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## **Western Balkan EU Accession Process: a Rocky Road or Trapped in the Waiting Room?**

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# **Master Thesis**

**Political Science (M.Sc.)**

**Specialization Nationalism, Ethnic Conflict and Development**

## **Western Balkan EU Accession Process: a Rocky Road or Trapped in the Waiting Room?**

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### Abstract

In the late 1990s and the early 2000s, the Western Balkan states became independent and wanted to become EU member states. The region consists of Kosovo, Serbia, Albania, North Macedonia, Montenegro, and Bosnia and Herzegovina. In 2020, still, none of the countries in the West Balkan region have succeeded in entering the EU. Besides not having met all of the conditions for membership, there are other factors that hold the aspiring member states back, such as the non-recognition of five of the EU member states. Therefore the Balkan region is still in the EU's 'waiting room'. The existing literature cannot explain what is more important in the accession process of the Western Balkan states: the conditions or the cost-benefit analysis of the EU. The research question in this thesis is: what explains best Kosovo's place in the EU's 'waiting room': the unmet conditions by the Western Balkan state or the cost-benefit calculations of the organization? Kosovo is a least-likely case for entering the EU and this case will be analyzed by interviews and literature analysis. The conclusion is that the cost-benefit calculations of the EU are more important than the unmet conditions, in the case of Kosovo.

## Introduction and Research Question

Western Balkan states have tried to become members of the EU since 2005 (European Parliament, 2021). However, there are still unsolved ethnic tensions in the region as a result of the wars in the Balkan region in the 1990s after Yugoslavia broke down. That is why the EU has put additional conditionalities for these countries' EU membership prospects (Fraenkel, 2016, p. 2). North Macedonia was conditioned to resolve its name issue with Greece, which it did in 2018 (BBC, 2018). Albania can only enter the EU together with North Macedonia and vice versa because their accession process is a package deal (Dimitrievska, 2020). Bosnia and Herzegovina had to change its constitution according to the European Court of Human Rights (ECHR) because its Jewish and Roma citizens could not become part of the presidency or the upper house of parliament, which was deemed discriminatory (Sanja & Lemstra, 2020).. However, The EU did not include this reform as an additional accession condition for Bosnia and Herzegovina (Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina, 2018). Kosovo and Serbia have to normalize their relations before they can become EU member states (Fraenkel, 2016, p. 2). Croatia is not part of the Western Balkan region because since it has entered the EU in 2013 it is not part of the European Commission's Western Balkans enlargement anymore (Töglhofer, 2013, p. 6).

Kosovo is a special case in the Western Balkans because the country has not been recognized by five EU member states yet (European Western Balkans, 2020). Critics say that the EU has left Kosovo in the 'waiting room' for too long, which means that the EU keeps postponing Kosovo's next steps in the accession process. EU officials say that Kosovo has not yet upheld the democratic standards required by them (Dizdarević, 2019). This makes it unclear if the EU has hampered the accession process of the Western Balkan states, such as Kosovo, because it is not beneficial for the EU or if these countries have indeed made insufficient improvements on issues such as the rule of law, corruption, and organized crime to become a member state.

The question that this thesis attempts to address is: what explains best Kosovo's place in the EU's 'waiting room': the unmet conditions by the Western Balkan state or the cost-benefit calculations of the organization? By attempting to answer this question, several contributions can be made to the scholarly debate: First, the thesis will refine theories of EU enlargement, namely the constructivist theory of Sedelmeier (2001) and Schimmelfennig (2001), which suggests that meeting membership conditions are the most important factor in the EU accession process, as well as the rationalist EU enlargement theory of Moravcsik and

Vachudova (2008), which claims that the cost-benefit analyses of the EU are crucial for this process.

Secondly, it adds more recent insights on the EU enlargement, as most of the scholarly work is situated in the early 2000s. Since the entrance of 10 new member states in 2004, the EU has imposed stricter requirements for enlargement because of enlargement fatigue. Thus, enlargement has changed over the years (Grabbe, 2014, pp. 2-3; Velichkova, 2011, p. 9).

Thirdly, knowing which factors play a key role in maintaining Kosovo in the 'waiting room' has a two-pronged benefit. It helps the EU face two types of criticism: criticism about the EU's unfair enlargement policy and criticism that the EU lets Kosovo become a geopolitical tool of other non-EU actors (Samorukov, 2019). For Kosovo, enlargement means access to the large import market of the EU. This is crucial for Kosovo as it is a landlocked country with a lack of utilized natural resources (Bertelsmann Stiftung, 2020). Knowing the most important factors in the accession process can help the Kosovars face the problems that hold them back from access to the EU's market. Lastly, with its critical assessment, this research can unveil some consequences of its findings for the EU's domestic and international politics.

The thesis proceeds as follows. In the first part, it assesses how far Kosovo stands with regards to meeting the EU's accession conditions and the effect that non-recognition has on the meeting such conditions and the process in general. The second part will cover the cost-benefit analysis of the EU concerning Kosovo's accession process. This part will include considerations of the EU concerning normative actorness, geopolitics, and economic considerations. After the analysis, it becomes clear that for Kosovo to become an EU member state, less than meeting membership conditions, Kosovo must solve its non-recognition problems. The non-recognition issue is also linked to the geopolitical and normative actorness considerations of the EU. Therefore, the conclusion that this thesis arrives at is that the cost-benefit rationalizations of the EU are more important than the country's successful attempts at meeting membership conditions.

### **Theoretical Framework**

International relations scholars do not agree about which factors have the largest influence on the decision of the EU to enlarge. Moravcsik and Vachudova (2008) look at the costs and benefits of EU enlargement. These authors argue that national interests are more important than ideology in the accession process. Applicant states will benefit more from enlargement than the EU member states and thus, the applicant states desire it more (Moravcsik &

Vachudova, 2008, p. 46). The EU will not be eager to enlarge if the GDP of the applicant states is small and if the distinct material benefits are modest. Geopolitical stabilization and economic revitalization are also benefits that have to be taken into account. If these benefits are larger than the costs, then the EU will likely enlarge (Moravcsik & Vachudova, 2008, pp. 50-51). Chandler (2007, pp. 606-607) agrees with these authors that the EU is self-interested and does not take into account the effects that the demands of the organization have on the working of domestic politics in applicant states.

Sedelmeier (2001) and Schimmelfennig (2003), on the other side, have a more constructivist idea about EU enlargement. According to Sedelmeier (2001), the EU has a collective identity towards the applicant states. This means that the EU as a whole has norms and values that they 'need' to share with the applicant states. This is the reason, according to such a view, why member states did not veto the previous enlargement even though it was not beneficial for them (Sedelmeier, 2001, pp. 30-31).

Schimmelfennig (2003) argued that even though enlargement is costly for the EU, the organization has committed itself to share their norms and values; they feel obliged to make applicant states democratic and liberal (Schimmelfennig, 2003, p. 48). Thus, according to Schimmelfennig (2003), cost-and-benefits analyses alone cannot explain why the EU wants to enlarge. O'Brennan (2008) believes that EU requirements are there to spread the democratic norms and values of the EU and that this is also in the interest of the applicant states. This means that the reforms in the Western Balkan states are more important than geopolitical factors (O'Brennan, 2008, p. 2).

These authors are among the most influential ones that write about EU enlargement. However, there is a clear disagreement between them about the most important factors that lead the EU to enlarge. Thus, from the literature of the early 2000s, one cannot conclude whether the unmet conditions or cost-benefit calculations are the more important reason why Western Balkan states still have not become member states of the EU.

Besides the basic rule of law, anti-corruption, and anti-organized crime conditions, for example, the EU has put additional conditions on Kosovo's accession process. The most important special requirement for Kosovo is an agreement with Serbia about its own statehood status. The difficulty for the Kosovars is that the Serbs refuse to recognize Kosovo if all Serbia gets in return is EU membership (RFE/RL, 2019). Another requirement for Kosovo that had to do with border disputes was a border demarcation agreement with

Montenegro. This was part of the requirements for visa liberalization and was ratified in 2018 (Parlementaire Monitor, 2018; EUR-Lex, 2018; European Union, 2018).

Kosovo has fulfilled all of the benchmarks for visa liberalization. This is an EU integration track that is separate from the EU accession process but an indicator for the progress that Kosovo will make with the SAA requirements. Despite this, visa liberalization for Kosovo was blocked by the Netherlands and France. According to these member states, Kosovo had not fulfilled all of the requirements (FR24News, 2020). Critics of the EU have said that this makes the EU a less credible mediator between Kosovo and Serbia because Serbs can travel freely to EU countries, and Kosovars cannot (International Crisis Group, 2021).

Besides, there is the critique that the rule of law mission in Kosovo (EULEX) has failed in its objective, which is strengthening the rule of law in Kosovo. The reason for this failure, as it has been suggested, is incompetence, corruption within the mission, and political interference (Rashiti, 2019). This makes it less believable that helping Kosovo with fulfilling the rule of law requirements is the priority on the EU's enlargement agenda, according to critics such as Rashiti (2019, p. 6).

These are all indicators that the candidate's inability to fulfil EU accession conditions seem to have less of an effect on the accession process than the cost-benefit calculations of the EU. Therefore, the hypothesis for this thesis is that the EU membership would only be granted to Kosovo if the benefits of this membership are larger than the costs for the organization. This remains in the core subject of this thesis.

### **Research Model**

The case that will be used for this research is Kosovo. It is the last Western Balkan state that signed a Stabilisation and Association Agreement with the EU in 2013 (European Parliament, 2021). As was said before, the case of Kosovo is special, but also relevant for this thesis, because Spain, Greece, Cyprus, Romania, and Slovakia have not recognized it as a state (European Western Balkans, 2020). Furthermore, Kosovo remains under the tightest scrutiny on domestic reforms compared to other cases. An example of this is the presence of EULEX, which is one of the largest EU civilian missions abroad, working on the rule of law in Kosovo (Rashiti, 2019, p. 4).

The disagreement between the EU member states and the presence of EULEX makes Kosovo the clearest case that challenges the EU as a single normative actor; it challenges the



organization's ability to make decisions and spread norms as a whole. The conditions that the EU has added to Kosovo's accession process, have slowed down this process. An example of this is the border demarcation agreement with Montenegro and an agreement with Serbia about the status of Kosovo. The EU has added more requirements to Kosovo's SAA than to those of other Western Balkan states (EUR-Lex, 2018, European Union, 2018).

Thus, Kosovo is a least-likely case in terms of being able to become an EU member state. North Macedonia and Albania are less appropriate cases for this research because their accession process is tied together in a single accession package. This makes it difficult to use either of these countries as a single case (Dimitrievska, 2020). Bosnia and Herzegovina does not have special requirements in their SAA, such as solving border dispute and Serbia. Serbia only has the dialogue with Kosovo as an additional requirement. This makes the normative role of the EU less clear in these cases than in the case of Kosovo (EUR-Lex, 2019).

The ideal methodological technique for this research would be to study the direct intent of the EU by looking at the attitudes that current and past officials of the organization have had towards Kosovo's EU accession process. However, studying the direct intent of the EU would be difficult because EU officials do not always have the freedom to be open about their thoughts about EU enlargement. This shortcoming can be handled to a certain extent by conducting interviews with mainly current EU and Kosovo officials, while asking follow-up questions to my originally devised standard interview questions in order to arrive at the conclusion. Asking follow-up questions makes it possible to be more critical of the answers and to ask for clarification of the answers that the respondent gives. This helps, to a considerable degree, with finding the direct intentions of the respondents. To do this, semi-open interviews have been conducted for this research. Most of the interviewees are EU officials who specialize in Western Balkan enlargement. By interviewing five EU officials, the answers that the respondents give can also be compared to see if the respondent's answer is one that an average EU official would give. Besides this, to see the EU accession story from both sides, two non-EU officials (from which one is a former government official and one is from an NGO in Kosovo) who live in Kosovo were interviewed. To triangulate the interviewees answers, additional sources have been used, such as EU policy papers about enlargement and scientific articles that have the Western Balkan EU accession process as a core topic.

## Context

When Kosovo declared independence from Serbia in 2008, the Serbian government claimed it was still part of Serbia and therefore did not recognize the new country (Kulish & Chivers, 2008). To solve the status issue, the EU offered to facilitate a dialogue between Kosovo and Serbia about the normalization of relations. This was accepted by the UN General Assembly (Kulish & Chivers, 2008). The dialogue between the two parties started in March 2011, which ended up subsequently in a set of so-called technical agreements between Kosovo and Serbia (Shea, 2020). The EU has been neutral on Kosovo's status because five member states do not recognize it as a state. However, the organization only signs contracts with countries that are recognized by all of the member states. An example of such a document is the Stabilisation and Association Agreement (SAA). An SAA is a contract for the Stabilisation and Association Process, a framework for relations between the EU and countries in the Western Balkan region (De Munter, 2020). However, the EU found a way to still being able to engage in relations with Kosovo, which was putting an asterisk after the name of the country (Group for Legal and Political Studies, 2018, p. 8). The asterisk says: "This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence" (Ker-Lindsay, 2012). This asterisk was used when Kosovo and the EU signed a Stabilisation and Association Agreement. This contract was established as contract between the EU and Kosovo, but not between the member states itself due to resistance in Spain, Greece, Cyprus, Romania, and Slovakia (Turp-Balazs, 2021; EUR-Lex, 2018).

After signing the SAA, Kosovo became a potential member state of the EU. To help Kosovo with the domestic reforms that were needed to fulfill the conditions that were written down in the SAA, the EU set up the Instrument for Pre-accession Assistance (IPA). IPA was available for all EU applicant states between 2007 and 2013 (Republic of Kosovo, 2020). From 2014 to 2020, IPA was succeeded by IPA II, which build on the results from the first IPA. Currently, IPA III is in working until 2027 (Republic of Kosovo, 2020). This assistance needs to be implemented by the Kosovar government but governments change with high frequency due to democratic instability (Freedom House, 2020).

The last elections in Kosovo were held in February 2021, and the new Prime Minister Albin Kurti was appointed (Isufi & Bami, 2021). Since 2019, there have been two changes in government (Freedom House, 2020). Kosovo has never had a government that could complete

its full four-year term. Besides the frequent government changes, another type of leadership change happened in 2020, when President Thaçi had to resign after allegations of war crimes during the Kosovo conflict in the early 1990s (Martinelli, 2020). Thaçi was trialed at the Kosovo Specialist Chamber and Kosovo Prosecutor's Office (KSP & SPO) in The Hague. The KSP & SPO deals with trials of suspects of grave crimes committed in the Kosovo conflict (Martinelli, 2020).

### **Progress with the Accession Conditions**

The European Commission report says that Kosovo is in an early stage of preparation when it comes to the accession conditions in the SAA (European Commission, 2020, p. 4). EU official A (the full interview transcript is included in Appendix 5) confirms that this is indeed the case.

### Corruption, Organized Crime, and Rule of Law

The situation in Kosovo in terms of fighting against corruption and organized crime cannot be compared with the situation in Western Europe (Former Kosovo government official, the full interview transcript is included in Appendix 7). It is confirmed in the European Commission report that Kosovo is at an early stage in the fight against organized crime (European Commission, 2020, p. 5). There is a lack of political will to solve this problem further. This has led to a lack of investigations into officials who have links to organized crime and corruption (Amerhauser, 2019).

Connected to the rule of law are fundamental freedoms. The legal framework broadly guarantees the protection of human and fundamental rights in line with European standards. But laws that should still be adopted and implemented in Kosovo are the Law on Religious Freedom, the Law on Gender Equality and the laws for the protection of children, the Law on Blind Persons, and the Law on Employment for disabled persons (European Commission, 2020, pp. 31-36).

Kosovo is a champion in terms of rule of law, compared to the other Western Balkan states (Former Kosovo government official, Appendix 7). But when EU member states or the EU institutions speak about Kosovo, they always emphasize the issue of corruption and organized crime more than for any other country in the region. The reason for this is that Kosovo is in a political deadlock in terms of the EU integration process and the EU does not have the right response or the right answer to these problems (Former Kosovo government official, Appendix 7).

Rule of law issues do not just disappear by becoming a fully recognized state and it takes much more to work on rule of law and to get new institutions and the implementation working. However, that does not mean that Kosovo cannot progress in this area (EU official B, the full interview transcript is included in Appendix 6). The problem with the judiciary in Kosovo is that it is not sufficiently independent because of political interference (Freedom House, 2020). Besides this, random assignment of cases should be made part of the judicial system (European Commission, 2020, p. 19).

Even if Kosovo did not have the status issue, the country would still not be far in terms of rule of law. The status issue is the broader issue (EU official A, the full interview transcript is included in Appendix 5). The non-recognition issue is more important than the accession conditions because the unmet conditions are a more explicit issue. Even if Kosovo advances in terms of the fulfillment of accession conditions, they would still have non-recognition problems (EU official A, Appendix 5). The EU has gotten firmer and stricter when it comes to the conditions (EU official B, Appendix 6). Kosovo still has to increase the efficiency of the governance and this is an issue. The Western Balkan state has issues with everything from merit-based appointments in the public administration to corruption and organized crime (EU official B, Appendix 6).

### Reform of the Public Sector

According to the European Commission report, there is some level of preparation in the area of public administration reform. The constitutionality of laws is more strictly checked by Kosovo's Constitutional Court than in previous years. More improvement can be made by making recruitment in the public administration more merit-based (mostly in senior positions) and increasing the coordination and accountability among ministers (European Commission, 2020, p. 14).

The transfer of power to a new government after elections in the Balkans is hindering continued work because the public administration usually changes then (EU official B, Appendix 6). For example, the government throws out boards of enterprises. It is a disruption (EU official B, Appendix 6). In the specific case of Kosovo, politicians are always looking forward to the next elections being around the corner and they try to do the things that will make them popular with their constituents and not the things that are tricky and difficult (EU official B, Appendix 6). The high political positions are well-aligned and that there is a firm government majority (EU official B, Appendix 6). Real progress is a question of political will.

Political instability in Kosovo is one of the reasons why the country has not progressed as much as the EU and the member states hoped for (EU official B, Appendix 6).

### Market Economy

The new government of Mr. Kurti has showed the will to change things with the grey economy, non-transparency and corruption (Official from an NGO in Kosovo, the full interview transcript is included in Appendix 4). Getting rid of the grey economy is also needed for developing a well-functioning market economy, another accession criterion (Official from an NGO in Kosovo, Appendix 4). An example of an economic freedom that can be respected more in Kosovo is the freedom to provide services. This can be done by implementing the EU Service Directive (European Commission, 2020, p. 65). Besides this, the Ministry of Education, Science and Technology, the State Examination Agency, and the State Council for Regulated Professions have not been established, even though they are by law responsible for the granting recognition of foreign professional qualifications (European Commission, 2020, p. 66).

Another way to increase the working of the economy is to privatize State-Owned Enterprises (European Commission, 2020, p. 56). According to the European Commission, in terms of export, the Kosovar authorities should process more goods and add different types of goods to the export goods for diversification. A last suggestion from the Commission to Kosovo on how to improve economically is to ratify the additional protocol 5 of the Central European Free Trade Agreement (CEFTA) on the Facilitation of Trade (European Commission, 2020, p. 87). The Central European Free Trade Agreement (CEFTA) is an international trade agreement between The Western Balkan states plus Moldova and Croatia (Töglhofer, 2013, p. 6). Thus, Kosovo is at an early stage of preparation for every EU accession condition.

### Non-recognition

Kosovo has already achieved a lot of things that are requisites to become an EU member state (Official from an NGO in Kosovo, Appendix 4). However, five member states find it unnecessary to talk about accession criteria for Kosovo if they have not recognized Kosovo as a state (Official from an NGO in Kosovo, Appendix 4). An official from NGO in Kosovo (Appendix 4) says: “Maybe that’s contradictory but that’s why I don’t believe that will we have any wording about admission talks with Kosovo before we have the complete recognition by all of the EU member states”. As long as there is no clarity about Kosovo’s status, the EU accession of Kosovo cannot be discussed, according to a EULEX official (the full interview transcript is included in Appendix 1) .

In terms of Kosovo's EU accession process, there are lots and lots of steps to take, and based on the status, this road will be bumpy and quite long (European Commission official, Appendix 2). The recognition issue is not up to Kosovo to resolve. If Serbia does not agree that Kosovo is a state, Kosovo will remain unrecognized (Official from an NGO in Kosovo, Appendix 4). At the moment, the official from an NGO in Kosovo (Appendix 4) does not have the fantasy to say that any non-recognizing member state of the EU would allow Kosovo to make progress in the EU accession process.

The EU is status-neutral on Kosovo. The organization engages similarly with Kosovo than they do with other Western-Balkan states. However, there needs to be an asterisk behind Kosovo's name in official documents and even calling the accession process is controversial (EU official A, Appendix 5). For accession into the EU, a recognized statehood is needed, and Kosovo does not have this. The EU would rather call it a European perspective or integration path. Kosovo is still a potential candidate member state because of the status problem. The European Council decides if Kosovo goes further in the process, and they say that a dialogue with Serbia is needed for progress (EU official A, Appendix 5).

The legally-binding agreement that will be the result of the dialogue with Serbia is also a condition in the SAA (European Commission, 2020, p. 6). The Integrated Border Management (IBM) permanent common crossing point needs to be established between Kosovo and Serbia (European Commission, 2020, p. 50). The implementation of the Technical Dialogue Agreements and the 2015 Agreement is also encouraged by the EU. (European Commission, 2020, p. 63).

There are a lot of issues in Kosovo, and the EU measures the progress (EU official in Kosovo, Appendix 3). The EU does not see the accession conditions progress in percentage, but they measure progress from this year to next year (EU official in Kosovo, Appendix 3). If the progress is positive, even if it is coming from zero but if they reached 20%, it is already good. It is even better than when the country is at 30%, and it backslides back to 20% (EU official in Kosovo, Appendix 3). What the EU looks more into is positive progress rather than the absolute standards because Kosovo is relatively far away from EU accession. So, the EU looks more to maintain this positive momentum towards the EU (EU official in Kosovo, Appendix 3).

To sum up, the accession conditions seem to be less crucial for Kosovo's accession process than Kosovo's recognition because even if Kosovo would have met all of the criteria, their application for candidate status would likely be blocked in the European Council.

## **Considerations for the EU**

### Normative Actorness

Acting as mediator in the normalization talks between Kosovo and Serbia is the only instance of solely EU facilitating thus far, without the US. Given the EU's aspirations to become a stronger normative power, this is a unique opportunity.

The EU tries to be a normative power in the world by mediating the normalization talks between Kosovo and Serbia. This is the first instance of only the EU facilitating, not together with the US, between countries (EU official B, Appendix 6). Another way in which the organization can show their normative power is by successfully employing the rule of law mission in Kosovo (EULEX). EULEX is linked to Kosovo's accession process because it helps Kosovo with improving the rule of law in the country, which is part of the EU accession criteria for Kosovo (European Commission official, Appendix 2).

Hence, being the facilitator of the normalization talks and employing EULEX is a chance for the EU to introduce a new level of normative actorness in its foreign policy. This is a benefit for the EU of the Kosovo accession process. This argument delivers evidence that backs the hypothesis that the EU's cost-benefit analyses is more important than the unmet accession conditions.

### *Mediator in Normalization Talks*

Non-recognition is limiting what Kosovo can do but also what the EU can do because all of the foreign policy and security decisions but also the enlargement decisions are made by consensus (EU official in Kosovo, Appendix 3). If there is no consensus of the EU member states because they have a different position on the existence of Kosovo as independent states then Kosovo is limited in the EU accession process (The EU official in Kosovo, Appendix 3). The dialogue between Pristina and Belgrade might be the key to the future process of Kosovo on the EU integration road because then the non-recognizing EU member states might also consider recognizing Kosovo and accept Kosovo's application for candidate member state (EU official in Kosovo, Appendix 3).

The dialogue started with the first round of talks about the so-called "technical agreements" in March 2011 (Shea, 2020). In 2012, the technical agreements were completed and the EU facilitated the process whereby Kosovo and Serbia opened their liaison offices in their respective capitals. However, this had a limited impact on the normalization of the relations between the two countries (Group for Legal and Political Studies, 2018, p. 8).

In 2014, Federica Mogherini replaced Catherine Ashton as High Representative of the Union for Foreign Affairs and Security Policy (Pop, 2014). Mogherini wanted to convene a second round of talks between Serbia and Kosovo. The goal was to make progress in the establishment of the Community or Association of Serb Majority Municipalities (European Commission, 2014). This is a self-governing association of municipalities with a Serb majority population in Kosovo to solve the disagreement between Kosovo and Serbia about who has the authority over the Serb majority Northern Kosovo (Zeqiri, Troch & Kabashi, 2016, p. 5).

In 2020, the EU-facilitated dialogue resumed with a virtual high-level meetings in July and September. The topics of discussion were economic cooperation and the issue of missing persons after the Kosovo conflict (International Crisis Group, 2021). However, even after 10 years of dialogue, the Serbian authorities refuse to recognize Kosovo if Serbia receives only EU membership in return while Kosovo will not accept any deal that excluded their recognition (EU official B, Appendix 6).

The status issue is a political obstacle (Former Kosovo government official, Appendix 7). There are clear rules within the EU institutions, and member states do not have any space to maneuver in the case of Kosovo. They cannot maneuver in the same way that they did with the SAA. Now there is a need for clearance (Former Kosovo government official, Appendix 7). If things are not clear, it is difficult. The only way for Kosovo is to reach a deal on mutual recognition. Then this will make it much easier for Greece, Spain, Romania, Cyprus, and Slovakia to do the same (Former Kosovo government official, Appendix 7).

Spain's reason for not recognizing Kosovo is that they do not want to give off the wrong signs to the Catalan independence movement (Turp-Balazs, 2021). Cyprus is not recognizing Kosovo because of the problem with secessionist Northern Cyprus which de facto seceded from Cyprus (Ioannides, 2017, pp. 639-640). Greece also does not want to give the Cypriot Turks the idea that they can unilaterally declare independence (Ministry of Foreign Affairs of Greece, 2012).



Slovakia will not recognize Kosovo yet because the Slovaks think that the declaration of independence of Kosovo could set an example for their Hungarian minority to pursue autonomy (Fazliu, 2016). Romania has the same reasons for not recognizing Kosovo as Slovakia: the Hungarian ethnic minority in Székely Land (Damian & Demjaha, 2019).

The non-recognizers have a constructive approach. They do not put Kosovo on the side (European Commission official, Appendix 2). The EU had the possibility to sign an SAA, which needed to be as well approved by the member states (European Commission official, Appendix 2). The European Commission official (Appendix 2) adds to this: “thereafter you never know because it’s the same with North Macedonia right now, where the opening of negotiations was blocked for political reasons [the name dispute between North Macedonia and Greece], from one member states entry, from one day to the other”.

The five EU non-recognizers have to be very careful in their communication but they have been quite clear in saying that they will not be more Serbian than the Serbs. The main thing for them is that the moment that the normalization process is a negotiated process, that leads to an agreement by two sides, this is the appropriate mechanism. The problem they have is the unilateral steps that Kosovo has taken (EU official B, Appendix 6). EU official B (Appendix 6) says: “I’m not saying you need to hand yourself over and do everything the Serbs say. Go to Brussels, be a tough negotiator, fight for your interests but, basically, telling your public that you [the Kosovar government] will never accept anything is not helpful”.

### *The Credibility of the EU*

Credibility is a crucial element for the normative actorness of the EU. If the organization is not seen as a credible facilitator, then their global, normative influence decreases. One factor that could decrease the EU’s credibility as a facilitator of the dialogue are the fact that Serbia received visa liberalization, but Kosovo not, even though the country met all the criteria (International Crisis Group, 2021).

Another factor that could decrease the credibility of the EU is the fact that Kosovar suspects of severe crimes in the Kosovo conflict are trialed in a court especially established for this with help from the EU, the Specialist Chambers and that Serbian suspects are not trialed in a special court but in the International Court of Justice (Martinelli, 2020). Thus, it seems that the EU treats Kosovo and Serbia unequally. Hence, if the EU is perceived as a credible mediator in the dialogue between Kosovo and Serbia, its normative power increases and this

power is a benefit in the cost-benefit analysis of the EU concerning Kosovo EU accession process

### Visa Liberalization

The EU's credibility has decreased because the organization failed to grant visa liberalization to Kosovo after the country had met all of the benchmarks (Schwarz-Schilling, 2019). Not delivering on the visa liberalization process would decrease the EU's leverage by not being perceived as a credible actor in this process and that losing this leverage can create a geopolitical problem for the EU (EU Official A, Appendix 5). Kosovo had fulfilled the criteria many years ago and that the Commission is supportive of visa liberalization (European Commission official, Appendix 2). The European Commission official says: "Kosovo is the only beneficiary in the region that does not have visa liberalization and indeed thereafter, it is about conditionality. If you respect something, in the end, you expect to receive what you have established the process for".

The visa liberalization process was stalled because Kosovo comes so late in the process now that the context has changed within the EU with the migration crisis (EU official B, Appendix 6). All of the countries are much more cautious on anything related to free movement and migration, reflecting also the perception of their domestic audience, which is much more skeptical about anything migration-related (EU official B, Appendix 6). Besides this, there are real issues with rule of law and migration risk. There would be a high visa refusal rate and people would bring up other security risks, such as counter-terrorism but it is not a major thing (EU official B, Appendix 6). The former Kosovo government official (Appendix 7) says: "Since 2016, when we had fulfilled the criteria, the EU hasn't been able to deliver, so for me, since then it is basically discrimination and there is no justification behind that, regardless of this fear [of a migration flux]".

### EULEX

There is also criticism that the EU is not a credible mediator between Kosovo and Serbia because the Kosovars have the Specialist Chambers, and the Serbs do not (Holvoet, 2020). However, Serbs who have been accused of grave crimes in the Kosovo conflict have been in the International Criminal Court because they are recognized as an independent country and independent countries are under a different regime. Kosovo is still something undefined, also for the EU (EULEX official, Appendix 1). The EULEX official (Appendix 1) says: "We have no choice. Taking them [Kosovo] to the International Criminal Court as [a state] would mean recognition of Kosovo as a country. In that sense, it is not logical". There is a lot of criticism

towards EULEX that is driven by less than proper motives because there is deliberate misinformation, for example, on the role of EULEX as a support of the Specialist Chambers, while the Chambers are on a completely different regime (EULEX official, Appendix 1).

EULEX started in 2008 after Kosovo declared its independence and this was a chance for the EU to put itself on the map as a normative actor in the Western Balkan region. In 2018, the executive part of the EULEX mission was transferred to the Kosovo judiciary system (Council of the EU, 2018). The EULEX mission is important in Kosovo's EU integration process but since the mission does not have direct executive power anymore, this has become a less important factor in Kosovo's EU integration process than it was before (EU official in Kosovo, Appendix 3).

Kosovars believe that political interference and corruption within the mission is an issue that undermines the effectiveness of the mission, and this decreases the credibility of EULEX and the EU in general (Hoogenboom, 2011, pp. 12-13). The former Kosovo government official (Appendix 7) said: “ instead of making our system more effective, it made our system more lazy and that's why it did not give what we were hoping that it would give”.

According to the European Commission official, the normative power is not supposed to manifest in the way the critics say. The normative aspect is not here to have an influence, to open a specific market, for instance, an electricity market beyond the border but it is here to prepare the membership for these countries and to respect the full compliance with EU rules (European Commission Official, Appendix 2). The costs are always much lower than the benefit in this circumstance. This has a very simple reason: it is the Western Balkans. It is a historically explosive region (EULEX official, Appendix 1). EULEX prevents things from getting out of hand and that compared to the cost of things getting out of hand, the cost for EULEX is minimal (EULEX official, Appendix 1)

In terms of the cost-benefit analysis of the EU, the normative actorness considerations for the EU are important, because if Kosovo was not participating in the EU accession process, then the EU would not have had the chance to become a facilitator in the dialogue between Kosovo and Serbia and to have an imagine as normative actorness. Besides this, without Kosovo's accession process, EULEX would not be needed because there would be no rule of law accession criteria and therefore, the EU would not be able to use this mission as a way to show that they can spread their norms to the Western Balkan region.

## Geopolitics

### *Stability*

The aspect of geopolitics is important for the EU because it is closely linked to stability in neighboring regions. EU membership for the Western Balkan states means stability in Kosovo, and this means a more stable backyard for the EU (Zupančič & Pejič, 2018, p. 93). Including Kosovo in the EU would increase the organization's geopolitical position (EU official in Kosovo, Appendix 3). Drawing the Western Balkan region into the orbit of the EU has the advantage of introducing the problem-solving mechanism of the EU (EULEX official, Appendix 1).

### *Influence of Other Actors*

Membership for Kosovo and the other Western Balkan states would also have as an advantage that it could reduce the influence of countries such as Russia and China in the region. These powers are trying to strengthen the diplomatic and economic relations in the region (Belloni & Brunazzo, 2017, pp. 28-29). This can threaten the EU's ability to spread its democratic values in the Western Balkans and therefore, its chances to become a normative power. Having Kosovo in its orbit is a benefit for the EU because this way, they can keep the other great powers out of the country (EULEX official, Appendix 1).

However, Russia and China are not very active in Kosovo because of the status issue. None of these two Permanent Members of the UN Security Council recognize Kosovo (EU official A, Appendix 5). Instead, the US has been an influential country in Kosovo for a long time and Turkey also has an influence in Kosovo. However, partnerships with the US and Turkey are not alternatives for EU membership but if the latter does not give Kosovo an adequate EU perspective, then these other actors might start to play a bigger role in the country (EU official in Kosovo, Appendix 3; Former Kosovo government official, Appendix 7).

Given that the US has played a key role in shaping the aftermath of the 1998 and 1999 war in Kosovo, the US is likely to maintain a strong influence and they could always be engaged in the discussions on the recent ongoing dialogue with Serbia (EU official in Kosovo, Appendix 3; Former Kosovo government official, Appendix 7). However, the US partnership with Kosovo is not an alternative for EU membership because the European integration path is clear, and Kosovo aims to join NATO and the EU (Former Kosovo government official, Appendix 7). "This is what we aspire as a final destination in terms of the European integration progress", according to the former Kosovo government official (Appendix 7).

It is not in the EU's interest to leave the ground to the United States, being the best friends of Kosovo. The two countries have a special relation, and a special history, and it is hard to become number one in their love life (EU official B, Appendix 6). However, EU official B (Appendix 6) says: “with all the difficulties, we should still be the number one actor on all fronts and, of course, the moment you show this unity or disengagement, it opens the way for everyone else, all kinds of partners, even those that we share the same agenda with and those who we don't share the same agenda with”.

Turkey plays an important role because it is an important player in the region overall and especially if one looks at Turkey's trade relations with the region. There is a Turkish minority living in Kosovo as well, so the ties with Turkey are quite strong (Former Kosovo government official, Appendix 7). The EU official in Kosovo (Appendix 3) says: “Turkey is a traditional player, which is kind of a traditional player in the region but also there is a Turkish minority in Kosovo. There is significant development assistance, there is also a religious interest. So, Turkey is a player which needs to be considered”. However, the relations with Turkey cannot impact or undermine or put into question the clear EU-Atlantic perspective of the Kosovar people and the Kosovar institutions (Former Kosovo government official, Appendix 7).

#### *Absorption Capacity of the EU*

Another geopolitical consideration for the EU is that there needs to be an absorption capacity to enlarge itself. The decision-making process gets more complicated, and that can have negative ramifications for the EU's geopolitics. The internal decision-making power in terms of abilities of the EU is a cost for the organization (EU official in Kosovo, Appendix 3). The more state leaders are present and have votes in EU Council meetings, the harder it gets to find agreement. This applies for qualified majority decisions and much more for decisions that require unanimity (EU official in Kosovo, Appendix 3).

The importance of the geopolitical aspect of Kosovo's EU accession process is emphasized by the interviewees and this points to evidence that the cost-benefit analysis of the EU plays a crucial role in Kosovo's EU accession process.

#### Economic Considerations

Between 2007 and 2020, the EU has spent 1.2 billion euros on IPA projects in Kosovo (Petrovic & Tzifakis, 2021, p. 6). This has not included a part of the €602.1 million assigned for IPA projects between 2017 and 2021 and a corona recovery package of 3.3 billion euros

for the six Western Balkan states and 83.7 million for EULEX expenditures from June 2020 to June 2021 (Petrovic & Tzifakis, 2021, p. 6). From this year on, IPA III will be in working till 2027. IPA III focuses on civil society and media. This will cost approximately 12.6 billion euros (European Parliament, 2021). Out of all the Western Balkan states, Kosovo received the most IPA funding (Nagtzaam & Lambie, 2020). Thus, overall the EU is spending more than 100 million euros per year on pre-accession projects, and a large percentage of it goes to the rule of law (EU official A, Appendix 5; EU official B, Appendix 6).

The IPA money is not easy to absorb for Kosovo because of the country's institutional structure (EU official A, Appendix 5). However, the cohesion funds for the new member states are even larger, even though IPA is also a big cost compared to the usual development aid (EU official A, Appendix 5). Even though the overall costs of Kosovo's accession process for the EU are over one billion euros, in percentage of the GDP these costs are very low (EU official A, Appendix 5; EU official B, Appendix 6). The whole Western Balkan region costs the EU between 0.014% and 0.026% of the GNI of the EU. This is between €1.60 and €10.80 per capita per year (Rant, Mrak & Marinč, 2020, p. 444).

It is more important that Kosovo has an EU perspective so that they will align its legislation with the EU *acquis*. It makes life easier for economic players who want to either export or import (EU official A, Appendix 5). If the economies of the Western Balkan states are integrated, this is a benefit for the EU market. The region lays strategically on trade routes, and Kosovo and the workforce is young and educated. This would be beneficial for the EU (EU official A, Appendix 5). However, The EU market is more important for Kosovo than the Kosovar market is for the EU the Western Balkan region because 70% of their trade is with the EU but for the organization, the Western Balkans is a market of just over 1%, (EU official B, Appendix 6). Thus, the economic considerations is part of the cost-benefit analysis of the EU but is not the most important consideration.

## **Conclusion**

The findings of this thesis suggest that the cost-benefit considerations of the EU are more important than Kosovo's unmet accession conditions in Kosovo's accession process. Not being recognized by Serbia as a state leads Kosovo to take slower steps in the progress towards EU membership than they could otherwise make. This is due to Kosovo being blocked in international cooperation processes, enhanced political instability, as well as the issue of consensus-based decision-making in the European Council.

Therefore, the hypothesis is confirmed. This conclusion was drawn after comparing the effect of the cost-benefit analysis of the EU and the effect of the unmet conditions on Kosovo's EU accession process.

The thesis first discussed how far Kosovo is in the process of fulfilling the accession conditions in the SAA. It turned out that Kosovo was at an early stage of fulfilling the accession conditions. The interviewees suggested that the non-recognition issue is a critical issue in terms of slowing down the fulfillment of the accession criteria. If Kosovo does not fulfill political criteria or the implement the acquis legislation, then there is no progress in the EU accession process.

After the progress with the accession conditions, the considerations for the EU concerning Kosovo's accession track were discussed. According to the interviewees, the lack of recognition by five EU member states meant that Kosovo is behind in the EU integration process, and the key is an agreement between Kosovo and Serbia. If there is an agreement between Belgrade and Pristina on future relations, the EU member states might consider their position concerning Kosovo's status. It could also give the EU the image of a normative power in the world if they bring the dialogues to a successful ending and this makes them a stronger actor in the Western Balkan region. This could decrease the influence of other regional and global actors that have an interest in the region. The economic costs of the EU enlargement towards the Western Balkan region are small, compared to the benefits that the geopolitical stability in the region can bring for the EU – especially when the former attempts to employ its normative power. This seems to be the reason why the EU has not terminated the EU integration process with Kosovo but has put them in the 'waiting room' instead. The EU does not want Kosovo, or the Western Balkan region, to become a theater for other powers to intervene. Yet, the EU keeps Kosovo at bay in its cost-benefit calculations.

Even though the EU accession process of Kosovo is multifaceted, it is possible to conclude that the overarching problem of non-recognition explains best why Kosovo is still waiting for EU membership. The non-recognition problem is not only affecting the progress that Kosovo makes with the conditions but also the normative actorness of the EU because it is the moderator in the dialogue between Kosovo and Serbia. By being the mediator in the dialogue about Kosovo's recognition, the EU can show that it has the capacity to spread its norms to non-EU countries and the organization is capable of playing a role as a global actor.

This research brings more clarity in the debate between the International Relations scholars. Scholars, such as Sedelmeier (2001) and Schimmelfennig (2001) think that the accession conditions are the most important factor in the EU accession. On the other side there are scholars like Moravcsik and Vachudova (2008), who say that cost-benefit analyses of the EU are crucial in Kosovo's EU accession process. By analyzing the EU accession process of Kosovo, the theories about Eastern European EU enlargement can be updated since the early 2000s. This research gives more recent insights into what aspects play a role in the accession processes of countries in Eastern Europe that currently apply for EU membership. This is the academic implication of this research.

The analysis of this research showed that the most important reason for the EU to continue with the process is geopolitical. The EU wants to solve the problem in Kosovo in its own way and in its own orbit. This does not only apply to Kosovo; it seems that it may also apply to other Western Balkan states. It is therefore advised to do the same research for the other countries in the region. The policy implication of this study is that EU and Kosovar policymakers can take into account the importance of recognition of Kosovo. It helps Kosovo to set priorities in terms of the accession process. On the side of the EU, the importance of the dialogue between Kosovo and Serbia could be emphasized more and this could put the organization on the map as a credible mediator and a global actor. Thus, by showing that the cost-benefit analyses of the EU are more important than the unmet accession conditions in Kosovo's EU integration process, there is more clarity about what the priorities of the EU and the applicant states should be when it comes to EU enlargement.



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## Appendix 1

### Interview with an EULEX official

*First of all: thank you so much for taking the time and I will have to ask if it is okay for you if I record what you are saying on my phone so that I can transcript it.*

Absolutely, yes.

*Thank you very much. Are you okay with me saying who I have talked to would you like to stay anonymous?*

It depends on what you are quoting me on, but I am normally comfortable with being quoted by name.

*Okay, thank you so much. Then we will start the interview. My thesis is about the EU enlargement process of Kosovo. My first question is: how far do you think Kosovo is in terms of their rule of law conditions for the EU accession?*

I am not in a position to answer this question for you. It is a political question that is assessed regularly by the Commission of course.

*Of course yes.*

It is also not for me to affront a position of desk for the mission EULEX Kosovo to give an assessment the state of advance of Kosovo as an entity.

*Yes I understand.*

But I can say that the effort that we deploy in Kosovo in the wake of the executive mandate of EULEX seem to bare good fruit. There is still a lot of monitoring ongoing, robust monitoring as we call it.

*What does that mean, robust monitoring?*

Robust monitoring is basically, the monitoring of court proceedings but we also have the monitoring of the police. Mostly in the realm of the court proceedings. Robust monitoring means growing on the networks that we have formed under the EULEX executive mandate. We enjoy privilege access of all layers of the system. We have access to court documents that otherwise a normal monitoring process would not include. Robust means using the full panel of instruments that we have that derive from the era of the executive mandate.

*Okay.*



The executive mandate in a sense – Kosovo was for a number of years almost like a protectorate of the EU. It is an unpleasant term, maybe not quote me on that. To see in perspective, I normally like to see it from a historical perspective and if you see what happened when we took over from UNMIK. UNMIK was full state powers. We got a number of substate power but we still wield at state power, we ruled it over Kosovo as it was not an entity. In this sense, of course, we see different issues reflect, we see the position of the non-recognizers reflect that kind of position. The most interesting part is that you see how the EU grows into a crisis management mechanism. Exercising executive power starts to be a feasible option, which was not all that obvious, back in 2006-2007.

*Yes.*

At the same time you see the similarities and also the risks that such a system entails. You grow into local networks, you go native, as it is called in the literature. And that the system is designed to actively forestall that. I find that very interesting. There are the issues that I can readily talk about, that I am very much interested in from my own background in crisis management. I have been in this area since 2004.

*Yes.*

The perspective of Kosovo on the routes towards Europe is something that is much more multifaceted. That is something that presupposes a horizontal, all-of-society-assessment.

*In my thesis I am also looking at the normative actorness of the EU and how that plays a role in the accession process. Of course, EULEX is a big part of that. What you say, a crisis management mechanism. Do you think this is also one reason why the EU is continuing with the process, so that they can show that they have that power to mediate in a crisis and be a normative power in the world?*

Absolutely, that is a fundamental reason. You are wording it in a very concise and compact manner but I think that is all the reason why we are there. It is a good reason also. We are talking about one of the more dangerous power blocks in the world, the Western Balkans. In this sense to seek to draw it into- it comes with risks and benefits, like anything else in life. The drawing this territory in the orbit of the EU has, of course, the advantage, that you introduce the problem solving mechanism of the EU. Words instead of bullets into that area of the world. The constant dilemma that you have is are these differences, the traumas, manageable in that manner, or is it still too early, historically speaking. Those are the big

question. Can we really force Kosovo and Serbia through one door? Is that an option? If Kosovo, in an undefined future, accedes to the EU as a member state, something that is yet not in the cards because not even all member states recognize Kosovo.

*No indeed.*

Whether that is going to change is not for me to guess about but as long as that is not the case, then Kosovo cannot be a member state. It cannot be called a state. I understand that you work at the Kosovar embassy in The Hague?

*Yes, I did a three months internship there, that is correct.*

That is a beautiful advantage point that you have. That is really like you are sitting with your nose to the glass.

*Yes.*

So it is a beautiful thing but then you also know how the trouble is with the non-recognizers with always the *asterisk* on the documents, avoiding carefully calling Kosovo a country. If you see what kind of problems they have. We regularly get the Kosovo media monitor, every day, at least five times a day. Those are articles from the Kosovo media. Some minister was caught with so many kilos of heroine, somewhere at the border. Mr. Thaçi, then, who was just taken to the Hague recently. One day in office, the other day a suspect for war crimes.

*Yeah.*

We are on the route to something. How fast that route is going to be run is anyone's guess but problems are still profound, as you know very well.

*Yes there are problems indeed. I have read much about it, of course. I have also read about criticism that there is a paradox in EULEX that the EU has put conditions on Kosovo but then actually EULEX is a part of the EU and they also make those steps in the rule of law. Does that make Kosovo think that they do not have to do so much because the EU will do it themselves with EULEX? What do you think about that?*

I don't think that's at all the case. I do think that there is a different mechanism at work. As you know, there is a lot of resistance, even tacit resistance against the presence of EULEX because EULEX is seen, still, and not without reason, as a hinderance towards full independence. It actually is a statement of incapacity. If you need instruments like the Specialist Chambers and the Specialist Prosecutor's Office, all these instruments are signs of

diffidence, of mistrust, not without a reason. There is still the power in Kosovo, as such, that it is too risky too have courts locally handling sensitive cases. You can say in some member states that is also the case but maybe we could have had similar regimes for those member states. It is a way of getting it right, a more intense accession process.

*Yes.*

It is an accession process plus. You can read it in a positive way, you can read it in a negative way. It depends on the point of view.

*I understand that. But there is also criticism that Kosovar politicians have to go to the Specialist Chamber and then Serbians don't have such a court. Is that fair? Is that a sign of the EU not being a credible mediator, does that decrease their being a normative actor.*

I fully reject that type of view. The reason being that Serbians have been in the International Criminal Court.

*Yes.*

And why? Because they are recognized as an independent country and independent countries are under a different regime. Kosovo is still something undefined, also for the EU. We have no choice. Taking them to the International Criminal Court as Kosovo would mean recognition of Kosovo as a country. In that sense it is not logic.

*No.*

So, it is a natural consequence of the state of things.

*Yes, that makes sense. So you think, even though there is a lot of criticism, that it does not harm the EU's status as normative actor? Criticism, such as that they do not properly communicate with the local authorities. Does it make the EU less of a normative actor in the world?*

You can guess my answer to that. I don't think that's the case. Criticism is always good, as long as it's constructive. There is a lot of criticism towards EULEX that is driven by less than proper motives. There is deliberate misinformation, for example, on the role of EULEX as a support of the Specialist Chambers, while the Specialist Chambers are on a completely different regime, as you know. Basically, something that emanates from the Kosovar constitution.

*Yes.*

So, in this sense, EULEX does not mean the Specialist Chambers. They are different things. They should be looked at in a different manner. If you see what was said in September 2020, for example, when the first arrests were made, and the activity of the Specialist Prosecutor's Office became very visible, the whole disinformation campaign by the war veterans was unleashed, trying to put discredit on Kosovo, on EULEX, saying they are beyond their executive mandate, they're doing this or that, confusing the minds of the general public. In that sense, that doesn't mean a thing. We have to inform people properly, there has to be an honest communication.

*Yes.*

In this case it is very clear that there is a need for better information about the new, post-2018 mandate of the mission, of EULEX. If you say we have not been informing them properly and that's what you get, maybe they have a point. The mission itself is a big machine and in this sense, they're doing what is possible. You cannot forestall everything, you cannot predict every reaction. It is the learning by doing, with the mandate that we now have. It is, of course, a new experience. One year of Covid also has not helped with communicating. It has been like a standstill. It is a shorter period than it would normally be. It falls within the Covid period, the activation of the Specialist Chambers, the Specialist Prosecutor's Office, sorry. So, it was an unfortunate timing in this sense. Is there ever a fortunate time for this?

*Yeah, that is correct. You were also talking about the changed mandate of EULEX since 2018. How does that affect the EULEX's and the EU's normative power?*

Quite a radical change. If you relinquish a large part of the executive power that you have, the normative power phenomenon, it becomes more of a moral situation, rather than a protective relation that you have with the territory. We ruled Kosovo to a very large extent. If you have one of the three powers of state in your hand, if you have the executive power, the judiciary power, in the trias politica that's a very big building block.

*Of course, yes.*

So, in this sense, if you have that under your wings, of course your normative power phenomenon is much more pronounced. It depends, normative power, I find it a difficult concept because where does normative power start and where does it end? If you project it on the trias politica, then what is normative? Is that the legislative power? Is it making the laws?

Or is it applying laws, which is also normative? So, if you talk about that kind of thing, ask yourself, that question. That is something that I didn't bring up, the normative power topic, so, do wrap your mind around that a bit.

*Of course.*

How does normative power reflect on the executive? How does it reflect on the judiciary? How does it reflect on the legislative? And then, what does it mean? You're a normative power but also, you're working in close combination with the executive power, the legislative. You must interact in close contact. So, why this interaction? You have considerable normative power, you're influencing by jurisprudence, you're creating, you're influencing also the active actions of parliament and you're influencing, obviously, the executive. If that is then no longer part of your mandate, of course your normative power diminishes. Still, you may speak more softly but you're still very big because you're talking about large sums of money involved with commission project, you're talking about the European perspective, you're talking about status, you're talking about loss of face. If Kosovo is actually ready to be a country, is seen as country, or not, or is it just a black hole on the map? Those are the thing that come into view. By having this executive power for years, you're actually projecting yourself in that role with more emphasis. There is a risk. I find these things very fascinating because talking about it also makes you form your own thoughts.

*Yes.*

And here you see that the role of the EU is still very much in that magnitude, in that order. You see how difficult it is. We're not comfortable with something like a protectorate or a colony. That is why it's not called like that. But is it, is was that, simply, if you see how the protectorates of the past worked. It is very much the same way.

*Yeah.*

So, in this sense, it was that. It is not that anymore but we're still in the background. And here the uniqueness of the EU becomes clear. We're not an international organization as such and we're not a federation either. In this sense, what are the means? We're looking for new means. We're looking at a unique structure, the Specialist Chambers and the Specialist Prosecutor's Office. It's deeply fascinating if you look at it from a legal and political point of view. It is as clever as you can get. I really find this interesting to see how we find a middle phase. We're moving out but not yet. We're there, we're guaranteeing that Kosovars in name

have condoned themselves as part of their state powers and still it's not in their state because there's too much exposure to local actor that are less than benevolent.

*Yes.*

So, you make a structure in which this is still part of the growing process. We're still very much a normative power.

*Yes, I would say so too. I'm also researching the cost and benefits for EU. You were talking about the loss of face. If the EU gets a lot of criticism, that can be seen as a loss of face.*

*Would you consider that as a cost for the EU of the Kosovo accession process?*

No it's a problem to be managed. It's not a cost. It is a cost only if you want to believe the disinformation. It is definitely not something that you wish for. You would like to have this managed in a more consensual manner. We're still a crisis management mission. We're still in Common Security Defense Policy. Nothing is consensual, per definition. We're in a deeply problematic, deeply traumatized territory. You look left, you look right, you will always have criticism. That is a given. It is a law of nature and you have to live with that. If you try to define the costs of that or to calculate what is the loss of face. I did not mean the loss of face for the EU. I mentioned that as an issue of national prestige of Kosovo.

*Ah okay.*

And that being an important factor also given the sensitivities that are culturally determined in this sense. I mean face is an important factor. Sorry give me a minute \*goes away\*. \*comes back\* sorry.

*So we were talking about how the criticism on EULEX is not a cost for the EU.*

Yes, the cost for the EU of that criticism is non-factor to me. I can be very clear about that. It's a non-factor. It's something that is pumped up by detractors of the mission, by those that would like to see the mission go rather than stay. You're not there to stay forever. Common Security Defense operations are not meant to stay forever, it is for when there is crisis. If we are still there it means that the crisis is still there. There is still an element of crisis. If we move outside of our executive mandate, it means that part of the crisis has been brought under control, or maybe not brought under control but there is a more clever way of handling this than just leaving it in the hands of the EU because if you leave it in the hands of the EU forever it really starts looking like a colony or a protectorate. If you go in this direction, it has both an educational aspect and it has a representational aspect. It looks better.

*Okay.*

Not only it looks better, there is a slightly more institutional connection between, say, the Specialist Chambers and the Kosovar government than there was between EULEX and Kosovo, if you see what I mean.

*In what sense do you mean exactly?*

In what sense do I mean? I mean, the Specialist Chambers are not a crisis management mechanism, the judicial authority as such. Whereas, assigning it to a judicial authority that has a base in the Kosovar institution is a completely different thing than assigning it to a crisis management mission that is subject to status of mission agreements and all kinds of things that are very unreal, especially since there a number of member states that don't recognize the country you're in. So, it's a different thing and in this sense, there is a certain maturity. Like with everything with the EU, you're trying to use the crisis to your advantage. You're trying to use building blocks, lessons from what has happened and what is happening to create something more solid and to create something that is less prone to be torn apart by violence and that is, at the end of the day, the essence of the EU assignment.

*So, the essence is improving the rule of law situation so there is a more stable system in the country.*

That is an obvious thing.

*Yes.*

That is how it is.

*Well, that makes sense. If you had to recap, answer the question: how important would the cost-benefit analysis or the EU being a normative actor be for Kosovo's EU accession process?*

Explain what you mean. You say that the cost-benefit analysis and the EU accession process and the relationship between those.

*Yes, because what I am researching is: what is more important? That Kosovo has not met all of the requirements and if they would fulfill all of the requirements, would they actually go further in the process? Or would the EU kind of block them because it is not beneficial for them to go further in the process, as what happened with the visa liberalization process, that*

*France and the Netherlands have blocked. Obviously talking about the requirement is not what you're specialized in but you can talk about the normative side of the EU, of course.*

I would say it's premature to discuss the accession process as long as there is not full recognition of Kosovo as a state.

*Yes.*

That's one thing. So, I have no liberty to discuss anything concerning accession. Even the word accession is avoided in our documents.

*Okay.*

And with a good reason. If countries do not recognize Kosovo, it's not because they hate Kosovo, it's because they have their own internal problems and they don't want to create precedence. You look at non-recognizers and you know why they are non-recognizers. It doesn't take a lot to see what is behind their position.

*Yes.*

I've seen the Catalans marching through Brussels and I was with a Spanish colleague, now the current Secretary-General, or no not the Secretary-General the current head of cabinet or whatever. I said, "look, your countrymen are in Brussels". He said, "well, they don't believe they are my countrymen, that's the problem". I remember that. I remember the face of that person. I remember the exchange we had. I remember this weird crowd of separatist, marching in front of the Justice Lipsius building. This is reality. That's why Spain is not very hot in recognizing a break-away region because as long as Serbia is not comfortable with this, it's still a break-away region. You can say Serbia misbehaved to extent that they have no right to claim the territory any longer and I sympathize for a very large extent with that position. But be it as it may, it is still something that was once one states and is no longer one state. There is a whole number of things to be said about it.

*Okay.*

As long as you have no clarity there, we cannot discuss accession. That is why you see my eyes glazing over if you ask this question. Why should I discuss this? To come back to the cost-benefit. The cost is always much lower than the benefit. In this circumstance. Given for a very simple reason: because it is the Western Balkans. Because it is a historically explosive region. We prevent things from getting out of hand. Compared to the cost of things getting out



of hand, the cost for EULEX Kosovo and whatever we're doing there is minimal and we should live with it. In terms of prestige for the EU and things like that, they are also non-considerations. Those are considerations that are blown out of proportion by people who would like, at the end of the day, to mess things up.

*Okay.*

They follow their own programs that are of less than reputable nature, very often. So, in this sense, especially also now, in the constellation in Europe where you have extreme right parties, plugging away at the EU and you have the nationalism being on the rise again in many countries. It is of extreme importance that we continue this program. EULEX is an instrument. EULEX can be maybe supplanted by other instruments but there are instruments that have to prove that they are as effective as EULEX is in, for example, the robust monitoring thing. Because we are now enjoying an unprecedented access to the mechanism, to the judicial machine of Kosovo. If we give that in the hands of an entity like, whatever other office you can think of, it's by no means certain that that would be continued. It may be taken as an occasion to just get rid of those uncomfortable monitors, these uncomfortable eyes of our side. It is definitely not the moment to do that.

*I know get the logic. There is a lot of criticism, that is for sure and people say that EULEX needs to go but in your reasoning you don't know if another mission will be as effective because EULEX has that mandate now, they have the access. Maybe as soon as they pull away...*

That's the point. The moment will never be exactly right but you have to maximize the probability, the efficiency of the handover. You have to maximize how to dovetail one entity into the other entity.

*Okay, yeah.*

For that, a whole number of things need to be done that have not yet been done and a clear process of handover is still lacking. This is something that you, maybe not quote me on, by name but these things are easy to say but difficult to do. This, like, giving it to another entity. If you look at, for example, now, the technical supports to the dialogue, it is an office in EULEX. It is to be phased out and to be handed over to maybe to EU office in Kosovo. Is the EU office ready to do that? If we are phasing out, does it mean that we can maintain the expertise? We're talking about very banal questions. Can we transfer the personnel that was

seconded by the member states to EULEX. Can we transfer that seconded personnel to the EU office? They're changing in chain of command. One chain of command leads up to the Council, to the member states themselves. That's why CSDP is always under control of the member states and EULEX is a member states controlled entity. The EU office is something that is responsible to the High Representative and ultimately, to a large extent, also to the Commission. Now, are member states comfortable with bringing those member states from EULEX, which they have under their control ultimately, which they determine every step of, into an office where they don't determine every step of that entity. They're losing, from the member state perspective. It's a jump in the dark in that sense. With what kind of guarantees can you reassure member states that it is still comfortable for them. So, that means that that precise difference that I'm describing to you, means that there is a looming risk of loss of expertise, which means that, in concrete terms, the support in the dialogue will be diminished in quality, in that transition period. How long is that transition period going to last? Nobody can say.

*Okay.*

Is the dialogue in need of support now? Definitely, yes. Especially in the run-up to the Serbian elections. So, in this sense, can we allow ourselves to just start shifting building blocks around as if they were just Minecraft or Lego or whatever? No, not really. So, you see how in this sense, you need saying things, stating principles is okay good, it's a starting point. You have to be aware what that means in practice and you see especially with issues, still in crisis management logic. If you look at the real failures of crisis management mission, like Srebrenica, or other issues, you see that it's exactly that kind of lack of coverage, grey zones, that allow things to go radically and terribly wrong. So, in this sense, if there is still a crisis management mission it's not because we're too lazy to change it, it is because the (...) of the crisis are still there. So, in this sense, we are obliged to be extremely careful in these handover processes and to have an impact assessment of every step you take.

*That makes a lot of sense. So, that is also part of the fact that if the EU wants to be a normative power in the world, that they have to be really careful with what instruments they do this.*

The important thing is, the EU as such is, of course, and that is for me a fascinating thing to see, the structure of the EU as such, I can seriously be fascinated by this. If you see how member states keep certain things under their control as a Council. If you how under the

Lisbon treaty we are still with a half-baked federalist project that wasn't allowed to bloom. With instruments as the Higher Representative, they were meant to be something else that what they are now, in the original design. Still you may do with what you have but all the more difficult it is and all the more important it is to map out those grey zones. Because those grey zones are out of the sudden fifty shades of grey, rather than one.

*Yeah, okay.*

So that's really challenging.

*Yeah, that is indeed true. To recap, it's not about the unmet condition, it's not about cost-benefits, it's more about crisis management, normative power of the EU and how they manage this. That is the most important factor.*

It's ultimately about the rule of the EU in the world.

*Okay, yeah.*

And so in this sense, if we consider ourselves a normative power, we are a political power also, soft power. In order to be a normative power you also have to be able to enforce your norms, otherwise, what is normative?

*Yeah, I haven't really thought about it but in my view it is spreading the norms and values of the EU, in all kinds of areas, from rule of law, human rights, a broad range of topics.*

You're right there, there is nothing to detracted from that position. But how? That's the question.

*Yes.*

So, that how, there our works starts. There the EU puzzle starts. There the interesting part starts.

*Okay.*

We're all agreeing about that but how? What does it mean? To just bring back this one small example. If you transfer one thing from EULEX to another entity, how do member states react, why do the member states the way they react? It's much more simple then you think sometimes but it's very multifaceted. Many little consideration, all of them very simple. But making one big complex is difficult.

*That is very interesting indeed. I will also try to read more about that because have not taken that as much into consideration, the normative power but it's giving me a lot of information, thank you very much. Do you have any other comments?*

Not that I can think of at the moment. It was an inspiring conversation.

## Appendix 2

### Interview with a European Commission official

*Thank you so much for taking the time for an interview. I really appreciate it.*

You're welcome.

*First of all, of course, I need to have your permission to record the interview and to quote possible things that you have said that are interesting for my research. Is that okay with you?*

Well, I'm okay with the recording, especially if it's basis for your thesis. But thereafter, with this approach and especially for me and for my management to be quoted here, I think it's not possible.

*That's okay.*

You can say a Commission official or this kind of thing. It's not a big deal.

*Yes, so, it is okay if I say, a Commission official, of course not your name, that is totally fine.*

To be honest, everything, absolutely everything, I will say right now, will have to be clear by my director-general, for it to be quoted. This kind of thing is better for the exchange.

*Of course, that is perfectly clear. If I want to use certain quotes, because of what you just said, I will message you if that is okay if I use that.*

Yes, perfect.

It is important to have the privacy rules

*Let's start the interview then.*

Before we start the interview, could you please tell something about yourself and your research?

*\*explains who I am and what the research is about\*. The first question is: How far is Kosovo in the accession process?*

First of all, as a general sentence, as remarks on your thesis as well, I think it's way important for people, because the enlargement policy is not really followed on, it's really important to bring some light about what this process is, everything is not black and white. And as well, what are the challenges? And as well, especially when we look at a case like Kosovo, which is a very complicated case if you compare with other countries based on the history, based on

the EU accession position, that is presenting how the institutional set up is made. I think having people committed people to that is really good.

So, how far is Kosovo in this accession process? Well, are you aware the accession process is, first of all, very demanding, complex and it's an evolving process. Cause you had precedence of first enlargement, were not so complicated or developed than the one that we currently have. Before was the example of the UK, when they were joining the EU but I think now due to the current situation, UK is not such a good example, compared to Portugal or Spain or even Greece, in a later stage. The accession process as such was not so complex compared to what we have now today. I think it is good to have a perspective on what motivated the evolution of the accession process, which is first of all, obviously, the 2004 enlargements and to prepare it when we jump from the number of member states, when we jump from how the institutions were functioning as well.

*Yes.*

We had to do something. We had to set benchmarks.

*Of course, after the big bang.*

After, indeed, the big bang. So, a lot of things were here in order to set up criteria's. You're almost likely aware of them, this is at the beginning, what we call the famous Copenhagen criteria.

*Yes.*

So, you had particular criteria and also the *acquis Communautaire*, most likely one of the most difficult, together with the political criteria for sure. More or less here, it is giving a kind of idea about what you need to do and how it will help you to go ahead with the accession process but it's not enough and this is why you are coming as well with more detailed information on what you can do and especially in the case also with the mark ends, the EU has developed the 1997, in Luxembourg, this official process that is called Stabilisation and Association Process, SAA.

*Yes.*

The idea was, as this country and it is mentioned and repeated many times, despite Kosovo's status, lets the Western Balkan have a European perspective. Meaning that one day they will be part of the EU. So, Kosovo as well is part of this. So, having in mind that Kosovo is having

European perspective. It has been reiterated as well as by all institutions, member states and so on. We have the Stabilisation and Association process based on this European perspective so the whereafter we have this famous Stabilisation and Association agreements, Kosovo cite one, a few years ago and the Stabilisation and Association agreements are here to prepare because they are comprehensive agreements but dealing with a lot of other such as transport, free movement of persons and so on. There are very complex and technical and it is here in a way to prepare yourself about what are the next stages. The next matter for each stage, you need in a way to have the approval of the Council because the enlargement policy is a policy, in terms of decision-making, which is fully owned by the member states. The Commission is here and it's presenting recommendations, opinions and so on but it is the Council which is taking the decision and even the Parliament as such has quite limited involvement, except at the end of the process where the Parliament only needs to ratify, for instance, the treaty between the EU and the new country. But apart from that, the member states and the Council is very important. Now, Kosovo has this famous based on the Thessaloniki declaration, on the European perspective, we call this potential candidate status, meaning that they do have to EU perspective but for so far Kosovo did not apply. They did not apply for EU membership, unlike Bosnia, that has applied a few years ago. So far, we are here with Kosovo where we do have this potential candidate status because they do have a European perspective. We together, the EU and Kosovo have the Stabilisation and Association agreements and we are at this stage.

*Yes.*

We are currently at this stage, so we are really at the beginning stage because whereafter one moment maybe soon or later, maybe we'll receive an application from Kosovo. This application has to be reviewed by Commission services and thereafter it will up to the Council if we are okay to give the status of candidate.

*Okay, yes.*

And thereafter you have the next step further, which is the opening of negotiation where we open the all chapter, the chapter is divided for each topic and thereafter it will be again the member states to say to open or to close the chapters and again it will be up to the member states to decide. And as you can guess, I mean it will be a thing which is quite important, I mean as you are five non-recognizers member states, so far it's always difficult when you are discussing with some of these member states with what you can do with Kosovo and so on.

*Yeah.*

At this stage non-recognizers have a constructive approach, to not let Kosovo be put on the side. For instance, we had the possibility to sign an SAA, which needed to be as well approved by the member state with Kosovo and the member states were okay with this, so we are moving. But thereafter you never know because it's the same with North-Macedonia right now.

*Yeah.*

Where the opening of negotiations was blocked for political reasons, from one member states entry, from one day to the other, so you know, all these things in play. So far Kosovo is indeed at the beginning. There are lots and lots of steps to take and based on the status, this road will be bumpy and quite long.

*I can imagine. The five non-recognizing member states, you said that the Stabilisation and Association Agreement was not blocked. Do you think that this will become more and more of a struggle for Kosovo, for example with actual candidate status?*

You never know how this process will play out. Some of these non-recognizers are more vocal than other, some are accepting the fact that we are engaging with Kosovo, that it's good that we do that. In fact, we do have a leverage of wholes of things that are going on. We can have a new partner, a new ally and therefore likewise, not so proactive but they are supportive about the policies that we can promote or do there but some are a bit more vocal. And sure from one day to the other, things can change, things can move and we could have a country that political reasons decides to block the entire process, for instance, for minority reasons and whereafter we need to add strategic thinking about how to tackle as well the Western Balkan as a whole because you can imagine, for instance, if we do have a country from the Western Balkan joining before Kosovo, this is a country with bilateral issues with Kosovo, this could be an issue as well. Once we institutionalize better, when we enforce the process as such and give back, still left a lot of influence from some member states into the enlargement process, most of the time it was use as a bargaining thing, to promote some national interests. When Spain and Portugal joined, France wanted to have some provision on the agricultural policy, for instance, in order to protect their own good and so on. It's always like that.

*Of course.*



So, you don't know what will happen, in a sense. I think that for sure it will happen, for sure. Thereafter, it will be about the scale and the conditionalities behind them because there is always conditionalities.

*Yes.*

Sometimes, they can be acceptable or reasonable or constructive and sometimes they are not just appropriate to make the things move forward.

*Yes, also with the requirements for the visa liberalization process, the Netherlands and France said that Kosovo did not fulfill all of the requirements even though officially they did. So, do you think it also has to do with the cost-benefits analysis for the EU if it is for the member states beneficial to include Kosovo and the other Western Balkan states in the EU.*

The Commissions position, as you know, is that Kosovo has the criteria's have been fulfilled for many years and we are supportive of visa liberalization and indeed we do have some member states that are still not willing to open visa liberalization. It has a huge impact on image in Kosovo, as such. When you discuss this issue with an administrative civil servant, for example, this is the first thing that is coming to mind. Kosovo is the only beneficiary in the region that does not have visa liberalization and indeed thereafter, it is about conditionality. If you respect something, in the end you expect to receive what you have established the process for.

*Yeah.*

For this, I think, it is quite important to move ahead and the Commission's line is quite clear on this but in terms of notably the countries that are not willing to move ahead, we know why they are not moving ahead, for various reasons but you know them. Things that can be understandable. The cost-benefit is something that in the long term could be detrimental because we, the EU as a whole, are losing influence if we are, for instance, not respecting our engagement to visa liberalization. We could have, for instance, have some countries that are after year and years engage in the enlargement process as such, which are willing to move away and you are losing an influence, which can be political parties with political priorities. So in terms of cost-benefit, especially when we are speaking about the Western Balkans because of the European involvement and as well the fact that we put ahead the European perspectives of these countries, I think it is important to keep a word and at the same time to be cautious about what could happen if indeed we are not delivering. We have to deliver as

well because we are making promises. Notably, we have influence but in some countries we are playing a double game, with Russia, with China, China is becoming more and more proactive. It is not the case with Kosovo because China and Russia do not recognize Kosovo but you have other figures as well that can be important here as well and at the same time, let's not forget one thing because one of the main drivers of the European Commission was to get stability and notably to refrain from any kind of hitches that you could have about counter-Serbia, counter-Bosnia and Herzegovina, counter-Albania etc. If, for instance, you are not delivering on the European perspective as such. You can fuel some communitarism aspect in the Western Balkans. It's important that when we are reading this cost-benefit analysis, we are taking all cards into account and as well the long perspective.

*Yeah, which is stability in the Western Balkan region and therefore stability in the backyard of the EU then, you say. Okay, so what you say, you have to deliver and set up criteria's, which is really important but it's also important if it is beneficial for the EU. It is because of the safety of the EU but what would you say weights the most, that Kosovo has not fulfilled all of the conditions or the cost-benefit analysis for the EU, is that the reason why they keep going on with the process? Or is there another reason, for example, the normative power of the EU.*

I think for this approach, we can take it through several way. If we are taking , for instance, the normative approach, the normative approach is very influencing, very powerful. I think sometimes it is a very demanding process, the normative policies, in way related an interlinked with the Stabilisation and Association process but as well related to the third pillar of the Copenhagen criteria. The idea notably of using this normative power is to create a kind of link, better link, better interlinkages between the third states and the EU. When we are talking of the Western Balkan. The Western Balkan does have an enlargement perspective, the normative aspect is here in fact to prepare membership. It is not here to have an influence, to open a specific market, for instance, for example an electricity market beyond the border but here it's to prepare that membership for these countries to respect the full compliance with EU rules. When we are talking about normative capabilities and normative aspect, here you need to have indeed institutions, you need to have a function in the administration and sometimes when we are talking about administrative capacities it is not only Kosovo but for most countries in the Western Balkan, we could have issues and it can be related with many things, political obstruction, administrative capacities as such which are not properly staffed, these kind of elements. So, I think this aspect is very important but sometimes not understood

by some other countries. This is why we are fully supporting public administration reform processes. Putting forwards specific assistance, the EU is very engaged when it comes to technical assistance, with programs such as direct twinning and as well we are dedicated to financial assistance, we support the countries into this process but it's long and demanding and if we are looking at the cost-benefit analysis for the country which is applying itself, it's a huge workload, absolutely huge because you're jumping not having any international rules to having in every sector, every area something that is a bit different. Kosovo is a special case because since 2008 they have proclaimed their independence, so, it's a new political structure as such, very new, which is willing to cooperate about this normative aspect but it's always difficult to make things change, especially, as I have mentioned at the beginning as now that we are in more complex processes, it is important to keep that in mind and it explains as well why things are so long, why things can be delayed and to be honest, as well, it's about credibility as well of the enlargement process. If we are not, in terms of cost-benefits again, respecting there is an implementation of new rules and new norms of countries when they're within the EU, it will create a kind of imbalance and this is something that we should avoid. We had a special case with Bulgaria and Romania in 2007, when have instituted a specific mechanism of derogation of some new rules and I don't think the Commission will do again these kind of things, not to be proposed.

*Okay.*

The new approach is when you are now joining the EU, you don't have this kind of transition mechanism, and so for the countries itself it's a lot work. So here with the question I was maybe more on the applicant side than on the EU side but I think indeed when you are linking the cost-benefit analysis and the normative side, it is very demanding, the thing that is one of the most demanding as such. But at the same time you do have to benefits. What is the benefit? It's about to join the European Union, especially for countries such as, for instance, Kosovo, which is a small country, two million people. There is a huge interest, when we are speaking about businesses. You are being in the EU internal market, the biggest market in the world. You are part as well of an alliance, with all the member states. You are part of an influence normative power as such. You have the possibilities to benefit from EU funds as well. You are part of many, many elements that in a way are pushing you when it comes to analyzing why you are doing this, to say: okay we'll continue the process. I will be part of a democratic plan, of all these measures that can bring you ahead and sometimes I think it's very interesting as well to listen to politicians in the Western Balkans because when some of

them, most of them, are speaking about the EU, for them it's normal, it's to join back the EU family. It is like to be again involved in an anti-Europe mechanism or process, so it's important, it's very important.

*Yeah.*

And you can see that for them, okay, we need in a way because that's part of the deal when you are joining the EU, you are losing sovereignty, that's for sure. They do accept it and so, therefore, even for big countries, which are like willing to put aside part of their sovereignty and being part of the EU, they accept. This is the case with France, Germany and the Netherlands as well that in a way accept to set aside part of prerogatives to be part of a bigger structure, with their advantages and disadvantages. For most it is advantageous because they still part of this thing called the EU and they don't want to put it aside. For countries as well which are, to be honest, of resources which are limited, such as Kosovo it makes more than sense to join the EU, for sure.

*Of course, yes, definitely because of the access to the market. However, some critics also say that the Kosovar GDP is quite small and that is not beneficial for the EU in terms of the market because it is such a small country and five member states have not recognized them and they had a conflict. Is it for the EU also a risk to let these countries enter the EU?*

I don't think that. I don't think it's a risk. Back to what I was saying at the beginning, there is a huge misunderstanding about what is the enlargement policy and what it has brought and what are the opportunities and possibilities. You will see, you're from the Netherlands right?

*Yes.*

Your country and the country I'm coming from, France and the Netherlands, you ask to the population if they want to have a new country joining the EU, the majority is against enlargement.

*Always.*

Because there are many factors that can explain this within our own culture. For instance, for France it's the idea that we are a big country, we don't want to get associated with small countries from the other side of Europe, we just want to discuss with Germany and that's it. Or we that the rest needs to work hard to be with us, an element of superiority and you can sometimes feel that when you're discussing it with French people. But for about what was the benefit, clear and strong benefit of EU enlargement, it's not something that can be put aside.

From six we are now 27 and we have started with very few policies and very few competencies of the group of countries in the beginning and the more countries are joining, the more policies we were integrating. When the UK joined the EU, we didn't have regional policies, it was the UK that brought regional policies as such within the EU. And now regional policies are a pillar. When Spain joined we didn't have the union for the Mediterranean and based on your national priorities, you bring something to the project. When Sweden joined, we had the Eastern partnership. Everyone is bringing something so I think here it's about a misunderstanding about what is enlargement as well, what it can bring, as well to the players which are already within the club. Another very strong argument to be in favor of the EU enlargement policy is that we moved slightly because we from 1992 and the reforms that were initiated by, most of the decisions were in fact unanimity. I took years and years and years to have any kind of agreements. That's based as well on the competences and as well on the perspective on our new member states, we decided more and more to move with the decision process and now we accept, for instance, that in the enlargement policy the foreign affairs, or things that are very sensitive, in terms of national interests and sovereignty, unanimity is an exception and not the rule. The EU has to find as well to find room for that and you can see that if you compare text in a very specific sector, lot of research was done at this point and the time for proposing and adoption compared from the 90s to today, we have reduced the times by three or four times because it's running way more smoothly because we have to adapt the institutions.

*Yeah.*

I think it's a benefit, a huge benefit that we could have been able to have a lot of (...) and the enlargement policy was definitely the key pushing factor for that.

*Okay.*

And thereafter, as well, I think that especially when we need to explain what can be the losses if we are not moving ahead, they can be quite important, in one sense about what is, in a way, your role within the original perspective and as well, what is the idea of your project towards other countries and for this I think, as well, that if we look at populations that are willing to keep that in mind, for instance, if tomorrow you have a referendum in Albania, would you like to join the EU?, we have 90% of the population that say yes. And it's about willing to share a project when you have a population which is so engaged with that. I find it always a bit funny to see that you do have countries that are not really respecting the rules or are not

part of the EU family as such because of this and that but when you look as well at the commitment from some politicians or from the population, I think that's quite remarkable and we won't have this kind of perception in old member states.

*Okay, yeah.*

So, I think in order for the enlargement process to be successful, the countries that are willing to join need to demonstrate that they are going to bring something and at the same time we need as well to have a concrete and coherent message about what is the benefit for them. Even if already without being sometimes so much practical politically speaking, we are able to have these symbols.

*And what could Kosovo, in particular bring to the EU, according to you?*

Well, this will depend on how Kosovo will solve some of its problems, I think. I think it's about how you reconcile the population and how, as well because it is a very young population, how we can make the base of it and now we do have after many years of political changes, we do have, maybe, we do hope, I'm very honest with you, that's why I don't want to be quoted.

*Okay.*

We will have stability, political stability with a government that has more or less of a majority. We'll be able, in a way, to keep that. And so, we'll be able to work together and see what they can propose from that country because I lived in Kosovo and now I have been working for Kosovo for many years and I think this country can bring a lot with its young generation. It's full of ideas. When you go to Pristina, you discuss with the young people. It's a well about how you make a transitions because the conflict was more than 20 years ago so it's nothing in a lifetime. So, there is a lot that the country can give and it's not only about having a big vision or ideas. It's about the concept that you bring ahead and I think that Kosovo can bring a lot.

*Could it also bring a workforce? The Kosovars are young, can they, for example, have business and work with the businesses in Europe. The Kosovar economy, could that also be beneficial for the EU?*

Definitely, when you are a member of the EU, when you are part of the single market, when you can have, unfortunately this is not the case during this covid period but when you do have free movement of persons, good and workers, you could, for instance, gain benefits from that,

we you have a young skilled force that can work with medicines, for example, they can work abroad in Belgium, Germany or wherever. So, for sure it's indeed a benefit.

*Kosovo also has the Free Trade Agreement and the Association and Stabilisation Agreement. If they get membership in the future, what will that add to the economic freedom that they already have now.*

For instance, even if we do have this Stabilization and Association Agreement, you cannot, if you are a citizen of Kosovo, decide from one day to another, "oh I will try to find work in Paris", no, you need to have your visa, you need to have all these kinds of elements. You would be able to do that. Say from one day to another, okay there is a job here, I apply, I can go quite easily and that's okay for me and if I am a Dutch speaker and I want to open a business in The Hague, I can do it if I want, it's not a problem. I can do that because I have this freedom. For Kosovars, this is not the case. Currently, even if someone who is Dutch speaking and has the greatest idea for opening any kind of business in The Hague, it's difficult and most likely, it will be very difficult to meet this initiative because even if you do have Stabilisation and Association Agreement, we are not at this stage. The Stabilisation and Association Agreement does help to facilitate trade between the two block, the EU and Kosovo but it's not allowing, for instance, this element to be easy. So, for sure, it will increase your opportunities for everyone.

*Also for the EU, of course, because the young Kosovar people can go to the EU to bring to things for the economy, even though Kosovo has a small GDP. So, you say that it's beneficial on both sides to go further in the process. Would that, to recap, the conditions are very important because if the conditions are not met then Kosovo can't go further in the process but as you saw in the visa liberalization process, if some member states do not agree, then they will block Kosovo from going further, which has also to do with non-recognition, cost-benefits and all these kind of factors. Is that correct if I say it like this?*

Yeah, I think we do have, for sure, a lot of elements here to take into account when we are speaking about the accession process but as well maybe to emphasize on one point, that we haven't touched upon, it's of course to respect the criteria's as such and of course for visa liberalization, the Commission cited that Kosovo has fulfilled the criteria but for visa liberalization, it's a small and tiny part of the entire process. This is an additional process, by the way.

*Yes.*

That if you have visa liberalization, that you can join as well. It's something that we have added to have with the Western Balkans because our populations are interconnected so it helps a lot but for Kosovo, the status is an issue and it is an issue for Kosovo in every kind of set-up.

*Yeah.*

You know when they are willing to join any kind of organization, it's a huge challenge. But as well, there is a need, as a young state, to carry out a lot of work, especially when we are talking about normalization of relations with Serbia, when we are talking, as well, about political criteria's as such, independence of the judiciary system, inclusion of minorities. There is a lot of work to be done, as well internally in order to move ahead in this process because otherwise, in a way, it won't be possible. And here, for sure, it is a huge challenge to reply to conditionality principles because if you are not able to highlight that you are not willing to implement the political criteria, the Copenhagen list, for sure, you won't be put ahead or rewarded in the accession process. So, there is a lot of work to be done, as well, in Kosovo. The process will be very difficult for Kosovo based on the status but as well, you have the conditionalities and here it's up to Kosovo to make the jump. I'm speaking a lot, of course, about political criteria but as you can guess, especially in the context we are, based on the Commission priority, which is the Green Deal. When it comes to the Green Deal, Kosovo is very far, like most of the Western Balkan states about trying to implement the Paris Agreement, trying to implement, as well, the climate neutrality objective demands, as well on species and awareness elements. It's not only for Kosovo but for the other countries also it is something that needs to be taken into account and it will be difficult for them to achieve that. This process is long and demanding and I think it can bring as well a lot of opportunities about how you want your country to be and especially for a young country like that, I think it's a very good positive momentum.

*So the unmet conditions that is also a very important part and do you think that if Kosovo actually makes very large steps in those requirement in the Stabilisation and Association Agreement requirement, that even the member states that do not recognize them will be willing to accept their next step?*

I think here it's a question that for sure will arise, what will be the position of the member states. With the Kosovars, the Commission had a quite constructive approach to engage with Kosovo but now after it will be indeed about how do process the next step because if you are



indeed an official candidate, if we open negotiations with Kosovo and so on, it means something, it means that it will become a member states. I'm not devain so I cannot tell you about it but for sure into this process, the role of the non-recognizers will be pushed and this is why like for most countries in the Western Balkans, emphasizing on conditions and to be sure that you respect the corpus, it is a criteria. In a way to present yourself, say the judges and you're in front of the judges: 'Well, I did my work, I'm good at it, I cleaned my judicial system, I do respect the freedom of speech, I do this and that''. From here, we will enter a part of the process about decision-making and here you can never know what happens for sure.

*No, of course, that we'll see in the future. It is indeed a very multifaceted process with the cost-benefit, the normative side of it. Also the condition side of it. It's going to be difficult in my thesis to actually make one point, like this is it or this is it, what is the most important factor and maybe there is not one factor that is the most important, maybe it all plays a different role.*

I think it's a complex process, with a lot of layers, a lot of different objectives, we have a lot of requirements and so on. Everything is important because if you are missing on one of these, the process can be stalled. Of course, you do have an important element, which is the Council deciding about the next step, the non-recognizers is a critical issue but if Kosovo is not making progress when it comes to the political criteria or the implement of the acquis legislation, this is a critical issue. And, for instance, with the example of previous enlargements, that were not running smoothly because of this element. Croatia was very difficult and if you look in Croatia, it was postponed many times. The first time, it was because of the judiciary system but thereafter it was because of issues with Slovenia and thereafter it was, as well, about industry in the country. So every time you could have something that will delay the accession process.

*Okay, that is clear. So, do you maybe have a last comment?*

Yeah, this.

*That was really clear, I learned a lot from it. Thank you very much for taking the time and for telling me so much. Of course I will keep in touch with you about what I say in my thesis if that is okay. I will, of course, take that into account. Thank you very much.*

### Appendix 3

#### Interview with an EU Official in Kosovo

*First of all, thank you very much for taking the time for this interview. As you has mentioned in your email, I am allowed to record the interview and I am supposed to not mention your name. Is that correct?*

Yes, that is correct, you can say like an EU official in Kosovo.

*I will do that. Let's start the interview. My first question is: how far do you think that Kosovo currently is in the EU accession process?*

Well, formally Kosovo is not yet in the EU accession process because it is not still recognized as a country by all of the EU member states so Kosovo is of course part of the Western Balkan region since the European Council in Thessaloniki in 2003 declared that all countries in the Western Balkans have a future in the European Union. Kosovo has this commitment from the EU.

Yes.

But as it is not recognized by all the member states as an independent state, it is still before the accession process. Kosovo has of course signed and concluded the Stabilisation and Association Agreement with the European Union on the 1th of April 2016, so it has been there for five year but it still the only contractual relationship between the EU and Kosovo so Kosovo is part of Stabilisation and Association process not the accession process per se.

*Okay, I understand what you say because they have not started the negotiations and they are a potential candidate state.*

Yes.

*How much of an influence does not being recognized have on the road to becoming a possible EU member state?*

Of course, it is kind of limiting what Kosovo can do but is limiting the EU as such because of course, all of the foreign policy and security decisions but also the enlargement decisions are made by consensus so if you don't have the consensus of the EU member states because they have a different position on the existence of Kosovo as independent states and then, of course, it's limited. So even, for example, with other countries of the region, if you look at the Stabilisation and Association Agreement, it is actually a mixed agreement which is signed by the EU and the member states. It is also ratified by the EU and the member states. For Kosovo, the Stabilisation and Association Agreement is only with the EU institutions and only ratified by the European Parliament, so it's not a fully-fledged Stabilisation and Association Agreement. Also, if you look at the process of EU integration or accession, it basically starts with the country submitting an application for EU membership and then it goes to the General Affairs Council, which is a body of the EU, which must decide by consensus to accept this and ask the European Commission to prepare for the opinion and if there are five member states who are not recognizing Kosovo, then I think that even if Kosovo decided to apply, this application might not be actually accepted by the General Affairs Council and it might not be passed for further kind of steps. So, I think this is the major issue, which is limiting the freedom of Kosovo, within the EU but it is also limiting the EU's options here on the ground.

*Okay but do you think that if Kosovo really meets all of the conditions and does really well in terms of rule of law, human rights and all of that, do you think that they might be willing to accept this application, maybe in the future, if it is all a little bit more peaceful with Serbia?*

What is key to the future process of Kosovo on the EU integration road will be the dialogue between Pristina and Belgrade. There is an agreement between Belgrade and Pristina on future relations, then I would assume that this would make the member states consider maybe their position on recognition of Kosovo.

*Okay, that makes sense.*

So, I think that this is the logic, that if there is a progress or if there is a disagreement about the ambition of the EU to put a comprehensive and legally binding agreement, which solves all open issues between Pristina and Belgrade, then based on this agreement, I think that this might be a big step. I'm not saying that this is the only precondition, so I think that

recognition of a new state is a national prerogative, so it will still be up to the five member states to evaluate their position but I think that if Belgrade accepts Pristina as a partner in international relations, in an agreement, I think that that can be a big step to move forward. And, by the way, it is also, when you look at the negotiations with Serbia with the EU because Serbia is, of course, at a much advanced stage because Serbia is recognized as a candidate country but is also negotiating and there is one chapter, which is the last one, 35, which is specifically on the dialogue between Kosovo and Serbia and basically, it's also a condition for Serbia to become an EU member, to deal with Kosovo in this way or that way. So, concluding of this agreement is a condition for Pristina to start the movement but also for Serbia to be integrated in the EU as well.

*I have read about that. I have read that that is the reason why Serbia is not really in a haze of concluding this agreement because Kosovo cannot start if they have not concluded this and Serbia cannot end the process. So Serbia will postpone it as long as possible and then at the last, when they do not really have a choice, then they will conclude.*

It is difficult for me to comment on the Serbian business.

*Yeah, of course.*

But again, looking at the things from Pristina, it's interlinked, so I think that it's in the mutual interest of both Pristina and Belgrade to move this issues and to conclude this agreement so that they can progress on the way to the European Union but I would like to mention one thing and this is that if you look at the EU accession process and in particular to the Copenhagen criteria, there is a number of conditions for the country who is applying for the membership of the EU, like democracy, rule of law, other issues but also economic to integrate and understand the common market but there is also a condition on the side of the EU and this is that there needs to be an absorption capacity to enlarge itself. So I think that there is a debate going on now whether the EU has the stability to accept new members right now and there are different opinions on that and of course this is also influence the pace in which the candidates and the potential candidates are approaching the EU but also it's influencing the way they negotiate and deal with the issues that are required from the countries so I think there needs to be a two-way street. Both the EU and the candidate

countries must be ready. Of course, there are big challenges in the region internally in a number of other countries of the region but in Kosovo as well there are issues to deal with.

*Yes and you were talking about the EU's absorption capacity. I am also in my thesis researching the cost-benefit analysis of the EU for continuing the process with Kosovo.*

*Would that also be a cost if they don't have the absorption capacity? What are the costs and benefits for the EU?*

Well, there are some studies made on this after the big enlargement in 2004 and also some other studies. So, I think they are available if you want to look into that. There are different kinds of costs and different kinds of benefits and of course, obviously, there are some political benefits in the sense that those countries that want to become an EU member state, they obviously also want to meet those criteria's for the economic and others. They are aligning very much in the way that the EU works and the EU member states works. In a sense of internal politics but also other issues. So, I think there are political kind of benefits of the enlargement creating a group of countries which are very much alike the EU member states. The second issue, of course, is geopolitical, in a sense of if you want to create this Europe which is kind of whole and free as the US president once said. In a sense, I think that is quite important. If you look at the map, the whole Western Balkans is basically surrounded by the EU member states already. The number of countries is relatively high because we are speaking about six but the population is less than 20 million, it's not something big, compared to the 140 million which is now the EU. And of course it's, again, a geopolitical kind of issue. We are talking now in terms of geopolitics and this ambition of the EU to be a global player. The question is if the EU can influence this immediate kind of region that is here surrounded by the EU then the question is: how seriously can the EU be a real global player?

But also I think that there are direct economic benefits because the EU integration means better economy but also an economy that is aligned with the EU standards. There are no barriers, kind of taxes or customs but also kind of those technical norms which are aligned. Basically, if you have a company in the Netherlands and you want to export, there will be no barriers, you can export freely. It is something which of course is attractive for a number of economic players. It can bring a bigger economic growth and bigger economic benefits for the European companies in general but if you look at the population, it's brings the benefits to those more advanced countries, the more advanced economies, particularly through the

banking sector or financial services among other things. It is clearly beneficial for Western European companies. So, all companies established in, say, the Netherlands.

But also, obviously, there are some costs. One obvious cost is the internal decision-making power in terms of abilities of the EU. If you have 15 people around the table or even less, then you make different kinds of decision than when you have 27 now and if you integrate six countries more that will change, So, of course, once you decide by consensus, for example, but even by a qualified majority, it is complicating things.

*Yes.*

There are, obviously, also economic costs because when you look at the Western Balkan countries, those are Eastern European countries. I'm not speaking about Eastern Europe, let's say but if you compare the GDP of the EU with the GDP of the Western Balkan countries, it's very low. The assumption is that once those countries are integrated into the European Union, then it will be receiving more funds than they would pay for and it is all: the cohesion funds, structural funds, agriculture funds, infrastructure funds and everything. So, of course, there will be some costs to integrate those countries but, again, my impression, my believe is that those costs are actually lower than the benefits of a future enlargement.

*Yes because I have also heard indeed that the GDP is very small and that the economic benefits for the EU are therefore also small but I understand your reasoning with the geopolitical safety because it's in the backyard of the EU, of course.*

And by the way, on this GDP difference, of course, if you don't can get assistance, these countries, and promote economic growth, of course, the people here would see the difference and basically move, there are already, if you look at the demographics, a lot of people from the region are actually moving to Western Europe because they see the economic benefits. Kosovo is less than 2 million in population but it has diaspora in Europe that is estimated as half a million people already. Mostly in Switzerland, Germany and Austria but also in other countries, as well. If you see this gap growing in the GDP per capita between the region, not only Kosovo but the whole region, and the rest of Europe or the EU, then you can make your own kind of logical conclusions. On average, in the last four or three years 30-40 thousand people even from Kosovo go to EU member states.

*Would you also say that the normative actorness of the EU, because you were also talking about that, would you say that, for example, EULEX or other missions, that that is also an important factor in this process?*

The EULEX mission is important but it is already transformed and since 2018, it does not have the direct executive power. They are mostly doing monitoring and mentoring but I think that what is important, for Kosovo but also for other countries of the region, is that when they see this perspective of the EU, they are aligning its own legislation with the EU acquis. You see a lot of legislation which is 100% aligned, a lot of activities aligned with the EU systems and it does need to be those high-profile issues like rule of law and other but also agriculture, food safety, consumer protection, state aid, all those things are aligned exactly with the EU acquis. Again, it makes life much easier for economic players who want to either export or import or invest because they come to the environment which is formulative.

*Okay, so would you say that the cost-benefit analysis of the EU is also interlinked with the normative actorness of the EU? ‘*

Yes.

*So the EU can have a stronger normative power if they have these norms that they spread with the acquis but it also brings economic and safety benefits and all of that.*

Yeah because obviously for the countries of the region but for Kosovo as well the main export market is EU. They are also materially interested to align have the legal framework norms and standards and also, again, agriculture agencies and food agencies and inspections to the EU standards. They can export and their foods are also accepted by the EU market as a safe product and this also is mutually beneficial because if you look at five years of the Stabilisation and Association Agreement, you can see, within the five years, the increase in import by 43% of European foods to Kosovo but also you can see an 80% increase of Kosovo export abroad. So, I think that this alignment of standards and norms and laws actually facilitates a lot the foreign trade.

*But of course the Stabilisation and Association Agreement also has to do with conditions, conditions for the rule of law, for instance. So would you say that the cost-benefit analysis and normative actorness, are more important than Kosovo actually meeting the conditions?*

No, I think, first of all, it's more important those efforts to because, of course, it's not a perfect country, there are a lot of issues here and, of course, we measure the progress so it's not like we're saying that Kosovo is 100% perfect or 10% perfect but we measure the progress from this year to next year. If the progress is positive, even if it's coming from zero but they reached 20% then it's already good. It's better even than when you are at 30% and you backslide back to 20. I think what we look more into is positive progress rather than the absolute standards because also Kosovo is relatively far away from EU accession. So, we look more to maintain this positive momentum towards the EU.

*That makes sense but also I read about the visa liberalization process and how they met all of the conditions for this and then the Netherlands and France said: ‘‘Actually, you didn't. You didn't meet all of the conditions so we will not grant you this’’. Do you think that that visa liberalization process also has to do with how the future accession process will happen?*

Well, maybe I would say two things on that. One is that, the fact that there was this proposal from the Commission, which was not accepted by the member states, or some member states, is not really healthy, in a sense, because it shows because they don't really understand very well how the EU works, so when they see a state member, a Commissioner and everything, they assume that automatically this is it. They do not realize that the decision-making process in the EU is more complicated than they positions of member states. The status quo today is not healthy because it not only confuses the locals. The truth is that visa liberalization was granted to every other European country, except for Kosovo. There are some Eastern European countries not having that but even Ukraine, Moldova and Georgia are having visa liberalization. Kosovo is the only country in the region and one of the very few countries in Europe which is not having visa liberalization. It is kind of difficult for Kosovar citizens to understand that. But also I think it's an important example of the position of EU institutions being slightly different than some member states. I think it's important to understand, as I said at the beginning, that the accession process and the integration process is a process which is fully controlled by member states. Of course, the European Commission is playing an important role and other institutions, European Parliament included, but basically all of the



decisions are made by member states and usually by consensus and you can see this example, let's say, for North Macedonia, it was actually held up by Greece, one member state, because of the issue of the name.

*Yes.*

Now they have changed the name constitutionally to North Macedonia and now it is again held up by Bulgaria, again one state. For those countries it is sometimes difficult to understand that one country can block everybody else and that is something that is also important for them to understand. This is why I am always fan of advising them to discuss with the institutions, the Office or the Commission or Parliament but also to have an active approach to bilateral relations with EU member states. And, of course, now the Covid and the limits to travel it's kind of difficult to interact with the member states but I think that it's still important that they understand that this is a process which is fully controlled by member states and the consensus of member states.

*Yeah, that is also why I was really curious about the conditions because they can do everything, they can make very large progress and then still member states can say, well actually we do not want you to progress because of our reasons. Often it's domestic reasons, for example, I'm from the Netherlands and in the Netherlands it is a bit of EU skepticism, a bit of dislike towards immigration and therefore the Netherlands is against visa liberalization for Kosovo. We have also blocked North Macedonia's and Albania's process. So, do you think that is also one of the costs of this process for the EU because it can be negatively perceived by the member states?*

There are two issues that I would mention. One is that it's always unhealthy when those bilateral issues are being misused sometimes. It is very often the case that with some issues between countries, sometimes very particular. Let's say now Bulgaria is basically arguing about things which happened in 1880 basically, with North Macedonia and other issues but also I think it's generally unhealthy to get those bilateral issues into the European discussions but I think it's an unavoidable problem. I remember it because in Slovenia, there were big issues between Slovenia and Italy about the accession of Slovenia but then, of course, immediately, Slovenia started to have issues with Croatia, the next neighbor. So you'll always have some bilateral issues related to a lot of things but, again, it's not very healthy if you say:

“I would force this solution on this candidate country by blocking the European debate”.

That’s not healthy at all. The second thing is, this is related to an issues that I also mentioned, which is the absorption capacity on the EU side. If you look at the Lisbon treaty, there is this paragraph saying that any European country can apply but if the club is not ready to take you in or if the EU is feeling that it is not really ready to enlarge, then it’s a difficult debate. You can look into the previous president of the European Commission, mister Juncker. In his first speech he said that there will be no enlargement during their mandate, that was it. So, there needs to be two sides. One is a country that is interested to join the club but also the club needs to be interested in taking new members, that’s obvious. But on those issues, the question is, let’s say the Netherlands believes that you can make things better when the country is still outside or whether you can improve the situation when the country is a member of the club. Again, there are arguments for this position or that position as well because you can argue that once there is this country that is interested to apply, you can put a lot of conditions and then the country will be eager to meet them while once it is in the club it will likely relax a little bit. At the same time, if you have time experience, and you can argue whether Croatia would be a better country if it would not have been in the European Union or Romania and Bulgaria, of course, there are different debates about that but the basic argument is that if they were not accepted in 2007, would the situation, internal, economic, political, would they be better or would they be worse? Again, this is something like the egg and chicken debate but there are arguments for and against and this is something which the European Union is quite keen to improve, this policy of the process, this policy of enlargement and this new methodology of last year. But I think the benefits are still greater than the costs. If you look at this policy of migration, you just cannot avoid the issue of migration by not taking those countries because people will move anyway.

*Yes, but now they have to have a visa.*

Yeah, they would queue in front of an embassy but then they will come and overstay the visa. And by the way, this visa liberalization is sometimes mixed with free movement. Visa liberalization means that you don’t need the visa. If you want to do a tourist trip for three months, it’s not about labor or employment. The visa is nothing like that. It is not a permanent status. Visa liberalization is a very narrow term. It really deals only with the three months visa.

*So it's only so that Kosovar people can visit their family, who are part of the diaspora.*

Obviously, they would kind of misuse the visa. They probably would travel and work or overstay and other things but frankly if they want to go they will go. They just need to queue in front of the embassy and they probably have to write something.

*Yeah, if they want to they will but I have also read things about that if the EU keeps putting the Western Balkan states in the waiting room that at one part they will start to give up and other regional and global powers will have more global powers there. Of course, with Serbia, for example, that would be Russia and China but how is that with Kosovo?*

I think generally, if you look at the map and if you look at the trade flows and who is trading with who, I think that it's obvious that there is no other, realistic, option because you are surrounded by EU member states and you trade mostly with the EU member states, so it's not really a realistic option. I think that's something which, even in Serbia, is understood. You can play this but probably not realistically, not long-term but, again, I don't want to comment on the situation in Serbia. In Kosovo, it's a little bit specific, in a sense that, since it's also not recognized by China and Russia, those two countries are not really visible here. Of course, they have a little presence but they are not really active because there is this status issue. The local political but also the local public is not really interested in Russian or Chinese kind of views and by the way, the Kosovar government just formally refused that they would even accept the Chinese or Russian vaccines for Covid 19. So it is something that is not directly an issue here. Of course, it is indirect play, partly through Serbian media but also through other activities in the region but not directly in Kosovo. I would say that this is not really significant but, of course, there two other actors here that are kind of interesting. One, of course, it the EU and the US having a special role because of its role in the events in 1999 but also in 1994 and, of course, the US will always be here. It is quite a visible actor and, of course, when it is aligned with the EU, we can work together very well, I think that's true. But, of course, there is also Turkey, which is kind of a traditional player in the region but also there is Turkish minority in Kosovo. There is a significant development assistance, there is also a religious interest. So, Turkey is a player which needs to be considered.

*In what way could Turkey have influence in Kosovo?*

Well, for example, they influence the Muslim community. Kosovo is 90% Muslim. They found projects, including the renovation of mosques, building new mosques or other project. Again, they have the minority, they have the members of parliament of the Turkish minority. They are there to open the systems for Turkey, it is an important country and by the way, for other countries in the region as well.

*Okay but that will not play a bigger role than the EU, I suggest? Because Kosovo is really focused on the EU, correct?*

Let me put it this way, the Kosovars are very keep on their Europeanness so they really feel European. I think that that is an important part of their identity and therefore they see the EU as the only option. So, again, as I said, it's not an alternative but it is there.

*Okay. I can also imagine that they are also perceived as a really pro-EU country and the US has also played a role, especially when Trump was in office, in the dialogue but do you think that now that Biden is there, that that influence will still be there?*

The US has been an influential country here for a long time. As I mentioned, they played a key role in 1998 and 1999 and after that they will always have that influence and they will always be engaged in the discussions on the dialogue. They played a role. I think for the new administration, they have a very good understanding that it's an EU led process but supported by the US.

*So you think that the US understand now that the dialogue is led by the EU?*

Yes, the dialogue has always been led by the EU but the fact is that there are some divergences of opinion in the previous administration but I feel like today we are again on the same page.

*Well, that's good to be clear indeed. So, would you say that that also is a cost for the EU, if they lose normative influence? Because they could possibly loose the grip on the Western Balkan states if they leave them in the waiting room, the EU could lose geopolitical power.*

Obviously.

*So, the normative actorness of the EU, in any sense, it can be a benefit if they act in the right way and engage properly but if they don't give sufficient prospect to the Western Balkan region, then it could be a cost?*

I think that it's important to understand that this prospective of EU membership, the goal for which they do a lot of things, including those reforms that are difficult. So, this perspective is there. I think they sacrificed a lot because, again, they really want to be members of this club. If this perspective is not there, then they would not be willing to follow our advice, they would not adjust the legislation and the practices to the EU standards and would develop in a way which the EU would not like.

*And currently how does that stand? Does Kosovo still have a good prospective?*

Again, there is this SAA, which has not been revoked. But again, as I said in the beginning, Kosovo's road to the EU is limited by the factors that needs to be solved, before they can progress really further.

*So, of course they have to make progress and meet the condition and they have to do that well but what you said, they are small steps because it started from zero. So, the conditions are important but if they have the conditions, it needs to be approved by the Council, by the member states then?*

Yes. The process is mostly is mostly led by the Council of Ministers. It is the General Affairs Council which deals with the enlargement. They decide by consensus. So, basically, if there is not consensus of 27, there is no progress and since there are five member states who are not recognizing Kosovo as a country, that obviously is a problem.

*Yes, that is a problem. And the European Commission keeps track of how Kosovo is with the condition. I have read the report of all the things that Kosovo has already done and still needs to do. So, that is what the European Commission does. And then the General Affairs Council has to have consensus, so that is also very important. And the cost-benefit analysis because if they meet all of the conditions, there are still a lot of other factors, like the normative actorness, what you said.*

If the EU member states are not united, then there is no progress, not only for Kosovo but also for other. It's consensus-based decision making. It's enough if one country is not happy and that's it. And of course, this unity of member states is weakening the leverage because what the local politicians are saying, not necessarily only here but also in other countries. They say: "Why should I bother with legislation you are advising me to adopt if I don't see myself in 10 years or 5 years or 20 years as an EU member states. Why shall I do this? What is in it for me?".

*So, what are the costs for Kosovo then because it must cost a lot I imagine, changing all of the legislation and the judiciary and all that?*

Well, I mean, there are significant costs but they are ready to sacrifice because they want to be a member of the club.

Yeah, because that brings them way more than what it costs now.

But, again, the perspective also needs to be realistic. I mean, if I would tell you that in 30 years you would become this or that, you might probably not start doing something today.

*I can imagine that if they put a concrete date on it and you can work towards that, even though it's long. But if you say like, for example Mark Rutte, the Dutch prime minister, he said that he does not want to put a date on the first Western Balkan EU accession, he will not say that 2025 is a good date because it depends on the progress that they make. Would it be better if they make it concrete? Is that possible?*

It's against the logic we are pursuing because what you said, it is based and it depends on the progress. So, if you do really well it can be faster. If you are not actually meeting and implementing the reforms then it's later. But there are certain speculations about dates and this and that but let's look at the progress. I would not dare to say any date but from my perspective, knowing the process from inside, I would say that 2025 is not realistic, not even today.

*I was an intern at the embassy of Kosovo in the Hague and I have also read a lot about which conditions they have met and which they have not and there is, indeed, quite a lot to do, so, I understand your point.*

I mean, I'm not speaking about Kosovo, I'm speaking about any country in the region because you need to need to realize one thing that the accession treaty, once you get into the phase that you sign the accession treaty. It is an international treaty which needs to be ratified by all of the member states of the EU. So, you, basically, need at least two years to just ratify those agreements in 27 parliaments and agree on that. If you look into this, you need to negotiate, then you conclude the negotiations, then you set up the agreement, translate it into the 27 official languages of the EU, then you sign it, distribute it to member states and then they need to do the ratification process. So even signing the agreement and ratifying, it's at least two, maybe three years. By the way, if you look at Croatia. Croatia tried formally in 2003 and it was considered to be a rather fast track but it got into the European Union in 2013. It took 13 years for Croatia and that's considered to be really fast. And Kosovo is not even allowed to apply.

*Because they have not been recognized by all of the EU member states.*

So, even if there is a fast progress, from, let's say, the dialogue, then the recognition by the five member states, we are talking about 30 years and beyond.

*Yeah, because they proclaimed independence in 2008. So, that is only 13 years ago that they even were their own country and then they had to set up everything.*

But Montenegro proclaimed independence in 2006 and they are already recognized, they are negotiating, they are already kind of in the negotiation process.

*So, it can go fast if you are recognized by every country.*

Yes.

*I was just thinking. Do you also think that the increasing Euroscepticism in Europe has to do with it? For example, what I said with the Netherlands and France and more countries have rising populism and Euroscepticism. Do you think that that is also a factor?*

Yes, it is obviously a factor which contributes to this issue of the absorption capacity of the EU. If the EU is not in agreement to open the door and invite and accept new members, that is influencing the whole process. It is kind of an issues but is there an alternative? If you think about alternative history of not enlarging at all and staying at 12 or maybe accepting Austria and Sweden, like 1995. Is there an alternative. Would the EU be in a better shape if the enlargement is not there?

*No because I've also spoken to someone and he said that every single country that enters the EU also brings something. In terms of legislation or a certain agreement. So what do you think that the Western Balkans can bring to the EU in terms of legislation and ideas?*

I don't think that they can bring their own specific legislation because they are asked to adjust their own legislation completely to EU standards and there's 100.000 pages of EU acquis but I think what they can bring to the EU is this very interesting cultural diversity because this is the region which has a slightly different history than most of Europe they can bring also this religious diversity because this is traditionally a region where the European Islam is a majority. So, I think they can bring a lot of things to the European Union on the positive side. But also I would say that if enlargement is not a realistic perspective, they can also bring a lot of problems, like they did in 1940.

*Yeah because if they is instability in the backyard of the EU that is not good for any member states in the EU.*

When you look at the history, the First World War is extreme but let's look at the history of 1991, 1992, 1995, it's not good to have serious problems in the neighborhood.

*No, because the EU also had to help in the region, so that's also not beneficial for them. I already hear that it is a very multifaceted process with the cost-benefit, the normative aspect, conditions. I have also learned a lot from what you have told me. Thank you very much for your information. Do you maybe have a last comment for the thesis?*



No, thank you so much for this interesting discussion. I wish you all the best with your thesis.

*Thank you. Thank you for everything.*

## Appendix 4

### Interview with an official from an NGO in Kosovo

*First of all thank you very much for taking the time for an interview. In your email you said you were okay with the recording and you want to be mentioned as an official from an NGO in Kosovo.*

Yes, please.

*Okay, that is clear. Let's start the interview. My first question is: how far do you think that Kosovo is in the accession process?*

I think, right now, there is no prospect to even start any talks and it's not only about non-preparation of the country but more of the issue that still the conflict with Serbia remains unsolved. We have still five member states that are not recognizing Kosovo as an independent state. And before an agreement is reached with Serbia, there will be no change in perspective or we cannot expect any change on that. Of course, if you consider Serbia, if you consider Slovakia, if you consider Spain or Romania, it is not because of Kosovo, it is because of minorities they have and they fear that they will have problems with separatism. But for Greece and Cyprus, which are close friends with Serbia, without any agreement, no. And, you know, the Serbs have some election, for presidential and parliamentary elections and before that election it will not happen because no Serbian politician could be blamed during an electoral campaign of giving up the holy Kosovo for them.

*Okay.*

That's reality and this is nothing which is depending on Kosovo. Even if Kosovo would be the perfect country, without solving that, no way. From the other side, Mr. Kurti himself said that an agreement with Serbia is maybe his fourth priority on his actions as new prime minister of Kosovo. In my eyes, he's a nationalist because he is left-wing or supposed to be left-wing, it is not considered as bad as he would be a right-wing politician, then he would be called a right-wing nationalist but when is left-wing, then it's not that bad because he would be considered a progressive person before something else. Maybe it's not that good but, of course, Kurti was in a Serbian prison during the war, 20 years ago, of course, this shaped his mind.

*Yes.*

It may be understandable but for both sides it will not be a pleasure and to my personal opinion, an agreement can only be successful if both side don't feel like winners. If one said can say, "We have won and the other we could repress", it will not work, in my opinion and something else, of course if Serbia accepts that it needs something in exchange so that the European Union offers something to Serbia, so that at least any politician that at the end of the day has to publish or to announce, "Unfortunately, Kosovo is not any more part of Serbia but for that we have achieved something else", that is something crucial in my opinion and that's why talking about Kosovo as a potential candidate for EU admission, we're talking about some years before we can even talk about candidate status. That it would be good to integrate the whole region, that's another question but the Balkan mindsets are not like that, unfortunately. You see the same in other countries, like North Macedonia right now. Bulgaria is blocking for some causal things the admission of North Macedonia and for reasons that are more ridiculous than that happened between Kosovo and Serbia.

*Yes. So you would say even if they would have met all of the conditions for becoming a candidate state of the EU that that will be inevitably be blocked by the non-recognizing states.*

And you see it already. Last week I was in Pristina for the installation of the Council and you have already admission to teach and to train the Kosovar security forces, which officially we are not allowed to name them army because a country with an army would be officially recognized. So what do they do? NATO troops say that they train security forces, not army because army would mean official status. And to avoid that wording it is called some kind of militia or some kind of police but it's not army. You see, already, you have some steps forward, according to institutions but the institutions itself, you're not allowed to call them like it is because the non-recognizing members of NATO or the EU wouldn't accept that. And so to say that Kosovo has already achieved some preconditions to become a candidate, at the moment I don't have the fantasy to say that any non-recognizing member state of the EU would allow that. To say that they have already achieved a lot of things which are requisites to become an EU member state because a region which for five of us is not even independent state, why they should have met criteria to fulfill if you don't recognize them as an independent state? Maybe that's contradictory but that's why I don't believe that will we have any wording, according admission talks with Kosovo before we have the complete recognition of all of the EU member states. In my eyes, that would be a requirement and, as you see, Bulgaria blocks North Macedonia for reasons not on the level of what happened between those two countries. And you have seen, for instance, Greece blocked North

Macedonia because of that name struggle, for almost two decades. They don't care about it, especially in the Balkans. The Balkans know that no one would withdraw any resistance of what is supposed to be reasonable behavior, which may be the Netherlands or Germany would understand is politics but in that region, no. Unfortunately, people are still living much more in the past than we do. If you recall the battle of Kosovo in 1389, everybody knows. Think back in the Dutch history, how many people would remember an event that happened more than 600 years ago?

*No one.*

That is why it's that complicated to solve something that in our eyes, maybe, is that obvious, that we cannot define the future because of the past. Yes, you can. I witness that every day here and then at the end of the day it is the most important thing, the most dangerous thing. If the Kosovars don't have any perspective for the future to join NATO or the EU, the national card will remain on the table because in my eyes it is not very reasonable but people here would say that maybe in five years Albania is becoming a member of the European Union and we'll unify with Albania and then we will all be in the EU. So that is a logic that maybe for people in Central Europe is not that logical but here, of course, it is. And that's why if you ask me for regional policy, yes, we should solve that but the experience tells us something else and the main thing for me is Serbia and its allies in the European Union.

*That makes sense, although Kosovo has concluded an Stabilisation and Association Agreement. Why do you think that they have not blocked this?*

Because for the same reason. When five member states of the EU say that it's not even an independent country, how can you make a treaty with someone who is not officially recognized by all members of the Union who want to have that contract?

*I understand but they would have blocked it then. Of course, Kosovo's Stabilisation and Association Agreement is with the EU as a whole and not with the member states, I understand that but how does that work with the SAA?*

That is a contradictory thing, as I explained. We have already NATO troops here training people of the Kosovar forces but you are not allowed to call them like that and the same way it works with other subjects. You have people from the EU trying to get Kosovo to get adjusted to EU things but you will not call it officially because when it becomes official, then immediately Spain would not allow it to go further. Maybe you have witnessed the football

game in the qualification for the next world cup, Spain against Kosovo. Why the Spaniards did it? Then at the end of the day, when Kosovo is officially part of that and you would boycott that game, then they would lose three points. So maybe the sport is more important than that, that was the reason. But, for instance still, if you consider two countries recognizing each other but are complete enemies. If Croatia and Serbia play against each other in any competition, all the time spectators are excluded because it's too dangerous, that they would kill each other because people drive crazy. And you could imagine what would happen if Kosovo and Serbia played against each other and you have seen it maybe in the last world cup, where among the Swiss team were a lot of Kosovars, they have beaten Serbia in the world cup and then the four Kosovar players were imitating the eagle of the Albanian flag to provoke the Serbians and that is something that Kosovars do in the Swiss national team.

*Kind of ironic because Switzerland is always neutral, of course.*

Yeah, but at the end of the day you should have in mind that the emotions on that are very high and then that contradictory thing. Spain says they don't care about Kosovo at all but they have the Catalans. If Kosovo is recognized then one day the Catalans will say, "well, why is a country with two million inhabitants recognized as an independent country, which is not even able to run their own economy, while we as Catalans are six million and we would be among the best economies in the European Union, why are they allowed and not us?". Maybe that's a Spanish problem but at the end of the day you cannot solve it completely. At the end of the day, the Spaniards would say that under some special condition they would give their agreement. What you said, what NATO and EU give to Kosovo happens under a different wording. It is not called the EU who does it, it is maybe something a country does or one sub-institution does but not the EU officially. In order to say, "we do it because we want you to want to one day become a member of the European Union".

But it is still called the Stabilisation and Association Agreement just as with the other Western Balkan states but they always have the asterisk, the little star sign next to the word Kosovo. Is that also part of that?

That is to show that the EU has only the supranational level sign it but that the Council does not completely agree with that because usually a treaty under national law, you cannot make between two parts which are not recognizing the other, it's not possible. It is a very funny thing. Maybe you can call it Special Diplomatic Staff over little things on the process but on that level it's a very important thing. I met the Deputy Ambassador of Kosovo and she told

me she was invited to a national conference. She saw the Spanish ambassador and he was denying even talking to her because he feels that if he stands at the same level, talking with here on a diplomatic conference, that that would be understood as a sign of recognition. These sort of things happen. One very important thing is how they are not talking about how it is a country which still has a lot of problems with rule of law, corruption and transparent administration and anything that you can talk about. On that you must work. At the moment, still the EULEX mission is active in Kosovo.

*Yes.*

In a lot of things, Kosovo is still a country which has not complete control about all of their institutions. That is in my opinion also a challenge because Kosovar politicians know that the international community in a lot of subjects of the Kosovar state, is taking care of Kosovo. They expect very often that they will get the help and that they don't have to act according to the interest of the country. Even today not a single vaccine has arrived in Kosovo. Why? Otherwise then some neighbors in the Western Balkan, which have relations to China and Russia get some vaccine from them. Kosovo cannot do that because China and Russia are close friends with Serbia, no-recognizing states of Kosovo. That's why the only choice they have is the Western community but it is something which is very difficult to predict when the first vaccine will arrive. In Kosovo, the situation is horrible also because Kosovars are not very serious with that. You go to Pristina. Last week, for the first time during the pandemic, the restaurants were closed. Since January, there are open without masks.

*That does not sounds good, no.*

It is something which is very serious and also during the electoral campaigns you had the impression that they were pictures from two years ago but they were current pictures. That I wanted to tell you before we started the interview talking about the EU and Kosovo. We are talking a future which lies much ahead in the future because at the moment I don't see the opportunity for that progress. What you have witnessed last year when president Trump and they special envoy tried to force the treaty between Kosovo and Serbia, that they would exchange territories to make homogenous countries and then to have short-term success. They could say that they had solved the problem and that both countries can recognize each other and then that's it. Maybe that's very easy thinking about it but you what is at the end of the day a key for that and Kosovo also accepted to have its embassy in Jerusalem. This is part of the deal and, officially, Kosovo has diplomatic relations with Israel, which is quite

remarkable. As an official Islamic state that has relationships with Jerusalem, Israel, and has the embassy in Jerusalem. On that I must suggest, Kosovars, I guess you see much more Muslim women in Amsterdam, Berlin or France than in Pristina. You wouldn't expect to be in a predominantly Islamic state, in Kosovo, no.

*Is it secularized?*

Not secularized but the Islam that was given by the Ottoman empire in the Western Balkan region. It is a special enclave which was brought from the Middle East to Europe. It was hardly part of the reality of that state and today Islam for those people is more to separate themselves with ethnicity rather than religion. Albanians, for example, in North Macedonia, Albanians are a minority and they want to show that they are a minority, that they are not the same as the Slavic Macedonians. So you see here much more Albanians are typically Islamic, financed by Turkey. That is simply what happens but they use it not to say "I'm a Muslim and you are a Christian". No, they use it as "I am Albanian and as an Albanian I am a Muslim", that is the one. First of all, all Albanians are Albanians and they use the religion to show that I am different than the others. But in Kosovo, where they are the absolute majority, they don't have to use the religion to show other that they are different because everybody know that you are Muslim but that's not the decisive point and that is why entering Kosovo, of course, you have some extremist, traveling to Iraq or Syria, that happens, but that's an absolute minority. Unfortunately, Turkey and some Arab states gave money to radicalize them. That is what happens but according to my experience I would say that can't be successful because the majority of the Kosovars want to live like Western people, they don't want to go back.

*I also heard that Kosovo is really pro-US because of their help in the NATO mission but do you think that if the EU doesn't give them a clear perspective, that they will align themselves more with the US?*

You have more or less the most estimated country which is the US, of course but then Germany. Germany and the US are the most admired states I would say and I would nearly say that it is easier to talk German in Pristina rather than English. 400.000 Kosovars live in Germany, almost everyone in Pristina or somewhere else has German relatives or relatives in Germany. A lot of them have double passport already and that is why Germany is very important and their diaspora was key also for the win of Mr. Kurti. The diaspora has the majority of his votes.

*And is that also why Germany is kind of the country that leads the pro-recognizing Kosovo movement in the EU?*

Yes, Germany was among the first that were recognizing Kosovo but also because of 1999 when the war against Serbia by NATO started, Germany was one of the countries that, not militarily but by promoting the situation that happened in Kosovo. Maybe you can discuss on this but in the eyes of the Kosovars, Germany was one of the closest allies of Kosovo and then there is something else, history is very important in the region. A lot of people don't know it but there was also one time period when Albanians were united and that was during the Second World War. Germany has also an historical view for Albanians, a good image. That is something, in the Balkan, you must go back to at least before the First World War to understand how the alliances and the ties to the powers in Europe are related. This is very much important. Croatia is still dedicated to Germany and the Serbs are more dedicated to France. Bulgaria was aligned to Germany in both World Wars. This decides, still, the attitude today, very often, what happened in the past and to understand the Balkan region you must go back a long time. Albanians understand themselves as dissident of Ligurians. For Albanians, those territories was provinces already in the Roman Empire. So, you see how much they go back. Shaping nationhood, because all these countries here are very small. You can see how hard it is for those countries, shaping, creating and sometimes inventing history of nationhood. And that is, all the time, the reason why neighbors fight the others because at the same time when you start to take your share of history, claiming for you, you are already violating your neighbor because he is claiming parts of that as well and this is all the time a challenge in the region and at the end of the day, every Albanian will tell you the same. They will tell you that it does not matter if you live in Albania, Kosovo or if you are part of the Muslim minority in North Macedonia. One day they want to be united, that's reality.

*Like a Greater Albania.*

Yeah, well, let me say, that is at least my impression, the absolute majority of the Albanians would not fall for that, that is not the point, it is more feeling. There is a feeling like they belong together. But you have, of course, some of them that say that would be worth to fight for it and 20 years ago we nearly had a civil war between Albanians and Macedonians because of repression and that is the reason why in the Western Balkans you cannot consider it only from the perspective of one single state. You have to consider the neighbors all the time and what happened in the past. Everything is connected to something in the past and when you look back 100 years ago, you had three big empires, you had the Ottoman Empire,



you had the Austrian-Hungarian Empire and you had, maybe not as an Empire but as big influence, the Russians. Then you see the problem of it.

*And, of course, they are small countries and I have also read that because they are small and their GDP is low it is also not really beneficial to include those countries in the EU economy. What do you think about that?*

For the economy I see less problems, to be honest. You have already that so called Berlin process, initiated by the German government 14 years ago and right now it is existing something like a mini-EU, a mini common market and we say former Yugoslavia, plus Albania.

*Yes.*

And it's like a test, how they can handle it, that's the funny thing. When it's about money, when people want to have money, you force your neighbor to trade with you because it's a benefit for both sides.

*Yes.*

That was the main idea of the European Union. It was the same. Archenemies like France and Germany. If they are friends, I don't know but at least they will not go to war, that is the point. Even in North Kosovo, a lot of Kosovars buy Serbian products and on the other side, Kosovars can sell something to the Serbians and it happens, by the way. Nobody is going to mention it and maybe they would try to conceal that a product comes from the other, yet it happens but if it becomes official then you have a problem. Serbia is right now much more successful with the vaccines than any other country in the region and Serbia invited other populations from countries in the region, even Kosovars. I asked my local staff if they are open to accept that offer. They said, "no, of course not. Why? We cannot go to our enemies. I cannot say that my enemy saved me."

*No, of course not.*

If you could make it more in a way of I give you something to you and I get something back, then it would be different. That's why I think that that could be successful because at the end of the day we are talking about a region which was already developed, when Central European ancient family forefathers were living on trees. For example, Skopje is 3000 years old. Show me one city in the Netherlands of that age.

*There are none.*

What I want to express with that, since 1000s of years, this region is connected, it is a common space of the different people that lived here but it was all the going to the same order, it was all the time fighting but all the time they were living together and when the EU did something good, then to convince people that it's better to make a benefit of the other and at the end of the day they both have benefits of it rather than to fight you and get the same. If we should adjust every political single law for all of us, maybe the Germans and the Dutch can come to an agreement because our mindset is not that far away.

*It is similar, yes.*

But you see already that it is different with Germans and Italians. Say, to make a stable policy for a currency, a common market is a very good idea. At least, if you have the opportunity to have fair trade and everyone gets a benefit out of it and then it's like a training for the greater EU. That is, by the way, the idea of it, that even in the region where your neighbor was your enemy yesterday, when you are able to solve this, then maybe you are prepared for the bigger frame.

*So, you think it's more about the economy and that it is a step to far to politically integrate Kosovo?*

I will not call it impossible, that's not the point but I think, right now, the European Union itself must find a new idea of itself. We are 27 countries and we have already a lot of different mindsets, different opinions, different economic strengths and at the same, we have already, due to member states from the region, Bulgaria and Romania. I discussed it with my colleague, it's all the time about how you look at it. You see the glass is half empty or half full. You can say that without the European Union, these countries would still live in much better conditions than they have already achieved today but what they have achieved today is still below any consideration of what should be the modern state, according to the EU's understanding. The rule of law, corruption, transparency, freedom and human right etcetera. If you look at Transparency International, if you see the rankings, where are a lot of EU member states with corruption and rule of law, well, maybe we should introduce countries in Asia sooner, if you consider that. It sounds funny but it isn't. For instance, Bulgaria and Romania are still excluded for certain collaborations of Purity Institutions within the European Union because there are reasons that the information that they get will be kept as a secret among this Purity committees and not give it to organized crime, that's reality.

*That is quite shocking actually but I've also heard that, for example, the democratic backslide in Poland and Hungary, that these countries are behind with the rule of law and also that the more advanced member states think that the same will happen with the Western Balkans.*

*Let me tell you what, I'm not a fan of Mr. Kaczyński or Mr. Orban but they are successful. There are reasons and that you can also fit on the Western Balkan states all these nationalist states are young states and they only had a short time period and they are open to freedom to manage all state things on their own behalf. If you look to Poland, Poland was divided three times in history. It was refounded after the first World War. Immediately the communist Russian tried to invade it, they failed but not even 20 years later Nazi Germany and Russia started to divide it once again and both Russia and Germans killed Polish. They wanted to exterminate the intelligence of that country. What happened after the Second World War was that the Russians, who were supposed to be the liberators, jailed them into the communist system and what was the first day of freedom for them, it was in 1990. Since 1990, Poland is an independent country and since that it has a lot of its own actions and for a country to say to say, "right now they are in the European Union so please dedicate your policies to the EU and if you do not obey, we will take away money from you.", at the end of the day, in a country like Poland or Hungary, people like Kaczyński or Orban know how to misuse this. The old, ancient, original member of the European Union had to run their own nationhood, their own democracy, the freedom, much more time than the other countries and who would question Dutch nationhood since 450 years? No one. All the fights that you had to do against the Spaniards or maybe against Germany in 500 years, over and sometimes these countries are still fighting, only 50 years away from today and that mindset is quite different than they except to adjust to the Western mindset in such a short time period, it is simply not realistic. At the end of the day, we should decide if it is more important to integrate the region in that country because it is also in our interest because of the security issues and geopolitical issues because of you see a lot of tiny actions in that region, if you are talking about a refugee crisis, it was Western Balkan history. If you want to solve that, than it would be better to solve within the European Union but if you say that the gain of that is lower than the risk to integrate countries which are not ready for nationhood, which have problems with rule of law, things like this, that are not mature enough to be in an institution like the EU, then you make a decision. I met the Dutch Deputy Ambassador and the Netherlands has a far more strict approach with the rule of law and guarantee of personal rights because for the Netherlands, it is more important to have secure conditions for trading, economy, etcetera.*

Yes.

*The geopolitical thing is many less important for the Netherlands than it is for Germany but, of course, Germany is bigger so what happens in the Western Balkan region is for Germany more a threat than for the Netherlands and that is all the time something that you have to negotiate and Germany, of course, is sometimes in a position to say that they expect sooner integration rather than later because the EU can start changing the country and the benefit is higher but maybe for a smaller country, this is not the same approach. But still Germany has a risk, if you consider that with the EU integration of Bulgaria and Romania, complete villages with Gypsy people were moving to Germany and this might have brought organized crime etcetera. If we deny that we have challenges, than the criminal groups will be successful. Maybe it does not sound easy but it is. Maybe sometimes we have challenges that we cannot solve but at least we should be aware and at least we should be able to see that we have that challenge for certain reasons. If you say that we don't have any problems, it is difficult.*

*I understand, so what you say is that the recognition problem is the most important problem which is holding Kosovo back from entering the EU because of the power of European Commission and the non-recognizing states blocking the next steps but also a little bit the cost-benefit analysis because of the conflict, the organized crime but the most important thing is the non-recognition issues.*

*I would say that it is. The new government of Mr. Kurti, at least in that short term, the government, compared to the government of last year, it has showed that they really wanted to change things with the black economy, non-transparence, corruption, everything. This is hard enough to solve but this is only a point of you want to or you want not to but the recognition thing is not up to Kosovo. The Kosovars can be as nice as the can. If at the end of the day Serbia says that they do not care, it will remain like this and this is also something geopolitical. Serbia is the center state of the Balkan, it was the center state in former Yugoslavia and it is still the most, not powerful in a way that they have the biggest army or something, that's not the point, but it is still in the region that state that has a lot of influence. At the end of the day, you must find measure that the Serbians give the opportunity to make a good deal out of it, at least for propaganda purposes. If a Serbian president has to accept that the others are stronger than us and that is why I had to accept that Kosovo becomes independent, no, that is not the Serbian mindset, that is no Balkan mindset. Every Serbian would say that they would rather die than give up Kosovo. The Battle of Kosovo was on the*

*28<sup>th</sup> of June. That is a religious day. It is the day that Franz Ferdinand was murdered in Sarajevo in 1914. For Serbian, that date is something holy and they have folkloric song where the memory to the battle were kept alive over centuries. Also 1989, the breaking down of Yugoslavia, starting in 1987. Then you see how short the time period is that we are talking about. We want to convince Serbian to accept that Kosovo is not part of them anymore. Only to show you how difficult it is. I would not tell you that it is impossible but only to show what we are talking about. We are talking about a mindset that goes back centuries and this is a category that all people here thing. That is the problem why new EU members like Poland and Hungary or Czech Republic feel misunderstood by the older EU members, which has more failed history in the last 100 years, at least and that is something that the old members forget, the history before 1943 but unfortunately you can't, well, maybe on our own behalf we could try but not if you consider international relations within Europe. For example, for Austrians, the Balkans are much closer and that is something you have already in mind. Austrians understand the region better than Germans or Dutch people.*

*Yeah, history is indeed very important of the relations today. Maybe I could conclude that if Kosovo made a very large progress and solved all of their problems with rule of law, corruption, everything, that they would not come very far, soon at least, in the EU accession process because geopolitical consideration of the EU member states and the Western Balkan neighbors.*

*Well, a funny answer is that we should do it because people will come anyway. If you ask young people here under 25, more than 50% say that they want to immigrate. We have an incredible brain drain. Officially, North Macedonia has around 3 million inhabitants, in reality maybe 1.7 and in Kosovo it's the same. Kosovo is demographically the youngest country in Europe, they have the youngest people. If those young people don't have a perspective they will go and although they have no visa liberalization, this is one of the biggest questions for Kosovo. It's the only Western Balkan state without this and it is blocked by France but also by the Netherlands.*

*Yes, Rutte does not want it, that is correct.*

*But Kosovars will find a way. In Germany and Austria there are 400.000 Kosovars, in Switzerland there are 200.000, we have 1 million Kosovars in America alone.*

*That is a lot. It's a really interesting country, Kosovo, really multifaceted and this is why I like researching it. Thank you so much for taking the time for an interview.*

## Appendix 5

### Interview with EU official A

*The respondent preferred the conversation not be recorded but he agreed with the interviewer taking notes and summarizing the conversation.*

The status-problem is important and the EU is status-neutral on Kosovo, they have no position on their statehood. The EU engages similarly in Kosovo than in other Western Balkan states. However, there is a difference in the accession process, which is this that in official documents, there needs to be an asterisk after the name Kosovo. The EU is vague with names, when it comes to Kosovo. Even the terms accession process is controversial because in order to apply for this, you need to be a European state and Kosovo is not recognized as a state by all EU member states. However, Kosovo is not excluded from having European perspective. They are on the integration path but not yet ready for the accession track.

The EU has decided to start official membership negotiations with Serbia, Montenegro, Albania and North Macedonia. Bosnia and Herzegovina can apply. Kosovo is still a potential candidate state. Because the Council has the last say in the integration process, progress in the dialogue process is needed in order to solve the status problem.

Kosovo has signed the SAA five years ago, which was the first legal basis of cooperation with the EU. Kosovo was the last of the Western Balkan states to have this. Even though Kosovo is not a member state, there is sectoral cooperation and Kosovo benefits from IPA.

Kosovo is an early stage of preparation. Even if they did not have the status issue, they would still not be far with the rule of law. The status issue is the broader issue. It is more important than the condition because this is a more explicit issue, not in a practical sense. Even if Kosovo advances with the conditions, they would still have political problems.

The factor of normative actorness is strong, especially in the Western Balkan region. It is about leverage and there is a debate about how strong this leverage of the EU is.

In terms of visa liberalization, Kosovo is the last Western Balkan state that does not have this because the Council effects this process. The EU can lose leverage by not being a credible actor. This is the same for the enlargement process. Losing leverage is a geopolitical problem but Kosovo still has normative influence in the region. The US also has a strong influence in Kosovo.

The benefits of Western Balkan enlargement for the EU are geopolitical stability, a more unified continent and more developed countries.

If the economies of the Western Balkan states are integrated, this is a benefit for the EU market. The region lays strategically on trade routes and Kosovo has a young, dynamic demography. The work force is young and educated. Enlargement to the Western Balkans would finalize EU enlargement. There is an agreement within the EU that the Western Balkan is the last region in Europe to be integrated in the EU, Turkey is more difficult. If the bilateral issues are solved, than border controls would be less of a problem and it would help open the economies.

Cultural diversity is not a very important factor because the EU is already multicultural. Norm spreading of the EU is a benefit because it makes the EU stronger and the Western Balkan states ask the EU for advice.

Reforms in Kosovo are also a benefit because if they lift their agriculture, for example, to EU standards, it is easier to trade with the EU and if the judiciary is more impartial, the Kosovar will trust the judiciary more. However, there are also political costs. Besides the political costs, IPA is also a big cost compared to the usual development aid. It is around 100 million per year but the cohesion funds for the new member states is even larger. IPA is not easy to absorb because of Kosovo's institutional structure. The cost is not the issue.

There is also skepticism about the conditions and economic development is needed. The EU also needs to set up an internal reform process when enlargement happens. The decision-making process gets more complicated. This is also a geopolitical issue. Visa liberalization also bring geopolitical issues because it decreases the leverage that the EU has in the dialogue between Kosovo and Serbia. The criteria for visa liberalization are about migration, home affairs, corruption and organized crime. These are also criteria that come back in the accession process but then they become more difficult and precise.

Enlargement fatigue will not happen because the benefit is higher than the cost but the EU has learned lesson for previous enlargement. They want to see a track record to avoid what happened in Poland and Hungary because this fueled the debate about the EU's credibility. Enlargement skepticism is used as a political tool why, for example France. France wants the EU to reform and therefore does not want enlargement to happen soon. Before Kosovo can go further in the process, they need to make peace with the neighbors, a lesson that the EU has learned from the situation in Cyprus.

The disagreement between the member states is not a cost because this will resolve when there is an agreement between Kosovo and Serbia. Then there will be no debate on the status anymore.



## Appendix 6

### Interview with EU official B

*First of all, thank you very much for taking the time for an interview. First I have to ask, is it okay if I record the interview?*

Yes.

*Great. And how do you want me to mention you in your thesis?*

You can say an EU official.

*Okay, I will do that. My first question is: how far is Kosovo in the EU process when it comes to requirements?*

It's difficult to say because it's a bit fluid, of course, in that there in a principle a lot happening pre-accession. In the institutions we still make a distinction between the Stabilisation and Association process and the accession, in principle. But they work towards the same goals, the same objectives in terms of political and economic governance. Etcetera. It is no secret that Kosovo is, in the regatta, in the last book but that is also because, if you look back at the Yugoslav war. Their fights came a bit later than in other places in the region and, of course, that kicked off other processes, they're just a bit later with everything. You see that anywhere, from when they got their SAA, that was later than the rest of the region and they started the visa liberalization process, that's later than all the rest and, of course, when it comes to the accession process, of course you have the very particular reason of the status. So far we have not had a membership application, which could stem, if you want to tick the boxes of the accession process, it's behind Bosnia.

*Yes, because I've also heard that the Council has to decide with consensus about if they accept their next step but that will not happen because five EU member states do not recognize Kosovo.*

Look, you should never take for granted what the member states decide. Often times, we think we know what they're going to say and then, of course, it is a discussion to be held but indeed, it is one thing for Kosovo to stand on the doorstep of the Council and say, "Here's my application" and then another to ask the member state to produce an opinion, like they did for Bosnia and all of that. So, all the institutions are involved, that's part of the difficulty.

*Yes. Would you say that is also one of the most important factors for how far they are now or do geopolitical or cost-benefit considerations also play a role?*

I'm not sure if I would call it cost-benefit because that sounds very much like it's about our internal cuisine, so to say but it's just the political reality that Kosovo has a very particular issue with Serbia and that affects how five of our member states look at it and even for those who recognize Kosovo, they still are attached to the dialogue. They might already consider Kosovo as a states but that does not mean that they do not want them to come to terms with Serbia. Of course, the status issues is big in what we can and what we cannot do from the EU side for Kosovo but at the same time, it's only one of the many things and what have actually tried to do over the years is to try to see what we can do despite that and the fact that we got to the signature of an SAA, even if it's in nature different than the other one in the region, is was big thing for us because you thought maybe that's something that couldn't be done because of it, but actually in the end you manage to sign it and you manage to pursue certain funds of cooperation.

*Yes, so, even though they recognize Kosovo, accept five member states, does it also have to do with stability in the region, that they like it if there's an agreement?*

Yes, I think, of course, and that is important for all of the member states. In the end, it is in no one's interest to have a black hole, unregulated, a place where we don't have relations at all. It would also not be in anyone's interest to have all the other ones joining and then one little spot where we haven't figured things out and, of course, stability is such a big term. In the end, this is the idea of the dialogue, as well, that once a deal is struck, it is one of the major issues that has to be overcome in the region and it would actually bring stability, not just for Kosovo and Serbia but for the region as whole but it holds back other relations in the region, as well, look at Kosovo and Bosnia and all of that. There is a lot of things that are linked to that as well and only when you are able to fix that one, do a lot of other dominos, so to say, also fall.

*Yes. It is also a consideration for the EU that it is beneficial to have a region that is not really stable yet to engage them with the EU so that they have a grip on how they solve these problems?*

Of course, no one want to have trouble in their backyard. Well, we don't usually call it our backyard, we usually call it our inner courtyard.

*Okay.*

But indeed, no one wants to have trouble in their courtyard. That is trouble for the continent as a whole. You want them to be a stable region. You want them to be on a firm EU track, no matter how far you are but that you are working in the direction of having the same standards, having the same rules, having the same values, systems and principles. It goes back to the idea of unifying our continent and, indeed, the EU track is one for that but that is also one of the reason why we're trying to do as much sectoral cooperation with the region, from connectivity to security issues, trying to work on counter-terrorism together, working on migration together and so on. And that is, of course, all to have a stable and secure continent and in the end if not only in the benefit of the Western Balkans but also for the European Union because our societies and countries are intrinsically interlinked and you can only tackle a lot of the security challenges as being transnational. It's not European or even global.

*No, that is true. You were talking about connectivity and about security. Is it also that the EU can show that they are a normative actor in the Western Balkan region?*

Yes, I think that's very true. I mean, there is a lot of interest. Because of the term stability, that immediately makes you talk a lot about the security interest that Europe has. Of course, we also have economic interest, that's why you work on market integration. What you're saying is almost placed more to the geopolitical or the geostrategic angle of it, that, of course, the Western Balkans are a part of Europe and who should be the main foreign policy actor, it's the European Union. If you talk about other international actors about the region, they clearly say that this is ours. Look at the US, they are happy to help, they support EU integration but they are also very clear that it is the EU who should take the lead. Of course, this is Europe and hence it is up to the European Union to be in charge and to be the main driver.

*Yeah there are also people saying that if the EU leaves the Western Balkan states in the waiting room, that other actors will gain influence there. Of course, with Kosovo it's not so much China and Russia but maybe Turkey, would that play a role?*

Yes, of course. Turkey and the Gulf countries. When we are talking about countries influence, we are usually considering more malign. It's not even in our own interest to leave the ground to the United States, being the best friends of Kosovo, that should not be the case. Okay, they have a special relation and a special history and it is hard to become number one in their love life but with all the difficulties, we should still be the number one actor on all fronts and, of course, the moment you show this unity or disengagement, it opens the way for everyone else,

all kinds of partners, even those that we share the same agenda with and those who we don't share the same agenda with.

*You were talking about the Gulf states. I haven't really considered that. In which way could they possibly play a role in Kosovo?*

It depends, they certainly try to get a stronger footprint across the region as a whole. You see them now and then donating vaccines now, not necessarily to Kosovo but it is one of the instruments that they are using and, of course, investing in anything religious. They have also realized with the recent decision on Jerusalem, that if you want to keep what you consider your friendly sphere of influence in the same line, quite clear messages to Kosovo that they should not so much go the other way. Unfortunately, the Gulf countries tend to look at the region from a pure religious angle and then with Kosovo being a Muslim majority place, they see Kosovo as fertile ground. You can say that in the case of Kosovo it is not necessarily all about religion, it is also about the social-economic living standards of people, whether they might be perceptive to that but it is always an entry point.

*Might that also be a factor for why Western European countries sometimes block, for example, visa liberalization because there is a rising Islamophobia, I would say, in some parts of Europe.*

I don't think that's the reason why visa liberalization is blocked. It's a bit of an unlucky layering of different factors and I don't think the religious angle has too much to do with it. Kosovo is also small, it's not the same as trying to integrate Turkey in the European Union. That's a completely different discussion, in those terms. The visa liberalization is more the factor that Kosovo comes so late in the process now that the context has changed domestically with the migration crisis. All of the countries are much more cautious on anything related to free movement and migration, reflecting also the perception of their own domestic audience, that is much more skeptical about anything migration-related. Also, there are real issues with rule of law and migratory risk. They would be a high visa refusal rate. People would bring up other security risks, like counter-terrorism but it's not a major thing, also because Kosovo was doing quite well on CCTV and cooperation on migration issues. They're not doing worse than other countries.

You were also talking about rule of law. That is, of course, a very important condition in the integration process. How much of a role does that play, the rule of law, corruption. That they are not far with that, is that very important?

Yes, definitely, that's a massive one because over the years we've gotten firmer and stricter on the fundamentals and the very core of the fundamentals is the rule of law. It goes for all countries of the region as they try to get closer to the European Union but Kosovo being such a young place and they still have to place the more mature governance, it's definitely an issue and they do have issues with everything from merit-based appointments in the public administration to corruption and organized crime, you name it. The problem that you always get is that they are clearly not yet members because if they have the rule of law of a member state, they could be a member state. So it's more the understanding that getting closer to the European Union is a staircase and how good do you have to be rule of law wise to make the next step and that's more the problem to see where is the balance between being strict and being fair. How much can you actually expect from a country like Kosovo, for where they are in the process. I think their member states have sometimes see that balance a bit differently but if you're on the strict side you do look at Kosovo and see still a lot of challenges.

Is that also because of the EU enlargement fatigue, that they are stricter with the conditions or that countries such as Poland and Hungary had a democratic backslide?

I think it does but with the middle step of why do they have an enlargement fatigue? Because it reflects their public opinion and because looking back on some of the past cases of enlargement or newer member states, you might not see that the process has worked. The country, the member states or the people feel that you need to be stricter and that is why you then do it. The fatigue doesn't come from nowhere. It comes from a realization that also maybe the progress that we have seen in previous cases hasn't been irreversible. That is why there is a lot of emphasis now on really wanting the rule of law becoming sustainable, irreversible and, of course, that is terribly difficult to achieve. And, of course, compared to previous enlargement also the Western Balkans do have a different starting point.

*Yeah they do because they're also quite late in the process and they have a history with the conflict. Obviously, Kosovo has the non-recognition problem. Do you think that if they did not have that, that the Council would still not be very fond on going quickly further in the process?*

I don't think the Council is eager for quick progress for anyone. Even bother with Balkan countries, we don't see them advancing at the speed of light.

*No.*

So I think the strictness of the Council and their firm insistence on rule of law is something that applies to all. It's not per se linked to the recognition issue or is not per se the only link. There is a connection because Kosovo could be doing a lot better and the non-recognition is holding them back on certain rule of law issues. You see that, for example, in trying to cooperate with certain rule of law bodies and international organizations, where fully recognized states that can do international cooperation and regional cooperation, even more so, fully and independently and reap all the benefits of that.

*Also, for example, in North Kosovo, they don't have complete authority and that is also a problem I think. What you said, non-recognition makes everything harder so in my thesis I cannot conclude that that is the foremost, the most important factor because if they didn't have that they would still have problems like North-Macedonia and Albania that also got blocked.*

Yes, of course. These kind of issues don't just disappear because you are a fully recognized state. It takes much more to work on rule of law and get really new institutions and your set-up and your implementation working but I do think that the lack of recognition makes it harder on certain aspects of working on rule of law.

*Yes, definitely and they have EULEX in the country and, for example, Serbia, North-Macedonia and Albania, they don't have such a mission. Does that also play a role that they are not really independent with how they deal with rule of law?*

Well, I like to think that they are independent, in a sense, like yeah EULEX functions on the 1244, fair enough but a lot of what EULEX does nowadays is mentoring, looking at the rule of law bodies, they support, they don't really execute in the driving seat running the police anymore. So, in a sense, it has already come a long way from independence for all the institutions from the international protectorate. What you see now is, Kosovo institutions are actors running themselves on lot of international support but it's always with the understanding that Kosovo is in the driving seat. We can be there to help and advise and bring in international expertise and help them fund certain things and they still need that but it's not the same international executive competence anymore.

*Is it like, because I'm from the Netherlands and we like cycling here and kids have like little sidewheels, is it kind of like that? Kosovo cycles but EULEX is kind of the sidewheels that help them forward?*

Yes, it's one of the many wheels, if you want. And I think there it's important to keep in mind where EULEX came from. It is the biggest ever mission we have launched and I think it was back in 2008, as well. So, EULEX has been on the ground for more than 10 years. It's just natural that things are different with the 44's and the strong capacity. So you need to acknowledge that Kosovo has, of course, developed quite a bit since then and, you know, the institutions are completely different and the responsibilities that they are taking. I like the image of the bicycle with the sidewheels but, again, EULEX is one of many. Kosovo is one of the places where you still have so many international actors. You have a massive US presence, you have the UK now also stepping up, you have a large member states presence bringing money, you have an EU office, you have a EUSR, you have EULEX, we are spending more than a 100 million per year and a lot of it also goes to the rule of law. It's so much support that I think it's more about the absorption capacity because everyone would love to help but the circumstances also need to be there. You need to find out how to translate your support into results.

*Yes, definitely, you also have the institutions within Kosovo to be able to divide the money that you get. But is it also that, because the EU pays a lot of money to support Kosovo. Why do they do that? Do they think it is an investment for stability?*

Yes, I mean, we spend a lot of money in the Western Balkans as a whole but, indeed, with Kosovo, if you look at how close they are to EU standards, they are still at the lower end, so then you invest more in order to bring them up to speed and that can, again, be support for all kinds of projects in terms of capacity building and help with assistance but, of course, it can also be like pure infrastructure, development. It just goes back to the special role that the Western Balkans have for us, I mean, if you want them to come closer to the EU both politically but also economically, you need to bring them up to speed and, of course, for that you need to invest some money to lift them up, as well because if you at the difference of economic convergence between where the Western Balkans currently are and where the EU is, that is quite a gap.

*It is, so is it also a struggle to trade with the Western Balkans, that they have such a low GDP?*

It can be both. It can be an opportunity in terms of getting the things that you need from the region and getting them cheap. That is also sometimes in the EU's interest. Look, the Western Balkans are with trade in a bit of a funny situation because the EU is so important to them

across the region, you get like 70% of their trade is, if you count both export and import, is with the EU but for the EU, the Western Balkans is a market just over 1%. In the scheme of things, the Western Balkans are a market and there is much more that you could do. It is in the interest of the member states, especially if you are one of the neighboring ones but, still, it's not a massively big region that provides a massively big market in global terms, so to say.

*No, that's true. So the economic considerations might be not as large as the political stability or the geopolitical situation that they get in the Western Balkan states?*

No, it is part of the story and, in a sense, there is still potential, you can always do more, particularly in you are a neighboring member state. Of course, you feel like there is more business to be done there but if you look at the EU as a whole, I think other consideration are bigger than that.

Would you say that the normative consideration, like the normative actorness of the EU is also part of the geopolitical considerations as a whole? Yes, definitely, look, in the EU, we like to talk recently about our strategic autonomy and things like this. Like make a strong, more united, assertive Europe and all of this and that, of course, always starts with your home base and your inner courtyard. So, the two things are linked. The fact that you want to be a strong actor and the fact that that means also that you get stronger by getting bigger. Of course, that is one of the narratives. You have another crowd who would say, “no, no, no, the EU is already so terribly complicated and we're already so divided with our 27 member states, that it actually makes things more complicated.”. Again, it depends on what kind of narrative, how you look at the question of enlargement and personally I also never liked that we need to talk ourselves into why it's good for us because for me it's basically like going back to the treaties and it doesn't say that the EU should accept new members if it's in their own interest. It says that the EU is not a closed golf club, where you have to wait for your invitation. You can join if you share our values, if this is where you want to see a future. So, in a sense it's not for us to say, “sorry, it's not in my interest for you to be part of me”. There is a treaty provision on joining and they say nothing about the intrinsic benefit of the European Union.

*Okay, so, you would say that it is more important that Kosovo solves the recognitions issues and therefore it makes it easier to fulfill all of the conditions that the EU has set up and if they have that, in theory they should be welcome in the EU without the EU saying that it is not beneficial economically, for example.*



Whenever they start running, at the moment they are slowly walking to the EU. Whenever they starts the race with the EU it's still going to be a marathon, it's never going to be quick and yes, they need to solve the recognition issue because it is holding them back and it is keeping a lot of doors locked, not just with the EU, by the way, they want to be a member of the UN of NATO. It's not just us who they need to solve that. But at the same time I don't want to give the impression that you need to fix recognition to work on the rule of law. There is a lot of things that you can already do and that we already do. It goes back to the idea of properly implementing the Stabilisation and Association Agreement or your European reform agenda. All of that is ongoing in parallel to the dialogue and what you actually try to do is to do as much as you can. What I always struggle with is. I've been in this position for a couple years now and the amount of time that I had to talk the Kosovars into why the dialogue is important for them, it's quite impressive because a lot of time you are basically here with a narrative from Kosovo that the dialogue only serves Serbia and that Kosovo is a states and that Serbia should just accept that and that the dialogue is rubbish. I think not just from the EU side but also from the international community, there is this shared understanding that the lack of normalization with Serbia is holding Kosovo back. I fear that they don't really see it and, of course, it's difficult. It is a painful process that they have to go through but it starts with actually accepting that there is things that you cannot do because you have this open issue.

*Yes and that is indeed with the international organizations. Also people in the EU, in my view, tend to blame it on the recognition issues and they say that even if Kosovo has met all of the conditions and it is the perfect country, they still have no chance, not at all because they will be blocked anyway. How do you see that?*

Yes, unfortunately there is not much they can do. There are certain things that they can't do if not all member states consider you a full-fledged country and particularly working from the institutions, that is actually one of the many difficulties that we try to keep the region together. We don't want that some sprint ahead and then Kosovo being left behind. On a daily basis we try to see how we can do as much as possible within those circumstances.

*Yes. Would that also be, for example, Serbia going really fast with the track and they are successful and then would that also be an incentive for Serbia to block Kosovo even more?*

In principle yes, you've seen it but the region has unfortunately a bit of a history that the one that joins first is going to block the next one that they have some bilateral issues with. We've

seen it with Croatia and they have certain motivations but the thing is, Serbia is not going to go anyway either if it doesn't solve the Kosovo issue. In the past year or two this has become very clear that they are not going to join without having normalized relations with Kosovo either. In a sense it is problematic or it is a scenario, since they are both in this together in the process, it is not yet as concrete.

*I sometimes struggle with preparing for my thesis with is the recognition issues more linked to the normative actorness, to the geopolitical aspect or is it part of the conditions because of the dialogue and is it blocking going further, like you said. Sometimes I don't know because for Kosovo the recognition issues is a problem in every sense right? Do you think that to?*

Yes, I have tried many years telling that to Kosovars, especially if you are living in Kosovo, if you are working in Kosovo, the status is a reality, it is how you see it in your daily life, I think. Look at it from Brussels, from the outside is a bit different. So, I certainly believe that it is massively holding them back, across a number of areas. Everything from international cooperation, wanting to be UN, NATO or UNESCO, whatever member and that comes with very real shortcomings of what your ability is, even with foreign policy, there are countries you cannot have a foreign policy with because they don't recognize you. Kosovo now says that they don't want Russian and Chinese vaccines but even if they would want it, they wouldn't be able to get it.

*No, they wouldn't give it to them.*

Exactly. Maybe it's not a good example but even if you were after that support, which some countries in the region are but you don't have the same opportunities. You are actually stuck with the EU. This is good for us. We don't have the same competition as we have in other countries in the region because their options are actually much more limited, which is important for other actors because they see a real opportunity because it's not the same ground or the same multitude of international players.

*But I think also all of the countries in the region have the problem that they image of being Balkan states who are corrupt and that the rule of law is not good there and migration, that they will overstay their visa anyway. Do you also think that that is a problem for the Western Balkan states in general?*

It is a massive problem for the Balkans. They all have a massive public image problem. People think that Serbia is little Russia and Montenegro is this ward of organized crime. In a

nutshell, the EU opinion on the Western Balkans. In Kosovo, I don't know how it is in the Netherlands but in Germany, Kosovo only makes it to the news when there is a security incident or maybe something happened to a German KFORCE soldier. It always gives this perception of being dangerous and unstable. People also that thought when the Albanian migration crisis happened, that it must be a bad country when all those people leave.

*There is some logic in that.*

I almost had to tell people that they just wanted better living conditions and that it wasn't a threat to their life, trying to move. I am not judging people's motive for migration but it does have a very real impact on how the audience looks at the region and I think that the migration crisis has made a difference. For the visa liberalization thing it would be a completely different story, if we were pre-2015.

*Definitely.*

I am not saying it would be easy. Look at past example with Georgia or Moldova, Ukraine. It is never an easy discussion. It is a terrible discussion to be having post-migration crisis.

*Yeah. I did an internship at the embassy of Kosovo and I had to read a lot about visa liberalization and how the Netherlands was blocking them. I didn't know. I was quite shocked of my own country. Like, why? Then I started digging into it and then it started making sense because in the Netherlands you have populist parties, like the PVV. I hear it around me that people ask why the migrants should be here and that also has an effect on Kosovo, of course, because Kosovo according to them, Kosovo is an insignificant little Balkan country.*

I mean, to be honest, in a lot of the critical countries, especially on Kosovo visa liberalization. I don't want to deny that there are very real issues with rule of law and with the high amount of visa applications but it also has to do with other cases of visa liberalization, like Georgia and Albania. If you look at France, one of the big things that they are bringing up is that they still have so many asylum seekers and that after the visa liberalization with Georgia they also saw an increase of people coming and suspiciously never going back. So, there is misuse of the existing ones and, of course, we never go and suspend the mechanism or something but it makes the discussion for Kosovo even more difficult.

*Yes and then there are also people asking why they should even think about conditions if Kosovo is not recognized. They say that we can't even call it accession process because five member states do not recognize. That should first be solved.*

Yeah, I mean, in the end, it depends on what label you put on it. You can call them accession criteria. In a sense, it is not so different from what we do with countries who are not on the accession path. It is just that the closer you get to accession, the more concrete you get, the more you have to think about the nitty gritty of legislation and make sure everything is well-aligned with the EU acquis but the general direction of good governance, democracy, the rule of law, economic development, working on environmental standards, what we did more recently on green and digital transformation. It is nothing that is unique to the Balkans. It is just that we are more ambitious or we want the Western Balkans to be more ambitious because they are on a new track and the closer they get to membership, the higher the standards are but the overall agenda is what the EU does globally.

*Yes, rule of law and democracy they are really general terms and anti-corruption. Any new country has to go through this. I think maybe there is a difference that it is now 2021 and it is the last region. Many people also see it as the end stage of the EU so you need to make sure that it is kind of perfect.*

Yes and it is really also sure in this conundrum that it is a bit of a chicken and egg thing. Does the EU first need to give a real perspective to them or do they first need to show more progress and then they get a more credible perspective? It is a bit tricky. One thing we haven't talked about is the aspect of political stability, which has been huge in Kosovo over the last three years and it is one of the reasons why you haven't seen as much progress as the EU would have hoped for and as member states would hope for and, of course, it is always difficult if you have an instable institutions and an instable government, then you don't throw things like visa liberalization in there. You know that the next election is just around the corner and everyone is going to claim it to their benefit and it is politically also sensitive. So, I think, in a sense, we have to see how things go now. I think there is a lot of hope but also very high expectations that now if you have high political positions well-aligned, a firm government majority, that if there is political will, there can actually be real progress.

*Do you think that that will be the case with Osmani and the new government, that they actually want to take step with rule of law, corrupt, all of that?*

Yes. They run on the rule of law agenda, so I do think they do want to deliver on it. I think it is more trying to square the circle between acknowledging, they are a bit in the mood currently of questioning everything that was done before, as if nothing had ever happened. It's a bit like squaring the circle between the old commitments and implementing them and

actually implementing the legislation that is already in place because what they seem more wanting to do is to bring up new institutions, new initiatives, new things and basically reinventing it. And, of course, they come from a background of being in the opposition for a long time. I think it makes a massive difference being in the opposition and then in the government, in the driving seat but I think they have the will to do it, that is on the rule of law, it is more problematic, actually, on the dialogue because there they are much more cautious and it is not by coincidence that Kurti didn't put it as one of his major priorities and that the international community has to tell them that it should be a priority. It goes back a bit to the perception. I think the international community has somewhat of a different definition of what Kosovo's priorities should be and then it is different when Kosovo tells you what their priorities should be.

*Yes that is true but maybe also it is not politically popular to say that Kosovo is not recognized as a country and that they need Serbia to agree with it. That doesn't seem really nice for the Kosovars to hear that.*

No, in Kosovo, that is political suicide but in a sense there is an opportunity because looking back when you constantly had the threat of new elections, in Kosovo, people are much more in the campaigning mode and even more than you tell people what they want to hear, to be reelected. A government that actually has the prospect of being four years in office can be more honest to its people and it's one of the massive shortcomings of the parties. To be honest, I don't think Kosovo have been honest to their public. I don't think they should say that they're not a state but I think they should acknowledge that they overcome their differences with Serbia, that they cannot have it all, that this a mediated process and you think of it what you like but in the end it has to be a compromise because, in the end, any Serbian leader also has to go home and sell it to their audience. So, the narrative that Serbia is the bad one and has to accept reality, it might be a point of view but it's not going to happen and it might be a nice thing to tell people but it's not going to happen.

*No because without Serbia, you can't do anything. Serbia is the one that is further in the process, that needs to agree and if Serbia and Kosovo have an agreement then maybe the other five non-recognizing states will also agree. I've also read about Cyprus saying that they will never recognize Kosovo but someone commented that Cyprus can't be Serbian than Serbia.*

Non-recognizers also have to be really careful in their communication but I think they have been quite clear in saying that they will not be Serbian than the Serbs. The main thing for them is that the moment that it is a negotiated process, that leads to an agreement by two sides, this is the appropriate mechanism, they problem they have is the unilateral steps that Kosovo has taken, the crux of all evil if you ask a non-recognizer and a negotiated agreement is what would make all the difference. I'm not saying you need to hand yourself over and do everything the Serbs say. Go to Brussels, be a tough negotiation, fight for your interests but, basically, telling your public that you will never accept anything is not helpful. Going back to the massive discussion that was over territory, it doesn't have to be like that, no one forces you for that to be the magic solution but think of it what it could be. What you hear from Kosovo is that they have given everything there is to give, we have given everything in our constitution, there is not a single little benefit that Serbia might get out of the process and then this is not working.

*No, indeed.*

And that is just a lack of honesty with your people.

*Because you cannot only get and not give anything to Serbia.*

And even worse, they have turned and they said that they will go and ask them to recognize the genocide and we will go and ask them for liberation.

*Wow, but Serbia also says that if they only get EU membership for it, then it's not worth it for them. But I think that EU membership is quite of a big deal but if that's not enough then it's going to be tough for Kosovo.*

I don't think the dialogue is going to be a one-issue thing.

*No,*

They are talking about various pieces of the puzzle, so to say and they can do a little jigsaw and they can work with different elements but, I mean, let's be honest, in Serbian public opinion, the EU path is not one that everyone is waiting for. The support for that is, I think, just over 50%. It's nothing that can pull public opinion. It's a bit of a question because also, in the end, it is about if an agreement would go for a referendum or not and if it does in Serbia you need to take these kind of things into account, what is in the agreement for Serbian people and indeed, the EU path, I agree with, it's a massive thing but Serbian people feel quite the same way, yet.

*And Kosovo doesn't really have another option, well the US but the US also says that the EU leads it. For Kosovo the EU is, of course, super important, their identity is that they want to be European and therefore they also want to have met the conditions, I think.*

Yes, definitely. There is for the EU path and going in the same direction. I was a bit worried, to be honest. In the last years sometimes you see in Kosovo Ministers going to the US and then the Justice Minister comes out and says that they will now do everything by US standards, that is the kind of thing that gets you a bit worried. If you get into two things like judicial processes and data protection and these kind of thing, it's not always like the EU standards and the US standards are the same. Sometimes with the nitty gritty it might be a bit of an issue but in the overall perspective and ambition we are actually quite the same. In a place like Kosovo, honestly, if you get the EU and the US together and join forces, I think in other countries the way we give out opinions and views and engage in Kosovo would be considered interference in domestic but in places like the Balkans, they actually look towards the international community, for the better or the worse, it can go both ways. You can risk becoming part of the political scene and become part of the politicization but sometimes you can also do good and help things move.

*So, maybe in my thesis I can kind of conclude that geopolitics is a very important reason for the EU to want Kosovo to go on with the process. For Kosovo it is obviously beneficial because of the market and all of that and their image and yes they have the additional issue of non-recognition but that is not something that they should hide behind, as a reason that they cannot do anything.*

No, there is a lot of things that you can say, there is different things that run parallel. It gives constraints on you, the lack of recognition but that doesn't mean that you can't do anything and let's see with a new parliament, a new government, what they are going to bring forward but they actually have a real opportunity because they are looking at the prospect of being in office for longer than the past ones.

*Yes, political instability is also, of course, not good for the conditions.*

No, it's not because even things like legislation or just the fact that when a new government comes in, in the Balkans they have the tradition that then a lot of the public administration changes, you throw out boards of enterprises, new heads of agencies or institutions etcetera and, of course, all of this turnover is just hindering continues work, it's a bit of a disruption and then you're always looking forward to the next elections being around the corner, you try

to do the things that will make you popular with your constituents and not the things that are actually tricky and difficult.

*That is very understandable I think. I would do the same as a politician.*

Yes but at least in the EU we don't have election cycles that last only a couple of months, ideally.

*For the EU it's a bit more stable and they just want the region to be stable so that we have a region that we can include in our market and orbit.*

I think when it comes to the dialogue, there is also a particular EU interest in it to succeed. It is the only process globally where we are in the mediation lead. We always see it's up to the two parties but we are the facilitator and you don't really have any other process in the world where it's just the EU. So, of course, the EU having such a special mandate, naturally we are interested in it succeeding because then it also speak to us as having been a good facilitator.

*Yes and that can help them with having the image of a normative actor in the world.*

Exactly.

*That makes a lot of sense. It's a bit of the conditions for Kosovo, a bit of the normative actorness and the geopolitics for the EU. Of course, they are all factors. Would you say that there is actually one most important factor?*

No, I think it's always a mix of everything, there are so many consideration with these kind of things. That is why, in the end, context is so important, just because sometimes you have a window to do things and you need that window. You need all the starts aligned, in the EU and in Kosovo and in Serbia and the other Western Balkan state and any change in constellation can make your work so much trickier.

*Yes but that is also tricky in my thesis because I'm not sure if I can actually answer my question of what is more important, the unmet conditions or the cost-benefit analysis. Also, the cost-benefit, what you said, it's not all about the inner workings of the EU.*

The thing is, you also don't have one cost-benefit analysis, it goes back to who is the EU? There is the institutions, there is the member states, there is the parliament, there is the Council, the Commission. Who's analysis are we talking about here? It's the multiplicity of analysis. That's why you need all of the starts to align. You need the right people at the right places at the right time and then you may succeed.



*Hopefully, for Kosovo they will. It is very multifaceted and therefore very interesting to talk about and to research.*

How long were you at the Kosovar embassy?

*For three months and now I am working full time on my thesis.*

So you'll be busy the following months.

*Yes, very much. Thank you so much for your information and for taking the time, it's a really helpful conversation.*

Best of luck with your thesis

## Appendix 7

### Interview with former Kosovo government official

*First of all, thank you so much for taking the time for an interview, it is really appreciated. I first have to ask you if agree with me recording the interview.*

That is alright.

*Do you also agree with me quoting things from this interview in my thesis? How would you like to be mentioned?*

I am totally fine with that, I do not really mind what you call me.

*Thank you. My first question: how far do you think that Kosovo is in the EU accession process?*

Unfortunately, due to the political problems, related to the issue of recognition, and concretely due to the lack of recognition by five EU member states, unfortunately, I have to say that Kosovo is nowhere in terms of the EU integration process because formally Kosovo is the only country in the Western Balkans that still does not have a candidate status for EU membership. So, as long as they are a potential candidate and the EU does not grant status then it is difficult to speak in complete terms about the EU integration process at all. But in all this negative picture, the only positive development, I would emphasize related to the EU integration process is the agreement on the Stabilisation and Association between Kosovo and the EU and regardless of the different nature of the SAA, signed between Kosovo and the EU due to the specific reasons, still this is the only framework agreement which allows in concrete terms for Kosovo to aspire the EU integration process but, again, going back to your original question, in terms of the political integration process, as long as Kosovo doesn't get the status of a candidate country who has joined the EU, there is a difficulty to speak formally about this process but having in mind that this situation can change and integrating what the European Commission and all the other institutions have been saying since the Zagreb summit in 2003, if I'm not mistaken, I mean, opening a clear perspective for all the Western Balkan countries, than Kosovo can still have a realistic hope about this process but no to be too enthusiastic, I would say and also adding to this the current status quo within the EU institutions, and within the EU itself, regarding the further prospect of enlargement, then the overall picture gets very gray, I would say, in order not to say very pessimistic.

*Okay but if Kosovo would take large steps in terms of rule of law and anti-corruption, for example, would that help? For example, if they really make large steps would that help convincing the Council?*

Let me first elaborate a little bit on the rule of law and fighting organized crime and corruption. I mean, whenever we speak about these issues in Kosovo, we always have to have in mind that the EU has invested a lot in these issues and about everything the EU has its own rule of law mission deployed anywhere in the world to tackle corruption, organized crime and so forth. Regardless of this, I accept that the situation in terms of the fighting against corruption and organized crime cannot be compared with the situation in France, Germany, Denmark or elsewhere but if you compare Kosovo with the other Balkan countries and their success in terms of the rule of law, I can proudly say that Kosovo is a champion compared to everyone else but yeah when internationals or the EU member states or when the EU institutions speak about Kosovo, they always do emphasize the issue of corruption and organized crime more than for any other country in the region. Why is that? Because, as I said, Kosovo is in a kind of political deadlock in terms of the EU integration process and the EU does not have the right response or the right answer to these problems. We cannot blame the EU for this situation because the EU doesn't recognize states. It is the EU member states that recognize states and so far the institution have not been convincing the five non-recognizers to recognize Kosovo and to remove and to remove the political obstacles in the path to the EU membership for Kosovo. So, the perception about the corruption and organized crime related to Kosovo is much higher than the real situation on the ground and this is done on purpose because, as I said, as long as Kosovo does not remove the political obstacles for the EU integration process, then the only thing that can justify the lack of progress is to label Kosovo as a corrupted country with high rates of corruption and organized crime. So, in this the member states and the EU institutions at least have some sort of a lack of progress but, as I said, we have to be honest and to evaluate each country based on the progress made and if you compare Kosovo and Albania, in whatever field, not only in the field of the fight against corruption and organized crime, Kosovo is much more better. Compared to Serbia, it is much more better in every aspect, in terms of the fulfillment of the conditions but whether I accept the fact that we need to do more in terms of the rule of law, in terms of fighting corruption and organized crime, this is obvious. But, you know, these are challenges that never end. It's not that by getting closer to EU membership, you will get rid of the corruption because no country has ever been able to get rid of corruption but what is required is to put in place the

necessary structures, independent and professional, to tackle those problems permanently. Kosovo, as the youngest country has been able to put the best legislation in place and also in terms of the practices and well but, yeah, the perception is high. I don't think it matches the reality on the ground but, as I said, the high perception is related to the key problems of Kosovo in the EU integration path, that is the lack of recognition by five member states. But yes, every progress with the rule of law should be evaluated but this has not been the case so because we have seen this in the process of visa liberalization, where the track record on the fight against corruption and organized crime has been one of the key benchmarks and on that, all the technical conditions specified by the roadmap had been fulfilled by 2016 and yet the EU has not been able to deliver on its commitment, on its promises, not to say an obligation because once you enter in this kind of process it's a dual obligation, it doesn't only belong to one side. In our case that has not been the case, no. There has been a lot of disappointment visa vie the EU and visa vie the lack of having a proper decision on this very technical matter, which in our case has been anything but technical, it has always been highly political.

*Of course. Do you also think that that has to do something with geopolitics. For example, I come from the Netherlands and Mark Rutte said that he did not want visa liberalization because of a risk of a high migration rate. Do you think that that plays a big role?*

Yes, Kosovo has had a high flux of illegal migrants trying to move to EU member states in 2014 because back then we had some sort of political crisis. To establish a new government, it took more than six months and there was a pessimistic feeling in the country at that time and I think the smugglers or those who are involved in human trafficking at that time had some open routes to send people abroad. So, they exploited the situation and we had an increased flux of illegal migration. I don't know the exact number but around 100.000 people left Kosovo during that period but by now most of them have been returned because we had special agreement with most of the EU member states and they try not to provide asylum for those who do not fulfill the criteria so most of them have been returned in a speedy procedure but this flux scared many EU member states and we know that the EU of illegal migration is a permanent concern for EU member states, not only from the countries from the Western Balkans but also but also from the other countries which are still torn from the war between different countries but the flux of illegal migrants of fully under control, it has fallen drastically but very often some countries, perhaps even the Netherlands, mainly France, mix the Kosovar Albanians with the Albanians from Albania because the Albanians from Albania have the right to visa free travel so for them it is easy to go to any EU member states and very

often when they decide to stay there, contrary to the rules, they blame themselves or they say that they come from Kosovo. They give wrong information to the authorities. There is a confusion between Albanians from Kosovo and Albanians from Albania.

*Yes.*

But in terms of the normal figures of the illegal migrants, Kosovo does not represent a threat to any EU member states at all. The number are fully under control. There is no flux as they said. We have bilateral agreements with most of the EU member states. In case people are trying to go, they are returned back in speedy procedure. So, the system is in place, which makes the EU member states insecure that there cannot be a flux of people once the visa regime is lifted and in the end of the day. Those who really want to go and live in different EU member states, they never wait for visa. The visa regime is only hindering students, workers, ordinary families and elders who want to visit their sons and their daughters but it is not hindering those who really want to do some other things.

*No because they will smuggle.*

Yeah, they can easily get a passport in Albania or Serbia or Montenegro, anywhere in the region.

*You were also talking about how, for example in the Netherlands, they mix up the different kinds of Albanians and I have read about this because I have done an internship at the embassy of Kosovo in the Netherlands.*

Is your internship finished?

*Yes, my internship is finished. I am fulltime working on my thesis now.*

Okay.

*I also read a debate in the parliament of the Netherlands and they were talking about Albanian criminal groups, from Albania. They were debating about if they should revoke their visa liberalization? And one person said: ‘I don’t know how it is in Kosovo but maybe we should not give Kosovo visa liberalization’. This was because they were linking all the Western Balkan countries.*

I understand these fears and I think that there has been a discussion, even within the European Commission, that in case any of the countries that have benefited from the visa-free regime violates the rules and procedures then there should be a mechanism to withdraw this decision.

I think, in my view, this is the best solution to respond to these fears because you cannot let Kosovo as isolated in the middle of Europe and the middle of the Western Balkans with all the neighboring countries having the right to travel visa-free and exclude only Kosovo because in my view this is discrimination. Since 2016, when we had fulfilled the criteria, the EU hasn't been able to deliver, so for me, since then it is basically discrimination and there is no justification behind that, regardless of this fear. If you have this feat then the European Commission, in accordance with the member states, can put in place a clear mechanism that allows for the European Commission to withdraw from the visa-free regime for any specific country if they are not able to control the illegal migrants, if they are not able to deal with organized crime, corruption and issues like that. But, you know, simply what we have been asking in this process from the very start because we were in the same package as Ukraine and Georgia and then at the end of the in 2016, the Council voted in their favor but against Kosovo and I don't think that was fair. What I'm saying is Kosovo needs to be treated equally. We are not asking for privilege in any process but to be treated equally and, so far, this policy, the lack of decision on this specific matter, in addition to, as I said, the total blockade we have in the formal EU accession process. It leaves no room now for positive hopes. We remain optimistic and we have no alternative. This can be good, it can be bad because if we would have another alternative maybe the EU would have had a different approach, a more aggressive approach towards embracing Kosovo and getting Kosovo closer to the EU, like they do very often with Serbia because Serbia, due to its geopolitical position and policy. They always know how to navigate in this aspect because the EU, being aware that Russia is there, has a huge influence that the EU always competes with Russia and with other structural partners, to become more visible and more attractive for Serbia, whereas Kosovo being locked and isolated with many issues related to the statehood, not being a member of the UN, not being a member of many international organizations, is a completely different situation and the EU, in a way, considers the stability of Kosovo for granted and it is not investing as much as it should to try to bring Kosovo aboard as well, in terms of the EU integration process. As I said, SAA is not enough. We need at least be able to make the first step and to grant Kosovo the status of a candidate country and this has been always the understanding between us and the EU when we signed the SAA. We said, "Alright, SAA is the formal track. With the progress in the SAA, we should think and make conditions for the next step, which would be candidate status". But we are far from that.

*Is it because Kosovo has not applied for candidate status yet. Is that because of the status issue?*

It is purely because of a lack of recognition by five EU member states because each country has to agree with this. As I said, on the issue of the SAA, the EU was able to find a mechanism, a way not to have the SAA ratified by EU member states. It was Kosovo and the EU that signed the agreement. It is not Kosovo with all the EU member states, which was the case with all the other states in the Western Balkans but you cannot make the second step. I wish you could find a solution to also grant the candidate status without having all the member states to agree but I don't see that happening, I don't see that being possible. The only hope for Kosovo to overcome these problems is to remain engaged in the dialogue with Serbia on the normalization of relations, hopefully to get a final deal with Serbia. This will allow for mutual recognition and once this is done, even the five non-recognizers do not have any strong reason any longer to do the same.

*So you say that that would be kind of the only option, getting a deal with Serbia.*

I see that as the best key to unlock the current deadlock for Kosovo mainly but also for Serbia because now the normalization is also a condition for Serbia in the framework of the accession process. There is a specific chapter, chapter 35, which obliges Serbia to reach an agreement with Kosovo on the normalization and the same will apply in Kosovo as well but since we are far away in terms of the EU integration process, compared to Serbia, this condition for Kosovo is enshrined in the SAA but it doesn't change anything. Both countries are obliged to reach a final agreement on normalization as a precondition to move further in the EU integration process.

*Yes but you were talking about how the EU takes Kosovo for granted in terms of not having another option but is it also not beneficial for the EU to show themselves as a normative actor in the world, for leading the dialogue?*

Yes, I mean, this is what the EU is doing. Basically, the EU has already gained that reputation by being a normative power or a structural power, not only by facilitating the dialogue but also by being the main structural power in terms of financing and everything else. It does have that reputation but in the case of Kosovo the EU is leaving a lot of vacuum because of a lack of action. This status quo is taking it for granted not because the EU has the means to maintain the status quo because of the presence of NATO. In the Western Balkans it has always, more or less, been like this. The EU could establish itself as a normative power, only

after NATO intervenes. It was the military power of NATO that provided the necessary environment or the conditions for the EU to establish itself as a normative power but it's time for the EU to deliver. For ordinary people, the SAA didn't mean anything, only those who are involved in trade or production can understand the benefits of the SAA but not ordinary people because for ordinary people the visa liberalization is much more important than the SAA itself. For those who understand the process, of course the SAA is much more important than the visa liberalization, which is a technical process but we are talking about the practical needs of ordinary people. Ordinary people appreciate much more the right to travel visa-free to any of the European countries because of the huge diaspora that Kosovo has abroad. As I said, let's not talk about the student and doctors but they are worker who, if they were in the position to make exchange progress, they would benefit much more in their professional field.

*True. I have also read that, for example EULEX does not really speak to the Kosovar citizens about what they are doing. They don't really take accountability to the citizens. Does that also decrease the credibility of the EU?*

It is true. There was a problem with the deployment of EULEX from the very start because there is paradox. Kosovo was about to declare independence. We were instructed to foresee an invitation, extended to the EU for the EULEX mission in Kosovo and at the same time, the decision to deploy EULEX was already taken within the international community and the legal ground is in the solution of 1244 of the United Nations. In addition to our formal invitation as a state, as a government, after we declared our independence, EULEX has its own legal space to be deployed and operate in Kosovo. They just wanted the Kosovar government to have this invitation to satisfy the domestic needs here but it's not like they undertook any obligation to be accountable to the Kosovar government or any other body in Kosovo. And, of course, EULEX only had to be accountable to the EU member states and the EU institutions.

*Yeah.*

Which, of course, put the impression a lot about the credibility of EULEX. Nowadays, when EULEX doesn't have as many as it used to have, executive power in the past because now its role is mainly mentoring and as a kind of advisor to different institutions in Kosovo. Yet, the issue of the accountability to the Kosovar citizens is always at the question and then many scandals that have happened with EULEX, related to different cases, to different trials, have severely undermined the image of EULEX and if it wasn't for the issue of the special court



that operated and is related to mandate of EULEX, then any further extension of the mission would have been useless and not productive.

*Yes, because I've heard stories that it already increased the normative power if the EU can deliver on visa liberalization and deliver on deploying EULEX properly. Having only the Specialist Chambers for the Kosovars and not for the Serbs. Do you think that that normative actorness also has to do with the geopolitical aspect of the process?*

It probably does because these things are interconnected. In the case of Kosovo, the EU has always been very coordinated with the United States in every issue, also particular the issue the rule of law and the establishment of the Specialist Chambers in The Hague and for my personal experience I would say that it has been the United States much more than the EU that has pushed forward the establishment of the Specialist Chamber to deal with the war crimes that were presented in the Dick Martens report but I will say that they are coordinated in this matter but sometimes this coordination doesn't provide the expected outcomes because even for Kosovo it is extremely important that there is full coordination between the EU and the US in whatever happens here because now that we have special relationships with the United States due to their role during the war time here but I think whenever there are changes in administration, when there are new leaders in the United States, like you have now, the cooperation is sometimes not at a prepared level but we always push for the cooperation to be there because each time the US has coordinated the issues, you see progress. Each time when there is a division or a difference in their approach we have problems.

*Okay, but still the US is not an option for a partnership instead of the EU?*

No because the European integration path is clear and Kosovo aims to join NATO and the EU. This is what we aspire as a final destination in terms of the European integration progress.

*Okay. I can imagine, because Kosovo trades a lot with the EU, is surrounded by EU states, and the US is at the other side of the ocean. So, yes, I can understand that the EU is the option but what about, maybe they play a small roll, but what role do the Gulf states and Turkey play in Kosovo?*

I think the Gulf States have no role at all, I mean no significant role, I can say, whereas Turkey, because of the trade relations and because it is a player in the region, plays an important role. There is a Turkish minority living in Kosovo as well so the ties with Turkey

are quite strong, I would say but not anything that can impact or undermine or put into question the clear EU-Atlantic perspective of the Kosovar people and the Kosovar institutions towards the EU and NATO, not on that scale. The Turks have been quite clever to invest in the prioritization process in Kosovo because they understand the mentality of the people here. They have the courage to come and take a risk because if you compare them to other European countries, they make the visibility before they decide to go and invest in any Western Balkan countries. The Turkish government have been keen to come more open and take a risk and invest and some of those investments have been proven to be very appropriate and profitable for investors but also for the Kosovar economy. As I said in terms of the ideology and the orientations, Kosovars are crystal clear. They are not in the position to trade their ideas, their beliefs, anything else, rather than Western values, European values. I see no danger from the influence of other actors, rather than the EU in Kosovo. My only concern, and this is not only a personal concern, we are eager to see the EU deliver and we are eager to see the EU credibility being very high, not to question that credibility because even the most enthusiastic people of the EU integration process sometimes find it difficult to justify the lack of EU action, not only in Kosovo but in general in the Western Balkans because this process of the Europeanization of the Western Balkans is taking much more longer than one could envision. I remember myself when I was at your age. I always thought that in ten years, these countries will make it to the EU because I was thinking that the same approach, the same speed as previous enlargements would apply also to the case of the Western Balkans but that's not the case. I mean, 20 years have already passed and we have zero of the remaining Balkan countries joining the EU. So, if someone from the EU expects that it needs to take 20 more years, I think this is too long. As I said, it is not a good thing to take the stability for granted. Even now we still have unsolved problems and Bosnia and Herzegovina is not really functional, it's very dysfunctional. Kosovo does not have a permanent or a final deal with Serbia yet. There are all these tensions going on. In my view, the best solution for the unresolved issues would be to integrate them in the EU because EU membership does not provide only technical economic benefits but also provides a safe umbrella for the countries who are members of this great organization. So, I think this is also the best solution to end the ethnic tensions in the region but also to nationalistic claims because there are still nationalistic claims and we have seen that time after time, those ideas about changing borders in the Western Balkans.

*Definitely, there is a debate going on about if it is better to not integrate the problems and the ethnic tensions into the EU before they integrate or that it is safer to keep them into the EU's orbit and solve it there in the way that the EU wants. But what would you say about the consideration of the EU about that it does not want to integrate the struggles of the Western Balkans into the EU?*

I think the approach of having the Western Balkans countries solving all their issues between themselves prior to joining the EU, I think this is the right approach. I don't dispute that, okay? But for that to happen, I'm saying that the EU need to put more effort and it needs to be more serious because I know that the EU can deliver on that. If there is a strong leadership, let's say by France and Germany and more pressure by France and Germany and also by the EU and also if there is a clear guarantee on behalf on the institutions that once you agree on the normalization issue between Kosovo and Serbia then for Serbia it is clearer and this could be a motivation for both sides to reach a deal. In my view, for the time being, Serbia does not have any kind of guarantee that once they solve the issue with Kosovo that their car to the EU is waiting and this puts them in a more comfortable position not to hurry up in this process. They don't mind buying more time and my view is that also the EU is not minding buying more time because, as I said, even the EU within itself has not defined the strategy with regards to the issue of further enlargement because this is an ongoing debate within the EU institutions and the member states and I think it is a sensible and difficult debate. So, as long as there is no answer on these matters on behalf of the EU and its member states and also you see Kosovo and Serbia and perhaps also the other countries not being so eager to undertake deep reforms, which sometimes are quite difficult and not being also very interested to solve the remaining outstanding issues with their neighbors so I think it would require from both sides, from the EU on side but Kosovo from the aspiring Balkan states who seek to join the EU to have more confidence with each other and more clarity on the way forward because the lack of clarify of what happens next makes many countries and many sides hesitant to take the necessary steps and this is why there is more status quo than anything else.

*Yes, that's true and you were talking about how the EU in itself does not agree on enlargement. Do you think that the enlargement fatigue after the eurocrisis and after the big bang of enlargement, that that plays a big role in that?*

Absolutely, yes. I think everybody acknowledges that but on the other hand, I don't see the project of the EU itself being completed without the rest of the Western Balkan countries joining the EU and if the EU has failed anywhere, it has failed in the Western Balkans. It is

the only change for the EU to improve its failures from the past and really build something credible and solid and I think that the membership of the remaining countries of the Western Balkans wouldn't be something difficult to absorb for the EU in itself because, as I said, the values we believe, more or less, we can always question, are more or less the same as the values of the European people and European countries and we feel like we belong within the EU itself. The completion of this process would make the EU much more stronger in the world as an actor, as a structural power, as a normative power and it would make sure that Europe as a whole is stable and secure because at the end of the day, the integration of the remaining Western Balkan countries should be tightly linked with the overall statehood of Europe. If, for example, the remaining Western Balkan countries are perceived as a source of organized crime and corruption and so on then the best way to tackle these problems is to bring them inside and impose the same rules and the same standards. Only asking from the aspiring countries to do the reforms is not giving the expected results. In my view, you can perhaps give 20 more years to these countries to make the necessary reforms on the rule of law but yet you will always question the EU reforms and, as I said, we have to treat the remaining countries like the other countries that did it, who joined the EU, they have to apply the same process. I'm not saying that we should not learn from mistakes but it's difficult to put different standards for the Western Balkan countries compared to the standards that were applied to the countries that joined the EU in the last wave because in many field of life, let's say Serbia and Kosovo but also Montenegro, they don't differ much from Romania or from Bulgaria in terms of the rule, trade and economy.

*That is true but there is also a democratic backslide in Poland and Hungary and people say that if the Western Balkan states are integrated, that there is no guarantee that in the future there will be no democratic backslide. How big of a role does that play?*

I don't expect that it is easy to have a democratic backslide. I don't see that happening because apart from Serbia where there are concern with the media with the right of free speech and free thinking. In the other countries, I don't see much danger of having backslides in the sense of going for an autocracy or a dictatorship or anything like that because simply the people now are educated, much more than they used to be before. I mean, you can manipulate perhaps for one term but you cannot manipulate them in a second term because as long as the voting right is guaranteed, as long as institutions are well-established. In terms of this what is important is that most of the countries have been able to, thank a lot to the help of the EU and the United States, at least to have the best legislation in place and all those

institutions are very credible and very independent. In the case of Kosovo, I can refer to the constitutional, being a guarantor for the right of people, as a guarantor for the stability of the institutions so not matter what mess politicians make sometimes, there a always these institutions that are respected by the people more than any other institution that take care to maintain the fundamentals of the democracy. I don't see a backward process or any threat of democracy or backslide. Of course, some of the political who remain in power for too long can aspire to become dictators but I don't see that the people, the voters will allow that to happen.

*That sounds credible. You were also talking about the judiciary, about the court. How far is Kosovo with that, with the independence of the courts?*

The issue of the independence of the court is a permanent concern here because it's a small country. People have connect, links, nepotism all these issues speak a lot about how credible and how independent the court are. But, in my view, what is important is that every citizen is eligible to free access to justice and to have a fair process, in terms of justice going from the first level to the highest level of the court, when it comes to the deliberation of the court. In particular on the cases related to corruption nobody is satisfied because the convictions have not been strong enough to send a strong message to those who think of becoming corrupt because if you send down someone for two years under conditions and you don't send him to prison than you are not sending a strong message. So, this is a concern from the suspect. There have been a lot of punishments, hundreds, thousands, against corruption and organized crime but he sentences have not been strong enough to send a clear message and I think this is what needs to happen in terms of the court procedure. The court's deliberations need to be much more serious, of course within the law, as foreseen by the law but people need to get a clear message that corruption will not be tolerated because you cannot be convicted for corruption in a court and then not to spend any single day in prison. That doesn't make sense.

No, indeed. Is that also the factor that EULEX has to completely delivered on their promises?

No, EULEX has, in my view, has failed completely in terms of fighting corruption and organized crime. The only success that can be attributed, in my view, to EULEX of convicting anyone for crimes, is related to war crimes. In that aspect, EULEX has been quite capable because of the composition of the Panels, the international judges and local judges, they had some important cases that have gone through trial and people have ended up in prison but not related to corruption and organized crime unfortunately and people have always

been much more eager to see EULEX be much more productive and successful in this area, rather than the one related to the war crimes.

*People say that if EULEX is in Kosovo, the EU judges themselves because they are sending EULEX and they are helping to fight the organized crime and corruption. Is that not paradoxical that the EU is kind of judging their own mission?*

It is not easy but you have also seen for yourself that former EULEX judges are revealing a lot of misconduct that happened within the EULEX mission. It is not me saying that, it is some of the judges that had a senior position in the EULEX mission that are revealing these shortcomings that have happened within the mission itself. From the other point of view, the political level of the EU has always tried to portray EULEX as a successful mission. The experience of the people is not like that and as I said before that's why now when they talk about EULEX it does sparkle anything in the mind of people, it does not bring anything. In the past, people had high hopes about EULEX and mainly on the fight against corruption and organized crime but those expectation were not met unfortunately and now these hopes have diminished. What is wrong is EULEX is for the experts of this field to find out but one thing that we have noticed and me as a former government official can say that it did not meet the expectations and in addition it allowed for the Kosovar prosecutors and Kosovar judges to hide themselves behind the back of EULEX. So, basically, instead of making our system more effective, it made our system more lazy and that's why it did not give what we were hoping that it would give but in order to maintain this link between Kosovo and the EU, we never questioned its international mandate and that is why from 2008 to now, this mission is going on. Even in the cases that we wanted to raise this mandate, EULEX and the EU official said that at the end of the day they cannot work without you approving this because we have that 1244 and this is an awkward situation because the EU, on one side, tries to understand that, to be polite with them and to work with them closely but when we tell them, “ That it is enough because you are spending money for nothing because you have zero results because we have our capabilities established;”, they say “‘No, we need to stay because we are here under this legal basis, not by the legal basis provided by the Kosovar parliament’”. So, basically, the decision taking by the Kosovar government are not taken seriously by the EU, nor by the mission itself.

*And that is one of the problem, that they don't take accountability to Kosovo and kind of half to the EU because they have the 1244.*

We have never had a sheet of EULEX, a mission report to the Kosovar parliament. They could have done this even informally, just for the sake of making an effort to be accountable to the people but they never did that. Of course, they maintain open channels and they communicate on a normal basis with all the institutions but that is not enough. It is not enough for the people to understand what they do.

*That makes sense but the 1244, if there is an agreement, coming from the normalization dialogue, then will EULEX go away?*

It remains to be seen but the best scenario would be that Kosovo and Serbia reach a final agreement on normalization and hopefully recognize each other as independent countries and, in my view, this should be enough to satisfy Russia and China as two permanent members of the UN Security Council, to simply not use their veto power in the UN Security Council and allow for this resolution 1244 to be abrogated and allow for Kosovo's membership in the UN. This is the ideal scenario and in the past, Russia said, at least informally, if Serbia recognizes Kosovo then Russia has nothing against Kosovo. We are not in any kind of confrontation with Russia. Russia is not recognizing Kosovo because it is considered a strong ally of Serbia. Basically, they are doing it in favor of Serbia not because they hate Kosovar people or they have any territorial claims here but as long as Serbia doesn't recognize us, they will not do the same but under the circumstances or assuming that Serbia recognizes Kosovo then I see a possibility to have a final solution for Kosovo in terms of completing its statehood and I see it being completed only once we become members of the United Nations and this is the ideal scenario but the key is in Serbia and if that is the case then I hope that Russia will not play another game with the United States because now with the crisis in Ukraine and elsewhere in the world, it is difficult to say and predict that Russia will simply agree to Kosovo moving forwards. They can probably ask for something more in return from the EU or from the United States but this is another chapter. First we need to close this first chapter between Kosovo and Serbia and when we have a deal let's see what happens.

*I also did my dissertation last year on the Western Balkans and I also read about Russia and I understood that Russia wants the Western Balkans to be instable so they don't have the change to get into the EU.*

It is something that can be debated. I think what Russia seriously wants is not to allow Serbia or Bosnia and Herzegovina to become members of NATO. I don't think they are very much concerned about the remaining countries of the Western Balkans joining the EU but I think

they are extremely concerned when each of these countries joins NATO. So, I think we need to make a distinction between these two and also it is specific because the role of Russia is very visible in Serbia, not much in the other countries. It used to be very visible also in Montenegro but since they made it to NATO, now it is less but related to Serbia, I don't think they will oppose Serbia joining the EU because they can benefit from Serbia being within the EU because they will use Serbia to simply be their horse within the EU. So, in that aspect I think they would accept but of course they are very sensitive when it comes to the NATO membership for Serbia. Likely, they will never allow that.

*No, because the US is way more dangerous for Russia than the EU.*

Yeah, exactly.

*That makes a lot of sense. So, in general, you would say that the status issue is the most important factor in the EU integration process for Kosovo.*

Absolutely, because it is a political obstacle and there are clear rules within the EU institutions and member states do not have any space to maneuver in the case of Kosovo. They cannot maneuver in the same way that they did with the SAA. Now there is a need for clearance. If things are not clear, it is difficult. The only way for Kosovo is to reach a deal on mutual recognition. Then this will make it much more easy for Greece, Spain, Romania, Cyprus and Slovakia to do the same.

*Exactly. I hope that that will happen for the Kosovars, that would be great. It is such an interesting topic. Thank you so much for the conversation, I have learned a lot and thank you for taking the time.*

I hope you will be successful with your thesis. I wish you the best.