

# IS EU INTEGRATION STILL AN OPTION FOR KOSOVO?

Comparing accession negotiations, visa liberalization expectations and participating in the Enlargement framework

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# IS EU INTEGRATION STILL AN OPTION FOR KOSOVO? COMPARING ACCESSION NEGOTIATIONS, VISA LIBERALIZATION EXPECTATIONS AND PARTICIPATING IN THE ENLARGEMENT FRAMEWORK

## INTRODUCTION

The Republic of Kosovo is, arguably, one of the most dedicated and loyal partner countries of the European Union. The Western Balkan newborn country's whole foreign policy orientation has been one geared towards Euro-Atlantic integration. In point of fact, all governments since Kosovo's declaration of independence in 2008 have taken such integration into regional or international systems as protection guarantees of this small, landlocked country of under 2 million.

However, since the launch of the EU-facilitated Brussels Agreements for the Normalization of relations between Kosovo and Serbia, and since the country's application for EU membership back in 2016, marginal progress has been achieved towards real momentum pointing at Kosovo's accession into the EU. The country has yet to be recognized as an official candidate, instead still bearing the prejudiced title as 'potential candidate' and, principally, Kosovo has yet to be granted visa liberalization into the Schengen Area.

This paper will take a comprehensive dive into where the Republic of Kosovo stands regarding EU integration, at all levels. Firstly, we situate EU engagement vis-à-vis the Western Balkans in terms of the enlargement package, and give an illustrative look into where the four official Western Balkan candidates currently stand in terms of chapter negotiations and integration expectations, in contrast to Kosovo. Secondly, the paper explores the effects Russia's invasion of Ukraine can have on the urgency or passiveness towards EU enlargement, and how it may shift the EU27's relations with the broader Eastern neighborhood. On this note, we argue why integration is particularly important for Kosovo in light of the armed conflict outbreak. Thirdly, it presents a realistic analysis of expectations on visa-free regime for Kosovar citizens and, lastly, signals because it is crucial that Kosovo has equal participation in the Western Balkans framework, and offers the example of Bosnia as the other potential candidate for further comparison.

This Policy Report seeks situate Kosovo among the persistent EU fatigue wave the Member States are experiencing, the recent war outbreak in Eastern European territory, and what this could mean for hopeful partner countries seeking support and integration steps, from chapter negotiations to the more-elementary visa liberalization.

## I. WHERE THINGS STAND IN TERMS OF EU COMMITMENT

The European Union has voiced its commitment to the Western Balkans since the Thessaloniki Summit of 2003. In the 19 years that have passed, many realizations were achieved: from Croatia's accession in 2013, to opening chapter negotiations with two other Western Balkan countries, and granting visa-free regime to five of the so-called, Western Balkan 6.

All six Western Balkan countries benefit from instruments for accession, be it the Stabilization and Association Agreements (SAA), of which with Kosovo it entered into force in 2016, and the Instrument for Pre-accession Assistance (IPA), which grants financial and technical assistance to strengthen beneficiaries' capacities<sup>1</sup>. In addition to such enlargement-package instruments, in October 2020 the EU proposed an Economic & Investment Plan of EUR

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<sup>1</sup> EU DG NEAR, "Enlargement region: European Commission welcomes final adoption of EU's new €14 billion pre-accession assistance budget for 2021-2027", 15 September 2021, online via: <https://bit.ly/39tIGm5>

30 billion to support the Western Balkans' economic development and convergence with the EU and to mitigate effects of the Covid-19 pandemic<sup>2</sup>. In terms of special-accession funding from Brussels, during the IPA II (2014-2020), Kosovo received EUR 602 million from the EU, to support accession priority sectors: Democracy & governance, Rule of law & fundamental rights, Energy, Competitiveness, Education, employment & social policies, Agriculture & rural development, and Regional and territorial cooperation<sup>3</sup>. The third installment of the IPA (EUR 14.162 billion for 2021-2027) has the general objective of helping beneficiaries align with EU policies and practices by promoting political, institutional, legal, administrative, social and economic reforms<sup>4</sup>. Looking ahead, EU Commissioner Várhelyi has labelled the IPA III as "definitely an investment into the future"<sup>5</sup>.

Nonetheless, momentum beyond signing-off funding has long halted and proved to be a summation of empty pledges and delayed promises when it comes to actual integration and accession prospects. In order to recover some lacking dynamism and prioritization, the European Commission presented a revised enlargement methodology in May 2021, which it labelled as more "more predictable, more credible, and more dynamic, and subject to stronger political steering, based on objective criteria"<sup>6</sup>. Much like the financial instruments, the new enlargement package puts a stronger focus on fundamental reforms, such as the rule of law, fundamental rights, the strengthening of democratic institutions and public administration reform, and the economic criteria. The aim is to best align the enlargement package and negotiations with the Copenhagen accession criteria for the EU, as defined in 1993 – which lay out the need to meet certain political, economic and institutional criteria before acceding to the Union<sup>7</sup>.

However, the revised enlargement methodology and new enlargement package has, once more, led to little to no progress. In fact, as the EU itself notes in the Enlargement package published on October 2021, "Albania and North Macedonia continue to fulfil the conditions to open accession negotiations and both countries advanced steadily on the EU reform path. The delays in the official launch of accession negotiations with Albania and North Macedonia are having a negative impact on the credibility of the EU"<sup>8</sup>. As well-documented by the media at the time, France's blocking of the accession of Albania and North Macedonia in October 2019 was dubbed a "historic error" by EU officials<sup>9</sup>. President Macron has since been vocal about the need to send positive signals to the Western Balkans to prevent a feeling of desertion, as signaled during the programme announcement for the 2022 French EU Presidency - "Today we have a special responsibility towards the Western Balkans"<sup>10</sup>. What we see are constant reaffirmations of the region's European perspective and commitment to the enlargement process – almost as if

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<sup>3</sup> European Council, "Press release- Enlargement: new enlargement methodology will be applied to Montenegro and Serbia", 11 May 2021, online via: <https://bit.ly/3xYJLKV>

<sup>4</sup> DG NEAR, "Overview - Instrument for Pre-accession Assistance", accessed 7 May 2022, online via: <https://bit.ly/3xZmto8>

<sup>5</sup> DG NEAR, "Enlargement region: European Commission welcomes final adoption of EU's new €14 billion pre-accession assistance budget for 2021-2027", 15 September 2021, online via: <https://bit.ly/3mTQkln>

<sup>6</sup> European Council, "Press release- Enlargement: new enlargement methodology will be applied to Montenegro and Serbia", 11 May 2021.

<sup>7</sup> DG NEAR, "European Commission - Enlargement - Accession criteria", accessed 7 May 2022, online via: <https://bit.ly/3HxU4ZF>

<sup>8</sup> EU DG NEAR, "2021 Enlargement package: European Commission assesses and sets out reform priorities for the Western Balkans and Turkey", 19 October 2021.

<sup>9</sup> Reuters, "France under fire for 'historic error' of blocking Balkan EU hopefuls", 18 October 2019, online via: <https://www.reuters.com/article/us-eu-summit-balkans-idUSKBN1WX1CT>

<sup>10</sup> European Western Balkans, "Macron urges for "clarifying" EU perspective of the WB, announces conference in June", 10 December 2021.

the EU must repeat it enough times for itself to believe in what the empty promises, they are preaching to keep beneficiaries on the hook.

Among the fundamental reforms the EU27 are prioritizing for candidate countries, rule of law stands out as the main one. Citing the December 2021 Council Conclusions on Enlargement and Stabilization and Association Process, “the lack of credible progress in many cases, and in some even backsliding, often relates to the lack of political will, shortcomings in judicial independence, institutional resistance, and widespread corruption and organized crime: all key concerns which need to be addressed as a matter of high priority”<sup>11</sup>. Yet, then how to justify Serbia continuing to move along the EU accession road? Another key fundamental priority for the candidate countries is that “Good neighborly relations and regional cooperation remain essential elements of the Enlargement Process”<sup>12</sup>. This is the condition that most pertains Kosovo and Serbia’s process and which, in parallel most difficult understanding why North Macedonia was not rewarded after signing the Prespa Agreement which, precisely, settled a regional dispute with its neighbor country.

### **State-of-play of chapter negotiations of each official candidate country**

As of May 2021, the only Western Balkan countries with open chapter negotiations are Serbia and Montenegro.

**Serbia** formally applied for EU membership in 2009, becoming an official candidate country in March 2012. The European Council gave the green light for chapter negotiations to open with the country in 2013, of which eighteen have been opened and two provisionally closed<sup>13</sup>. While chapter negotiations are moving along, the most recent Council Conclusions on enlargement reminded Serbia that “progress on the rule of law and fundamental rights chapters, as well as on the normalization of Serbia's relations with Kosovo, as set out in the Negotiating Framework, continues to be essential and will determine the pace of accession negotiations overall”<sup>14</sup>. Similarly, adopting more of a reprimanding tone, the Council Conclusions made clear that accession into the EU implies alignment on EU values and principles - Noting that the Serbian Government continues to declare EU integration as its strategic goal, the Council calls on Serbian authorities to firmly commit to and promote EU values, as well as to place more emphasis on this objective and proactively communicate positively and unambiguously on the EU, which is Serbia's main political and economic partner”<sup>15</sup>.

**Montenegro** applied for EU membership in 2008, and was approved as official candidate in 2010, with accession chapter negotiations having started In June 2012. Insofar all 33 chapters have opened, and 3 provisionally closed<sup>16</sup>. This positive progress was reconfirmed in the December 2021 Council Conclusions, which “welcomed the overall progress made in the accession negotiations so far, with all 33 screened chapters opened and 3 provisionally closed”<sup>17</sup>.

Onto **Albania**, the country was granted EU candidate status in 2014. Unlike the previous two countries for which the opening negotiations process moved rather seamlessly, only in 2018

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<sup>11</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions”, 14 December 2021, pg.4, online via <https://www.consilium.europa.eu/media/53454/st15033-en21.pdf>.

<sup>12</sup> *Ibid*, pg. 7.

<sup>13</sup> DG NEAR, “Membership status – Serbia”, accessed 10 May 2022, online via: <https://bit.ly/3tCXynK>

<sup>14</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions”, 14 December 2021, pg.4, pg. 11.

<sup>15</sup> *Ibid*, pg. 11.

<sup>16</sup> DG NEAR, “Membership status – Montenegro”, accessed 10 May 2022, online via: <https://bit.ly/3OjYOnB>

<sup>17</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions”, 14 December 2021, pg.9.

did the Commission formally recommend to open accession negotiations. In the Council Conclusions of June 2018, Member States showed willingness to open negotiations in June 2019, “depending on progress made in key areas such as the judiciary, fight against corruption and organized crime, intelligence services and public administration”<sup>18</sup>. Yet, in October 2019, Member States did not have a unanimous voice with regards to opening negotiations, with France being the single Member States blocking the decision. Only in March 2020 did the European Council endorse the General Affairs Council’s decision to open accession negotiations with Albania, with the draft negotiating framework having been presented to Member States in July 2020<sup>19</sup>. As things stand, Albania’s opening of the accession process remains in limbo, and the Council remains pushing for its opening – as per the Council Conclusion from December 2021, “The Council welcomes the continued determination of Albania to advance the EU reform agenda, which paved the way for the decision to open accession negotiations with the EU in March 2020. The Council looks forward to the holding of the first intergovernmental conference with Albania as soon as possible, after the approval of the negotiating framework by the Council”<sup>20</sup>.

Finally, **North Macedonia**’s process mirrors that of Albania, with the two countries having been coupled together in this process. North Macedonia was granted candidate status in 2005. The recommendation for opening accession negotiations with the country was made conditional in 2015, pending structural progress on reforms, with the Commission eventually giving, in 2018, their unconditional recommendation to open accession negotiations in May 2019<sup>21</sup>. Most importantly, once the naming dispute was settled with Greece (via North Macedonia’s adoption of the Prespa Agreement). Yet the EU General Affairs Council’s October 2019 led to France vetoing the opening of negotiations. At last, in March 2020 the Council of the European Union decided to open accession negotiations, further endorsed by the European Council<sup>22</sup> yet, once more, a single-country veto led to a blocking of the decision. This time it concerned Bulgaria, doing so in seeking North Macedonia to upkeep the Friendship Treaty the two countries celebrated in 2017 related to historical and identity issues<sup>23</sup>.

Such consecutive, unilateral and quasi-rogue, vetoes are, inevitably, hampering the EU’s credibility. Albanian Prime Minister Edi Rama emphasized in a Politico-published op-ed from October 2021 that “Our future generations deserve to enjoy the rewards of membership, but we are hostage to the same historic forces of division the EU was created to eliminate. The EU must recognize that it is losing face with its staunchest defenders, while our progress to membership is blocked by just one strange collateral veto - Bulgaria”<sup>24</sup>. A new glimmer of hope was arose when Kiril Petkov, Bulgaria’s new Prime Minister, took office at the end of 2021, and mentioned wishing to realign Bulgaria with other countries on matters of enlargement, noting. “We will put discussions with Northern Macedonia on a new basis”<sup>25</sup>.

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<sup>18</sup> DG NEAR, “Membership status – Albania”, accessed 10 May 2022, online via: <https://bit.ly/3xWErrg>

<sup>19</sup> EU DG NEAR, “2021 Enlargement package: European Commission assesses and sets out reform priorities for the Western Balkans and Turkey”, online via: <https://bit.ly/3xX0HRQ>

<sup>20</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions”, 14 December 2021, pg.3.

<sup>21</sup> DG NEAR, “Membership status – North Macedonia”, accessed 10 May 2022, online via: <https://bit.ly/39zbLeI>

<sup>22</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – the Republic of North Macedonia and the Republic of Albania”, 25 March 2020, online via: <https://bit.ly/3HuggLw>

<sup>23</sup> Balkan Insight, “Bulgaria to Maintain Block on North Macedonia’s Path to EU: Minister”, 13 April 2022, online via: <https://bit.ly/3tDclt1>

<sup>24</sup> POLITICO, “Albania is getting ready for the EU, no matter what”, 25 October 2021, online via <https://www.politico.eu/article/albania-prepares-enter-eu-no-matter-what/>

<sup>25</sup> Balkan Insight, “Bulgaria Again Blocks North Macedonia, Albania, EU Accession Talks”, 15 December 2021, online via <https://balkaninsight.com/2021/12/15/bulgaria-again-blocks-north-macedonia-albania-eu-accession-talks/>

Indeed, these tensions and veto games have started to divide the Western Balkans instead of fostering stabilization and good neighborly relations as expected. As recently as April 2022, Prime Minister Rama alerted that “Albania cannot wait any longer for the two neighbors to resolve their quarrel”<sup>26</sup>, and would be seeking to potentially continue on this path separate from North Macedonia.

Further, the Albanian head of government regretted the way in which the Western Balkans are treated by the EU, particularly mentioning too much ambiguity and hesitation – “The same uncertainty applies to North Macedonia too – which has gone so far as to change its name – and to visa liberalization for the citizens of Kosovo”<sup>27</sup>. However, the Prime Minister offered up a solution: “if the Western Balkans cannot come to the EU, perhaps the EU can come to the Western Balkans. There are concrete steps that can be taken immediately. The EU can set up mechanisms of cooperation that efficiently establish some of the two-way benefits of membership, without raising the indignation of those opposed to our accession”<sup>28</sup>. As such, if the EU27 do not seem to reach an agreement, the EU should still be encouraged to keep bridges alive and allow cooperation to grow, such as investments, people-to-people projects and, of course, ensuring visa liberalization for the region.

The case of **Kosovo** is much more complex and, arguably, draining. For starters, the European Commission’s official page on Kosovo related to enlargement solely reads: “In 2008 the EU repeated its willingness to assist the economic and political development of Kosovo through a clear European perspective”<sup>29</sup>. Kosovo has been sending positive signals to the EU, as recognized in the Council Conclusions of December 2021: The Council welcomes that the new government, elected in March 2021, has confirmed Kosovo’s strategic commitment to its European path and related reforms. (...) Welcomes that the early legislative elections of 14 February 2021 and the local elections of 17 October and 14 November were well-administered and transparent”<sup>30</sup>. Yet it also called for more efforts on rule of law and public administration reforms, as well as long-standing structural problems in its economy (which the Council affirms the government seems committed to tackle improving fiscal governance and conducting reforms).

Most importantly, on the EU-facilitated Dialogue, the Council “reiterated its strong expectation that all past agreements are respected and implemented without delay”<sup>31</sup>, with the final aim to reach a comprehensive legally-binding agreement with Serbia in accordance with international law and EU acquis. This is, of course, “an essential principle of the SAA and underpins the development of relations and cooperation between the EU and Kosovo”<sup>32</sup>.

For this reason, the key word to describe Kosovo’s European integration path is stagnant and, more colloquially, dusty and tired. This paper looks into how the recent geopolitical developments in Eastern Europe could have an important impact on the EU’s handling of enlargement with the Western Balkans and, in particular, Kosovo as the most vulnerable country in the region.

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<sup>26</sup> Euronews, “Albania could push for solo EU membership bid, says PM Edi Rama”, 7 April 2022, online via <https://www.euronews.com/2022/04/07/albania-could-push-for-solo-eu-membership-bid-says-pm-edi-rama>.

<sup>27</sup> POLITICO, “Albania is getting ready for the EU, no matter what”, 25 October 2021.

<sup>28</sup> *Ibid*.

<sup>29</sup> DG NEAR, “Membership status – Kosovo”, accessed 10 May 2022, online via: <https://bit.ly/39AWk5O>

<sup>30</sup> Council of the EU, “Enlargement and Stabilisation and Association Process – Council conclusions”, 14 December 2021, pg.27.

<sup>31</sup> *Ibid*, pg.14.

<sup>32</sup> *Ibid*, pg.14.



## II. THE RUSSIAN INVASION'S POTENTIAL IMPACT ON EU ENLARGEMENT

The EU is currently facing a real threat, with Russia hindering European territorial integrity, and it must take matters into its own hands to not leave the Western Balkans adrift. The EU must correct its stance, to avoid leaving the six official and potential candidate countries with gridlocked integration. The next crisis demanding EU reaction could precisely be in the Western Balkans. After all, the Western Balkan countries have also fallen under Russia's soft power spell and remain, largely, formally unaligned with the EU and some with NATO. Moreover, it was the Balkan peninsula that was the stage to the most recent wars in Europe, the 1990s regional wars in the aftermath of the disintegration of Yugoslavia. After all the tense exchanges and occasional flare-ups, a military escalation by Serbia would arguably not come as too big of a surprise to political actors. As the recently-approved EU Strategic Compass reads, "The EU needs to be able to protect its citizens and to contribute to international peace and security. This is all the more important at a time when war has returned to Europe, following the unjustified and unprovoked Russian aggression against Ukraine, as well as of major geopolitical shifts"<sup>33</sup>. This war can be the stark reminder the EU27 needed to bring momentum back into the enlargement process, to refocus on its neighborhood and to not neglect the unattended regional tensions there which could be appeased by broad EU membership of the six Western Balkans, particularly of Kosovo and Serbia as equals. When the Western Balkans or far-east Europe is left alone, European interests are at a loss in those regions.

As scholars argue, "After years of stalemate, the brutal war in Ukraine is forcing all actors to choose a clear political path and take bold decisions. The coming months will offer opportunities to discuss the future of the region"<sup>34</sup>. It implies embracing countries even more to the East, such as Ukraine. Embracing Europe and a European perspective implies embracing enlargement as, truly, a credible process with a finite duration and consequential steps. Embracing Europe as Europe and not just the EU is, evidently, in the interest of Europe. When Russia invaded Ukraine in late February 2022, the shocking invasion brought new security risks with it – not just related to hard power but most important to political and economic allegiance. It also highlighted an even more pronounced divide between Europe and the European Union – while Europe is a continent, the EU is a tight-knit club of 27 countries, while non-EU European countries remain on the sidelines and eager to be part of the club. Reacting to the invasion, European Parliament President Roberta Metsola stated that "the European future of Ukraine should not be in doubt. Just as we owe clarity to the Western Balkans. (...) Now is the time to reinforce our unity before we are faced with an impossible situation and again have to face our citizens with excuses on why we did not manage"<sup>35</sup>.

It is in line with this that, immediately following the Russian invasion, Ukraine, Georgia and Moldova submitted requested for EU membership. Each country noted that the rapidly changing security landscape must force the EU to swiftly consider the membership bids. Currently all three countries are part of the EU's Eastern Partnership group, together with Armenia, Azerbaijan and Belarus. EU Commission President Ursula von der Leyen, when visiting Ukraine in early April, delivered the EU membership questionnaire to President Zelensky, the first stone of the membership castle. She also communicated that "It will not as usual be a matter of years to form this opinion but I think a matter of weeks"<sup>36</sup>. This definitely signals that the EU understands

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<sup>35</sup> European Parliament, "Press release - This is our moment: President Metsola to EU leaders", 24 March 2022, online via: <https://bit.ly/3xC53ML> .

the leverage membership carries against antagonist international powers such as Russia and China, seeking to build influence in the Western Balkans and broader Eastern Europe.

### **Why integration is particularly important for Kosovo: vulnerable and limited statehood**

Looking closely, even the general narrative surrounding the war in Ukraine is dismissive of Kosovo. While media outlets have broadly reported on the invasion and attacks by land and air as the first war in Europe since World War II, the Balkan peninsula was actually the stage of the genocide in Kosovo from 1998 to 1999. It was this period that more so prompted the newborn country to make the strategic national decision to align with the EU and US-led alliances. Euro-Atlantic integration has long been Kosovo's foreign policy aim.

One of the insofar consequences of the war in Ukraine has been to prove the Republic of Kosovo as a reliable partner in challenging foreign policy and geopolitical positioning. Its immediate backing of EU sanctions on Russia and lightning-approval of the decision to host 5000 refugees starkly differed from neighbor Serbia's aversion to signal strong backing of the EU's condemnation. As such, this difficult time could prove invaluable for Kosovo to leverage its standing vis-à-vis the EU and its progress towards Euro-Atlantic integration. Indeed, Kosovo's clear and strong alignment with EU values has never been more visible, especially when its neighbor Serbia refuses to join EU sanctions on Russia and is more hesitant to condemn the invasion. To cite the Council Conclusions of December 2021, "Joining the EU is a choice, and one that requires sharing the principles, values and goals the Union seeks to promote in its neighborhood and beyond, including reaching full alignment with the Common Foreign and Security Policy, and refraining from any actions contrary to it"<sup>37</sup>. Kosovar President Vjosa Osmani has once more raised the alarm that Serbia continues to act as a Russian proxy in the Western Balkans, "trying to destabilise the Serb-majority north of Kosovo as well as Bosnia and Montenegro, with support from its ally Russia, whose interests it serves"<sup>38</sup>.

Additionally, this could also prove to be a strategically smart time for Kosovo to apply as member to enter several international organizations, since Russia is a persona non-grata in the international stage. It would not make sense for the country, Russia, to object Kosovo self-declaration of independence when, in parallel, it recognized the self-proclaimed Donetsk People's Republic and Luhansk People's Republic in Eastern Ukraine as independent states. In this way, "by entering Donbas, Russia ceases to be an advocate against Kosovo's independence on the international stage. It is inconceivable that the Russian ambassador to the UN, at the next session of the Security Council dedicated to the semi-annual report on Kosovo, could say anything against Kosovo's independence and its international recognition without causing laughter in the chamber"<sup>39</sup>. Likewise, Serbia lost its main source of international supporter against Kosovo's statehood and therein its blockage strategy, for "relying on Moscow and its influence in world forums can no longer be a viable option"<sup>40</sup>. Looking at inside the EU, back in December 2021, MEP Viola von Cramon, who also serves as Special Rapporteur on Kosovo at the European Parliament, pushed for the fact that "Kosovo should become a fully-fledged member of Interpol"<sup>41</sup> during a meeting concerning organized crime. Very shortly after the war outbreak, on 3 March, the Kosovar Parliament passed a resolution demanding "the government

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<sup>37</sup> Council of the EU, 'Enlargement and Stabilisation and Association Process – Council conclusions', 14 December 2021, pg.7.

<sup>38</sup> Balkan Insight, "Serbia Aims to Create Tensions in Balkans: Kosovo President", 20 April 2022, online via: <https://bit.ly/3mSrWH4>

<sup>39</sup> EURACTIV, "The end of the Russian Defence of Kosovo", 23 February 2022, online via: <https://bit.ly/3z1XruB>

<sup>40</sup> *Ibid.*

<sup>41</sup> European Parliament, "Plenary Tuesday December 14, 2021 - Strasbourg Revised edition - Cooperation in the fight against organized crime in the Western Balkans (debate)", 14 December 2021, online via: <https://bit.ly/3tGwrs7>

take all necessary steps, in coordination with international partners, to submit the request for NATO membership, European Union, Council of Europe and other international organizations"<sup>42</sup>. However, as is well-known, such a decision does not rely on the applying country but indeed on the receiving organization. Following the blockage Finland and Sweden's NATO applications received from Turkey, the scenario does not bode well for Kosovo.

However, as almost always, the path ahead must be treated with caution in Kosovar domestic politics. For instance, following the war in Ukraine, Kosovar Prime Minister Albin Kurti pressed for the country to prioritize integration into international organizations, with the case in point being that the "his cabinet will ask NATO for membership, first by joining the Partnership for Peace - a NATO programme encouraging bilateral cooperation with non-member countries"<sup>43</sup>. Yet ethnic Serb MPs boycotted the Parliament session and, besides that, currency four NATO members still do not recognize Kosovo.

With such solid proofs of alignment, it is not fair that Kosovo keeps being on the short end of the stick. After all, the smallest country has been taking up the most responsibilities, such as sitting at the table with Serbia – who openly refuses to recognize its statehood – for the Dialogue on Normalization of Relations, and implementing EU structural reforms in accordance with the *acquis*. Yet the benefits do not match, indeed there is no reconnaissance of these efforts, nor that the country is objectively rendered at a much more vulnerable position following Russia's invasion of Ukraine – much like Serbia, the bigger power, has beforehand hinted it could, once more, do to Kosovo. What's more, if there is reconnaissance of this tricky reality, the EU seems unbothered by it and not moving one inch towards pushing the five non-recognizers to change their stance, or prioritizing visa liberalization for Kosovar citizens.

The war in Ukraine has been an eye-opener for Europe – to the real risk political antagonists can bring, and to the real decision the EU must take regarding enlargement to the Western Balkans. Dormant wounds and unresolved tensions can, clearly, lead to opened wounds and enflamed tensions. In such an agitated geostrategic landscape among international actors in the EU's neighborhood, Kosovo and the Western Balkans are key in the in the making of a more geostrategic Europe, as the current Commission mandate aims.

As things stand, it is highly unlikely that the five EU non-recognizers would change their national decision to not recognize the Republic of Kosovo as a sovereign state. Of the five, Greece and Slovakia are known as the "soft non-recognizers", given continued engagement with Kosovo on other, social matters. While Spain and Cyprus are labelled the "hard non-recognizers", with the former not even allowing those holding a Kosovar passport into the country<sup>44</sup>. Some glimmers of light at the end of the tunnel have arisen and faded. For instance, when Spanish Prime Minister Pedro Sanchez's government took office in 2018 it showed openness to compromise in its engagement and bilateral relations with Kosovo. A signal was sent with Sanchez attending the 2020 Western Balkans summit, marking the first time a Spanish Prime Minister did so.

In another good sign, in June 2021 Greece elevated the status of its trade office in Prishtina, which caused concern in Serbia, with both countries being historic allies. Serbian President Aleksandar Vucic even denounced it as "certainly not the best of news"<sup>45</sup>. Greece

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<sup>42</sup> Reuters, "Kosovo parliament urges government to start NATO membership bid", 3 March 2022, online via: <https://reut.rs/39xBSm4>

<sup>43</sup> *Ibid.*

<sup>44</sup> European Western Balkans, "Spain's Impact on Kosovo's Accession Process into the EU", 25 May 2021, online via: <https://bit.ly/3mWa3qP>

<sup>45</sup> EURACTIV, "Greece reassures Serbia its position on Kosovo has not changed", 8 September 2021, online via: <https://bit.ly/3QwIHFs>

came forward to reassure its Orthodox neighbor, noting that “Greece’s position regarding Kosovo’s status remains unchanged. At the same time, it is widely known that Greece has pursued a constructive approach towards Pristina, in line with our strategic goal for reinforced stability and security in the Western Balkan”<sup>46</sup>.

### III. A REALISTIC ANALYSIS OF EXPECTATIONS ON VISA-FREE REGIME

The Republic of Kosovo’s is so far down the EU integration ladder that the country’s focus is not even on accession negotiations, but rather in securing visa-free entry into the Schengen Area. Indeed, it is a whole other ballgame compared to Albania and North Macedonia, for instance, on the verge of opening their accession chapters. The struggle for visa liberalization with Kosovo has been, seemingly, endless, and the starkest manifestation of the unfair standing the country faces compared to the other Western Balkan countries.

Back in 2012, the European Commission launched the visa liberalization dialogue with Kosovo, issuing the official roadmap with mandatory benchmarks for the country to fulfill before being approved. In 2018, the Commission stated Kosovo to be have fulfilled all visa liberalization benchmarks, having the proposal for granting visa-free travel been supported by the European Parliament in 2019. Nevertheless, no action has been taken since by the Council of Ministers and the process is completely stalled. The stalled visa liberalization process for Kosovo has become such a polemic issue, that MEPs and senior national officials have started to push for its realization.

The European Parliament Special Rapporteur on Kosovo, Viola Von Cramon, has consecutively denounced the EU as “unable to deliver on its promise on providing visa-free travel to the citizens of Kosovo, even though the Commission and the Parliament reiterated their support numerous times ever since July 2018”<sup>47</sup>, with countries such as The Netherlands Kosovo is too involved in “organized crime activities”<sup>48</sup>. Such statements and delayed delivery on fulfilled benchmarks is “very damaging to EU reputation in Kosovo”<sup>49</sup>.

In January 2021, MEP Lukas Mandl from the European People’s Party asked clarification on why “the Council – or rather a small minority of Member States – is refusing to give its green light and is consequently damaging the EU’s credibility”<sup>50</sup>. And further insisting on “Which Member States are blocking/have blocked visa liberalization and on what grounds?”<sup>51</sup>. Similarly, in a March 2021 European Parliament resolution named and shamed the Council’s inaction on this matter: “whereas Kosovo remains the only country in the Western Balkans whose citizens need a visa to travel to the Schengen Area although all benchmarks for visa liberalization have been fulfilled since 2018. (...) The lack of a Council decision is withholding urgently needed opportunities from the citizens of Kosovo, weakening the EU’s credibility, and could have an impact on the Belgrade-Pristina Dialogue”<sup>52</sup>. Some months later, in a December 2021 European

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<sup>46</sup> *Ibid.*

<sup>47</sup> European Western Balkans, “Visa liberalization for Kosovo: From one report to another”, 29 April 2021, online via: <https://bit.ly/3tGYGqo>

<sup>48</sup> Schengen Visa Info, “Netherlands Continues to Oppose Kosovo’s Visa Liberalisation Due to Corruption”, 19 May 2021, online via: <https://bit.ly/3xWFKXm>

<sup>49</sup> *Ibid.*

<sup>50</sup> European Parliament, “Question E-000554/2021 on Visa liberalisation for Kosovo”, 28 January 2021, online via: <https://bit.ly/3xZeGqw>

<sup>51</sup> *Ibid.*

<sup>52</sup> European Parliament, “European Parliament resolution of 25 March 2021 on the 2019-2020 Commission Reports on Kosovo (2019/2172(INI))”, 25 March 2021, online via: <https://bit.ly/3N50T5L>

Parliament report on Organized Crime, MEPs once more urged that granting Kosovar citizens visa-free access to Schengen is in the best interest of the EU and supports its regional aims – the report alerts that “that fighting organized crime and EU integration are mutually reinforcing processes, urging the EU to accelerate the integration process. In that context, as isolation encourages criminal activities, MEPs also call on the Council to approve visa liberalization for Kosovo without further delay”<sup>53</sup>. Not only that, but also the German Minister of Foreign Affairs conceded that Kosovo has “done its part” regarding the visa liberalization process and called on the EU to now do its part as well to honor the roadmap process”<sup>54</sup>. As a final point on pushes from within the EU, the December 2021 Council Conclusions on Enlargement reminded that “The Council recognizes the importance of visa liberalization for Kosovo citizens. ...) The Commission proposal, supported by the European Parliament in its first reading in March 2019, remains under consideration in the Council”<sup>55</sup> - which is, in turn, the reason behind the stalled process. While the European Parliament pushes and pushes, the fate of the process nonetheless remains with at the hands of the Council and unanimity among the EU27.

For this reason, it would be unwise to expect that the visa liberalization status will change out of the blue, given years of political pressure by Member States and even MEPs internally towards other EU institutions. The momentum-changer is, however, Russia’s invasion of Ukraine at the end of February. Adopting a realistic analysis on what to expect, this paper argues that enlargement and, similarly, visa-free regime for Kosovo was not at all on the EU’s radar until the recent war outbreak. Until 24 February, the EU’s behavior towards further integrating the Western Balkans had been the same as in the last years (and, in some cases, decades): holding summits, injecting funds and preaching how crucial are the Western Balkan six for the EU’s strategic interest and sustainable livelihood. Concrete consequential actions, however, were never in the engagement picture. The threat landscape has now urgently and severely changed and, as such, so has the EU’s priorities and stability-ensuring strategies at the global stage. Now, negotiations with Albania and North Macedonia are even more guaranteed to open this year, 2022, and visa liberalization for Kosovo is finally looking as a more promising possibility.

Regardless, should the EU want to send a concrete and consequential integration-related sign to the Western Balkan six in the aftermath of war breaking out in Eastern Europe, the sign to be sent it much more probably to be opening accession negotiations with Albania and North Macedonia, than granting visa liberalization for Kosovo. After all, opening negotiations is a much hollower action, for it still implies long years of discussions, reforms and dialogue. Granting visa-free regime, on the other hand, is an immediate action with real impact on all the EU27. Moreover, it is a much more politically-loaded and sensitive sign, in light of five EU Member States still not recognizing the Republic of Kosovo’s independence.

If the EU can signal to Ukraine its commitment to its partnership by means of the important and concrete political move which is handing the membership questionnaire at the sudden demand of the country, it should be able to signal commitment to Kosovo too, with the concrete step of approving visa liberalization. Visa liberalization would be a much more concrete, important and decisive step than any accession instrument, Covid-19 recovery package or summit can provide. If the EU is indeed so adamant on regional cooperation among the Western

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<sup>53</sup> European Parliament, “Press release - Western Balkans: Organised crime a major obstacle to region’s development”, 16 December 2021, online via <https://bit.ly/3O2P7ds>

<sup>54</sup> Schengen Visa Info, “German MFA Says Kosovo Has Done Its Part on Visa Liberalisation”, 14 March 2022, online via <https://www.schengenvisainfo.com/news/german-mfa-says-kosovo-has-done-its-part-on-visa-liberalisation/>.

<sup>55</sup> Council of the EU, “ENLARGEMENT AND STABILISATION AND ASSOCIATION PROCESS – Council conclusions”, 14 December 2021, pg.29.

Balkans, as its enlargement strategy states, then the EU itself should aim for equality among them. After a decade of waiting, the issue of granting visa liberalization for Kosovo has inarguably become one of EU credibility and (in)ability to deliver on promises. At the end of the day, as scholars argue, “Visa-free travel is not a policy towards a “state” but towards people. So even in relation to Kosovo, I believe we can make positive progress. Of course, sooner or later the question of Kosovo’s status will come up. But the more pressing issue at the moment is broader: the EU’s credibility and real intentions to pursue a European perspective in the Balkans is in question”<sup>56</sup>. After all, in the broader scheme of things, visa liberalization for a politically-aligned country should be seen as an asset for the EU itself, as its population ages and member States are in need of more workers.

Times have changed, new risks have emerged and stakes are much higher in the present geopolitical landscape. Kosovo must be integrated into the visa-free system to ensure a stronger neighborhood, and a united, as well as equal, EU front to the Western Balkans. Such equal footing would inarguably set a solid foundation for proper neighborly relations among the six countries in the region.

#### IV. EQUAL PARTICIPATION OF THE WESTERN-BALKAN-6 IN EU ENLARGEMENT WAVES

The six countries of the Western Balkans are tired of waiting around for the EU to deliver. Particularly when they have not always been treated fairly – as is the case of Kosovo within this group of candidate countries. Equal participation in the Western Balkan-six framework as constructed by the EU, is key for Kosovo to face the enlargement package with a positive outlook in being treated constructively. Nevertheless, the point of fact is that Kosovo is repeatedly dismissed or misrepresented, not only in official EU bilateral engagement, but also in official EU documents concerning candidate countries.

A big unfair position is the simple fact that the EU external action representation in Prishtina is not labelled, as in all other partners in the world, as an EU Delegation, but rather as an EU Office. This owes to the fact that, in five Member States not recognizing the country’s statehood, the European Union External Action Service (EEAS) was not allowed to have a Delegation to the country, but an office. The underdog status is also present in little things concerning EU visibility and communicating its messaging. For instance, Kosovo’s online webpage within the larger DG NEAR website is virtually empty and non-committal - whereas the webpages of fellow potential candidate is hopeful and more solid, Kosovo’s merely reads: “ In 2008 the EU repeated its willingness to assist the economic and political development of Kosovo through a clear European perspective”<sup>57</sup>.

Even the adoption of the Instrument for Pre-Accession III came with an additional challenge for Kosovo or, rather, an unfortunate token of the extraordinary obstacles the country faces vis-à-vis its neighbors. The terminology in the instrument’s Regulation singled out Kosovo as the only country without an official constitutional name. Whereas the previous practice on publications concerning the Western Balkans or enlargement generally was to not use the constitutional name - meaning that countries would be named as<sup>58</sup>: Albania, Serbia, Montenegro, Kosovo, etc. – for this would ensure an equal standing for the six, despite the usual asterisk next to Kosovo

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<sup>56</sup> Visegrad Insight, “Time for the EU to Deal Fairly with the Western Balkans”, 11 February 2022, online via <https://visegradinsight.eu/time-for-the-eu-to-deal-fairly-with-the-western-balkans/>.

<sup>57</sup> DG NEAR, “Membership status – Kosovo”, accessed 10 May 2022.

<sup>58</sup> European Union, “Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)”, 15 March 2014, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32014R0231>.

mentioning “This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence”. Yet, in the IPA III Regulation text dated September 2021, countries were listed under its constitutional names (i.e. with the inclusion of “Republic of”)<sup>59</sup>. It was the first time in EU law or regulation that such a differentiation occurred and, naturally, came as a reminder that the EU indeed does not see Kosovo on equal footing as the other five Balkan peninsula. More than making Kosovo stand out in a negative way, it certainly does not help in breeding a regional sentiment of good neighborly relations and regional cooperation, as the EU pushes for among the six countries. The adverse impact this has for Kosovo’s international recognition, and should be closely discussed in the EU internally to avoid further damage in forthcoming regulations or laws. What’s more, the adverse impact this has in Kosovo’s standing with regards to its neighbors, especially Serbia, is also noteworthy, for it boosts Serbia’s position in the Dialogue on Normalization of Relations in seeming as if the EU sides with it when it comes to Kosovo’s lesser position. To cite a former Slovak MEP, “Looking at the broader EU dimension of working with the Balkans, perhaps the major challenge remains the non-recognition of Kosovo by some member states. Given this, can the EU have meaningful policy toward the region?<sup>60</sup>”.

Once more, the European Parliament appears are the most vocal EU institutional with regards to the Union’s unfair treatment of Kosovo. In the European Parliament resolution of 25 March 2021 on the 2019-2020 Commission Reports on Kosovo, it “Notes that five EU Member States have not yet recognized Kosovo, and reiterates its call for them to do so, and to reaffirm credible European commitment to the enlargement process; stresses that the independence of Kosovo is irreversible, and that recognition would be beneficial to the normalization of relations between Kosovo and Serbia, would enhance and consolidate the stability of the region, and facilitate the EU integration of both states”<sup>61</sup>. Indeed, in not guaranteeing equal participation of Kosovo in the official Enlargement terminology and in certain integration achievements (e.g. visa liberalization), the EU hampers its own strategic objective of regional cooperation among those countries, and continuously demotivated the candidate country most eager to align with the Union and its principles.

### **The stalled Dialogue and Kosovo’s lesser position**

Linked to the above, the Dialogue on the Normalization of Relations between Kosovo and Serbia, aimed at normalizing economic and political relations, is crucial. Not just for regional stability and national progress of Kosovo, but also for the EU paths of either one of the two parties in the EU-facilitated Dialogue.

Yet, even in this Dialogue where Kosovo and Serbia are supposed to be equal parties at the negotiating table, the EU has also shown to treat Kosovo as the underdog. Among the issues up for discussion in the Dialogue is the Association of Serb-Majority Municipalities, which is proposed to be a self-governance association of Serb-majority municipalities in Kosovo. This proposal was approved by the Assembly of Kosovo back in 2015, yet ruled unconstitutional by the Constitutional Court also in 2015. At the same time that Serbia has voiced the establishment of the Association as its priority in the Dialogue in order to protect ethnic Serbs’ interest in an Albanian-majority country, Kosovo has underlined that such Association cannot be realized until a comprehensive and legally-binding agreement with Serbia is reached, recognizing Kosovo’s

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<sup>59</sup> European Union, “Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III)”, 20 September 2021, available at: <https://eur-lex.europa.eu/eli/reg/2021/1529>.

<sup>60</sup> Visegrad Insight, “Time for the EU to Deal Fairly with the Western Balkans”, 11 February 2022.

<sup>61</sup> European Parliament, “European Parliament resolution of 25 March 2021 on the 2019-2020 Commission Reports on Kosovo (2019/2172(INI))”, 25 March 2021.

independence. So much so that Serbia has stalled the implementation of other agreements until the Association matter is settled – prompting Kosovar President Vjosa Osmani to “criticize the European Union for staying silent on Serbia’s refusal to implement other agreements that it signed up to, while urging the establishment of the Association of Serb-Majority Municipalities”<sup>62</sup>.

With the Dialogue stalled as is, other international actors have started to press for results. At the United Nations Security Council 21 April briefing on Kosovo and Serbia, the UN Special Representative in Kosovo, Caroline Ziakeh, emphasized that “While [the Dialogue on Normalization of Relations] process has led to meaningful results on various practical matters, a comprehensive normalization of relations between the two sides so far continues to be elusive<sup>63</sup>”. Both countries were encouraged to engage more meaningfully in order to reach benchmarks and advance on ensuring improved quality of life to the citizens. The EU, as facilitator, is currently trying to arrange a meeting between Kosovar Prime Minister Albin Kurti and Serbian President Aleksandar Vucic. It would be the third time the two would meet since Kurti took office. The main point of contestation, as mentioned above, is that Kosovo is being pressed by the EU and Serbia to implement an agreement on the establishment of an Association of Kosovo Serb-Majority Municipalities, which Kurti’s party and Kosovars at large deem to be a breach to Kosovar sovereignty.

The informal decision-making group Quint – consisting of France, Germany, Italy, the UK and the US – also reprimanded Kosovo in a recent election debacle, with Serbia seeking to organize elections in Kosovar territory in order to best reach Kosovar citizens of Serb ethnicity. Seemingly dismissive of the wider political sensitivities to the issue, the Quint released a statement on 24 March accusing Kosovo of not cooperating: “We acknowledge that it is the Kosovo Government’s prerogative to decide whether or not to permit facilitation of voting in another country’s elections. While we appreciate Serbia’s availability to find a solution, it is with great disappointment that we take note of Kosovo Government’s decision to reject a constructive proposal presented by the Quint”<sup>64</sup>. The statement therefore put the onus on Kosovo to decrease tensions and engage constructively when, in actuality, it is the Serbian government refusing to uphold the right for self-determination, or see their fellow Dialogue government as an equal.

### **The case of Bosnia as the other potential candidate**

It was back in 2016 that Bosnia and Herzegovina (BiH) applied for EU membership, with the EU granted the country candidate status in 2019<sup>65</sup>, also adopting a comprehensive reform roadmap (i.e., democracy, the rule of law, fundamental rights and public administration reform) in order to eventually open accession negotiations.

However, recent developments in BiH have not boded well for the country’s progression along the EU integration path.

Post-war Bosnia also hosts minority struggles, with one part of the country being Bosniak-Croat, and an autonomous (with a central government) Serb Republic. Internal discussions among the three ethnic groups have not been constructive and, currently, have led to tension with regards to the upcoming October 2022 general elections. There is a wide call for electoral reform, amid a concern that Croats in Bosnia will lose government seats, with the EU calling for the elections to “be free and fair, with equal representation of all three constituent peoples,

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<sup>62</sup> Balkan Insight, “Serbia Aims to Create Tensions in Balkans: Kosovo President”, 20 April 2022.

<sup>63</sup> UN News, “More dialogue needed to normalize relations between Kosovo and Serbia”, 20 April 2022, online via <https://news.un.org/en/story/2022/04/1116582U>.

<sup>65</sup> DG NEAR, “Membership status – Bosnia and Herzegovina”, accessed 10 May 2022, online via <https://bit.ly/3xBcJ24>



which is (...) key to BiH's long-term stability''<sup>66</sup>. In fact, 14 the EU identified key priorities that BiH needed to fulfill before the option of opening accession negotiations was presented, among which is the amendment of the election law and a constitutional reform. Moreover, the December 2021 Council Conclusions on Enlargement mentioned that "The Council deeply regrets the prolonged political crisis in the country, which has held back further progress on reforms in 2021, and condemns the blockage of the State institutions. The Council urges all political leaders to refrain from and renounce provocative and divisive rhetoric and action, including questioning the sovereignty, unity and territorial integrity of the country''<sup>67</sup>.

Much like in the case Kosovo, where perhaps this risk is more acute, in BiH there is a real danger of disillusionment that empty integration promises can lead to. As scholars argue, "For Bosnia, like other Western Balkan states, the prospect of EU membership was a driving force for political reform. Now with membership an increasingly distant prospect, momentum for reforms has declined''<sup>68</sup>. In sum, Bosnia, like Kosovo, still has lingering domestic issues on ethnicity and minority issues tainting its national stability – we argue this should be seen as all the more reason to engage constructively with the countries with regards to EU integration, instead of shunning them further.

## CONCLUDING REMARKS

Since the 2003 Thessaloniki Summit EU-Western Balkans, 13 countries have acceded to the EU, one Member State left, a financial crisis came and went, an unprecedented pandemic lingered for 2 years, and a new war broke out in Europe. Since 2003, Kosovo has evolved from being under the Kosovo the administration of the United Nations Interim Administration Mission in Kosovo (UNMIK) to a self-declared independent sovereign state in 2007 to, currently, a state with 117 international recognitions<sup>69</sup>. Since 2003, all Western Balkan countries – as well as countless other global partners of the EU in the four corners of the world – have been granted visa liberalization into the Schengen Area. All, that is, but the Republic of Kosovo. Kosovo remains an underdog in EU bilateral engagement – regardless of repeated announcements of enlargement-related investment packages, fruitless Dialogue on Normalization of relations meetings, and . The momentum achieved with Albin Kurti's election as Kosovar Prime Minister has run in parallel to Serbian President Alexander Vucic's reelection. Such high-level political developments have, once more, hampered optimism towards the EU-mandated need for good neighborly relations when looking at both parties' national political situation.

The long years of stalemate of concrete EU commitment to a Western Balkan engagement (or multiple enlargement waves) must be stressed and countered. In EU geopolitics there was always something that arose and stole the spotlight from further enlargement waves - from Brexit, internal struggles given Hungary and Poland's illiberal advances, and the Covid-19 pandemic, the Western Balkans always fall down the priority list. With it, the unresolved problem of Kosovo was found even more down the ladder, gaining dust. This has been a repeated mistake, of pushing away the concern, almost in a procrastinating nature, hoping that issues will fix themselves – be it that Serbia will recognize Kosovo, that the five EU non-recognizers will change their position on Kosovo's sovereignty, or that Kosovo will keep advancing with reforms without any rewards to boost them along the way. Post-here is a need to move beyond this

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<sup>66</sup> EURACTIV, "Lack of Bosnia election reform before key ballot splits Croatia and EU Commission", 26 April 2022, online via: <https://bit.ly/3QrEh2r>

<sup>67</sup> Council of the EU, "Enlargement and Stabilisation and Association Process – Council conclusions", 14 December 2021, pg.23.

<sup>68</sup> Al Jazeera, "Bosnia's disillusionment with the EU is dangerous", 8 November 2021, online via: <https://www.aljazeera.com/opinions/2021/11/8/bosnias-disillusionment-with-the-eu-is-dangerous> .

<sup>69</sup> Anadolu Agency, "Kosovo marks 14th Independence Day", 16 February 2022, online via: <https://bit.ly/3xByA9o>

impasse into the next chapter. Post-pandemic and mid-war, the time is here to act on Europe, to act deliver toward East Europe and to integrate the Western Balkans, to urgently deliver on Kosovo and put a definitive stop to the impasse it faces with regards to such a basic reward as is visa-free regime.

This paper delved into the state-of-play of Kosovo's integration path, from its standing as potential candidate with no real timeline of opening accession negotiations, to the visa liberalization process inexplicably stalled within the EU decision-making trilogue, and finally onto the newborn country's participation in the EU enlargement framework packages and messaging. We saw that Kosovo remain deeply unrepresented and dismissed in all of the above, despite its commitment to EU values and *acquis*, unlike its neighbor who, on the other hand, is more advanced along the EU accession path. The Russian invasion of Ukraine's destabilizing of Europe certainly prompted high-level talks around the world, and particularly in the EU, on what it could mean for the Western Balkans. Where will Russia stop? Will Serbia follow its likeminded international partner's ways, but into Kosovo rather than Ukraine? Has the EU waited too long to formally align the Western Balkans into its political, and military in the case of NATO, system? Many questions remain open-ended as the war rages on in Eastern Europe, however the war has brought a positive push for the Western Balkans' EU hopes. The EU has upped its vocal commitment to the region, promptly noticing that it may be the next to falter and it cannot leave the power vacuum unattended for much longer. We argue that the EU is now in the position to be in dire need to send the Western Balkans a concrete political signal with regards to progressing integration. Nonetheless, the EU's persistent hesitancy and continued limited recognition of the Republic of Kosovo indicates that the strong political sign it will soon be sending will be that of opening accession negotiations with Albania and North Macedonia. Upon analyzing where Kosovo realistically stands in terms of EU integration processes and steps this paper argues that, while the war in Ukraine has indeed been a game-changer for EU-Western Balkans relations, the consequential reaction of the EU will be more so towards other countries than for Kosovo. Regrettably, the reality indicates that visa liberalization will not be promptly delivered in reaction – although, in fact and as explained above, this is the signal most requested by MEPs for the longest time since benchmarks were formally recognized as met in 2018. We sincerely hope the EU comes to its senses and delivers on its visa-free regime end of the bargain as soon as possible, to upkeep momentum in its bilateral relations with Kosovo, which have been faltering for the last couple of years as the Dialogue on Normalization of Relations stalls and the five non-recognizer Member States do not waiver on their position.

When push comes to shove, the geostrategic and geopolitical of it all is that the hard reality is that is now or never that real EU commitment must be realized. Kosovo is waiting for is EU integration turn to come up; Kosovo is waiting, and eager, for equal participation in the Western Balkans framework - this can only be delivered by the EU. While Kosovo has been doing its part to meet visa liberalization benchmarks, to implement structural reforms linked to EU *acquis* fulfillment on rule of law and fundamental, for instance, the EU must do its own part. The EU needs to deliver on a visa-free regime for Kosovar citizens; the EU needs to deliver on unanimous recognition of Kosovo's independence, and the EU needs to deliver on Kosovo's equal, fair and non-discriminatory participation in EU instruments, documentation terminology and realistic accession prospects.

## **Policy Analysis**

Policy Analysis in general is a policy advice paper which particularly aims to influence the key means through which policy decisions are made in both local and central levels of government. The purpose of Policy Analysis is to address, more in-depth, a particular problem, to examine the arguments related to a concerned policy, and to analyze the implementation of the policy. Through Policy Analysis, Group for Legal and Political studies seeks to stimulate wider comprehensive debate on the given issue via presenting informed policy-relevant choices and recommendations to the key stakeholders and parties of interest.



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