



**The EU as a mediator in the Western Balkans:
The EU-initiated process of normalization of relations between the
Republic of Kosovo and the Republic of Serbia**

Robert Dopchie



1. The actors' interests
2. The EU's increasing role in the Western Balkans during the pre-process period
3. The achievements of the EU-initiated process
4. The issues related to the process of normalization

**CEFIR Working Paper No 12
September 2022**

THE EU AS A MEDIATOR IN THE WESTERN BALKANS: THE EU-INITIATED PROCESS OF NORMALIZATION OF RELATIONS BETWEEN THE REPUBLIC OF KOSOVO AND THE REPUBLIC OF SERBIA

Robert Dopchie

Abstract:

This working paper examines the role of the European Union (EU) as a mediator through the prism of rational choice theory (RCT) in the context of the normalization of relations between the Republic of Kosovo and the Republic of Serbia. In this respect, it emphasizes the different types of mediation and the positions adopted by the three actors involved, especially since their respective position strongly affect their understanding of the concept of normalization. On the one hand, both Kosovo and Serbia seek to defend their own interests in the process, a situation that may henceforth be illustrated by the largely known “prisoner’s dilemma”. On the other hand, the EU establishes a series of political conditionalities to both parties and invited Kosovo’s and Serbia’s authorities to conclude a series of, firstly technical, and secondly political agreements, whose most illustrative example appears to be the Brussels agreement (2013). However, the Union’s approach of mediation remains challenged to date by its ambiguity, its lack of transparency and of unity, and the divergences with the recent economic normalization of relations between Kosovo and Serbia led by the United States of America (USA).

Keywords:

Normalization of relations, recognition, mediation, European Union, Kosovo, Serbia.

Introduction

Since the beginning of the 2000s, the European Union (EU) has promoted an enlargement policy towards the Western Balkan region which currently consists of six states: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia. Following the advisory opinion of the International Court of Justice (ICJ) reaffirming that the declaration of Independence of Kosovo was in accordance with international law, the United Nations General Assembly (UNGA) adopted the resolution 64/298 in March 2011 inviting the EU to initiate a process of normalization of bilateral relations between Kosovo and Serbia. While talks conducted by experts were fostered by the EU in order to first resolve technical issues, including in particular registry books, recognition of diplomas, and freedom of movement between both states, it rapidly became clear that a series of complex political questions had later to be dealt with as well. To this end, the former High Representative of the EU for Foreign Affairs and Security Policy (FASP), Catherine Ashton, launched a series of ten technical meetings that led to the Brussels agreement between Kosovo and Serbia, concluded on 19 April 2013. Mostly referred to as the Brussels agreement, this agreement continues to be considered by the three parties, namely Kosovo, Serbia, and the EU, as the main outcome and culmination of the process of normalization of relations.

The working paper examines this EU-initiated process of normalization. In that respect, it seeks to answer first and foremost the following research question: how has the EU facilitated the process of normalization of bilateral relations between Kosovo and Serbia through mediation

between 2011 and 2021? This main research question is divided into a series of sub-questions, as the following ones: what approach has been used by the EU in order to achieve agreements and how does the Union act as an international actor in the Western Balkans? What are the interests of both Kosovo and Serbia in taking part in the EU-initiated process of normalization of relations and how do these two disputing parties perceive the work of the Union? Finally, how is the EU able to take into consideration the different views of all its member states regarding the process in order to act as a unified actor towards the two protagonists?

To this end, two types of qualitative data have been preferred: the analysis of various sources and the collection of semi-directive interviews. The sources include the analysis of books, chapters of books, scientific articles, reports from think tanks and research institutes, official documents, and press articles. The semi-directive interviews were conducted with the purpose of comparing the experiences of representatives from all sides, namely Kosovo, Serbia, and the EU. Finally, two additional interviews were also organized with academics.

The actors' interests

The overall theoretical framework for this working paper

First of all, it must be highlighted that this research is articulated around the main assumptions of rational choice theory (RCT). Originally associated with the classical microeconomics of Adam Smith¹, this theory referred to an individual's behavior designed to pursue self-interest, and subject to information and opportunity cost². From a purely theoretical perspective,

¹ MONROE Kristen Renwick, *The Heart of Altruism, Perceptions of a Common Humanity*,

Princeton, Princeton University Press, 1996, p. 137.

² MONROE Kristen Renwick, "Paradigm Shift:

RCT offers a framework in order to simultaneously understand and model social, economic, and individual behavior³. Moreover, and as its name suggests, this theory is articulated around the concept of rationality, which is defined in the narrow sense by Milton Friedman as an individual's balancing of costs against benefits for maximalization of its own gains⁴. In this respect, Jon Elster notes that RCT is in fact a matter of outcome⁵, and as Michael I. Ogu summarizes, "when faced with several courses of action, people usually do what they believe is likely to have the best overall outcome"⁶. Thus, based on this approach, the present working paper broadly develops how the main actors under analysis in this research act following their respective preferences, even though this may sometimes be at the expense of the other actors.

The theory of international mediation

If this paper is articulated around the main assumptions of RCT, it is because this theory proposes many similarities with the theory of international mediation. Both theories deal with the ideas and interests of actors but also allow the researcher to examine the actors themselves. Moreover, it may be of interest to emphasize that out of the 455 military and security crises identified by two scholars, Michael Brecher and Jonathan Wilkenfeld, during the period

1918-2004, no less than 141 of them were resolved through mediation and dialogue⁷. Figures speak for themselves, thus making it easy to understand that processes of normalization are crucial to restoring peace in several regions of the world.

Two questions arise to be central in a process of normalization. Those concern the commitment of both the facilitator and the parties in dispute and definitely condition the outcome of the process. The questions, which are in fact closely linked with each other, are the following ones: "under what conditions would the protagonists call upon a third party?" and "under what conditions would this third party decide to get involved in this role?"⁸. Through these two essential questions, the choice of each party to decide on its involvement becomes clearer, and two main dilemmas arise: the protagonists' dilemma and the facilitator's dilemma.

The dilemma of the disputing parties

This first dilemma has similarities with the well-known prisoner's dilemma⁹. It suggests that in the absence of effective communication between the parties, each actor will defend its own interests at the expense of its partner. Normalization is no exception to this method of negotiation. Here again, the two protagonists first weigh the advantages and disadvantages that this dialogue can bring to each of them. As the

From Rational Choice to Perspective", *International Political Science Review*, vol. 22, no. 2, 2001, p. 152.

³ OGU Michael, "Rational Choice Theory: Assumptions, Strengths, and Greatest Weaknesses in Application Outside the Western Milieu Context", *Nigerian Chapter of Arabian Journal of Business and Management Review*, vol. 1, no. 3, 2013, p. 90.

⁴ FRIEDMAN Milton, *Essays in Positive Economics*, Chicago, University of Chicago Press, 1953, p. 15.

⁵ ELSTER Jon, "Social Norms and Economic Theory", *Journal of Economic Perspectives*, vol. 3, no. 4, 1989, p. 99.

⁶ OGU Michael, "Rational Choice Theory", *op. cit.*,

p. 90.

⁷ BRECHER Michael, and WILKENFELD Jonathan, "International Crisis Behavior Project, 1918-2004", 2007. <https://doi.org/10.3886/ICPSR09286.v7> (accessed 3 February 2021).

⁸ TERRIS Lesley G., and MAOZ Zeev, "Rational Mediation: A Theory and a Test", *Journal of Peace Research*, vol. 42, no. 5, 2005, p. 565.

⁹ SNYDER Glenn Herald, and DIESING Paul, *Conflict Among Nations: Bargaining, Decision Making, and System Structure in International Crises*, Princeton, Princeton University Press, 1977, p. 68.

prisoner’s dilemma illustrates, many choose what appears most favorable to them, even though this is mostly at the expense of the second party. In this case, both of them find themselves in a “lose-lose” situation while a much more advantageous solution for both could have been found through cooperation.

		Player j	
		Cooperate	Defect
Player i	Cooperate	Compromise CC	i yields, j wins CD
	Defect	j yields, i wins DC	Conflict DD

Figure 1: Terris and Maoz (2005).

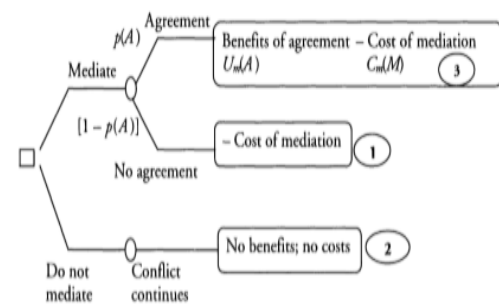
In their research, Lesley Terris and Zeev Maoz have theorized this dilemma¹⁰. As illustrated in the figure above, each party (player *i*; player *j*) faces the same dilemma: either it cooperates at the risk of losing the advantage that it may have in a frontal conflict (*CD* or *DC*), or it refuses. Therefore, it is to be strongly hoped that the two protagonists agree on the same choice (*CC*), at the risk of seeing the facilitation process fails. Finally, in case that both player *i* and player *j* refuse to reconsider their position, any attempt of normalization is already futile (*DD*)¹¹.

The dilemma of the facilitator

While both protagonists can determine for themselves whether they wish to engage in a normalization process, this is also the case for the facilitator. After balancing the benefits and costs that taking part in the process could generate for itself,

the third party decides thus whether it wishes to engage itself as a mediator. If so, two outcomes remain possible: either the normalization of relations succeeds and a compromise is reached, or this process fails.

In the figure below, $p(A)$ indicates the probability of reaching a peace agreement between the two protagonists. When the normalization of relations is successful, however, the cost of the process must be deducted from the benefits of the agreement¹². In this case, the facilitator hopes that the benefits of the agreement outweigh its costs.



$p(A)$: Probability of agreement; $[1 - p(A)]$: Probability of no agreement.

Figure 2: Terris and Maoz (2005).

Nevertheless, in the case of a non-agreement, the benefits are nil, but the cost of mediation remains the same (noted $[1 - p(A)]$ in the figure). The result of the process is therefore a double failure: first, the third party’s involvement has not led to any agreement, and second, the investment is not profitable.

Moreover, Zeev Maoz suggests that the facilitator’s primary objective is to transform the relationship between the parties in conflict in order to avoid a “*DD* situation”. To this end, it is fundamental that it manages to convince at least one of the two protagonists to enter into a process of cooperation¹³. This may be manifested in

¹⁰ TERRIS Lesley G., and MAOZ Zeev, “Rational Mediation”, *op. cit.*, p. 565.

¹¹ RAPOPORT Anatol, GUYER Melvin, and GORDON David G., *The 2 X 2 Game*, Ann Arbor, University of Michigan Press, 1976, pp. 17-18.

¹² KAHNEMAN Daniel, and TVERSKY Amos, “Prospect Theory: An Analysis of Decision under Risk”, *Econometrica*, vol. 47, no. 2, 1979, p. 289.

¹³ MAOZ Zeev, *Paradoxes of War: On the Art of National Self-Entrapment*, London, Routledge,

several different ways, in particular through the recognition of the rights and interests of its opponent. Three methods (communicative, formulative, or suggestive approaches) are available to the facilitator in order to achieve this crucial objective¹⁴.

In a nutshell, these methods are increasingly dynamic and interventionist¹⁵. The third party, initially confined to the role of simple “facilitator” of communication, can also take mobilizing initiatives. These imply a more substantial commitment from the third party, in particular by providing a glimpse of good prospects such as a future accession to an international organization if a final agreement is reached. The means available to the negotiator must also be considered from the very beginning of the process. Nevertheless, the effectiveness of each approach is relatively complex to measure, since there is a strong lack of objective evaluation grids that could allow such an assessment. Only the testimonies of the parties involved in the conflict provide scientists with a subjective idea of how the protagonists have felt implicated in the course of the process of normalization¹⁶. The interviews conducted in the context of this research seek to provide these missing pieces of information.

Conceptual framework applied to the normalization of the bilateral relations between Kosovo and Serbia

First, it is of interest to point out that even though a high number of conflictual situations share some common aspects,

each has its own specificities. Specificities are notably to be found in the definition of the concept of “normalization” defended by each party. In this regard, it may indeed be highlighted that the concept of normalization cannot be understood in a single way, essentially since the way that each actor understands it, depends on its position in the conflict. The following section examines the different definitions of the notion of normalization of relations in the dispute between Kosovo and Serbia.

The several interpretations of the normalization definition

In fact, it should first be stressed that many scholars often use the term “dialogue” instead of “normalization”¹⁷. As the word suggests, a dialogue in the context of normalization of relations implies at least two parties and is mostly facilitated by a third one, in this case the EU.

Placed on the top of the European foreign policy agenda-setting since 2011, the process of normalization offered the opportunity for Kosovo’s and Serbia’s representatives to meet under the mediation of former High Representative of the Union for FASP and Vice President (HR/VP) of the European Commission, Catherine Ashton. In their research¹⁸, the two authors Julian Bergmann and Arne Niemann refer to the press release of the Council of the EU, in which the Union describes the process of normalization as “the prospect of both [entities] being able to fully exercise their rights and fulfill their responsibilities [...]”

2020, pp. 37-41.

¹⁴ TOUVAL Saadia, and ZARTMAN William I., *International Mediation in Theory and Practice*, Boulder, Westview Press, 1985, p. 38.

¹⁵ BERGMANN Julian, and NIEMANN Arne, “Mediating International Conflicts: The European Union as an Effective Peacemaker?”, *Journal of Common Market Studies*, vol. 53, no. 5, 2015, p. 958.

¹⁶ ARENSMAN Bodille, VAN WESSEL Margit, and HILHORST Dorothea, “Does Local Ownership

Bring about Effectiveness? The Case of a Transnational Advocacy Network”, *Third World Quarterly*, vol. 38, no. 6, 2017, p. 1323.

¹⁷ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, “Mediation through Recontextualization: the European Union and the Dialogue between Kosovo and Serbia”, *European Foreign Affairs Review*, vol. 22, no. 4, 2017, p. 533.

¹⁸ BERGMANN Julian, and NIEMANN Arne, “Mediating International Conflicts”, *op. cit.*, pp. 965-966.

including irreversible progress towards delivering structures in northern municipalities of Kosovo which meet the security and justice needs of the local population in a transparent and cooperative manner, and in a way that ensures the functionality of a single institutional and administrative set up within Kosovo”¹⁹.

Further, the normalization of bilateral relations between the two Western Balkan countries is deeply included in the process of European integration, to which a large part of this working paper will be devoted. However, it can already be stressed that it places the EU in a strong position. Although the Union can neither force Kosovo nor Serbia to recognize each other, it may however conditionate their potential integration into the EU to this recognition. As Professor James Ker-Lindsay claims, the process of normalization implicitly implies mutual recognition since “what [European diplomats] name *normalization*, is in fact just a code word for recognition”²⁰. Indeed, the European conditionalities offer the Union a very powerful tool of leverage towards both Serbia and Kosovo²¹. In this view, and based on the different approaches of mediation offered to the facilitator, it may also be determined that the EU favors a “suggestive method”, providing a glimpse

of good prospects if a final agreement is reached: the potential EU membership. However, the challenge faced by the EU is important: in 2014 the European External Action Service (EEAS) admitted that “the Kosovo-Serbia dialogue represented a major test for EU diplomacy and its capacities for regional conflict resolution [...] and is the evidence that the EU was a reliable partner of the United Nations (UN)”²². In other words, the position adopted by the EU turns out to be a good illustration of its transformative soft power²³.

There is a flagrant difference between Kosovo and Serbia over what is understood by the term “normalization” nonetheless. On the one hand, and according to Kosovo authorities, the process of normalization of relations implies the full recognition of Kosovo’s independence by Serbia. Consequently, Kosovo seeks to establish with Serbia what the International Crisis Group (ICG) considers as a “normal state-to-state relationship”²⁴, with the purpose of accessing later the two main international organizations to which the Kosovar authorities strive, i.e., the EU and the UN. On the other hand, Serbia needs this dialogue in order to advance its prospect of EU membership. The Serbian authorities also rely on the veto’s right of their

¹⁹ COUNCIL OF THE EU, “Council Conclusions on Enlargement and Stabilization and Association Process”, Pub. L. No. 17604/12, ELARG 133 COWEB 209 1, 2012, p. 21. <https://data.consilium.europa.eu/doc/document/ST-17604-2012-INIT/en/pdf> (accessed 6 February 2021).

²⁰ Interview with Professor James KER-LINDSAY, May 2021, by Skype.

²¹ ANASTASAKIS Othon, “The EU’s Political Conditionality in the Western Balkans: Towards a More Pragmatic Approach”, *Southeast European and Black Sea Studies*, vol. 8, no. 4, 2008, p. 369.

²² EEAS, “Ashton Tells UN Security Council: EU Is Committed Partner for UN in Search for International Peace”, Press statement, Brussels, European Union, February 17, 2014.

http://eeas.europa.eu/top_stories/2014/170214_ca_un_en.htm (accessed 1 March 2021).

²³ VISOKA Gëzim, and DOYLE John, “Neo-Functional Peace: The European Union Way of Resolving Conflicts”, *Journal of Common Market Studies*, vol. 54, no. 4, 2016, pp. 862-77; Regarding the concept of “soft power”, Joseph Nye describes it as “the ability to get what you want through attraction rather than coercion or payments. [Thus, soft power] arises from the attractiveness of a country’s culture, political ideals, and policies. See NYE Joseph S., *Soft Power: The Means to Success in World Politics*, New York, Public Affairs, 2004, p. 10.

²⁴ INTERNATIONAL CRISIS GROUP, “Serbia and Kosovo: The Path to Normalization”, *Europe Report*, Brussels, 2013, p. 5.

traditional allies within the United Nations Security Council (UNSC), Russia and China, in order to prevent Kosovo's international membership. Besides, the Serbian authorities also seek to ensure the protection of the Serb community in northern municipalities of Kosovo, and this leads them to reject what they call Kosovo's "unilateral" declaration of independence²⁵.

Thus, this first chapter has shown how the concept of normalization of relations can be understood in several ways. However, in order to better grasp the reasons of these differences, some key past events merit examination. With this purpose, the following chapter will briefly examine some historical moments that dive into the context in which the EU-initiated process of normalization of relations between Kosovo and Serbia has been launched.

The EU's increasing role in the Western Balkans during the pre-process period

This second chapter delves into the pre-process period. To this end, two distinctive periods are briefly studied: first, it focuses on the pre-independence period (1999 – February 2008) and second, on the post-independence period of Kosovo (February 2008 – March 2011).

The EU peace and state-building operations in Kosovo before its independence

In the aftermath of the Yugoslav wars²⁶, tensions between Albanians and Serbs quickly escalated in Kosovo²⁷. Given that sanctions from the international community were not sufficient to prevent Slobodan Milošević's regime from large-scale ethnic cleansing of Albanians, the United States of America (USA) and some European powers launched a massive North Atlantic Treaty Organization (NATO) campaign on 24 March 1999 against Yugoslavia, which lasted over eleven weeks²⁸ and sought, above all, to re-establish security for all ethnic groups in Kosovo²⁹.

Following this intervention, a series of actions taken successively by the UN and the EU were expected to lead to the state-building of the new Kosovar state. To this end, Resolution 1244 of the UNSC (1999) has permitted the ending of bombing as well as the creation of the United Nations Interim Administration Mission in Kosovo (UNMIK)³⁰. As revealed by Tim Judah, several accomplishments have been achieved by the mission, as reflected by the creation of the Kosovo Police Service (KPS), the UNMIK passports, the assembly and the government³¹.

However, a major turn occurred in the UNMIK policy in 2004. In March of that year, an unexpected outbreak of violence started in Çagllavica and clearly demonstrated that the policy implemented

²⁵ *Loc. cit.*

²⁶ The Yugoslav wars first started in Slovenia, but quickly expanded to Croatia, Bosnia and Herzegovina, and finally reached to Kosovo.

²⁷ LYON Alynna J., and DOLAN Chris J., "American Humanitarian Intervention: Toward a Theory of Coevolution", *Foreign Policy Analysis*, vol. 3, no. 1, 2007, pp. 49-51.

²⁸ SOCEA Iulia, "NATO's Military Intervention in Kosovo and the Diplomatic Alternative", *Journal for Multidimensional Education*, vol. 1, no. 1, 2009,

p. 84.

²⁹ JUDAH Tim, *Kosovo: What Everyone Needs to Know*, Oxford, Oxford University Press, 2008, p. 45.

³⁰ UNSC, "Resolution 1244 (1999)", Pub. L. No. 1244, S/RES/1244 8 (UN Security Council). [https://undocs.org/S/RES/1244\(1999\)](https://undocs.org/S/RES/1244(1999)) (accessed 25 February 2021).

³¹ GREIÇEVCI Labinot, *The EU as a State-builder in International Affairs: The Case of Kosovo*, New York, Routledge, 2022, p. 114.

in Kosovo, was no longer sustainable³². As Kei Eide, the Norwegian ambassador to NATO and previous Special Envoy of the United Nations Secretary-General (UNSG) in Kosovo (2005) showed, it appeared by then to be time to address the question of Kosovo's future status³³. In this respect, Martti Ahtisaari was chosen as the Special Envoy of the Secretary-General for the UN in charge of the negotiations on the final status of Kosovo³⁴. As Labinot Greiçevci develops, Ahtisaari's mandate essentially consisted of "facilitating the negotiations between Prishtina and Belgrade that took place in Vienna for around 14 months (November 2005-March 2007)"³⁵. Nevertheless, it should be stressed that some authors such as Judah considered this attempt as unsuccessful³⁶, Ahtisaari himself admitting that in spite of all his efforts "to facilitate an outcome that would be acceptable to both sides, [...], it has become clear [to him] that the parties are not able to reach an agreement on Kosovo's future status"³⁷, due in particular to the diametrical positions of the actors involved in the process. The Ahtisaari's proposal developed three fundamental aspects about the status of Kosovo: first, reintegration into the Serbian state could no longer be

considered as a negotiable possibility; second, the continued international administration of Kosovo did not appear to be a sustainable solution; and third, the independence of Kosovo seems to be the only durable opportunity³⁸. In this regard, Ahtisaari claimed that he had "come to the conclusion that the only viable option for Kosovo is independence"³⁹. Moreover, another crucial point emphasized by the Special Envoy of the UNSG for the UN is that "Kosovo is a unique case that demands a unique solution [and it] does not create a precedent for other unresolved conflicts"⁴⁰.

Nevertheless, Ahtisaari's proposal never got the opportunity to be discussed within the UNSC as it was vetoed by Russia, Serbia's traditional ally, even though the Russian authorities had been initially supporting the proposal⁴¹. Facing this veto, the main Western powers decided to coordinate their work with Kosovo in order to declare its independence. In fact, these states sought to bypass the UNSC, but retained however the UN's proposal that became fully integrated within Kosovo's Constitution. Finally, in the wake of the declaration of independence of 17 February 2008⁴², a series of states, among whom its allies, officially and

³² JUDAH Tim, *op. cit.*, p. 109.

³³ UNSC, "Letter Dated 7 October 2005 from the Secretary-General Addressed to the President of the Security Council", Letter, October 7, 2005, p. 4. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S2005%20635.pdf> (accessed 1 March 2021).

³⁴ UN, "Secretary-General Appoints Former President Martti Ahtisaari of Finland as Special Envoy for Future Status Process for Kosovo", Meetings Coverage and Press Releases, November 15, 2005. <https://www.un.org/press/en/2005/sga955.doc.htm> (accessed 1 March 2021).

³⁵ GREIÇEVCI Labinot, "EU Actorness in International Affairs: The Case of EULEX Mission in Kosovo", *Perspectives on European Politics and Society*, vol. 12, no. 3, 2011, p. 288.

³⁶ JUDAH Tim, *op. cit.*, p. 109.

³⁷ UNSC, "Letter Dated 26 March 2007 from the Secretary-General Addressed to the President of the Security Council", Letter, March 26, 2007, p. 2. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kosovo%20S2007%20168.pdf> (accessed 1 March 2021).

³⁸ *Loc. cit.*

³⁹ *Loc. cit.*

⁴⁰ *Ibid.*, p. 4.

⁴¹ PERRITT Henry H., *The Road to Independence for Kosovo: A Chronicle of the Ahtisaari Plan*, Cambridge, Cambridge University Press, 2009, p. 129.

⁴² NEWMAN Edward, and VISOKA Gëzim, "The Foreign Policy of State Recognition: Kosovo's Diplomatic Strategy to Join International Society", *Foreign Policy Analysis*, vol. 14, no. 3, 2018, p. 373.

immediately recognized Kosovo as a sovereign state⁴³.

The EU's increasing role in post-independent Kosovo

Following this coordinated declaration of independence, the EU was strongly encouraged by the USA and by some European countries including France, Germany and the United Kingdom (UK) to take over the process of normalization of relations between Kosovo and Serbia. To this end, the EU launched the European Union Rule of Law Mission in Kosovo (EULEX) in February 2008, a mission that remained in compliance with the UN Resolution 1244⁴⁴. As Greiçevci put it, “the role of this mission [was] to help and supervise the Kosovo Government on the field of police, justice and customs”⁴⁵ and was established within the framework of the European Common Security and Defense Policy (CSDP)⁴⁶. However, EULEX did not meet the originally defined expectations. On the one hand, the mission required an amount of funds that had never been used previously in the context of an CFSP-mission; on the other hand, EULEX “has failed in many aspects to assist Kosovo’s institutions to create a judicial system based on independence, accountability, efficiency and effectiveness”⁴⁷.

⁴³ LIKA Liridon, “La reconnaissance internationale de la République du Kosovo (2008-2016): succès, défis et perspectives de ce nouvel État”, *Revue de la Faculté de droit de l’Université de Liège*, 2016, p. 532.

⁴⁴ EEAS, “Short History of EULEX”, n.d., <https://www.eulex-kosovo.eu/?page=2,44,197> (accessed 1 May 2021).

⁴⁵ GREIÇEVCI Labinot, “The Case of Kosovo: From ‘International Statebuilding’ to an ‘Internationally Supervised and Independent Country’”, *L’Europe en formation*, vol. 349-350, no. 3-4, 2008, p. 201.

⁴⁶ HAJRULLAHU Arben, “The Serbia Kosovo Dispute and the European Integration Perspective”, *European Foreign Affairs Review*, vol. 21, no. 4, 2019, p. 111.

Besides, a last major element prior to the EU-initiated process of normalization of relations must be discussed, namely the advisory opinion given by the ICJ. In fact, the ICJ was asked by the Serbian authorities to determine whether Kosovo’s declaration of independence of 2008 complied with international law⁴⁸. In response to this request, the ICJ clearly specified that “the adoption of the declaration of independence of 17 February 2008 did not violate general international law, Security Council resolution 1244 (1999) or the Constitutional Framework. Consequently, the adoption of that declaration did not violate any applicable rule of international law”⁴⁹. Despite the non-recognition of this advisory opinion by some Serbian authorities⁵⁰, it seems clear today that the decision has influenced the process of normalization of relations between Kosovo and Serbia initiated by the EU in 2011 and analyzed in the next section of this paper.

The achievements of the EU-initiated process

In March 2011, the UN General Assembly adopted Resolution 64/298 and consequently, strongly invited the EU to take the lead in the process of normalization

⁴⁷ *Ibid.*

⁴⁸ BEHA Adem, “Disputes over the 15-Point Agreement on Normalization of Relations between Kosovo and Serbia”, *Nationalities Papers*, vol. 43, no. 1, 2015, p. 106.

⁴⁹ INTERNATIONAL COURT OF JUSTICE, “Accordance with international law of the unilateral Declaration of Independence in respect of Kosovo”, Pub. L. No. 141, Advisory Opinion, 2010, p. 43. https://www.un.org/ruleoflaw/files/ef_KOS_Advisory-opinion_bilingual.pdf (accessed 2 March 2021).

⁵⁰ BIEBER Florian, “The Serbia-Kosovo Agreements: An EU Success Story?”, *Review of Central and East European Law*, vol. 40, no. 3-4, 2015, p. 294; Written exchange with a Serb Diplomat, 22 March 2021, by e-mail.

of relations between Kosovo and Serbia. Nevertheless, the resolution also emphasized another crucial aspect: in its first article, it indeed “acknowledge[d] the content of the advisory opinion of the ICJ on the Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo”⁵¹. This demonstrates the importance of the ICJ’s opinion as previously argued.

In addition, before going into the process itself, it may be emphasized that this chapter is based on the most universal and objective definition of what the concept of normalization of relations implies. In “A Dictionary of Diplomacy”, Geoff Berridge and Alan James describe this concept as “the restoration of diplomatic relations”⁵². More recently, Liridon Lika has further developed this notion and considers it as “the process of transition from one type to another type of better interstate relations”⁵³. This definition implies a fundamental element: despite the absence of official recognition, the Serbian authorities have implicitly recognized Kosovo’s sovereignty through the launch of the dialogue⁵⁴.

However, it should also be stressed that the first step towards official diplomatic relations between Kosovo and Serbia have only been established after the beginning of

the EU-initiated process of normalization in March 2011. At that time, a series of ten rounds of negotiations were held, despite the lack of mutual recognition, but mainly focused on purely technical issues⁵⁵. In this regard, the vision defended by EEAS’s Special Advisor Robert Cooper, which consisted in dividing a main political issue into several technical agreements, including notably cadastral issues, registry books, the recognition of diplomas in both countries and freedom of movement, seems fully applicable in the context of these rounds of negotiations⁵⁶. Conducted by the HR/VP, Catherine Ashton, both states were represented by their respective Prime Ministers, namely Hashim Thaçi for Kosovo and Ivica Dačić for Serbia⁵⁷.

The Brussels agreement as the main outcome of the process

“Conducted in a good and constructive atmosphere” according to Catherine Ashton⁵⁸, the ten-round talks have been finalized in the “First Agreement of Principles Governing the Normalization of Relations” (more generally referred to as the Brussels agreement) between Kosovo and Serbia, concluded on 19 April 2013. Strongly criticized by some scholars for only proposing “fifteen highly ambiguous

⁵¹ UN GENERAL ASSEMBLY, “Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law”, Pub. L. No. 64/298, A/RES/64/298, 2010, p. 1. <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/ROL%20A%20RES64%20298.pdf> (accessed 3 March 2021).

⁵² BERRIDGE Geoff R., and JAMES Alan, in BERRIDGE Geoff R., JAMES Alan, and BARDER Brian (eds.), *A Dictionary of Diplomacy*, London, Palgrave Macmillan, 2003, p. 189.

⁵³ LIKA Liridon, “La reconnaissance internationale de la République du Kosovo”, *op. cit.*, p. 548.

⁵⁴ MERLIN Jean-Baptiste, “L’Accord de Bruxelles et la reconnaissance d’État”, *Centre de Recherche*

Internationale (blog), July 11, 2018. <https://www.cri-irc.org/laccord-de-bruxelles-et-la-reconnaissance-detat/> (accessed 2 May 2021).

⁵⁵ BEHA Adem, *op. cit.*, p. 106.

⁵⁶ COOPER Robert, “The Philosophy of the Belgrade-Pristina Dialogue”, *European Western Balkans* (blog), July 16, 2015. <https://europeanwesternbalkans.com/2015/07/16/sir-robert-cooper-the-philosophy-of-the-belgrade-pristina-dialogue/> (accessed 23 February 2021).

⁵⁷ BEHA Adem, *op. cit.*, p. 107.

⁵⁸ ASHTON Catherine, “Statement by High Representative Catherine Ashton on the Continuation of the EU-Facilitated Dialogue”, Brussels, European Union, October 19, 2012. consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/133036.pdf (accessed 4 March 2021).

points that vaguely read that Serbia agrees to *normalize* relations with Kosovo authorities”⁵⁹, this agreement implies, before all, that neither Kosovo nor Serbia may block each other on their European path. In this respect, based on the broad review of the literature, it should be stressed that, as a mediator, the EU successfully convinced both disputing parties to enter into a constructive process of normalization. Thus, neither Kosovo nor Serbia completely prevented the process from being conducted, and the disputing parties were no longer adopting conflictual positions only, which Terris and Maoz would have considered as a “*DD*” situation⁶⁰. Further, as detailed by Adem Beha, the Brussels agreement is composed of 15 main provisions and “is intended to address the accommodation of Serbs in northern municipalities in Kosovo, namely in Zvečan, Mitrovica North, Leposaviq, and Zubin Potok, who have refused to accept any authority of the Government of Kosovo”⁶¹.

Further, according to several scholars, this agreement is one of the pieces of evidence that Serbia tacitly recognizes the Republic of Kosovo⁶². Although this recognition remains only implicit, it represents a significant step forward for the state of Kosovo, since it implies the recognition of its territorial integrity, constitutional order, and sovereignty. In fact, this implicit recognition of Kosovo turned out to be even more important since,

as Maoz demonstrated, recognizing the rights and interests of its opponent is the first key stage that should be achieved by the disputing parties in a process of normalization⁶³.

Technically speaking, such an example of implicit recognition can be found in the Integrated Border Management (IBM) – which regulates the six border crossing points between the Republic of Serbia and the Republic of Kosovo – that evidences the recognition of the territorial integrity of Kosovo by the Serbian authorities⁶⁴. In this regard, it is fundamental to add that Article 7 of the Montevideo Convention specifies that “the recognition of a state may be express or tacit”⁶⁵. The latter results from any act which implies the intention of recognizing the new state. As argued by Lika, the normalization of relations is then organized under the supervision of the EU by two independent and equal states whose ultimate objective is to reach a mutual and official recognition for the two parties⁶⁶. This view is shared by Florian Bieber, who argues that “since no single country will ever negotiate with itself, this implies that Serbia agrees to have a dialogue with the representatives of the new state, namely Kosovo authorities”⁶⁷. According to several scholars, it is for this reason that “the Brussels agreement is [still] seen by all parties involved as the main outcome and culmination of this negotiation process”⁶⁸.

⁵⁹ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 538.

⁶⁰ TERRIS Lesley G., and MAOZ Zeev, *op. cit.*, p. 565.

⁶¹ BEHA Adem, *op. cit.*, p. 103.

⁶² MERLIN Jean-Baptiste, *op. cit.*; LIKA Liridon, “La République du Kosovo dans son contexte régional. Analyse sur la reconnaissance, la souveraineté et les relations de ce nouvel État avec ses pays voisins frontaliers”, *Cahiers de Science politique*, no. 31, 2016, p. 4.

⁶³ MAOZ Zeev, *op. cit.*, pp. 37-41.

⁶⁴ LIKA Liridon, “La reconnaissance internationale de la République du Kosovo”, *op. cit.*, p. 548.

⁶⁵ The Montevideo Convention on the Rights and Duties of States was signed at Montevideo on 26 December 1933, during the Seventh International Conference of American States.

⁶⁶ LIKA Liridon, “La reconnaissance internationale de la République du Kosovo”, *op. cit.*, p. 548.

⁶⁷ Interview with Professor Florian Bieber, April 2021, by Skype.

⁶⁸ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 538.

The 33 Agreements and Treaties

Moreover, next to the Brussels agreement, no less than 33 additional agreements and treaties have been concluded between Kosovo and Serbia under EU auspices since the beginning of the normalization process⁶⁹. Although most of them “only” deal with technical issues such as telecommunication and Kosovo customs, the division of major issues in separate agreements has facilitated the management of politically sensitive subjects, in particular the IMB⁷⁰. In this regard, according to Martin Russell, agreements between Kosovo and Serbia have seemed to be particularly successful in these following five areas, namely telecommunication, regional representation and cooperation, border crossings, freedom of movement, and energy⁷¹.

However, some scholars such as Beha, as well as some non-governmental organizations (NGO) such as Transparency International, regret the absence of a rapid multiplication of agreements and evoke the institutional barrier to explain this phenomenon. In its report of March 2018, the NGO reveals that out of the series of agreements that have been reached between Kosovo and Serbia in the course of the process of normalization of relations, only one of all these has finally been adopted by the Kosovo assembly. This agreement, which is in fact none other than the Brussels agreement, did indeed become a law on 27 June 2013⁷². In the same vein, Beha regrets that “both countries agreed on a range of issues, but the approaches/consents

did not take the form of agreements, rather of conclusions”⁷³.

The issues related to the EU-initiated process of normalization of relations

Further, besides the institutional barrier emphasized by some scholars, the EU has also faced a series of even stronger criticism regarding how it has conducted the process of normalization of bilateral relations. The following chapter identifies four of them. First, it emphasizes how ambiguity has constituted an inherent aspect and examines further the ambiguous choice of terms favored by the EU. Second, it focuses on the consequences of the lack of transparency, which essentially results from the elite-driven process. Third, the lack of unity within the EU institutions and its members does not allow the Union to adopt a clear and common approach on Kosovo’s statehood. Fourth, the divergences between the EU-initiated process and the recent launch of USA-led normalization of relations do not seem to facilitate the cooperation among all Western countries.

The high level of ambiguity in the EU-led normalization

First of all, the words chosen by the EU as a mediator need examining. In this respect, the research of Theo Van Leeuwen offers a theoretical framework to judiciously analyze political discourses. For instance, the author puts forward the

⁶⁹ RUSSELL Martin, “Serbia-Kosovo Relations: Confrontation or Normalization?”, Brussels, European Parliamentary Research Service, February 2019.

[https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635512/EPRS_BRI\(2019\)635512_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635512/EPRS_BRI(2019)635512_EN.pdf) (accessed 19 May 2021).

⁷⁰ BEHA Adem, *op. cit.*, p. 106.

⁷¹ RUSSELL Martin, *op. cit.*, p. 4.

⁷² TRANSPARENCY INTERNATIONAL, “Brief Analysis: Kosovo-Serbia Dialogue Challenges and the Way Forward”, *Brief analysis, Kosova Democratic Institute*, Prishtina, 2018, p. 6. <https://kdi-kosova.org/en/publications/brief-analysis-kosovo-serbia-dialogue-challenges-way-forward/> (accessed 8 April 2021).

⁷³ BEHA Adem, *op. cit.*, p. 106.

frequent use of substitution in mediation, which he describes as “a situation in which something stands for something else”⁷⁴. This statement may be highlighted here: instead of referring to the process of normalization between Kosovo and Serbia, the EU favors rather the name “Dialogue between Belgrade and Prishtina”. Although this name seems at first an attempt to ensure its neutrality with the names of both capital cities used in the alphabetic order, it has a major implication. Indeed, Gashi, Musliu, and Orbie note that “what is discursively substituted is the *statehood* of both parties, albeit a contested statehood in the case of Kosovo”⁷⁵. Thus, the EU no longer faces the obligation to affirm its position, whether or not it is in favor of Kosovo. The sovereignty of both disputing states is reduced to a substituted concept, in which both do no longer seem to be state agents, but rather where their sovereignty is muted⁷⁶. In this regard, two European diplomats reveal that they “do not talk about states, but only parties. The terms Prishtina – Belgrade may be used, or even Kosovo – Serbia, but from the EU side, there may not be talked about the Republic of Kosovo since the EU represents and respects the views of all its member states”⁷⁷. However, such a situation is problematic since the notion of statehood remains central in the process of normalization. Indeed, for the Republic of Kosovo, this normalization turns out to be crucial on its way towards EU integration and in order to consolidate its statehood⁷⁸.

Regarding the Republic of Serbia, this dialogue may sometimes be considered as a way of preventing Kosovo to affirm its sovereignty on the international scene⁷⁹. Nevertheless, and as Ker-Lindsay argues, reaching “a final deal remains in everyone’s interest since while Kosovo is not going to join the UN if Serbia is opposed to it, Serbia is not going to join the EU either until it recognizes Kosovo”⁸⁰.

The lack of transparency in the EU-led normalization

Further, and next to the ambiguity that appears to be intrinsic to the mediator’s position adopted by the EU, a second issue merits examination: the lack of transparency. As argued by Beha, the lack of transparency may be considered as “one of the weakest points of the dialogue process”⁸¹ and according to Transparency International, this “has characterized th[e] process from the very outset”⁸². In its report made public in 2018, the international NGO pointed out that the dialogue has in fact been conducted by some political elites only to the detriment of the local populations⁸³. This point of view seems to be shared by several authors, such as Florian Bieber, who concludes in his article that although “an elite-driven peace process might be a necessity, [...] eventually the constituency needs to be broader and clarifications [...] inevitable”⁸⁴. As far as Egzon Osmanaj is concerned, it is also regretted that “the dialogue can be considered more [as] an *elite pact-making* and *exclusive* process,

⁷⁴ VAN LEEUWEN Theo, and WODAK Ruth, “Legitimizing Immigration Control: A Discourse-Historical Analysis”, *Discourse Studies*, vol. 1, no. 1, 1999, p. 97.

⁷⁵ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 540.

⁷⁶ *Ibid.*

⁷⁷ Interview with two European Diplomats, May 2021, Brussels.

⁷⁸ OSMANAJ Egzon, “The (Non) Consolidation of Kosovo’s Statehood: The Brussels Dialogue Ten

Years after Kosovo’s Independence”, *International Research Journal*, vol. 7, no. 1, 2018, p. 47.

⁷⁹ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 537.

⁸⁰ Interview with Professor James Ker-Lindsay, May 2021, by Skype.

⁸¹ BEHA Adem, *op. cit.*, p. 110.

⁸² TRANSPARENCY INTERNATIONAL, *op. cit.*, p. 5.

⁸³ *Ibid.*, p. 18.

⁸⁴ BIEBER Florian, *op. cit.*, pp. 285-319.

rather than an inclusive process that aims to deliver the real problems of the inhabitants of Kosovo”⁸⁵. Hence, Bieber considers that the EU intentionally allowed there to be a lack of transparency since this offered the possibility for both parties to “interpret the agreement in a way that would be beneficial for their respective positions”⁸⁶. It became thus easier for agreements to get the required political support of its domestic parliament, even though the latter was only given minimal information about the agreement’s content. However, even though Transparency International considered that the lack of transparency was probably due to the fragility of the agreements, the organization regretted the absence of communication to the citizens⁸⁷. According to the NGO, it may thus be concluded that this closed-door method has engendered a series of consequences such as uncertainty, dissatisfaction, and polarization of the political scene.

The lack of unity within the EU institutions and its members on Kosovo’s statehood

As mentioned earlier, the third issue results from the lack of unity within the EU institutions and between the member states on Kosovo’s statehood. To start with, it should be emphasized that the EU officially adopts a neutral position as far as Kosovo’s

statehood is concerned⁸⁸. Nevertheless, the creative ambiguity that results from this approach leads the Union to share with Kosovo what Gashi, Musliu, and Orbie qualified as an “awkward” relationship⁸⁹. Two explanations are often mentioned by scholars examining the case of Kosovo.

First, the lack of consistency within the institutions of the EU remains an important stumbling block to Kosovo’s integration into the Union. On the one hand, the Kosovar authorities have convinced the European Parliament (EP) to recognize their statehood⁹⁰. In this regard, a series of successive resolutions voted by the EP “would welcome the recognition by all member states of the independence of Kosovo”⁹¹ and explicitly “encourage the remaining five member states to proceed with the recognition of Kosovo”⁹², demonstrating on that occasion the EU’s “suggestive” approach. Moreover, as Liridon Lika and Blerim Reka advance, the EP also supports attractive measures towards Kosovo, in particular by recalling the different EU institutions to grant a Schengen visa free regime to Kosovo citizens⁹³. However, on the other hand, and even though the EU had previously taken the decision to quickly and collectively recognize the different Republics of former Yugoslavia⁹⁴, the Council of the EU called on the member states of the Union to decide

⁸⁵ OSMANAJ Egzon, *op. cit.*, p. 50.

⁸⁶ BIEBER Florian, *op. cit.*, p. 316.

⁸⁷ TRANSPARENCY INTERNATIONAL, *op. cit.*, p. 19.

⁸⁸ HAJRULLAHU Arben, *op. cit.*, p. 116.

⁸⁹ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 534.

⁹⁰ NEWMAN Edward, and VISOKA Gëzim, *op. cit.*, p. 381.

⁹¹ EUROPEAN PARLIAMENT, “European Parliament resolution of 8 July 2010 on the European integration process of Kosovo”, Pub. L. No. 2010/2610(RSP), P7_TA(2010)0281 10, 2010, p. 2.

https://www.europarl.europa.eu/doceo/document/T_A-7-2010-0281_EN.pdf (accessed 31 March 2021).

⁹² EUROPEAN PARLIAMENT, “European integration process of Kosovo”, Pub. L. No. 2013/2881(RSP), P7_TA(2014)0040 4, 2014. https://www.europarl.europa.eu/doceo/document/T_A-7-2014-0040_EN.html (accessed 31 March 2021).

⁹³ LIKA Liridon, and REKA Blerim, “The European Union’s Relations with the Republic of Kosovo”, in HAJRULLAHU Arben, and VUKPALAJ Anton (eds.), *Forging Kosovo: Between Dependence, Independence, and Interdependence*, Bern, Peter Lang, 2021, pp. 234-235.

⁹⁴ NEWMAN Edward, and VISOKA Gëzim, *op. cit.*, p. 378.

“in accordance with national practice and international law, on their relations with Kosovo”⁹⁵. In other words, each state has been granted the right to determine whether it recognizes the independence and sovereignty of Kosovo.

Resulting from this decision, a second issue has arisen: the lack of unity on Kosovo’s independence among the EU member states. As argued by Samet Dalipi, the lack of unity within the EU member states, with their dissonant voices, “weakens the EU’s approach, makes its efforts in the Western Balkan region less effective, [and] represents the democracy deficit within the EU as a supranational organization through a nationalization (vetoing) of the European politics, instead of the contrary, the Europeanization of national politics”⁹⁶. Concretely, up to now, 22⁹⁷ EU member states, including France and Germany, have already recognized the state of Kosovo. Contrastingly, five of them remain opposed to recognition of Kosovo as a state, namely Cyprus, Greece, Romania, Slovakia, and Spain. As a result, Gashi, Musliu, and Orbie suggest that this “division between the member states on Kosovo’s statehood is substituted with a superficial and marginalized unity, [and] a kind of European unity regarding the dialogue is further simulated”⁹⁸. Several reasons for their non-recognition, intrinsic to each of the five states, may be emphasized, “including a perception of

unforeseen consequences that could harm their near and far interests”⁹⁹. Whereas Spain fears secessionist claims in Catalonia, Slovakia and Romania seem concerned about the potential consequences that such a recognition might have on their own minorities¹⁰⁰. Finally, regarding the decision of Cyprus and Greece, those two states have shown their concerns about the potential revival of tensions in Northern Cyprus¹⁰¹. Yet, it is clear that the political history and context of each of these regions and countries are completely different from the Republic of Kosovo¹⁰². In fact, even though it officially left them the right to decide, the Council of the EU stresses that “Kosovo constitutes a *sui generis* case which does not call into question [the] principles [of the UN Charter and the Helsinki Final Act] and resolutions [of the UNSC]”¹⁰³.

However, despite the lack of unity among its member states, the EU seems to support the integration of both Kosovo and Serbia, as well as all Western Balkan states, into the Union. The main illustration of this process may be found in the Stabilization and Association Agreement (SAA), launched at the European Council of Santa Maria da Feira in 2000. At that meeting gathering the heads of states of the EU members, the European Council confirmed indeed that “its objective remain[ed] the fullest possible integration of the countries of the region into the political and economic

⁹⁵ COUNCIL OF THE EU, “Signature de l’accord de stabilisation et d’association (ASA) entre l’Union européenne et le Kosovo”, Press statement, Brussels, European Union, October 27, 2015, p. 1. <https://www.consilium.europa.eu/fr/press/press-releases/2015/10/27/kosovo-eu-stabilisation-association-agreement/pdf> (accessed 6 April 2021).

⁹⁶ DALIPI Samet, “Not-Recognizing Policy within the Minority EU Members - Challenge for Kosovo’s Integration and Regional Peace-Building”, *Iliria International Review*, vol. 6, no. 2, 2017, p. 181.

⁹⁷ Since Brexit was enacted.

⁹⁸ GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, *op. cit.*, p. 534.

⁹⁹ NEWMAN Edward, and VISOKA Gëzim, *op. cit.*, p. 380.

¹⁰⁰ KER-LINDSAY James, “Engagement without Recognition: The Limits of Diplomatic Interaction with Contested States”, *International Affairs*, vol. 91, no. 2, 2015, p. 4.

¹⁰¹ *Loc. cit.*

¹⁰² LIKA Liridon, “La reconnaissance internationale de la République du Kosovo”, *op. cit.*, p. 550.

¹⁰³ COUNCIL OF THE EU, “Signature de l’accord de stabilisation et d’association”, *op. cit.*, p. 2.

mainstream of Europe through [the] Stabilization and Association Process (SAP), political dialogue, liberalization of trade and cooperation in Justice and Home Affairs”¹⁰⁴. Moreover, it also specified that “all the countries concerned are potential candidates for EU membership. The Union will support the SAP through technical and economic assistance”¹⁰⁵. Finally, the SAA imposed a series of EU conditionalities during its implementation, in particular the respect for democracy, free market, free trade, rule of law, and minority rights¹⁰⁶. It is with this aim that Kosovo was offered more recently pre-accession financial assistance of 645.5 million euros from the EU covering the period 2014-2020 in order to undertake the reforms required on its way to the EU¹⁰⁷. However, despite these reforms, the Kosovar authorities still face an even more significant issue: as Robert Muharremi and Bernard Nikaj note, “even if Kosovo and Serbia reach an agreement, and Serbia recognizes Kosovo as a state, it does not automatically mean that the non-recognizing EU member states would recognize Kosovo, too. If they [do] not recognize Kosovo, it would continue to be treated by the EU as a country and not a state, and its accession to the EU would remain barred”¹⁰⁸. Thus, even in the event of a fruitful process of normalization,

Kosovo’s future integration into the EU may not be taken for granted, the EU facing in fact the limits of its “creative ambiguity” and “status neutrality” on the question of Kosovo’s statehood¹⁰⁹.

Interestingly, however, this long-lasting ambiguous situation on Kosovo’s statehood also weakens the position of Serbia since the bilateral dispute between both protagonists prevents the Serbian authorities from finalizing their integration into the EU too. As Lika demonstrates, since the launch of the process of normalization, a series of EU member states have expressed their opposition to Serbia’s integration¹¹⁰. These states, including Austria, France, Germany, and Italy have made their support for Serbia’s membership conditional on its official recognition of Kosovo by Belgrade¹¹¹. Moreover, at their instigation, Kosovo’s recognition by Serbia has been officially added in chapter 35 of the latter’s obligations for EU membership¹¹². In other words, the Serbian authorities are urged to normalize their relations with the Republic of Kosovo since, as Stephan Keukeleire and Tom Delreux emphasize, regional cooperation turns out to be a key condition to eventual EU membership¹¹³. Wolfgang Koeth summarizes this situation thus: “without a credible perspective for Kosovo, there is no

¹⁰⁴ EUROPEAN COUNCIL, “Santa Maria da Feira European Council, Conclusions of the Presidency”, 19-20 June 2000, § Western Balkans, 2000, p. 12. <http://aei.pitt.edu/43325/> (accessed 6 March 2021).

¹⁰⁵ *Loc. cit.*

¹⁰⁶ ELBASANI Arolda, “The Stabilisation and Association Process in the Balkans: Overloaded Agenda and Weak Incentives?”, *Working paper from the European University Institute*, March 2008. https://cadmus.eui.eu/bitstream/handle/1814/8447/S_PS_2008_03.PDF?sequence=1&isAllowed=y (accessed 6 April 2021).

¹⁰⁷ COUNCIL OF THE EU, “Signature de l’accord de stabilisation et d’association”, *op. cit.*, p. 1.

¹⁰⁸ MUHARREMI Robert, and NIKAJ Bernard, “Is Kosovo a Country or a State?”, *Kosovo 2.0* (blog), March 25, 2021.

<https://kosovotwopointzero.com/en/is-kosovo-a-country-or-a-state/> (accessed 5 May 2021).

¹⁰⁹ HAJRULLAHU Arben, *op. cit.*, p. 116.

¹¹⁰ LIKA Liridon, “La reconnaissance internationale de la République du Kosovo”, *op. cit.*, p. 547.

¹¹¹ *Ibid.*, p. 546.

¹¹² COUNCIL OF THE EU, “Conférence d’adhésion avec la Serbie: ouverture des deux premiers chapitres”, Press statement, Brussels, European Union, December 14, 2015. <http://www.eu2015lu.eu/fr/actualites/articles-actualite/2015/12/14-conference-adhesion-ue-serbie/> (accessed 23 April 2021).

¹¹³ KEUKELEIRE Stephan, and DELREUX Tom, *The Foreign Policy of the European Union*, New York, Macmillan International Higher Education, 2014, pp. 242-247.

credible membership perspective for Serbia, [and] without a perspective for Serbia, there is no credible perspective for the rest of the Western Balkans”¹¹⁴.

The lack of cooperation between the EU and the USA

Finally, the last main issue that concerns the process of normalization refers to the lack of cooperation between the EU and the USA. In fact, and as former Ambassador of the Republic of Kosovo in Belgium, Bernard Nikaj, notes, “the only progress [in the process of normalization] has been made when [Kosovo] was enjoying the full cooperation between the EU and the USA. None of those actors can act alone. We consider the USA as one of the shareholders of our independence, and we want the EU to be our future home. So, we always need the full cooperation between the EU and the USA, because this is the best way to achieve a result”¹¹⁵. Thus, since this cooperation appears to be essential in the process, the following section offers a brief overview of the progress in the normalization of relations between Kosovo and Serbia under the Donald Trump’s administration, on the one hand, and since the new USA president Joe Biden moved into the White House, on the other hand.

First of all, it may be underlined that at the end of his presidential mandate, Donald Trump announced on 4 September 2020, that both Kosovo’s

Prime Minister Avdullah Hoti and Serbia’s President Aleksandar Vučić had finalized a document in order to normalize their economic relations under USA mediation¹¹⁶. This document, referred to as the Washington agreement, establishes 16 points that relate to economic normalization, the increases of their bilateral trade with the USA, and their respective relationship with Israel¹¹⁷. Thus, a series of topics have been discussed, among others the implementation of the Belgrade-Prishtina highway and rail agreements, the cooperation with the USA Export-Import Bank (EXIM), the opening and operationalization of the Merdarë common border crossing point facility, the increasing efforts to locate and identify missing persons, and the resolution of issues related to refugees and internally displaced persons¹¹⁸. Finally, the USA has insisted on the specific issue on which the EU remains ambiguous: this process of normalization must include official mutual recognition¹¹⁹.

Nevertheless, and even though a rapid agreement has been concluded, their work has been criticized by several authors, among others Leon Hartwell. In his last article on the subject, the expert notes that “the Serbia-Kosovo dialogue was allegedly a way for Trump to get a quick and easy foreign-policy win in advance of the 2020 US presidential election” and further regrets that “the US initiative was coordinated with

¹¹⁴ KOETH Wolfgang, “Bosnia, Kosovo and the EU: Is Accession Possible without Full Sovereignty?”, *EIPAScope*, no. 1, 2012, p. 36.

¹¹⁵ Interview with the former Ambassador of the Republic of Kosovo in Belgium, Bernard Nikaj, April 2021, by Skype.

¹¹⁶ RIECHMANN Deb, “Serbia, Kosovo Normalize Economic Ties, Gesture to Israel”, *AP NEWS*, September 4, 2020, sec. Belgrade. <https://apnews.com/article/ap-top-news-international-news-middle-east-politics-3b7aca39c6829655d43de30f68497ed1> (accessed

29 April 2021).

¹¹⁷ TRUMP Donald, “Economic Normalization”, 2020, p. 3. <https://balkaninsight.com/2020/09/04/kosovo-and-serbia-sign-historic-deal-under-trumps-auspices/> (accessed 5 May 2021).

¹¹⁸ MUHARREMI Robert, “The ‘Washington Agreement’ Between Kosovo and Serbia”, *American Society of International Law*, vol. 25, no. 4, 2021, pp. 2-3.

¹¹⁹ TRUMP Donald, “Economic Normalization”, *op. cit.*, p. 3.

the EU”¹²⁰. In this respect, former undersecretary of state, Nicolas Burns, reveals henceforth that “President Trump personally seems to have animus towards the EU. He sees the EU as a competitor to the US. He does not see it as a partner”¹²¹.

Thus, while Trump’s mandate does not seem to have considerably strengthened the coordination between the USA and the EU regarding the process of normalization, Bernard Nikaj reveals however that “with Biden as a President and with Anthony Blinken as a State Secretary, there are good incentives for a better coordination”¹²². In fact, Biden’s approach stands strongly out from his predecessor’s diplomatic methods. Cited by *Euractiv*, President Biden first congratulated the Republic of Serbia for its Statehood Day on the 15th February 2021, but further insisted on the urgent need to reach an agreement through which Kosovo and Serbia could mutually recognize their respective sovereignty and independence¹²³. This approach significantly differs from the EU’s neutral position towards Kosovo’s statehood. Nevertheless, as a response to Biden’s official letter, Serbia’s President Aleksandar Vučić, declared that he had “made it very clear at the White House what [he] thought about mutual recognition [and that his] answer would be no different this time”¹²⁴. In fact, Vučić’s answer only illustrates the still long way to go before

achieving the EU-initiated process of normalization launched in 2011.

Conclusion

Based on the afore analysis of the EU’s approach towards Kosovo and Serbia and on some qualitative data acquired through interviews, some conclusions may be drawn regarding the research question of this working paper, that is, how has the EU facilitated the process of normalization of relations between Kosovo and Serbia through mediation between 2011 and 2021?

Articulated around the RCT approach, this research has consequently examined the actors themselves, their interests, and their actions. With the contribution of the theory of international mediation, it has highlighted that both the disputing parties as well as the mediator need incentives to enter a process of normalization of relations. In this regard, this research demonstrated that ensuring the Union’s stability and security outside its border, such as the Western Balkans, appears to be the EU’s main priority. However, and since the EU remains a complex organization with states defending different national interests and sharing diverse views on how the Union’s foreign policy should be conducted, the EU adopts a highly ambiguous position regarding the process of normalization. This division limits the scope of influence of the EU,

¹²⁰ HARTWELL Leon, “The Serbia-Kosovo Dialogue: Ripe for Resolution?”, *CEPA*, March 2, 2021. <https://cepa.org/the-serbia-kosovo-dialogue-ripe-for-resolution/> (accessed 6 May 2021).

¹²¹ BURNS Nicolas, “Diplomacy is not The Apprentice: Serbia-Kosovo issue requires a long-term commitment”, *New Eastern Europe*, September 14, 2020. <https://neweasterneurope.eu/2020/09/15/diplomacy-is-not-the-apprentice-serbia-kosovo-issue-requires-a-long-term-commitment/> (accessed 6 May 2021).

¹²² Interview with the former Ambassador of the Republic of Kosovo in Belgium, Bernard Nikaj, April 2021, by Skype.

¹²³ BIDEN Joe, “Serbia’s National Day”, Official letter, February 15, 2021. <https://www.rtklive.com/en/news-single.php?ID=18637> (accessed 6 May 2021).

¹²⁴ EURACTIV, “Vučić to Biden: Kosovo Recognition not mentioned in any Agreement”, February 8, 2021, *Euractiv.rs* edition, sec. Politics. https://www.euractiv.com/section/politics/short_news/vucic-to-biden-kosovo-recognition-not-mentioned-in-any-agreement/ (accessed 30 April 2021).

affects its cooperation with both Kosovo and Serbia, and simultaneously weakens its influence in the WB region in general. The EU clearly attempted to adopt a “suggestive” approach towards the two disputing parties, however, the lack of unity did not allow the Union to remain consistent throughout the whole process. In fact, the paper demonstrated that even though the EU dangles potential EU membership for Kosovo and Serbia, the Union offers a “carrot” that will remain unreachable for Kosovo as long as the young state is not recognized by all the EU member states. Consequently, offering such a reward for the conclusion of a final legally-binding document by Kosovo and Serbia without imposing mutual recognition, appears to be relatively contradictory. This ambiguous use of political conditionalities led to some major consequences regarding the process of normalization of relations between both Balkan states.

On the one hand, the Republic of Kosovo turns out to be strongly affected by the lack of unity within the EU member states. Despite its obvious willingness to undertake the appropriate reforms in order to meet the European political conditionalities, Kosovo’s integration remains systematically denied, in particular due to the excessive use of ambiguity in the EU’s approach. For instance, this research shows that the ambiguous wording used by the EU clearly demonstrates the Union’s difficulties to offer a clear European future to Kosovo but also prevents the young state from fulfilling its two main interests in the process, namely to further consolidate its statehood and to open up new European perspectives.

On the other hand, the outcome of the process is also mixed for the Republic of Serbia. Serbia was granted the status of candidate in March 2012, and in reward for the conclusion of the Brussels agreement in April 2013, the Serbian authorities were

even allowed to open the accession negotiations with the EU in 2014. However, the EU has not been able to provide a clear time-limit for Serbia to integrate the EU and consequently, its future European path still remains a dotted line. Moreover, the EU has not been able to offer the crucial incentives required by the Serbian authorities to accelerate the conclusion of a final and legally-binding agreement with the Republic of Kosovo, thus partially failing the main objective of its role as a mediator.

However, the role of the EU as a mediator in the dispute between Kosovo and Serbia may not be simply reduced to a complete failure. Despite the fact that the normalization process mostly dealt with technical arrangements for day-to-day relations between the two sides, no less than 33 agreements were reached under EU auspices. Focusing on issues such as cadastral questions, registry books, recognition of diplomas, freedom of movement, telecommunication, justice, and energy, those agreements represent some steps forward in the normalization of bilateral relations. Moreover, some politically sensitive issues were then discussed, including the question of the Association of Serb majority municipalities in Kosovo through the conclusion of the Brussels agreement. However, the implementation of all these above-mentioned agreements has been slowed down or even incomplete, and evidences the EU’s difficulties to facilitate the process of normalization of relations. Based on this analysis, it may be argued that the EU seems to only have facilitated the process at its very beginning with the conclusion of several agreements, what offered hope for the reaching of a final and legally-binding document between both states. Nevertheless, and thereafter, the EU-initiated process became less successful, scholars and diplomats even admitting in this respect that the normalization of

relations has been now at a stalemate for almost four years.

Finally, it must be pointed that the cooperation between the Union and the USA has not been as fluid as expected. While the EU mostly focuses on the political normalization of relations between Kosovo and Serbia, the USA favors the economic normalization between the two protagonists. Nevertheless, former President Trump and its successor, Joe Biden, have insisted on a specific issue on which the EU still remains very ambiguous: the Washington agreement must include mutual official recognition. Will this imposed mutual official recognition allow Kosovo to further consolidate its statehood in the future and definitely resolve a crucial aspect of the bilateral dispute between Kosovo and Serbia? Could the USA establish itself as the most efficient mediator and challenge the EU's ability to establish political conditionalities abroad? And will these two mediators become later challenged by the emerging countries that appear to be increasingly present in the WB region? These questions might offer new analytical perspectives on the EU's role of mediator towards the bilateral dispute that is opposing, still to date, the Republic of Kosovo and the Republic of Serbia.

Robert Dopchie holds a master in Political Science with an International Relations focus from the University of Liège (ULiège).

References

Books

- FRIEDMAN Milton, *Essays in Positive Economics*, Chicago, University of Chicago Press, 1953.
- GREIČEVCI Labinot, *The EU as a State-builder in International Affairs: The Case of Kosovo*, New York, Routledge, 2022.
- JUDAH Tim, *Kosovo: What Everyone Needs to Know*, Oxford, Oxford University Press, 2008.
- KEUKELEIRE Stephan, and DELREUX Tom, *The Foreign Policy of the European Union*, New York, Macmillan International Higher Education, 2014.
- MAOZ Zeev, *Paradoxes of War: On the Art of National Self-Entrapment*, London, Routledge, 2020.
- MONROE Kristen Renwick, *The Heart of Altruism, Perceptions of a Common Humanity*, Princeton, Princeton University Press, 1996.
- NYE Joseph S., *Soft Power: The Means to Success in World Politics*, New York, Public Affairs, 2004.
- PERRITT Henry H., *The Road to Independence for Kosovo: A Chronicle of the Ahtisaari Plan*, Cambridge, Cambridge University Press, 2009.
- RAPOPORT Anatol, GUYER Melvin, and GORDON David G., *The 2 X 2 Game*, Ann Arbor, University of Michigan Press, 1976.
- SNYDER Glenn Herald, and DIESING Paul, *Conflict Among Nations: Bargaining, Decision Making, and System Structure in International Crises*, Princeton, Princeton University Press, 1977.
- TOUVAL Saadia, and ZARTMAN William I., *International Mediation in Theory and Practice*, Boulder, Westview Press, 1985.

Chapters of books

- BERRIDGE Geoff R., and JAMES Alan, “N”, in BERRIDGE Geoff R., JAMES Alan, and BARDER Brian (eds.), *A Dictionary of Diplomacy*, London, Palgrave Macmillan, 2003, pp. 179-190.
- LIKA Liridon, and REKA Blerim, “The European Union’s Relations with the Republic of Kosovo”, in HAJRULLAHU Arben, and VUKPALAJ Anton (eds.), *Forging Kosovo: Between Dependence, Independence, and Interdependence*, Bern, Peter Lang, 2021, pp. 229-250.

Scientific articles

- ANASTASAKIS Othon, “The EU’s Political Conditionality in the Western Balkans: Towards a More Pragmatic Approach”, *Southeast European and Black Sea Studies*, vol. 8, no. 4, 2008, pp. 365-377.
- ARENSMAN Bodille, VAN WESSEL Margit, and HILHORST Dorothea, “Does Local Ownership Bring about Effectiveness? The Case of a Transnational Advocacy Network”, *Third World Quarterly*, vol. 38, no. 6, 2017, pp. 1323-1326.
- BEHA Adem, “Disputes over the 15-Point Agreement on Normalization of Relations between Kosovo and Serbia”, *Nationalities Papers*, vol. 43, no. 1, 2015, pp. 102-121.
- BERGMANN Julian, and NIEMANN Arne, “Mediating International Conflicts: The European Union as an Effective Peacemaker?”, *Journal of Common Market Studies*, vol. 53, no. 5, 2015, pp. 957-975.
- BIEBER Florian, “The Serbia-Kosovo Agreements: An EU Success Story?”, *Review of Central and East European Law*, vol. 40, no. 3-4, 2015, pp. 285-319.
- DALIPI Samet, “Not-Recognizing Policy within the Minority EU Members - Challenge for Kosovo’s Integration and

- Regional Peace-Building”, *Iliria International Review*, vol. 6, no. 2, 2017, pp. 171-93.
- ELSTER Jon, “Social Norms and Economic Theory”, *Journal of Economic Perspectives*, vol. 3, no. 4, 1989, p. 99.
- GASHI Krenar, MUSLIU Vjosa, and ORBIE Jan, “Mediation through Recontextualization: the European Union and the Dialogue between Kosovo and Serbia”, *European Foreign Affairs Review*, vol. 22, no. 4, 2017, pp. 533-550.
- GREIÇEVCI Labinot, “The Case of Kosovo: From ‘International Statebuilding’ to an ‘Internationally Supervised and Independent Country’”, *L’Europe en formation*, vol. 349-350, no. 3-4, 2008, pp. 189-203.
- GREIÇEVCI Labinot, “EU Actorness in International Affairs: The Case of EULEX Mission in Kosovo”, *Perspectives on European Politics and Society*, vol. 12, no. 3, 2011, pp. 283-303.
- HAJRULLAHU Arben, “The Serbia Kosovo Dispute and the European Integration Perspective”, *European Foreign Affairs Review*, vol. 21, no. 4, 2019, pp. 101-120.
- KAHNEMAN Daniel, and TVERSKY Amos, “Prospect Theory: An Analysis of Decision under Risk”, *Econometrica*, vol. 47, no. 2, 1979, pp. 263-291.
- KER-LINDSAY James, “Engagement without Recognition: The Limits of Diplomatic Interaction with Contested States”, *International Affairs*, vol. 91, no. 2, 2015, pp. 1-16.
- KOETH Wolfgang, “Bosnia, Kosovo and the EU: Is Accession Possible without Full Sovereignty?”, *EIPAScope*, no. 1, 2012, pp. 31-36.
- LIKA Liridon, “La reconnaissance internationale de la République du Kosovo (2008-2016): succès, défis et perspectives de ce nouvel État”, *Revue de la Faculté de droit de l’Université de Liège*, 2016, pp. 531-568.
- LIKA Liridon, “La République du Kosovo dans son contexte régional. Analyse sur la reconnaissance, la souveraineté et les relations de ce nouvel État avec ses pays voisins frontaliers”, *Cahiers de Science politique de l’ULiège*, no. 31, 2016, pp. 1-33.
- LYON Alynna J., and DOLAN Chris J., “American Humanitarian Intervention: Toward a Theory of Coevolution”, *Foreign Policy Analysis*, vol. 3, no. 1, 2007, pp. 46-78.
- MONROE Kristen Renwick, “Paradigm Shift: From Rational Choice to Perspective”, *International Political Science Review*, vol. 22, no. 2, 2001, pp. 151-172.
- MUHARREMI Robert, “The ‘Washington Agreement’ Between Kosovo and Serbia”, *American Society of International Law*, vol. 25, no. 4, 2021, pp. 2-3.
- NEWMAN Edward, and VISOKA Gëzim, “The Foreign Policy of State Recognition: Kosovo’s Diplomatic Strategy to Join International Society”, *Foreign Policy Analysis*, vol. 14, no. 3, 2018, pp. 367-87.
- OGU Michael, “Rational Choice Theory: Assumptions, Strengths, and Greatest Weaknesses in Application Outside the Western Milieu Context”, *Nigerian Chapter of Arabian Journal of Business and Management Review*, vol. 1, no. 3, 2013, pp. 90-99.
- OSMANAJ Egzon, “The (Non) Consolidation of Kosovo’s Statehood: The Brussels Dialogue Ten Years after Kosovo’s Independence”, *International Research Journal*, vol. 7, no. 1, 2018, pp. 47-70.
- SOCEA Iulia, “NATO’s Military Intervention in Kosovo and the Diplomatic Alternative”, *Journal for*

- Multidimensional Education*, vol. 1, no. 1, 2009, pp. 83-93.
- TERRIS Lesley G., and MAOZ Zeev, “Rational Mediation: A Theory and a Test”, *Journal of Peace Research*, vol. 42, no. 5, 2005, pp. 563-583.
- VAN LEEUWEN Theo, and WODAK Ruth, “Legitimizing Immigration Control: A Discourse-Historical Analysis”, *Discourse Studies*, vol. 1, no. 1, 1999, pp. 83-118.
- VISOKA Gëzim, and DOYLE John, “Neo-Functional Peace: The European Union Way of Resolving Conflicts”, *Journal of Common Market Studies*, vol. 54, no. 4, 2016, pp. 862-877.

Reports from think tanks and articles from research institutes

- ELBASANI Arolda, “The Stabilisation and Association Process in the Balkans: Overloaded Agenda and Weak Incentives?”, *Working paper from the European University Institute*, March 2008, pp. https://cadmus.eui.eu/bitstream/handle/1814/8447/SPS_2008_03.PDF?sequence=1&isAllowed=y (accessed 6 April 2021).
- HARTWELL Leon, “The Serbia-Kosovo Dialogue: Ripe for Resolution?”, *CEPA*, March 2, 2021, pp. <https://cepa.org/the-serbia-kosovo-dialogue-ripe-for-resolution/> (accessed 6 May 2021).
- INTERNATIONAL CRISIS GROUP, “Serbia and Kosovo: The Path to Normalization”, *Europe Report*, Brussels, 2013, pp.
- RUSSELL Martin, “Serbia-Kosovo Relations: Confrontation or Normalization?”, *Brussels, European Parliamentary Research Service*, February 2019, pp. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635512/EPRS_BR_I\(2019\)635512_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/635512/EPRS_BR_I(2019)635512_EN.pdf) (accessed 19 May 2021).
- TRANSPARENCY INTERNATIONAL, “Brief Analysis: Kosovo-Serbia Dialogue Challenges and the Way Forward”, *Brief analysis, Kosova Democratic Institute*, Prishtina, 2018, pp. 1-32. <https://kdi-kosova.org/en/publications/brief-analysis-kosovo-serbia-dialogue-challenges-way-forward/> (accessed 8 April 2021).

Official releases

- ASHTON Catherine, “Statement by High Representative Catherine Ashton on the Continuation of the EU-Facilitated Dialogue”, Brussels, European Union, October 19, 2012. consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/133036.pdf (accessed 4 March 2021).
- EEAS, “Ashton Tells UN Security Council: EU Is Committed Partner for UN in Search for International Peace”, Press statement, Brussels, European Union, February 17, 2014. http://eeas.europa.eu/top_stories/2014/170214_ca_un_en.htm (accessed 1 March 2021).
- UN, “Secretary-General Appoints Former President Martti Ahtisaari of Finland as Special Envoy for Future Status Process for Kosovo”, Meetings Coverage and Press Releases, November 15, 2005. <https://www.un.org/press/en/2005/sga955.doc.htm> (accessed 1 March 2021).

Data and documentation

- BRECHER Michael, and WILKENFELD Jonathan, “International Crisis Behavior Project, 1918-2004”, 2007. <https://doi.org/10.3886/ICPSR09286.v7> (accessed 3 February 2021).

Official letter

- BIDEN Joe, “Serbia’s National Day”, Official letter, February 15, 2021. <https://www.rtklive.com/en/news->

- [single.php?ID=18637](#) (accessed 6 May 2021).
- UNSC, “Letter Dated 7 October 2005 from the Secretary-General Addressed to the President of the Security Council”, Letter, October 7, 2005. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S2005%20635.pdf> (accessed 1 March 2021).
- UNSC, “Letter Dated 26 March 2007 from the Secretary-General Addressed to the President of the Security Council”, Letter, March 26, 2007. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kosovo%20S2007%20168.pdf> (accessed 1 March 2021).
- Legal acts**
- MONTEVIDEO CONVENTION ON THE RIGHTS AND DUTIES OF STATES, Montevideo, enacted on 26 December 1933, in force on 26 December 1934.
- COUNCIL OF THE EU, “Council Conclusions on Enlargement and Stabilization and Association Process”, Pub. L. No. 17604/12, ELARG 133 COWEB 209 1, 2012. <https://data.consilium.europa.eu/doc/document/ST-17604-2012-INIT/en/pdf> (accessed 6 February 2021).
- COUNCIL OF THE EU, “Conférence d’adhésion avec la Serbie: ouverture des deux premiers chapitres”, Press statement, Brussels, European Union, December 14, 2015. <http://www.eu2015lu.eu/fr/actualites/articles-actualite/2015/12/14-conference-adhesion-ue-serbie/> (accessed 23 April 2021).
- COUNCIL OF THE EU, “Signature de l’accord de stabilisation et d’association (ASA) entre l’Union européenne et le Kosovo”, Press statement, Brussels, European Union, October 27, 2015. <https://www.consilium.europa.eu/fr/press/press-releases/2015/10/27/kosovo-eu-stabilisation-association-agreement/pdf> (accessed 6 April 2021).
- EUROPEAN COUNCIL, “Santa Maria da Feira European Council”, Conclusions of the Presidency, 19-20 June 2000, § Western Balkans, 2000. <http://aei.pitt.edu/43325/> (accessed 6 March 2021).
- EUROPEAN PARLIAMENT, “European integration process of Kosovo”, Pub. L. No. 2013/2881(RSP), P7_TA(2014)0040 4, 2014. https://www.europarl.europa.eu/doceo/document/TA-7-2014-0040_EN.html (accessed 31 March 2021).
- EUROPEAN PARLIAMENT, “European Parliament resolution of 8 July 2010 on the European integration process of Kosovo”, Pub. L. No. 2010/2610(RSP), P7_TA(2010)0281 10, 2010. https://www.europarl.europa.eu/doceo/document/TA-7-2010-0281_EN.pdf (accessed 31 March 2021).
- INTERNATIONAL COURT OF JUSTICE, “Accordance with international law of the unilateral Declaration of Independence in respect of Kosovo”, Pub. L. No. 141, Advisory Opinion, 2010. https://www.un.org/ruleoflaw/files/ef_KOS_Advisory-opinion_bilingual.pdf (accessed 2 March 2021).
- TRUMP Donald, “Economic Normalization”, 2020. <https://balkaninsight.com/2020/09/04/kosovo-and-serbia-sign-historic-deal-under-trumps-auspices/> (accessed 5 May 2021).
- UN GENERAL ASSEMBLY, “Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law”,

Pub. L. No. 64/298, A/RES/64/298, 2010.

<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/ROL%20A%20RES64%20298.pdf> (accessed

3 March 2021).

UNSC, “Resolution 1244 (1999)”, Pub. L. No. 1244, S/RES/1244 8 (UN Security Council).

[https://undocs.org/S/RES/1244\(1999\)](https://undocs.org/S/RES/1244(1999)) (accessed 25 February 2021).

Blogs

COOPER Robert, “The Philosophy of the Belgrade-Pristina Dialogue”, *European Western Balkans* (blog), July 16, 2015.

<https://europeanwesternbalkans.com/2015/07/16/sir-robert-cooper-the-philosophy-of-the-belgrade-pristina-dialogue/> (accessed 23 February 2021).

MERLIN Jean-Baptiste, “L’Accord de Bruxelles et la reconnaissance d’État”, *Centre de Recherche Internationale* (blog), July 11, 2018.

<https://www.cri-irc.org/laccord-de-bruxelles-et-la-reconnaissance-detat/> (accessed 2 May 2021).

MUHARREMI Robert, and NIKAJ Bernard, “Is Kosovo a Country or a State?”, *Kosovo 2.0* (blog), March 25, 2021.

<https://kosovotwopointzero.com/en/is-kosovo-a-country-or-a-state/> (accessed 5 May 2021).

Newspaper

EURACTIV, “Vučić to Biden: Kosovo Recognition not mentioned in any Agreement”, February 8, 2021, Euractiv.rs edition, sec. Politics.

https://www.euractiv.com/section/politics/short_news/vucic-to-biden-kosovo-recognition-not-mentioned-in-any-agreement/ (accessed 30 April 2021).

RIECHMANN Deb, “Serbia, Kosovo Normalize Economic Ties, Gesture to

Israel”, *AP NEWS*, September 4, 2020, sec. Belgrade.

<https://apnews.com/article/ap-top-news-international-news-middle-east-politics-3b7aca39c6829655d43de30f68497ed1> (accessed 29 April 2021).

Interview published in press articles

BURNS Nicolas, “Diplomacy is not The Apprentice: Serbia-Kosovo issue requires a long-term commitment”, *New Eastern Europe*, September 14, 2020.

<https://neweasterneurope.eu/2020/09/15/diplomacy-is-not-the-apprentice-serbia-kosovo-issue-requires-a-long-term-commitment/> (accessed 6 May 2021).

Website pages

EEAS, “Short History of EULEX”, n.d., <https://www.eulex-kosovo.eu/?page=2,44,197> (accessed 1 May 2021).

Interviews

Interview with two European diplomats, 4 May 2021, Brussels, 53 min., no record accepted.

Interview with the former Ambassador of the Republic of Kosovo in Belgium, Bernard Nikaj, 15 April 2021, 27 min., by skype, record accepted.

Interview with Professor Florian Bieber, 13 April 2021, 24 min., by skype, record accepted.

Interview with Professor James Ker-Lindsay, 12 May 2021, 48 min., by skype, record accepted.

Written reply

Written exchange with a Serb Diplomat, 22 March 2021, by e-mail.

List of figures

Figure 1 5.
Figure 2 5.

About CEFIR:

The Center for International Relations Studies (CEFIR) is an integral part of the Political Science Department of the University of Liège (ULiège).

Address:

Department of Political Science
Faculty of Law, Political Science and
Criminology
University of Liège
Quartier Agora, Place des Orateurs, 3
4000 Liège (Sart Tilman)
Belgium.

Website: <https://cefir.uliege.be>

© 2022 CENTER FOR INTERNATIONAL
RELATIONS STUDIES (CEFIR)



Note: This paper represents the views of the author, not the position of the Center for International Relations Studies (CEFIR).

How to reference this paper:

Robert Dopchie, “The EU as a mediator in the Western Balkans: The EU-initiated process of normalization of relations between the Republic of Kosovo and the Republic of Serbia”, *CEFIR Working Paper*, N° 12, September 2022, pp. 1-27.

