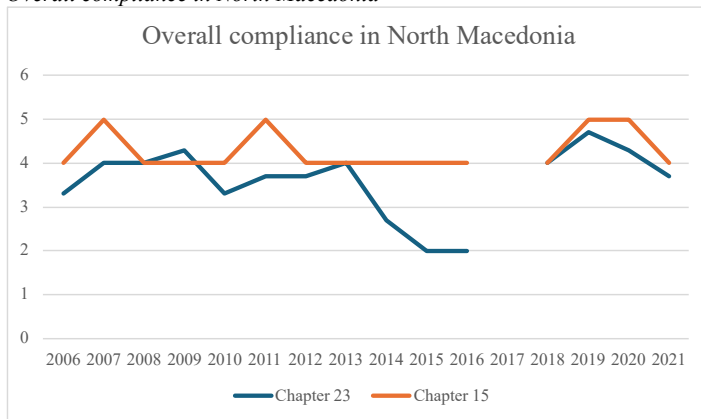


5.2.3. Overall compliance in North Macedonia

Figure 7 shows that North Macedonia has been more inconsistent in complying with chapter 23 than in complying with chapter 15. It is especially striking that compliance with chapter 15 sees more outliers upwards, while the outliers in compliance with chapter 23 are mainly downwards. Divergence is particularly visible in the years between 2014 and 2016, when compliance with chapter 15 remained stable but compliance in chapter 23 dropped significantly.

Figure 6

Overall compliance in North Macedonia



6. Credibility

In this section, the findings on credibility are described. First, the general development of credibility for WB states is explained. After that, the circumstances that are relevant for individual countries is outlined. For each country, it is assessed whether the data show covariance between credibility and compliance. At the end, concluding remarks are made about the validity of the first hypothesis.

6.1. EU signals on enlargement

6.1.1. 2006-2014: a doubtful EU

In 2006, the Commission adopted its renewed consensus on enlargement. The consensus, endorsed the European Council and incorporated in the 2006 Enlargement Strategy, entailed that at all stages of the enlargement process, the EU would assess its own capacity to integrate the specific candidate member state and consider European public support for further enlargement (European Commission, 2006a). Although this option was part of the Copenhagen criteria drafted in 1993, it had never been at the forefront of the debate (İçener & Phinnemore, 2006). By refocusing on this criterium, the Commission effectively communicated to aspiring member states that internal factors in the EU were of great importance and accession was not only dependent on the fulfilment of the conditionality criteria. Especially when considering the doubtful position of EU member states towards further enlargement in that period, credibility could suffer. Furthermore, the Commission stressed the importance of strict membership conditionality that countries should comply with on 'own merit', showing that no exceptions would be made, and conditionality would be applied rigidly. This contrasted to earlier practice when the CEECs were considered as one 'enlargement round' and the process could be sped up by the progress in other countries (European Commission, 2006a). This stance fit well into the larger discourse around enlargement fatigue in the EU.

This showed in the years to follow. Also fed by the 2008 economic crisis and the subsequent debt crises within the EU, enlargement was low on the agenda. Although Croatia joined the EU in 2013 (Official Journal of the European Union, 2012) and both Serbia and Montenegro started accession negotiations, the EU approach to enlargement was not showing an ambition for further enlargement: it was characterized by a lack of political will and disagreement on the way forward. No major steps were taken and no summits took place in the period: the first EU-Western Balkans summit after the Thessaloniki Summit in 2003 was the

Sofia Summit in 2018 (European Council, 2018; O'Brennan, 2014) and two more were organized in 2020 and 2021 (European Council, 2020, 2021). This marks the lack of substantive initiatives from the EU towards the countries in the WB. Or, as the EP put it, enlargement was running on "autopilot" (European Parliament, 2015).

Even though the period between 2006 and 2013 was characterized by internal doubt and contestation in the EU and no real initiative to engage with the WB, Croatia was awarded EU membership after fulfilling the conditions. This showed that the reward would be given in case of full compliance. However, the aspiring member states could not count on much help from the EU institutions.

Taking the above into account, we can establish that the credibility of the reward of EU membership between 2006 and 2013 was moderate: the EU showed doubtful, but not completely unwilling for enlargement.

6.1.2. 2014-2016: A clear "no"

In 2014, the EU made clear that no states from the WB would be granted membership status in the foreseeable future. This was most strikingly communicated in the statement by Jean-Claude Juncker, president of the European Commission at the time, who said that "the EU will not expand in the next five years" (Juncker, 2014). According to him, this was due to the lack of readiness in all candidate member states. This could be considered as the EU putting a halt to enlargement for all candidate member states, as irrespectively of compliance with conditionality, the EU would accept no new members. Credibility of accession for aspiring member states was thus very low.

6.1.3. 2017-2021: Renewed energy dammed by blockades

In the years to follow, the Commission started to soften the tone. Although Juncker reiterated the firm stance in his 'State of the Union' in 2017, where he said that "no candidate is ready" (European Commission, 2018, p. 1), this time he stressed that "thereafter the European Union will be greater than 27 in number" (European Commission, 2018, p. 1) and that "we must also maintain a credible enlargement perspective for the Western Balkans" (European Commission, 2018, p. 1), putting a new dot on the horizon for aspiring member states. He took the opportunity to outline the new EU strategy for the WB, which focused on the fundamentals: rule of law, justice and fundamental rights (European Commission, 2018).

This was accompanied by a revival of the promises made at the Thessaloniki Summit in 2003, as it revolved around creating the aforementioned credible enlargement perspective (European Commission, 2018). The ‘Revised Enlargement Methodology’, published in 2020 and demanded by the French, had to bring this promise into practice by creating more dynamism and predictability in the process and enabling the EU to speed up the process when needed. It also included the commitment to delivering on the promise of enlargement when conditions are fulfilled (European Commission, 2020). This shows that from 2018 onwards, the Commission increased its efforts for EU enlargement and the credibility of the promised was considerably higher than in the years before.

This period also saw an increased influence of member state politics on the enlargement process. The start of accession negotiations with North Macedonia had already been blocked consistently by Greece until 2018 and later by Bulgaria from 2020 onwards (see [Section 5.3](#)), but also more powerful member states used their veto-power to block further steps in the accession process. Notably, the French president Emmanuel Macron used his veto to block the start of negotiations with North Macedonia and Albania (Gotev, 2019) and was joined by Denmark and The Netherlands (Tidey, 2019). Macron used the opportunity to share his worries about EU enlargement, which was in line with the earlier critique on the ‘absorption capacity’ of the EU, he claimed that the EU should first focus on internal reform before welcoming new member states and that a revised enlargement methodology was needed and made a proposal for such reforms (Kauffmann, 2019; Herszenhorn & Momtaz, 2019). The EU provided in this with the Revised Enlargement Methodology (European Commission, 2020) and France eventually agreed on the start of accession negotiations with North Macedonia and Albania.

The increased use of the veto by member states in the enlargement process, either as leverage for reforms or for solving bilateral disputes, undermines the credible membership perspective that the Commission tried to establish. It increases the uncertainty of the process, as it shows that any member state can block the process at any moment for political reasons. Furthermore, it goes against the core of credibility: the fulfilment of the conditions will lead to rewards.

Met opmerkingen [MB1]: Cross-reference

Table 3*Signals on credibility dispersed by the EU*

Period	Positive signals	Negative signals	Credibility
2006-2013	- Accession of Croatia in 2013	- Internal doubt within the EU ('enlargement fatigue') - No initiative from EU institutions	Moderate
2014-2016	-	- Juncker's statement in 2013 about no enlargement in the following 5 years	Low
2017-2021	- EU's endeavor to create a credible enlargement perspective - Revisited Enlargement Perspective	- Member state vetoes against the accession process	Moderate

Taking the above into account, we can conclude that credibility between 2017 and 2021 was higher than in the previous period because of the greater effort on the part of the Commission. This perspective was attenuated by vetoes of individual member states. Therefore, credibility was moderate (see Table 3).

6.2. Credibility for Montenegro

Montenegro started off its accession process quickly after gaining independence from the confederation of Serbia and Montenegro in 2006 and moved relatively fast. Montenegro signed the SAA with the EU in 2007, applied for membership in 2008, was granted visa-free travel to the EU in 2009 and received the status of candidate country in 2010. Accession negotiations started in 2012, simultaneously with Serbia (European Commission, n.d.-b) (see Table 4). With

these steps, Montenegro was one of the front-runners in the WB for EU accession throughout the decade 2010-2020 and was expected to be the first country to accede in 2025, simultaneously with Serbia (see e.g. Heath, 2016; European Council, 2017). This was stressed by the Juncker in 2018 (European Commission, 2018).

In sum, in the specific case of Montenegro, credibility increased after the start of the accession negotiations. After that, there were no significant changes to their credibility. We should therefore expect, according to H_1 , that compliance in Montenegro reacts to the credibility that has been communicated by the EU. We should therefore expect a drop in compliance between 2014 and 2016 and an increase afterwards. Such development is not visible in the data: there is not a significant drop in compliance, while compliance with chapter 15 even increased in 2016. The only co-variation between credibility and compliance is visible in the period 2019-2021, when the credibility decrease is especially visible in lower compliance with chapter 23, but less (directly) visible in compliance with chapter 15.

Based on the data, it therefore seems that variation in credibility is not accompanied by similar variation in compliance with EU conditionality in Montenegro. The expectation expressed in H_1 does not apply well in the case of Montenegro.

Table 4

Key moments in the accession process of Montenegro and North Macedonia

Key moments in the accession process	Montenegro	North Macedonia
Signing of Stabilisation and Association Agreement (SAA)	2007	2001
Application for EU membership	2008	2004
Visa-free travel	2009	2009
Candidate membership	2010	2005
Council decision to start accession negotiations	2010	2020
Start of accession negotiations	2012	2022

6.3. Credibility for North Macedonia

North Macedonia was an early receiver of candidate membership in 2005. Already in 2009, the Commission recommended to open accession negotiations with North Macedonia and did so continuously in the years after (European Commission, n.d.-c). However, Greece consistently blocked the start of accession negotiations over the 'name dispute': Greece found itself entitled to the name of Macedonia and the use of certain symbols for historic reasons, and did not accept any further steps in the EU accession process until this was resolved. This dispute lasted until 2018, in which the Prespa Agreement was concluded which settled the dispute. The former FYROM changed its name to North Macedonia (Prespa Agreement, 2018; Duncan, 2018). In this period of deadlock, credibility for North Macedonia was low. The Prespa Agreement fixed this deadlock and should have boosted credibility.

After the agreement and the lifting of the veto by Greece, the road seemed open for the start of negotiations. However, the aforementioned veto by France and The Netherlands kept North Macedonia in the waiting room. In 2020, when the Council had already accepted the start of negotiations earlier that year, North Macedonia was again held back by a member state using its veto to block further steps. This time, it was Bulgaria that leveraged its position to solve an issue related to identity: Bulgaria wanted North Macedonia to recognize Bulgarian minorities in their constitution (Barigazzi, 2020). This was eventually resolved in 2022 (Stamouli, 2022). However, the subsequent blockades by several member states led to low credibility.

Table 5*Credibility in the accession process of North Macedonia*

Period	Positive signals	Negative signals	Credibility
2006-2009	- Visa-free travel - Candidate membership - Commission recommendation to start negotiations		High
2009-2017	- Commission recommendations to start negotiations	- Greek veto over name dispute	Low
2018	- Prespa Agreement		High
2019-2021	- Council accepting the start of negotiations	- Bulgarian, French and Dutch veto	Low

In sum, North Macedonia suffered from blowbacks by individual member states using their veto power to settle bilateral disputes or demand reforms. Credibility suffers under this dynamic, especially when it is taken into account that the Commission judged that North Macedonia fulfilled the conditions for the start of negotiations already in 2009.

Based on the H_I , we can firstly expect that overall compliance decreased after the Greek veto in 2009. That did not happen: compliance with chapter 23 decreased, while compliance with chapter 15 remained consistent. Second, due to the deadlock that lasted until 2018, we should see the low credibility communicated by the EU between 2014 and 2016 mirrored in lower compliance. This applies to the conditions in chapter 23, but not with those of chapter

15. Third, we should expect compliance to increase after the Prespa Agreement in 2018, which is visible in the overall compliance. Lastly, compliance should decrease again after the multiple vetoes: there is a slight decrease, which started in 2019 for chapter 23 and in 2020 for chapter 15.

Although some correspondence is visible between credibility and compliance in North Macedonia, it does not show a convincing picture. Especially compliance with chapter 23 shows co-variance with credibility, while chapter 15 is less reactive. This divergent picture does not make a strong case for the influence of credibility on overall compliance. In sum, credibility did not have the expected effect on compliance.

6.4. Concluding remarks on credibility

In both cases, there is no clear co-variance between credibility and compliance. In the case of Montenegro, changes in credibility are not clearly visible in the compliance rates. In the case of North Macedonia, credibility mainly shows co-variance with compliance with chapter 23, while the expectation was that it would have effect on overall compliance. Because the data do not show the hypothesized co-variance, H_1 can be refuted.

7. Political costs

In this section, the political costs for compliance in both countries will be addressed. In the end, conclusions will be made about the validity of the second hypothesis.

7.1. Montenegro

After the independence of Montenegro in 2006, Milo Đukanović consolidated the power he had before and became the first prime-minister (PM) of the independent Montenegro. His party, the reform-minded and Democratic Party of Socialists of Montenegro (DPS) is known for its pro-EU stance. The party nearly managed to reach an absolute majority in parliament with 48,6% of the votes in the first general elections in 2006 and went on to lead a pro-EU coalition (OSCE, 2006; Deloy & Levy, 2006). Since then, the DPS has been the biggest party in Montenegro until 2020, when a coalition of a more right-wing but pro-EU parties reached a majority in parliamentary elections (Nordsieck, n.d.; Kajosevic, 2020). Furthermore, although there is strong divide in Montenegro among ethnic lines, most opposition parties were at least moderately pro-EU integration (Europe Elects, n.d.). Due to the stable incumbency of the DPS and the favourable position towards EU integration among opposition parties, it can be concluded that EU policy adoption is not strongly contested and political costs are low.

Table 6

Political costs in Montenegro

Sources of political costs	Political costs of compliance with chapter 15	Political costs of compliance with chapter 23
Policy salience	Lower	Higher
Public opinion on the EU	Low	Low
Political contestation of EU policies	Low	Low
Power loss	Low	High until 2019 Lower after 2019

During the long stretch in government of the DPS, Đukanović has always been in powerful positions in Montenegro. Even before independence, he had served two terms as PM and one as president. After independence, he served as PM twice and once as president. On top of that, he had been the president of the DPS since 1998 (Kajosevic, 2023). This long-lasting leadership was seen as problematic: Đukanović has been linked to creating clientelist networks within the country's institutions and state-owned enterprise and was even accused of having ties with organized crime (see e.g. Patručić et al., 2009; Higgins, 2023). Freedom House (2020) expressed its worries about the influence of Đukanović and the clear signs of state capture that Montenegro shows, in line with the earlier observation by the Commission (2018). This is backed up by data published by NGOs: Transparency International (2021) has observed an increase of the CPI between 2012 and 2021 from 41 to 46 and the Democracy Score established by Freedom House for Montenegro has dropped from 4.18 to 3.82 in the same period (see Appendix D). On top of that, there is accusations of strong political influence on the Montenegrin judiciary (MANS, 2021). In 2019, Montenegrin citizens showed their dissatisfaction with this development through mass protests, demanding an end to the rule of Đukanović, the widespread corruption and the impairment of fundamental freedoms (Tomović, 2019). This communicated to the government that steps must be made to restore the democratic institutions and fundamental rights, which is exactly the area chapter 23 covers.

In sum, due to the clientelism and corruption in the country, implementation of conditions in chapter 23 could lead to power loss of the elites in government because they limit the possibility of consolidating or increasing power through corruption or oppression. That leads to high costs of implementation. However, after 2019, the political costs of non-compliance increased. Therefore, it is assumed that costs of compliance were relatively lower than before 2019.

In the area of energy policy, we can consider political costs low in Montenegro. Not only have we established that the policy area is less salient than chapter 23, but it is also said that the clientelist network around the DPS and Đukanović has used the EU conditions to implement rules that favour their own, with people closely linked to the party and the PM being granted concessions for building hydropower plants (MANS, 2021). Therefore, chapter 15 does not seem to have political costs in the form of loss of power but has rather enabled elites to consolidate power.

According to H_2 , compliance with chapter 23 is expected to be lower than compliance with chapter 15, due to the higher political costs. Furthermore, it is expected that compliance with chapter 23 increases after 2019 due to lower political costs as a consequence of pressure

by the citizens expressed through protest. Both are not visible in the data on compliance. Compliance with both chapters are comparably high throughout all years under research, until after 2019 when compliance with chapter 23, in contrast to the expectation. In sum, the data show no strong co-variance between political costs and compliance.

7.2. North Macedonia

In the 2006 parliamentary elections, opposition leader Nikola Gruevski of nationalist and conservative Internal Macedonian Revolutionary Organization – Democratic Party for National Unity (VMRO-DPMNE) overturned the former majority of Social Democratic Union of Macedonia (SDSM) (Deutsche Welle, 2006). From 2006 until 2016, Gruevski served four terms as PM of North Macedonia. Although Gruevski and his party steered a strongly nationalist course, emphasizing Macedonian identity, they were supporters of EU accession. With this stance, they are united with their main competitors and coalition partners (Europe Elects, n.d.), even though there is strong ethnicity-infused division in North Macedonian politics. After 2016, when the SDSM led by Zoran Zaev regained the majority in parliament, the same pro-EU tendency remained among coalition and opposition parties. The political scene was thus in favour of EU integration which leads to low political costs for compliance with EU conditions.

During the ten years incumbency of Gruevski, he was increasingly accused of being imprudent with democratic values and creating clientelist networks in state institutions. Under his rule, freedom of expression and the independence of the judiciary deteriorated, while corruption increased: North Macedonia's Democracy Score decreased from 4.18 in 2012 to 3.57 in 2017, while the same period saw a decrease of the CPI from 43 to 45 (see Appendix D). The Commission also blamed Gruevski for putting pressure on independent media and limiting the freedom of the judiciary (European Commission, 2013, 2014). Gruevski strengthening his grip on Macedonian institutions was a clear sign of state capture. He did not yield to the criticism, until he was eventually forced to resign due to the discovery of a wiretapping scandal in 2016, in which journalists, opposition politicians and members of the judiciary were targeted. The wiretapping was linked to Gruevski and the network around him in high positions in the security services (Gardner, 2015). New elections took place, which were followed by political turmoil, including a storming of the parliament (Marusic, 2017). After that, SDSM-leader Zaev was appointed as PM in 2017 and he committed to repair the institutions and compliance with EU conditions (Hopkins, 2017). Therefore, the costs for implementation of chapter 23 were high during Gruevski's terms as PM, as it would impair his grip on state institutions. After Zaev was appointed, the political costs were lower: his promise was to recover democratic institutions.

Comparable to Montenegro, the energy sector in North Macedonia has also been used to strengthen clientelist networks. The conditions set out in chapter 15 ask for investments and new laws in the energy sector. In practice, many of these laws and investments are “tailor-made” (Transparency International Macedonia, 2021, p. 30) for the benefit of elites within clientelist networks. Compliance can thus be beneficial. From that perspective, the costs for compliance are low.

Table 7

Political costs in North Macedonia

Sources of political costs	Political costs of compliance with chapter 15	Political costs of compliance with chapter 23
Policy salience	Lower	Higher
Public opinion on the EU	Low	Low
Political contestation	Low	Low
Power loss	Low	High until 2016 Lower after 2016

Based on H_2 , the expectation is that compliance with chapter 23 is generally lower than compliance with chapter 15 due to the higher salience, and that especially during the rule of Gruevski between 2006 and 2016 compliance with chapter 23 is lower than in the years from 2017 until 2021. Both developments are visible in the data: compliance with chapter 23 is lower than compliance with chapter 15 in most years, and there is a very considerable drop in compliance with chapter 23 in 2014 until 2016. After that, compliance with chapter 23 increased drastically in 2018 and 2019, only to slightly drop in 2020 and 2021. The compliance data show a similar picture as what would be expected based on the theory.

7.3. Concluding remarks on political costs

Political costs do not have the influence that was hypothesized in H_2 . In the case of Montenegro, co-variance between compliance and political costs is not visible in the data. In the case of North Macedonia, co-variance between political costs and compliance is present. However, since the hypothesis does not hold up in both cases, H_2 is refuted.

8. Discussion and conclusions

In this section, the results are discussed. After that, alternative explanations will be

8.1. Discussion of results

On the effect of credibility, a notable finding is that overall compliance did not vary in accordance with changes in credibility: lower or higher credibility was not directly translated in lower or higher compliance. There were often no analogous trends in the data on credibility and overall compliance, while they sometimes even contrasted. That contradicts the proposition in the revisited EIM that infers that credibility is the central determinant factor for compliance. What is visible in the data, is that compliance with chapter 23 is more volatile and sensitive to changes in credibility than compliance with chapter 15. This could imply that credibility has a higher effect on democratic or political conditionality than it has on the more technical *acquis* conditionality. Furthermore, it might support the aforementioned argument made by several researchers that credibility is only high enough in the final stages of the negotiations before accession to speed up accession or overcome difficult problems (Vachudova, 2005; Schimmelfennig et al., 2006; Schimmelfennig, 2008; Noutcheva & Aydin-Düzgit, 2012). Although the analysis shows that there have been changes in credibility for WB states, there are no periods in the analysis in which credibility has consistently been high for WB states. Possibly, credibility is only capable of making significant changes and it only reaches that level when accession is close.

The effect of political costs on compliance neither fully corresponds with the theoretical expectations. The political costs were expected to be higher and lead to lower compliance in with chapter 23 than with chapter 15, especially in periods when there were clear signs of state capture. The data did not consistently show this. Especially in Montenegro, the political costs had no co-variance with compliance. Whereas compliance with chapter 23 was expected to decrease when more signs of state capture became clear, compliance remained stable. When higher compliance was expected, a decrease was seen. Political costs seemed to have more explanatory value in the case of North Macedonia and varied in accordance with the expectations.

Why political costs did not have a similar co-variance with compliance in Montenegro, might be explained by the different stages of the accession process both countries are in. As said, Montenegro has started accession negotiations while North Macedonia has not. The higher

credibility that this stage entails, could limit the effects of political costs, while North Macedonia is more susceptible to changes in costs due to lower credibility in general.

Another reason might be that state capture, of which Montenegro and North Macedonia have shown clear signs, leads to an inconsistent, untransparent and unpredictable cost-benefit analysis that favours the interests of clientelist networks within government. This corresponds with the idea that state capture is present in the WB and undermines the effectiveness and predictability of the conditionality mechanism.

8.2. Alternative explanations

The fact that credibility and political costs do not have the expected effect on compliance, points at the existence of other explanatory factors. In the data, it is visible that compliance with chapter 15 remains relatively stable in both countries, regardless of changes in credibility and costs. This could be explained by the Energy Community, of which all countries in the WB are part. This multilateral organization can incentivize states on the WB to better comply with bilateral conditionality, especially since EU conditionality is aligned with the Energy Community Treaty (Padgett, 2012).

Another factor that might change the dynamic of the enlargement process, is the phenomenon of pre-accession assistance or capacity-building. The EU tries to help countries with financial aid or expertise to overcome capacity problems for the implementation of European policies. It can even give material incentive to domestic veto-players to cooperate in the adoption of new policies (Börzel, 2011; European Union, n.d.-a).

Apart from the rationalist explanations, constructivist theories might also help explain compliance. Socialization is often used in the context of Europeanization. In this theory, states adopt European values because they believe they are connected through shared values and principles. This can be induced by shared belief among citizens or in government (Kelley, 2004; Schimmelfennig and Sedelmeier, 2005).

8.3. Limitations

The research and the results have some limitations that need to be acknowledged. First, this research tried to find co-variance between variables, but even when correlation is found, it does not suggest that there is a direct causal link. Furthermore, although the cases were selected with attention to internal validity, the generalization of case studies is difficult. Rather, this study has tried to test the explanatory power of existing theoretical explanations in specific contexts.

Second, this research focuses on the compliance as judged by the Commission. As said before, formal compliance can differ from effective compliance. States sometimes try to signal to the EU that they have complied with a specific set of conditions, but do not implement it. This can give a distorted image of 'real-life' compliance.

Third, the data in this research have been collected, analyzed and discussed by a single researcher. Researcher bias can creep into the process. Regardless of the endeavours to prevent bias from creeping into the process, the risk persists. For example, the assessment of credibility levels and political costs were made based on interpretation of qualitative data sources. It was tried to make the interpretations in a transparent manner, but they can differ from one another's perspective.

Fourth, there is a lot happening in the world and especially in the WB. Geopolitical, economic, environmental and other factors that were outside the scope of this research, as the focus was on domestic factors and developments in the EU. Reality can be an interplay of all these factors.

8.4. Conclusion

The goal of this research was to analyse the effect of the two factors that Schimmelfennig and Sedelmeier (2020) put central in their revisited EIM to explain the effectiveness of EU conditionality in the WB: credibility and adoption costs. The latter mainly consist of political costs. To do so, two countries were selected as case studies, namely Montenegro and North Macedonia. The research included both countries' compliance rates with chapter 15 and chapter 23 of the EU *acquis*, as well as the credibility and political costs for both countries.

To answer the research question: the findings suggest that the effect of credibility and political costs on compliance with chapters 15 and 23 in Montenegro and North Macedonia is not as strong as expected in the theoretically informed hypotheses. Both independent variables did not show consistent co-variation with compliance and we can therefore not establish a causal link.

Although in case studies, one must be careful in generalizing the findings due to limited scope and context-specific circumstances, the results challenge the centrality of credibility and political costs in explaining conditionality effectiveness in the WB through the revisited EIM. It appears that other factors, have come into play, which give interesting motives for future research.

8.5. Recommendations

Based on this thesis, several recommendations for future research can be made. To begin with, the revisited EIM could be applied in more instances, studying compliance with different chapters in different countries. It would lead to a more comprehensive image of what factors are decisive for compliance with EU conditionality, and in what circumstances that applies.

Second, the study concluded that credibility did not have the expected effect on overall compliance, but that compliance with chapter 23 was more sensitive to changes in credibility. In future research, it can be assessed whether credibility has more effect on political or democratic conditionality than in the more 'technical' chapters of the *acquis*.

Third, credibility is generally considered as an important factor to boost compliance. Although this study did not allow for that conclusion, it can be further researched to see when and how it has more or less effect. For example, more research could be done on the effect of the stage of the accession process on credibility. That would entail a more in-depth and temporal analysis of credibility and its effects. Also, one can look at what have been the most effective ways for the EU to communicate credibility towards aspiring member states.

Fourth, a more detailed analysis of the relation between compliance with EU conditionality and state capture can be made. As state capture is increasingly present in the WB and it can have implications for compliance with EU conditionality, it is relevant to inquire, for example, what interests in captured states are dominant and how that expresses itself in compliance.

Lastly, external factors can be researched. Especially the current geopolitical situation is complex, with the war in Russia and Ukraine and Chinese and Russian influence all possibly having effect on the WB. Future research might address those dynamics.

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Appendix A: Coding of European Commission progress statements

In their country-specific progress reports, the Commission assigns a certain value to the amount of progress a country has made in the area of the specific negotiating chapters. They do not use quantitative values, but a five-tier assessment scale, ranging from *backsliding* to *very good progress* (European Commission, 2015). Although it has officially introduced this five-tier assessment scale in 2015, it has already consistently used the scale in the years before. This allows for the assignment of scores to the terms. However, the Commission sometimes deviates from this assessment scale. In some instances, the Commission uses the terms *progress* or *limited progress*. Especially phrasing *limited progress* seems to have a less positive connotation than the more neutral *some progress*. Also, when the Commission observes *limited progress*, it is accompanied with a more critical substantiation than when *some progress* is observed. Therefore, *limited progress* will be added as a separate value and will be placed in between *no progress* and *some progress* (see Table A1). Furthermore, in some reports the Commission does not use any of the values described above. In those cases, I use my own interpretation based on the descriptions the Commission gives about the progress that was made in the previous year.

Statement	Score
Backsliding	1
No progress	2
Limited progress	3
Some progress	4
Good progress	5
Very good progress	6

Appendix B: Compliance with chapter 23 - Montenegro

Year	Progress statement - judiciary	Score	Progress statement – anti-corruption	Score	Progress statement – fundamental rights	Score	Average score
2006	Legal framework is gradually being put in place	3	Some progress	4	Legal framework for protection of human rights is gradually incorporated in its new Constitution	4	3,7
2007	Some progress	4	A few results have been accomplished	3	Progress in integrating human rights in the new Consitution	4	3,7
2008	Some progress	4	Some progress	4	Some progress	4	4
2009	Progress	4	Progress	4	Some progress	4	4
2010	-	-	-	-	-	-	-
2011	Some progress	4	Some progress	4	Montenegro has continued to improve the legal and institutional framework on the protection of fundamental rights	4	4
2012	Progress	4	Some progress	4	Montenegro has continued to improve the legal and institutional framework on the protection of fundamental rights	4	4

2013	Some progress	4	Implementation of anti-corruption strategy has continued	4	Some progress	4	4
2014	Some progress	4	Limited progress	3	Some progress	4	3,7
2015	Some progress	4	Some progress	4	Some progress	4	4
2016	The legislative framework was improved but not yet fully implemented	4	Some progress	4	Montenegro is gradually establishing a legal framework with the potential to effectively protect and enforce human rights in practice	4	4
2017	-	-	-	-	-	-	-
2018	Some progress	4	Some progress	4	Progress	4	4
2019	Some progress	4	Limited progress	3	Further progress is needed to align the legislative and institutional framework with EU standards. There has been progress in some areas, but in others (e.g. freedom of expression) there has been no progress.	3	3,3
2020	Limited progress	3	Limited progress	3	The legislative and institutional framework in the area of fundamental rights is now largely in place. Implementation needs attention but is ongoing.	3	3

2021	No progress	2	Limited progress	3	The legislative and institutional framework in the area of fundamental rights is now largely in place. Implementation needs attention but is ongoing.	3	2,7
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Appendix C: Compliance with chapter 15 - Montenegro

Year	Progress	Score
2006	Some progress	4
2007	Some progress	4
2008	Progress	4
2009	Some progress	4
2010	-	-
2011	Some progress	4
2012	Some progress	4
2013	Some progress	4
2014	Some progress	4
2015	Some progress	4
2016	Good progress	5
2017	-	-
2018	Some progress	4
2019	Some progress	4
2020	Some progress	4
2021	Limited progress	3

Appendix D: Compliance with chapter 23 – North Macedonia

Year	Progress statement - judiciary	Score	Progress statement – anti-corruption	Score	Progress statement – fundamental rights	Score	Average score
2006	Progress	4	Some progress	4	Few new developments	2	3,3
2007	Some progress	4	Some progress	4	Some progress	4	4
2008	Some progress	4	Some progress	4	Some progress	4	4
2009	Some progress	4	Good progress	5	Some progress	4	4,3
2010	Limited progress	3	Some progress	4	Limited progress	3	3,3
2011	Some progress	4	Some progress	4	Limited and uneven progress	3	3,7
2012	Progress	4	Some progress	4	Limited and uneven progress	3	3,7
2013	Some progress	4	Some progress	4	Progress	4	4
2014	Legislative and administrative structures are in place but risk of backsliding	2	Legislative and administrative structures are in place but risk of backsliding	2	More focus to be placed on effective implementation of existing fundamental rights framework	4	2,7
2015	No progress	2	No progress	2	No progress	2	2
2016	No progress	2	No progress	2	No progress	2	2
2017	-	-	-	-	-	-	-
2018	Good progress	5	Some progress	4	Legal framework largely in line with European standards and focus on implementation	3	4

2019	Good progress	5	Good progress	5	Legal framework largely in line with European standards and focus on implementation, good progress in some areas	4	4,7
2020	Good progress	5	Good progress	5	Legal framework largely in line with European standards but focus must be on implementation	3	4,3
2021	Some progress	4	Some progress	4	Legal framework largely in line with European standards. Focus must be on implementation, with some progress in some areas	3	3,7

Appendix E: Compliance with chapter 15 - North Macedonia

Year	Progress	Score
2006	Notable progress	4
2007	Good progress	5
2008	Progress	4
2009	Some progress	4
2010	Some progress	4
2011	Good progress	5
2012	Some progress	4
2013	Some progress	4
2014	Some progress	4
2015	Some progress	4
2016	Some progress	4
2017	-	-
2018	Some progress	4
2019	Good progress	5
2020	Good progress	5
2021	Some progress	4

Appendix F: Freedom House Democracy Scores

Freedom House Democracy scores (from *Nations in Transit 2021*):

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Montenegro	4.18	4.18	4.18	4.14	4.11	4.07	4.11	4.07	3.93	3.86	3.82
North Macedonia	4.18	4.11	4.07	4.00	3.93	3.71	3.57	3.64	3.68	3.75	3.82

Appendix G: Transparency International Corruption Perceptions Index

Transparency International Corruption Perceptions Index. From *Transparency International* (2021).

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Montenegro	41	44	42	44	45	46	45	45	45	46
North Macedonia	43	44	45	42	37	35	37	35	35	39