

THE “LIMITED RECOGNITION” PROBLEM
AND THE INTERNATIONAL PRESENCE
OF THE REPUBLIC OF KOSOVO

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ABSTRACT. This paper aims to examine the position of Kosovo in international relations. Explains differences between *de facto states*, *quasi-states*, unrecognized states, pseudo states and states with limited recognition, arguing that Kosovo should be considered as the latter. The author also points out consequences of international recognition (including the case of Kosovo) and shows the main goals of its foreign policy. A separate place was devoted to relations between Kosovo and international governmental organizations, which conduct “engagement without recognition policy” and selected countries, which recognized Kosovo as a sovereign state. The article is based on examination of primary and secondary sources, critical analysis of sources and data analysis. The author argues that limited recognition of Kosovo has a direct influence on foreign policy of this state. This foreign policy is strictly connected with security issues. However, limited recognition reduced foreign policy of Kosovo and made that this country cannot be a party of military pacts, which is crucial in maintaining peace and security in this country. The article is partially based on sources available at the Slavic, East European and Eurasian Collections and Services at International and Area Studies Library of the University of Illinois Urbana-Champaign, collected by the author during the 2021 Virtual Summer Research Laboratory organized by the College of Liberal Arts and Sciences, Russia, East European, and Eurasian Center, University of Illinois Urbana – Champaign (Champaign, IL).

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INTRODUCTION

According to, article 1 of the Montevideo Convention on the Rights and Duties of States, “the state as a person of international law should possess: a permanent population, a defined territory, a government, and a capacity to enter into relations with the other states.”¹ The Republic of Kosovo, which announced its unilateral declaration of independence from Serbia on 17 February 2008, undoubtedly fulfils the first three out of four criteria. The latter is still rather problematic. It is strictly related to the fact that a state cannot enter in the relation with other states if it is not recognized. The Republic of Kosovo so far has been recognized by 97 states,² among which most of them are also the members of the United Nations (UN). As a result, Kosovo is a state of limited recognition.

The issue of recognition in international law has been frequently undertaken by various scholars such as: H. Kelsen, H. Lauterpacht, R. Wilde, A. Cannon, E. Wilmshurst.³ Some others have been conducting research on relations of states with limited recognition with specific subjects of international relations, which did not recognize them. Consequently, J. Ker-Lindsay, A. Cooley and L.A. Mitchell, E. Berg and S. Pegg have been analyzing the phenomena of engagement without recognition. It should be emphasized that researchers: N. Caspersen, A. Florea, G. Visoka, P. Marcinkowska, K. Pawłowski, E. Bujwid-Kurek have been also concentrating on the role of unrecognized states or *de facto states* in contemporary international relations.⁴ However, not much has been said on foreign and security policy of the entities, which possessed limited recognition.

¹ *The Montevideo Convention on the Rights and Duties of States*, Montevideo 1933, <https://www.oas.org/juridico/english/treaties/a-40.html> [accessed 20.03.2024].

² World Population Review, *Countries that recognized Kosovo*, 2024. <https://worldpopulationreview.com/country-rankings/countries-that-recognize-kosovo> [accessed 25.03.2024].

³ H. Kelsen, *Recognition in international law: theoretical observations*, “The American Journal of International Law” 1941, vol. 35, no. 4, p. 605–617; H. Lauterpacht, *Recognition of states in international law*, “The Yale Law Journal” 1944, vol. 53, no. 3, p. 385–458; R. Wilde, A. Cannon, E. Wilmshurst, *Recognition of states: the consequences of recognition or non-recognition in UK and international law. Summary of the international law discussion group meeting held at Chatham House on 4 February 2010*, London 2010, https://www.chathamhouse.org/sites/default/files/field/field_document/Meeting%20Summary%20Recognition%20of%20States.pdf [accessed 25.03.2024].

⁴ J. Ker-Lindsay, *Engagement without recognition: the limits of diplomatic interaction with contested states*, “International Affairs (Royal Institute of International Affairs 1944–)” 2015, vol. 91, no. 2, p. 267–285; A. Cooley, L.A. Mitchell, *Engagement without recognition: a new strategy toward Abkhazia and Eurasia's unrecognized states*, “The Washington Quarterly” 2010, vol. 33, no. 4, p. 59–73; E. Berg, S. Pegg, *Scrutinizing a policy of “Engagement without Recognition”: US requests for diplomatic actions with de facto states*, „Foreign Policy Analysis” 2018, vol. 14, no. 3, p. 388–407; N. Caspersen, *Unrecognized states*, Cambridge 2012; A. Florea, *De facto states in international politics (1945–2011): a new data set*, “International Interactions” 2014, vol. 40, no. 5, p. 788–811; G. Visoka, *Statehood and recognition in world politics: towards a critical research agenda*, “Cooperation and Conflict” 2022, vol. 57, no. 2, p. 133–151.

The main aim of this article is to analyze the position of Kosovo in international relations. The author shows that limited recognition of Kosovo has a direct influence on foreign policy and security of this state. She answers to the questions: in what way and why a limited recognition of Kosovo has an impact on foreign policy and security of this state? The article is based on examination of primary and secondary sources, critical analysis of sources and data analysis.

STATE WITH LIMITED RECOGNITION: A TERMINOLOGY PUZZLE

Scholars have been using various terms related to states with limited recognition. As a result, S. Pegg, A. Florea, J. Grzybowski write about *de facto states*. C. King, N. Caspersen and G. Stansfield, M. Fabry⁵ use term *unrecognized state*, whereas A.G. Hopkins, P. Kolstø prefer term *quasi-state*.⁶ Some scholars, such as: V. Kolossov, J. O'Loughlin,⁷ point out in their papers term – pseudo-states. To understand the meaning of the term "states with limited recognition" and show the differences among them and other terms (if any), it is necessary to explain above-mentioned terminology.

J. Ker-Lindsay defines *de facto states* as "territories that have declared independence but are not members of the United Nations". In turn, A. Florea says that "de facto states are separatist polities that exercise a monopoly over the use of violence in a given area, but lack international legal sovereignty". He also emphasizes that "to understand what *de facto states* are, and are not, they need to be located among the population of rebel organizations that hold monopolies on violence."⁸ As a result, in his point of view, *de facto states* are polities that:

(1) belong to (or are administrated by) a recognized country, but not as a colonial possession;

⁵ S. Pegg, *International society and de facto state*, London 1998; A. Florea, *De facto states: survival and disappearance (1945–2011)*, "International Studies Quarterly" 2017, vol. 61, no. 2, p. 337–351; J. Grzybowski, *The paradox of state identification: de facto states, recognition, and the (re-) production of the international*, "International Theory" 2019, vol. 11, no. 3, p. 241–263; C. King, *The benefits of ethnic war: understanding Eurasia's unrecognized states*, "World Politics" 2001, vol. 53, no. 4, p. 524–552; N. Caspersen, G. Stansfield, *Unrecognized states in the international system*, Oxford 2011; M. Fabry, *Unrecognized states and national identity* [in:] *Unrecognized states and secession in the 21st century*, eds. M. Riegl, B. Doboš, Cham 2017, p. 23–33.

⁶ A.G. Hopkins, *Quasi-states, weak states and the partition of Africa*, "Review of International Studies" 2000, vol. 26, no. 2, p. 311–320; P. Kolstø, *The sustainability and future of unrecognized quasi-states*, "Journal of Peace Research" 2006, vol. 43, no. 6, p. 723–740.

⁷ V. Kolossov, J. O'Loughlin, *New borders for new world orders: territorialities at the fin-de-siecle*, "GeoJournal" 1998, vol. 44, p. 259–273.

⁸ J. Ker-Lindsay, *The stigmatisation of de facto states: disapproval and 'engagement without recognition'*, "Ethnopolitics" 2018, vol. 17, no. 4, p. 362; A. Florea, *De facto states* (2017), p. 338.

(2) seek some degree of separation from that country, and have either declared independence or demonstrated aspirations for independence – for example through a referendum or a sovereignty declaration;

(3) exert military control over a territory, or portions of territory, inhabited by a permanent population;

(4) are not condoned by the governments that hold juridical sovereignty over their territory;

(5) perform at least basic governance functions, such as provision of social and political order;

(6) lack international legal sovereignty and

(7) exist for at least 24 months.

M. Fabry claims that *de facto* statehood is used as a synonym for unrecognized states.⁹

The later are entities that have achieved effective independence but not external recognition. N. Caspersen and G. Stansfield say that unrecognized states

are territories that have achieved *de facto* independence often, though not always, through warfare, but have failed to gain international recognition as independent states. In their opinion unrecognized states have achieved *de facto* independence, including territorial control, and have managed to maintain this for at least two years, have not gained international recognition, have demonstrated an aspiration for full, *de jure*, independence.¹⁰

P. Kolstø points out, that term quasi states might be confusing, since sometimes “it means recognized states that fail to develop the necessary state structures to function as fully fledged real states”. On the other hand, the same term is often used to define “regions that secede from another state, gaining *de facto* control over the territory, they claim to, but fail to achieve international recognition”. However, in article *The Sustainability and future of unrecognized quasi-states*, Kolstø uses this term for unrecognized, *de facto* states.¹¹

Also, V. Kolossov and J. O’Loughlin pay attention to those criteria, which states must fulfil to be categorized as pseudo-states. They differentiated pseudo-states into two categories:

The first one is “institutionalized” pseudo-states, which have declared sovereignty, have all necessary attributes of a ‘normal’ state, are in full control of their territories, but at the same time are not recognized and have little chance of recognition by the international community or by most neighbouring states. The second category of pseudo-states is ‘non-institutionalized’ pseudo-states, which according to Kolossov and O’Loughlin ‘are a conglomerate of areas under the authority of local chiefs, field commanders and other local leaders, who can cooperate but cannot conduct war of “all against all”, and are half-institutionalized, because they are unlikely to control their territories permanently.¹²

⁹ M. Fabry, op. cit., p. 22.

¹⁰ N. Caspersen, G. Stansfield, op. cit., p. 1, 3.

¹¹ P. Kolstø, op. cit., p. 747.

¹² V. Kolosov, J. O’Loughlin, op. cit., p. 5.

The analysis of the above-mentioned definitions indicates that each of them refers to these territories, which obtained *de facto* independence (which means that existing states consider that the new state has not acquired sufficient stability, then it may grant recognition to the latter provisionally), but are not internationally recognized. What is more, most scholars such as: P. Kolstø, N. Caspersen, G. Stansfield, A. Florea, E. Berg, Sh. Kursani¹³ use the same terms in relation to the states, which were recognized by less than ten members of the United Nations, such as: Abkhazia, Nagorno-Karabakh, Transnistria, Turkish Republic of Northern Cyprus and states, which were recognized by more than ten members of the United Nations such as: Taiwan, Palestine and Kosovo. However, it should be stressed that this significant distinction has been described by K. Buzard, B.A. T. Graham and B. Horne, who show status of military successful secessions divided them into the following categories: "unrecognized states (recognized by fewer than 10 UN members), partially recognized states (recognized by more than 10 members, but not the home state), rejoined home state following military defeat of secessionists, rejoined home state in negotiated settlement, recognized by the home state."¹⁴ Taking into account that Turkish Republic of Northern Cyprus is recognized only by Turkey, whereas Kosovo by 97 countries, this categorization seems to be more convincing. In addition, international position of the country, which is recognized only by 1 entity is different from the country, which is recognized by around 100 entities or even more. For that reason, a territory, which gained *de facto* independence and is internationally recognized by more than 10 members of the United Nations is labeled as state with limited recognition.

INTERNATIONAL RECOGNITION AND ITS CONSEQUENCES

According to H. Lauterpacht

to recognize a community as a state is to declare that it fulfills the conditions of statehood as required by international law. These conditions include: state territory, a state people and state power. However, recognition constitutes a unilateral declaration of intent, which is entirely at the discretion of any state. Only state decide if recognize another entity as a subject of international law. Recognition is a matter of intention. It is founded upon the will and intention of state. Consequently, recognition is perceived as decision taken by political matters and national interest.¹⁵

¹³ P. Kolstø, op. cit.; N. Caspersen, G. Stansfield, op. cit.; A. Florea, *De facto states*; E. Berg, Sh. Kursani, *De facto states and Land-for-Peace Agreements. Territory and recognition at odds?*, Oxford 2021.

¹⁴ K., Buzard, B.A. T. Graham, B. Horne, *Unrecognized states: a theory of self-determination and foreign influence*, "The Journal of Law, Economics and Organization" 2017, vol. 33, no. 3, p. 582.

¹⁵ H. Lauterpacht, op. cit., p. 385, 386.

Recognition may be express or implied. Nevertheless, the mode by which recognition is accomplished is of no special significance. The most important is that the act constituting recognition must give a clear indication of the intention either to deal with new state as such, or to accept the new government as the effective government of the state and to maintain relation with it, or to recognize in case of insurgents that they are entitled to belligerent rights.

Act of recognition is an essential step to be a part of international community. It has both legal and political consequences.

Góralczyk and Sawicki claim, that “international recognition causes that states can exercise powers under international law.”¹⁶ Symonides presents catalogue of consequences of recognition. It includes: “registering and accepting a new state, establishing diplomatic relations, determining of the competences of state authorities and representatives and providing them privileges and immunities, possibility of appearing before the courts, exercising of judicial immunity and declaration of the validity of internal acts of a recognized state.”¹⁷ Thus by analogy, states which are not recognized by other states cannot obtain above-named.

Scholars, who have been analyzing an influence of the lack of recognition on the role of unrecognized states in international relations claim that “these states are excluded from the international community and have no impact on the decision-making process”. They also struggle with problems associated with the limited trade and currency exchange and are internationally isolated, which means that they cannot be parties of trade agreements and parties of military pacts.¹⁸ In addition, E. Berg and K. Vits point out, that

states which are unrecognized: do not have diplomatic representation in third countries, they are not usually members of international intergovernmental organizations, they are subjects of economic penalties, suffer from social and cultural isolation and do not have international protection and are at external risk.¹⁹

FOREIGN AND SECURITY POLICY OF KOSOVO

On 13 March 2008, the Ministry of Foreign Affairs (now the Ministry of Foreign Affairs and Diaspora) was established. Its creation is based on Law No. 03/L-044

¹⁶ W. Góralczyk, S. Sawicki, *Prawo międzynarodowe publiczne w zarysie*, Warszawa 2006, p. 152.

¹⁷ R. Bierzanek, J. Symonides, *Prawo międzynarodowe publiczne*, Warszawa 1997, p. 147.

¹⁸ J. Carbonnier, *The decision behind diplomatic recognition. A quantitative study of Taiwan and Kosovo*, Lund 2010, <https://lup.lub.lu.se/luur/download?fileId=1763421&func=downloadFile&recordId=1758309> [accessed 20.03.2024]; B.L. Coggins, *Secession, recognition & the international politics of statehood*, Columbus 2006; N. Caspersen, op. cit.

¹⁹ E. Berg, K. Vits, *Quest for survival and recognition: insights into the foreign policy endeavours of the post-Soviet de facto states*, “Ethnopolitics” 2018, vol. 17, no. 4, p. 390.

on the Ministry for Foreign Affairs and Diplomatic Service approved by National Assembly of Kosovo. The Ministry of Foreign Affairs and Diaspora is responsible for the development and coordination of responsibilities in relation to other countries. It also protects interests of Kosovo in relation with other countries and international organizations, in full coordination with other ministries, depending on their competencies, Office of the President of Kosovo and other institutions of Kosovo, in compliance with the Law on the Ministry of Foreign Affairs and the Constitution of Kosovo. What is more, the Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo represents this state and its institutions in other countries and international intergovernmental organizations. To do so, it establishes embassies, missions and representative organizations. The most important legal acts, which are the basis of the functioning of the diplomatic and consular missions are: Law No. 03/L-122 – Law on the Foreign Service of the Republic of Kosovo – and Law No. 03/L-125 – Law on Consular Services of Diplomatic and Consular Missions of the Republic of Kosovo.²⁰

Kosovo's foreign policy after the independence is focused on working for recognition of Kosovo by majority of UN member countries and by all of the EU countries and building effective diplomatic and consular services in the states wherever there is a significant number of Kosovo citizens.²¹ As a result, since 2008 Kosovo has been conducting campaign for gaining international recognition. Diplomatic recognition remains priority for foreign policy and represents one of the most important aspects for upholding and consolidating, both internally and externally, the sovereignty of Kosovo. In addition, the absence of universal recognition is perceived as a threat to Kosovo's political existence, which undermines domestic sovereignty and could affect its territorial integrity. The lack of recognition means that Kosovo cannot be a member neither the UN nor the EU and other important international organizations. It also negatively affects foreign investment and integration of Kosovo's citizens into a range of global networks.²²

It should be emphasized that Kosovo's campaign for international recognition might be divided into two main phases (2008–2011; 2011–2014).

In 2008–2011, to receive broad international recognition Kosovo obtained support from the Euro-Atlantic community. According to E. Newman and G. Visoka:

the declaration of independence and the campaign for recognition were not unilateral act but in fact closely coordinated with key regional and global actors. Countries such as the US and the UK mobilized their diplomatic networks in support of Kosovo and encouraged other countries across the globe

²⁰ A. Marleku, *Small states foreign policy: the case of Kosovo*, "Mediterranean Journal of Social Sciences" 2013, vol. 4, no. 2, p. 88.

²¹ The Ministry of Foreign Affairs and Diaspora, *Summary of Foreign Policy*, <https://mfa-ks.net/permbledhje/> [accessed 20.03.2024].

²² E. Newman, G. Visoka, *The foreign policy of state recognition: Kosovo's diplomatic strategy to join international society*, "Foreign Policy Analysis" 2018, vol. 14, no. 3, p. 10.

to recognize Kosovo's statehood. They used many tools to do so. One of them were the UN Security Council meetings on Kosovo, during which they called other UN member states to recognize this state. The justification of states to recognize Kosovo were mostly based on security aspects. Some of them, such as Austria recognized Kosovo because of the assumption that the new state will be based on the principles of democracy, rule of law and respect of human rights. Some others, such as Croatia or Montenegro expressed that recognition of Kosovo would bring regional stability and strengthen relations in region of Western Balkans and regional cooperation.²³

After 2011 external support in gaining international recognition for Kosovo from Euro-Atlantic countries declined. Since that time, indeed the EU has been focusing on mediation between Serbia and Kosovo to resolve some of the technical issues. However, it should be noted that disagreements between two neighbours prevented normal day-to-day interaction between them in areas such as trade, energy supplies and cross-border travel.²⁴ Consequently, the EU has been putting time and efforts to normalize Kosovo-Serbia relations, but in the same time has limited its campaign for Kosovo's recognition. As for the United States, the administration of Barack Obama was in favour of Kosovo's independence, but was not actively involved in the policy of recognizing it. This was also in line with changes in American foreign policy, especially during Obama's first term. The approach of the Euro-Atlantic states may also have been due to the fact that their allies recognized Kosovo shortly after it declared independence in 2008. In contrast, states perceived as opponents of the Euro-Atlantic community did not do so and did not intend to do so in the future. In addition, Kosovo's situation was complicated by geopolitical issues related to the Arab Spring and the involvement of Euro-Atlantic states in dealing with it. For this reason, the question of recognizing Kosovo receded into the background.

As a result, Kosovo's diplomacy must have continued its campaign for international recognition on their own. In 2011, the Government of Kosovo launched the *Strategy for the achievement of full international recognition of the Republic of Kosovo*. The aim of this document was providing momentum for the international recognition campaign and oriented its recognition strategy in five directions. The first, the second and the third direction was related to working with states, which view on the recognition of Kosovo varied. The fourth direction included working with multilateral mechanisms to establish links with individual states and gain collective recognition from international organizations. The fifth direction involved working with former statesmen and stateswomen and using public diplomacy. The later was based on using civil society, media and artists to promote Kosovo in the world and to change the image of Kosovo from poor, post-conflict state to a young, dynamic democracy, which is attractive to visit.

²³ Ibidem, p. 12–13.

²⁴ European Parliament, *Serbia-Kosovo relations: Confrontation or normalisation?*, 12.02.2019, [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2019\)635512](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2019)635512) [accessed 26.06.2024].

In 2011–2014, Kosovo's minister of foreign affairs paid official visits to over 25 countries that had not recognized Kosovo. It should be noted that his efforts were undetermined by Serbia and Russia, which were sending their representatives before or after diplomats from Kosovo visited these countries. Their goal was to halt any pending decision on recognizing Kosovo as a sovereign state. However, Kosovo's diplomacy worked on their own rules, it also sometimes co-operated with key Euro-Atlantic partners. The US, the UK, France, Germany and Turkey helped Kosovo to establish direct contacts with states which did not recognize it, but had close ties with them. As a result, in support of Kosovo, the UK lobbied in Commonwealth countries, France in Francophone regions and Turkey in the Arab and Islamic countries.²⁵

The lack of recognition by the EU means that Kosovo cannot be a member of any security organization within the EU. As a state with limited recognition Kosovo is not a member of any of military pact. The main goal in Kosovo is to improve and promote *soft security*, which above all has the main security objective of the individual, economic security, health safety, food safety, environmental safety, public safety, education security, privacy on the individual, professional security, civil liberties, human rights and other areas.²⁶ To promote soft security of the country in the international arena, since 2008 Kosovo has been actively involved in sport competitions. Nowadays, Kosovo is a full member of i.a: International Olympic Committee (IOC), Fédérational Internationale de Volleyball (FIVB), International Tennis Federation (ITF), International Judo Federation (IJF), Fédération Internationale de Football Association (FIFA). According to Y. Sokoli, Kosovo has been promoting its statehood through winning Olympic medals in judo and playing football matches against countries that do not recognize it.²⁷ When it comes to security of the territory of Kosovo and its citizens, on the basis of the UN Security Council Resolution 1244, on 12 June 1999, the NATO troops called KFOR were created. The aim of KFOR was to maintain the security of Kosovo's citizens and control and oversee Kosovo's borders.

The security issues are also included into the mandate of the European Union Rule of Law Mission in Kosovo (EULEX). EULEX implements its mandate, through the monitoring pillar and operational pillar. In the monitoring pillar, EULEX supports the Kosovo Correctional Service, while in the EULEX operational functions as the second security reporter, provides continuous support to increased assist the Kosovo Police in controlling the turmoil in the event of a riot.²⁸

Apart from KFOR in 1999 also the Kosovo Police was established. This first security institution in Kosovo was trained by the United Nations Interim Administration Mission in Kosovo (UNMIK). Ten years later, on 21 January 2009, the Kosovo

²⁵ Ibidem, s. 16, 17.

²⁶ V. Terziev, F. Brava, *The role of security policy in Kosovo*, "Journal of Innovations and Sustainability" 2018, no. 4(3), p. 71.

²⁷ Y. Sokoli, *The role of the sport of judo and football in promoting Kosovo's statehood in the international arena*, "Journal of Balkan Studies" 2023, vol. 3, no. 1, p. 79.

²⁸ Ibidem.

Security Force (KSF) was created. This unit replaced the Kosovo Protection Corps (KPC), which gathered the former Kosovo Liberation Army (KLA) members and was deactivated in January 2009.²⁹ As A. Clewlow claims, “the future KSF’s strength was set at 2500, with approximately 1400 coming from within the KPC via NATO-led selection procedure.”³⁰ In the following years the KSF counted 4000 active soldiers and 2500 backups. They were trained by NATO experts.³¹ The KSF is a small, lightly armed security and civil defense force. It conducts non-military security functions that are not appropriate for the Police such as: crisis response operations and intervention in the case of natural disaster, as well as civil protection operations within Kosovo. The responsibility for exercising civilian control over the KSF including management and administration was delegated to the Ministry for the Kosovo Security Force (MKSF).³²

Nevertheless, nowadays Kosovo improves and promotes *soft security* and its territorial security is mostly connected with the mandates of international institutions, such as KFOR and EULEX. In 2018 Kosovo’s political leaders made the decision to establish an army. The new law would create a new defense ministry and lays out a plan to double the size of the KSF and transform it into professional army of 5000. The process of transformation has been continuing since 2018. Pristina aims to have the transformation completed by 2028.³³

In addition, Kosovo’s leaders are interested in becoming a member of NATO in the future. In 2021, President of Kosovo Vjosa Osmani-Sadriu during her meeting with NATO Secretary General Jens Stoltenberg said: “We are devotedly working to become a member of NATO. We need the support of this [military] alliance, including those NATO members who do not recognize Kosovo. She added that the transition of the Kosovo Security Force (FSK) into a regular army is being carried out in line with the standards of NATO, the country’s president said.”³⁴

²⁹ See K. Mulaj, *Resisting an oppressive regime: the case of Kosovo Liberation Army*, “Studies in Conflict and Terrorism” 2008, vol. 31, p. 1103–1119; N. Duclos, *Joining the Kosovo Liberation Army: a continuist, process-based analysis*, “Violence: An International Journal” 2020, vol. 1, p. 21–39; T. Judah, *The Kosovo Liberation Army*, “Perceptions” 2000, vol. 1, p. 61–77.

³⁰ A. Clewlow, op. cit., p. 28.

³¹ V. Terziev, F. Brava, op. cit., p. 70.

³² *Global Security Kosovo*, <https://www.globalsecurity.org/military/world/europe/ks.htm> [accessed 20.03.2024].

³³ A. Čup, *Kosovo to receive weapons from the US as part of military development plan*, <https://www.euronews.com/2024/01/17/kosovo-to-receive-weapons-from-the-us-as-part-of-military-development-plan> [accessed 21.03.2024].

³⁴ M.T. Ozturk, *Transition of Kosovo security force to army in line with NATO standards, says President*, 1.07.2021, <https://www.aa.com.tr/en/europe/transition-of-kosovo-security-force-to-army-in-line-with-nato-standards-says-president/2291645#> [accessed 21.03.2024].

RECOGNITION OF KOSOVO AND KOSOVO'S DIPLOMATIC RELATIONS

Support from the Euro-Atlantic community in gaining international recognition made, that within the first year of Kosovo's independence around 53 countries from around the world recognized it.³⁵ As it was above-mentioned, diplomatic efforts of representatives of Kosovo made that according to Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo, the number of states that have recognized Kosovo until 2024 was 117. The World Population Review also confirms that as of July 2022, Kosovo has been recognized as an independent state by 119 countries.³⁶ However, according to this source some recognitions are ambiguous or disputed. Some other countries, such as: the Republic of Madagascar, Grenada, Dominica, Suriname, Liberia, São Tomé and Príncipe, Guinea-Bissau, Burundi, Papua New Guinea and Lesotho withdrawn their recognition of the country.³⁷ It was possible due to the fact, that these states have granted *de facto* recognition to Kosovo. This type of recognition is provisional and is a first step to *de jure* recognition. However, the above-mentioned states decided to not grant it. This decision might have been either taken because these states considered Kosovo as a state which would not meet the criteria to obtain *de jure* recognition soon or because political issues. The latter varies and depends mostly on power relations and geopolitical interests. As a result, Kosovo was mostly recognized by states in liberal West and their allies. However, the Latin American countries have not recognized Kosovo due to their perception of Kosovo as an "American" project.³⁸ Russia and China supported Serbia and were against Kosovo's independency, whereas some other countries, such as above-mentioned, have been sceptical to the concept of Kosovo's independence and shifted their support, balancing between will of global and regional superpowers.

As a result, the true number of countries that recognize Kosovo is closer to 99 states out of 193 members of the UN.³⁹ Kosovo has been also recognized by 22 out of 27 member states of the EU. Just 5 countries of the EU, such as: Romania, Slovakia, Greece, Cyprus and Spain have not recognized this state. Also 28 out of 32 members of the NATO have recognized Kosovo. These, which have not are: Romania, Slovakia, Greece and Spain. It should be emphasized that Kosovo has been recognized by majority of the influential states of the world politics, such as: the US, the UK, Australia, Japan, Canada, Switzerland, New Zealand, Saudi Arabia, South Korea,

³⁵ E. Newman, G. Visoka, op. cit., p. 13.

³⁶ See World Population Review, *Countries that recognized Kosovo*.

³⁷ European Parliament, *Withdrawal of recognition of Kosovo*, 20.12.2018, https://www.europarl.europa.eu/doceo/document/E-8-2018-006438_EN.html [accessed 21.03.2024].

³⁸ S. Daku, B. Haziri, L. Shabani, *Motives for (non)recognition of Kosovo and Palestine*, "RGSA – Revista de Gestão Social e Ambiental" 2024, vol. 18, no. 6, p. 8.

³⁹ See World Population Review, *Countries that recognized Kosovo*.

Israel, and above-mentioned members of the EU and the NATO. The last state, which recognized Kosovo in 2021 was Israel.⁴⁰

Recognition of Kosovo by these states was a legal basis to establish diplomatic relations. Creation of diplomatic relations is always equivalent of *de jure* recognition of state, which means that in the opinion of recognising state, the recognized state or its government possesses all the essential requirements of statehood and it is capable of being a member of the international community. Nevertheless, recognition of a state does not signify establishing diplomatic relations. The latter might be set up through signing separate agreement.⁴¹

Since 2008, Kosovo has been establishing diplomatic relations. As a result it sends and accepts diplomatic representatives. In the last two years, the status of some diplomatic missions based in Kosovo has been changed. According to Republic of Kosovo Ministry of Foreign Affairs and *Diaspora Diplomatic List*, in 2022 in Kosovo were located: 23 diplomatic missions, 5 liaison offices and 2 diplomatic offices.⁴² However, in 2024 in Kosovo are based: 22 diplomatic missions, 5 liaison offices and one diplomatic office (Table 1). This situation was caused by Belgium, that decided to not to longer maintain its embassy in Kosovo and keep only its diplomatic office and Japan, that on the contrary to Belgium decided to maintain only embassy in Kosovo and close down its diplomatic office in this country.

Table 1. Diplomatic missions (DM), liaison offices (LO) and diplomatic offices (DO) in the Republic of Kosovo.

No.	Diplomatic missions (DM) Liaison offices (LO) Diplomatic offices (DO)
1.	Albania (DM)
2.	Austria (DM)
3.	Belgium (DO)
4.	Bulgaria (DM)
5.	China (LO)
6.	Croatia (DM)
7.	Czech Republic (DM)
8.	Finland (DM)

⁴⁰ No recognition in three years, but visa liberalization may help, 29.01.2024, <https://euronews.al/en/no-recognition-in-three-years-but-visa-liberalization-may-help/> [accessed 21.03.2024].

⁴¹ J. Sutor, *Prawo dyplomatyczne i konsularne*, Warszawa 2004, p. 94.

⁴² Republic of Kosovo Ministry of Foreign Affairs and Diaspora, “Diplomatic List” 2022, p. 16–18.

No.	Diplomatic missions (DM) Liaison offices (LO) Diplomatic offices (DO)
9.	France (DM)
10.	Germany (DM)
11.	Greece (LO)
12.	Hungary (DM)
13.	Italy (DM)
14.	Japan (DM)
15.	Luxembourg (DM)
16.	North Macedonia (DM)
17.	Montenegro (DM)
18.	Netherlands (DM)
19.	Norway (DM)
20.	Romania (LO)
21.	Russia (LO)
22.	Slovakia (LO)
23.	Slovenia (DM)
24.	Sweden (DM)
25.	Switzerland (DM)
26.	Turkey (DM)
27.	United Kingdom (DM)
28.	United States of America (DM)

Source: Republika e Kosovës. Ambasadat, <https://ambasadat.net/misionet-ne-kosove/> [accessed 21.03.2024].

Since 2008, the Republic of Kosovo established 32 embassies, one liaison office and 10 general consulates. In addition, the Republic of Kosovo created diplomatic missions, consular missions and consulates. In London, consular service of the embassy was founded (table 2).

Table 2. Embassies and general consulates, diplomatic and consular missions of the Republic of Kosovo based in various states.

No.	States (and embassies)	Towns Consulates General (CG), Diplomatic Missions (DM), Consular Missions (CM) Liaison Offices (LO)
1.	Albania	Tirana (CM)
2.	Australia	
3.	Austria	Vienna (CM)
4.	Bangladesh	
5.	Belgium	Brussels (CM)
6.	Bulgaria	Sofia (DM)
7.	Canada	Toronto (CG)
8.	Croatia	Zadar (CG), Zagreb (DM)
9.	Czech Republic	
10.	Denmark	Copenhagen (CM)
11.	France	Strasbourg (CG), Paris (Consulate)
12.	Germany	Düsseldorf (CG), Munich (CG), Berlin (CM), Frankfurt am Main (CM), Stuttgart (CM)
13.	Hungary	Budapest (CM)
14.	Israel	
15.	Italy	Milan (CG), Rome (CM)
16.	Japan	Tokyo (CM)
17.	Marocco	Rijad (CM)
18.	Montenegro	Podgorica (DM)
19.	Netherlands	
20.	North Macedonia	Struga (CG)
21.	Norway	
22.	Panama	
23.	Portugal	
24.	Qatar	

No.	States (and embassies)	Towns Consulates General (CG), Diplomatic Missions (DM), Consular Missions (CM) Liaison Offices (LO)
25.	Saudi Arabia	
26.	Senegal	
27.	Serbia	Belgrade (LO)
28.	Slovenia	Ljubljana (DM)
29.	Sweden	Stockholm (CM)
30.	Switzerland	Geneva (CG), Bern (CM), Zurich (Consulate),
31.	Thailand	
32.	Turkey	Istanbul (CG), Ankara (DM)
33.	United Arab Emirates	
34.	United Kingdom	London (Consular service of the embassy)
35.	United States of America	New York (CG), Iowa (CM)

Source: Republic of Kosovo Ministry of Foreign Affairs and Diaspora, <https://mfa-ks.net/en/misionet/493/ambasadat-e-republiks-s-kosovs/493> [accessed 7.02.2023], <https://ambasadat.net/misionet-ne-kosove/> [accessed 21.03.2024].

The analysis of above-mentioned data shows, that Kosovo has been using *ius legationis*. Both Kosovo and 21 states, such as: Albania, Austria, Bulgaria, Croatia, Czech Republic, France, Germany, Hungary, Italy, North Macedonia, Montenegro, Netherlands, Norway, Slovenia, Sweden, Switzerland, Turkey, the UK, the US, Kingdom of Belgium and Japan, have sent or accredited diplomatic missions. Taking into account, that Kosovo has been recognized by approximately 99 states, it makes that Kosovo has set up diplomatic missions and accredited foreign diplomatic missions in case of 21,2% of states, which had recognized it. Thus, it should be noted that, establishing of diplomatic relations is not tantamount to erecting diplomatic missions. For example on 7 April 2009 Kosovo established full diplomatic relations with Canada. Kosovo is represented in Canada by its Embassy in Ottawa, which was established only in 2005, but in Kosovo Canada is represented by the Embassy of Canada in Croatia.⁴³ The same situation applies to the other countries such as i.a.: Australia, United Arab Emirates or Israel. In addition, Kosovo has established diplomatic relations with numerous small states, such as i.a.: Andorra, Cook Islands, Costa Rica, Saint Lucia, but neither Kosovo nor these states have not set up diplomatic missions.

⁴³ Embassy of Canada to Croatia and Kosovo in Zagreb, <https://www.international.gc.ca/country-pays/croatia-croatic/zagreb.aspx?lang=eng> [accessed 21.03.2024].

As a result, although Kosovo has established diplomatic missions in various states and accredited diplomatic missions to Kosovo, the number of diplomatic missions do not represent the real number of diplomatic relations between Kosovo and states, that recognized it. What is more, in Kosovo not only diplomatic missions of these countries are based. According to, Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo, in this country also states, which had not recognized Kosovo have located their representatives. These countries are: China, Greece, Romania, Russia and Slovakia. They have founded liaison offices in Kosovo. As a matter of fact, these liaison offices due to the lack of official diplomatic relations among countries do not serve as diplomatic missions. They usually promote trade interests and provide assistance to their citizens and residents. The same situation refers to Liaison Office of the Republic of Kosovo to Serbia. Although, Serbia has not recognized Kosovo and still claims that Kosovo is a part of its territory, Kosovo established Liaison Office to protect Kosovo Albanian minority in Serbia and maintain dialogue with this state.

It should be stressed that cooperation, especially between Kosovo and such countries as: Romania, Greece, Slovakia, Russia and Serbia were one of the most important matter in diplomatic efforts of Kosovo's political leaders. Romania, Greece and Slovakia are those countries of the EU, which have not yet recognized Kosovo but accepted institutional cooperation. This cooperation included i.a.: recognition of the Kosovo passport, voting in favour of advancing Kosovo's integration in the EU, contributing with military and civilian personnel in Kosovo, undertaking arrangements for economic cooperation.⁴⁴

When it comes to Russia, this country proactively used political and economic capabilities to oppose Kosovo statehood and recognition. As it was already-mentioned in some cases Russian representatives' paid a visit to countries, which obtained Kosovo's request for recognition to block it. They also sent protest notes in response to states accepting Kosovar representatives. Thus, following the annexation of Crimea in 2014, Russia referred to the advisory opinion of the International Court of Justice of 22 July 2010⁴⁵ and implicitly softened its stance on Kosovo further, thus accepting each case of the recognition of independence is exceptional.⁴⁶

Since 2011, Kosovo's relation with Serbia has also started to change. First of all in recent years Serbia, like Russia has softened its stance on Kosovo's sovereignty, territorial integrity and statehood. In 2013, on the basis of *First Agreement of Principles Governing the Normalisation of Relations between Serbia and Kosovo*,

⁴⁴ E. Newman, G. Visoka, op. cit., p. 19–20.

⁴⁵ See C. Pippan, *The International Court of Justice's advisory opinion on Kosovo's declaration of independence: an exercise in the art of silence*, "EJM" 2010, vol. 3, p. 145–166; D. Jacobs, *International Court of Justice "Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo". Advisory Opinion of 22 July 2010*, "The International and Comparative Law Quarterly" 2011, vol. 60, no. 3, p. 799–810; R. Falk, *The Kosovo advisory opinion: conflict resolution and precedent*, "The American Journal of International Law" 2011, vol. 105, no. 1, p. 50–60.

⁴⁶ E. Newman, G. Visoka, op. cit., p. 21.

Serbia agreed to dismantle its parallel structures in Kosovo and accepted their integration into Kosovo's political, legal and local institutions. What is more, agreement on exchanging liaison offices in Pristina and Belgrade was a milestone in diplomatic relations, which means that Serbia enable Kosovo to have a diplomatic office in its capital. However, it should be pointed out, that in 2015 Serbia managed to block Kosovo's membership in the United Nations Educational, Scientific and Cultural Organization (UNESCO) and in 2018 Serbia blocked Kosovo's membership in Interpol.⁴⁷ As a result, Serbia's campaign against Kosovo's recognition has not been finished.⁴⁸

Since 2008, Kosovo has also established consular relations. Until 2023, this state has founded 32 consular missions. In some countries there are even more than 1 (Fig. 1). The number of consular mission is however related to the number of Kosovo Albanian citizens, who have been living in these countries. According to available data the biggest communities of Kosovo Albanians are based in Germany and Switzerland. The other larger communities are established in the US, the Scandinavian countries, the UK, France, Belgium and Austria. Smaller communities are found in Australia and New Zealand.⁴⁹

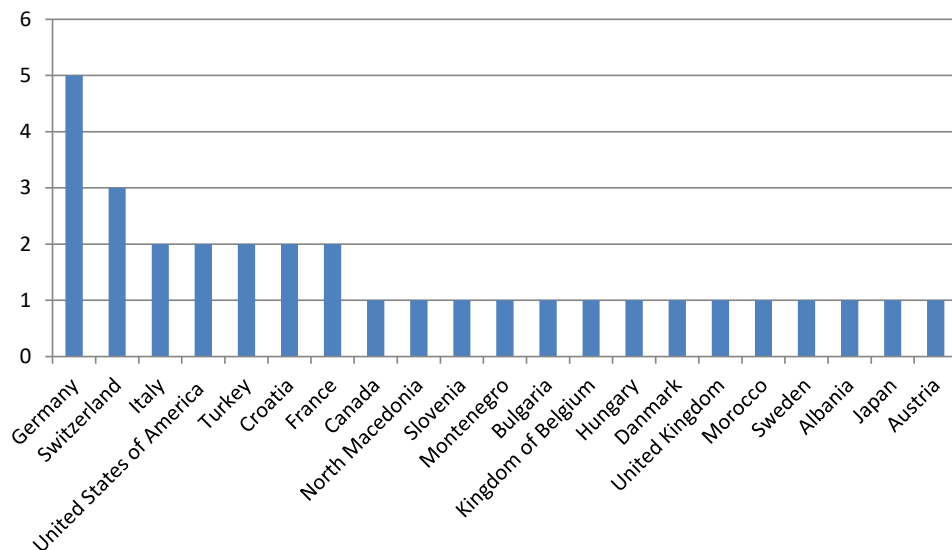


Fig. 1. The number of consular missions of the Republic of Kosovo in specific states.

Source: Own elaboration based on Republic of Kosovo Ministry of Foreign Affairs and Diaspora, <https://mfa-ks.net/en/misionet/493/ambasadat-e-republiks-s-kosovs/493> [accessed 7.02.2023].

⁴⁷ J. Simić, *Serbia scores victory as Interpol rejects Kosovo membership*, 20.11.2018, <https://www.euractiv.com/section/enlargement/news/serbia-scores-victory-as-interpol-rejects-kosovo-membership/> [accessed 21.03.2024].

⁴⁸ E. Bajgora, *Kosovo's external relations and their impact on peace and stability in the Balkans*, 24.04.2018, <https://commons.lib.jmu.edu/ese/2018/relations/6/> [accessed 21.03.2024].

⁴⁹ A. Haxhikadrija, *Diaspora as a driving force for development in Kosovo: myth or reality?*, Pristina 2009, p. 5.

It should be pointed out that establishing both diplomatic and consular missions by Kosovo on the one hand is an official strategy of Kosovo's foreign affairs, on the other is a tool in promoting the country and maintaining relations with other states around the world. In June 2024, in the Embassy of the Republic of Kosovo in Washington the prime minister of Kosovo Albin Kurti met with a former diplomat William Walker, who in 1999 was a head of the Kosovo Verification Mission of the Organization for Security and Cooperation in Europe (OSCE).⁵⁰ In the same month, president of Kosovo, Vjosa Osmani had an appointments with vice president of the United States, Kamala Harris, the United States National Security Advisor, Jake Sullivan and the United States ambassador to the OSCE, Michael R. Carpenter.⁵¹ Also in June 2024, president Osmani met in Switzerland with Australian Minister of Government, Bill Shorten.⁵² All these meetings were held to strengthen a cooperation between the above-mentioned countries. The same situation applies to the event, that took place in Rome. In June 2024, the representatives of Kosovo and Italy took part in the official opening of Kosovo Park in Rome. This event was organized to commemorate the 25th anniversary of Kosovo's liberation and underline friendship and cooperation between Kosovo and Italy.⁵³ Promoting and strengthening of political and economic collaboration between Kosovo and various states, has been a primal role of Kosovan ambassadors around the world. To fulfill this role in the last 17 couple of months a numerous of Kosovan ambassadors took various steps. For example, ambassador of Kosovo to Japan, Sabri Kiçmari delivered a lecture on history of Kosovo, efforts toward EU membership and Kosovo-Japan cooperation at Hokkaido University,⁵⁴ ambassador of Kosovo to United Kingdom, Ilir Kapiti met in his headquarter in London with representatives of British Chamber of Commerce in Kosovo⁵⁵ and ambassador of Kosovo to the North Macedonia, Florian Qehaja had a meeting with president of the North Macedonia, Gordana Siljanovska-Davkova.⁵⁶ As it was already mentioned, Kosovo is also trying to deepen its public diplomacy. To strengthen it, consulates generals and embassies are engaged in various activities. For example, in April 2024, the Embassy of Kosovo in Panama announced that the judo team from

⁵⁰ Embassy of Kosovo in Washington D.C., 15.06.2024, <https://www.facebook.com/KosovoinUS/> [accessed 27.06.2024].

⁵¹ Ibidem, 16.06.2024, <https://www.facebook.com/KosovoinUS/> [accessed 27.06.2024].

⁵² Kosovo Embassy in Australia, 17.06.2024, <https://www.facebook.com/KosovoinAustralia/> [accessed 27.06.2024].

⁵³ Kosovo Embassy in Rome, 28.06.2024, <https://www.facebook.com/AmbasciatadelKosovoinItalia/> [accessed 28.06.2024].

⁵⁴ H.E. Sabri Kiçmari, Ambassador Extraordinary and Plenipotentiary of the Republic of Kosovo to Japan, delivered a lecture at Hokkaido University, 22.02.2024, <https://www.global.hokudai.ac.jp/blog/kosovo-ambassador-sabri-kicmari-lecture-hokkaido-university/> [accessed 27.06.2024].

⁵⁵ Kosovo Embassy in London, 28.06.2024, <https://www.facebook.com/kosovoembassylondon/> [accessed 26.06.2024].

⁵⁶ Embassy of the Republic of Kosovo in Skopje, 25.06.2024, <https://www.facebook.com/RKSEmbassySkopje/> [accessed 28.06.2024].

Panama were trained in the National Judo Center in Peja by judokas from Kosovo such as Driton Kuka and Majlinda Kelmendi. At the same time Kosovo hosted about 100 athletes from 15 countries to further reinforce the role of judo as a powerful tool for promoting international understanding and cooperation.⁵⁷

Through above-described activities Kosovo is visible in the international arena. This visibility is crucial when it comes to the presence of this state in the international fora and symposia such as i.a. Munich Security Conference, in which Kosovo has been actively taking part.

KOSOVO IN INTERNATIONAL ORGANIZATIONS

Analysis of the state of recognition of Kosovo and its diplomatic and consular relations shows, that this country have been maintaining international relations with numerous entities. These are not only states but also international organizations.

Available data also show that the Republic of Kosovo is the state, where a lot of international organizations have been located. According to the Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo, in 2022 Kosovo was a place of residency of 25 international organizations (Table 3).

Table 3. International organizations based in the Republic of Kosovo.

No.	Name of the international organization
1.	European Union Office
2.	Organization for Security and Cooperation in Europe
3.	EULEX
4.	KFOR – Headquarters Kosovo Force
5.	UNDP – United Nations Development Programme
6.	Council of Europe
7.	TIKA – Republic of Turkey Prime Ministry Turkish Cooperation Agency
8.	German Agency for International Cooperation GmbH
9.	International Monetary Fund (IMF)
10.	The World Bank

⁵⁷ Embassy of the Republic of Kosovo in Panama, 4.04.2024, <https://www.facebook.com/EmbajadadeKosovo/> [accessed 28.06.2024].

Table 3. International organizations based in the Republic of Kosovo (cont.).

No.	Name of the international organization
11.	ICRC – International Committee of the Red Cross
12.	Croatian Chamber of Economy
13.	IOM – International Organization for Migration
14.	UNOPS – United Nations Office for Project Services
15.	UNHCR – United Nations High Commissioner for Refugees
16.	UNICEF – United Nations Children’s Fund
17.	UNFPA – United Nations Population Fund
18.	UNDSS – United Nations Department of Safety and Security
19.	UNWOMEN
20.	UNV – United Nations Volunteers
21.	OHCHR – Office of the High Commissioner for Human Rights
22.	UN – HABITAT
23.	ILO – International Programme on the Elimination of Child Labour
24.	FAO – Food and Agriculture Organization

Source: Republic of Kosovo Ministry of Foreign Affairs and Diaspora, “Diplomatic List” 2022, p. 19.

The analysis of above named organizations, reveals that most of them are agencies of international intergovernmental organizations and represent the UN, the EU, the NATO. In Kosovo are also located representatives of the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE). What is more, in Kosovo are also situated organizations, which were founded under of auspices of selected states such as: Germany or Turkey. Speaking of international organizations based in Kosovo, it should be mentioned, that since 2008 Kosovo is also a member of certain international organizations such as: the World Bank, the International Monetary Fund, the European Bank for Reconstruction and Development, the Council of Europe Development Bank.⁵⁸ In May 2022, Kosovo also applied for an official membership of the Council of Europe. For Kosovo’s leaders’ membership in the Council of Europe

⁵⁸ A. Emini, A. Marleku, *The prospects of membership in international organizations: the case of Kosovo*, “Acta Universitatis Danubius. Relationes Internationales” 2016, vol. 9, p. 172–181; P. Marcinkowska, *Kosowo jako suwerenne państwo. Teoria i praktyka*, Warszawa 2016.

is important step into integration with the EU. It is strictly related to the fact that through joining to the Council of Europe Kosovo must ratify conventions associated with the Council of Europe, which are also a part of the EU *acquis communautaire*. By doing so Kosovo also strengthen its democracy and human rights in this country.⁵⁹ On 27 March 2024, the Council of Europe's Parliamentary Assembly Committee on Political Affairs and Democracy voted to adopt a 'statutory opinion' recommending that Kosovo's application for membership should be accepted. 31 Council of Europe states voted in favour, four (including Serbia) against and one abstained.⁶⁰

However, as A. Emini and A. Marleku claim even before 2008, Kosovo became a part of regional initiatives, which were signed on behalf of Kosovo by UNMIK. These initiatives include: the Energy Community Treaty, the European Common Aviation Area Agreement, the South East Europe Transport Observatory, the Central European Free Trade Agreement (CEFTA) and the Regional Cooperation Council.⁶¹ In addition, the Republic of Kosovo is also a party of the Stabilization and Association Agreement with the EU⁶² and the Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents "Apostille Convention".⁶³

Taking into account that the ethnic conflict over Kosovo, which took part at the end of 20th century, engaged several international organizations, such as i.e. the UN, the NATO, the EU, the OSCE it is natural, that all these organizations have been actively present in Kosovo and have been maintaining relations with this state. Nevertheless, it should be noted that none of them recognized Kosovo as a sovereign state and all of them are conducting towards Kosovo 'engagement without recognition' policy.

When it comes to the UN, this global, international intergovernmental organization has been engaged in situation in Kosovo since 1993. Then the Security Council of the United Nations issued resolution 855, in which it called upon the authorities of the Federal Republic of Yugoslavia to reconsider their refusal to allow the continuation of the activities of the OSCE mission of long duration in Kosovo, Sandjak and Vojvodina.⁶⁴ In 1998, the UN Security Council established the following resolutions: 1160, 1199, 1203, which were connected with deterioration of ethnic conflict between Serbs and Albanians in Kosovo.⁶⁵ The other two resolutions established by the Security Council of the UN were resolution 1239 of 14 May 1999, which was

⁵⁹ E. Newman, G. Visoka, op. cit., p. 23.

⁶⁰ M. Stojanovic, P. Isufi, *Kosovo edges closer to Council of Europe membership*, 27.03.2024, <https://balkaninsight.com/2024/03/27/kosovo-edges-closer-to-coe-membership/> [accessed 28.03.2024].

⁶¹ A. Emini, A. Marleku, op. cit.

⁶² European Union Office in Kosovo, *Relations with the EU*, https://www.eeas.europa.eu/kosovo/eu-and-kosovo_en?s=321 [accessed 22.03.2024].

⁶³ Hague Conference on Private International Law, *Kosovo joins the Hague Apostille Convention*, 6.11.2015, <https://www.hcch.net/en/news-archive/details/?varevent=438> [accessed 22.03.2024].

⁶⁴ Resolution S/RES/855, 1993.

⁶⁵ P. Szeląg, *Activity of the UN Security Council with the aim of restoring stability in Kosovo in 1998–1999*, "Academic Journal of Interdisciplinary Studies" 2013, vol. 2, no. 9, p. 436–442.

taken during the NATO military intervention in the province and expressed its concern about the humanitarian catastrophe in and around Kosovo⁶⁶ and resolution 1244 of 10 June 1999.⁶⁷ The later was the most important one, since it was adopted with support of Russia and on its basis the Security Council of the UN deployed international civil and security presence under UN auspices. The UN Secretary General with the assistance of relevant organizations was authorized by the UN Security Council to establish an international presence in Kosovo – the United Nations Interim Administration Mission in Kosovo.⁶⁸ The UNMIK was divided into two components. The NATO was responsible for military issues. The Secretary General of the UN coordinated the civilian component of the mission. This component was separated into four pillars such as: Police and justice coordinated by the UN; Humanitarian issues led by the United Nations High Commissioner for Refugees (UNHCR); Democratization and institution building, under the OSCE; and Reconstruction and economic development managed by the EU.⁶⁹ The mission was responsible for

promoting the establishment, pending a final settlement of substantial autonomy and self-governance in Kosovo, performing basic civilian administrative functions where and as long as required, organizing and overseeing the development of provisional institutions for democratic and autonomous self-government, supporting the reconstruction of the key infrastructure and other economic reconstruction, protecting and promoting human rights etc.⁷⁰

The mandate of the UNMIK has changed since 2008. Then Kosovo declared unilateral declaration of independence and adopted its Constitution. The competences of the UNMIK were taken over by the EULEX and the UNMIK has been focusing on promoting security, stability and obeying human rights in Kosovo. It should be noted, that apart from the UNMIK, the United Nations decided to create some other UN agencies on the territory of Kosovo. These are i.a.: the United Nations Development Programme (UNDP), the United Nations Office for Project Services (UNOPS), above-mentioned UNHCR, the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the United Nations Department of Safety and Security (UNDSS), the UNWOMEN, the United Nations Volunteers (UNV).

As it was already mentioned, on the basis of the resolution 1244 the NATO Kosovo Force (KFOR) was placed in Pristina. KFOR derived its mandate also from the Military-Technical Agreement (MTA) between NATO and the Federal Republic of Yugoslavia and Serbia. KFOR is operated under Chapter VII of the UN Charter. It is a peace enforcement operation. Initially, KFOR's mandate was to "deter renewed hostility and threats against Kosovo by Yugoslav and Serb forces; establish a secure

⁶⁶ Resolution S/RES/1239, 1999.

⁶⁷ Resolution S/RES/1244, 1999.

⁶⁸ UNIMK, *United Nations Mission in Kosovo*, <https://unmik.unmissions.org/> [accessed 22.03.2024].

⁶⁹ P. Szelağ, op. cit., p. 442.

⁷⁰ Resolution S/RES/1244, 1999.

environment and ensure public safety and order; demilitarize the Kosovo Liberation Army; support the international humanitarian effort; coordinate with and support the international civil presence". In a short, a presence of the KFOR was crucial in maintaining safety and security for all individuals and communities in Kosovo. To fulfill this goals, KFOR tasks have i.a. included "assistance with the return or relocation of displaced persons and refugees; reconstruction and de-mining; medical assistance; security and public order; border security; interdiction of cross-border weapons smuggling; support for the establishment of civilian institution; the electoral process and other aspects of the political, economic and social life of Kosovo."⁷¹

Although, Kosovo announced its independence KFOR is still present in this country. Decision in this matter was taken in December 2007, when NATO foreign minister agreed that KFOR would remain in Kosovo on the basis of the UN Security Council resolution 1244, unless the Security Council decided otherwise. This decision was remained in force at the Bucharest Summit in April 2008. Then NATO leaders agreed that NATO and KFOR would continue to work with the authorities. They also agreed that KFOR would cooperate with the assist the UN, the EU and the other international entities to support the development of a stable, democratic, multi-ethnic and peaceful Kosovo.⁷²

Since that time, KFOR have been engaged in standing down of the Kosovo Protection Corps and establishment of the Kosovo Security Force on the basis of NATO's voluntary trust funds. NATO also supervised and trained it. In July 2013, the NATO established the NATO Liaison and Advisory Team (NLAT). The aim of its function was to support the Kosovo Security Force at brigade level and above, focusing on staff capacity-building and training. KFOR was also engaged in resolving security situation in the Northern Kosovo. This region is inhabited mostly by Serbian population and at risk of security deterioration.

At the beginning of its functioning KFOR was composed of some 50,000 men and women from NATO member countries, partner countries and non-NATO countries under unified command and control. Due to the improved security environment nowadays the number of troop level of KFOR is around 3,800.⁷³ At the political level NATO continues to support dialogue between Belgrade and Pristina under EU auspices.

The OSCE Mission in Kosovo is another international intergovernmental organization, which was created in Kosovo on the basis of the UN Security Council resolution 1244. Its functioning was also based on decision 305 of Permanent Council of OSCE. The OSCE Mission in Kosovo has been present in Kosovo since

⁷¹ *Kosovo Force (KFOR). History*, <https://jfenables.nato.int/kfor/about-us/history> [accessed 22.03.2024].

⁷² *Ibidem*.

⁷³ NATO Mission in Kosovo (KFOR), <https://shape.nato.int/operations/operations-and-missions/nato-mission-in-kosovo-kfor> [accessed 28.03.2024].

1 July 1999. The Mission took the lead role in matters related to institution and democracy-building and human rights. Mandate of the OSCE Mission covered

human resources capacity-building, including the training of a new Kosovo Police service within a Kosovo Police School; democratization and governance, including the development of a civil society, non-governmental organizations, political parties and local media; organization and supervision of elections; monitoring, protection and promotion of human rights, including, i.a. the establishment of an Ombudsman institution.⁷⁴

In years 1999–2007 the OSCE Mission in Kosovo created and strengthened judicial system and institutions, which were responsible for security and public safety in Kosovo. However, since 2008 the OSCE Mission in Kosovo has been focus on supporting institutions, which are engaged in human rights, especially minority rights and women rights and free media in Kosovo.⁷⁵

The European Union is another international governmental organization, which has been present in Kosovo since 1999. Similarly to the UN, the NATO and the OSCE, the EU was also committed to resolving conflict over Kosovo, which took place in late of the 90's. Later on, the EU was a component of the UNMIK. In 2008, the EU established the EULEX. So far, it is the largest civilian mission under the Common Security and Defence Policy of the European Union. The Mission works within the Framework of UN Security Council Resolution 1244. EULEX is supported by all 27 EU member states and 5 contributing states, such as: Canada, Norway, Switzerland, Turkey and the US. EULEX's goal is "to support relevant rule of law institutions in Kosovo on their path towards increased effectiveness, sustainability, multi-ethnicity and accountability, free from political interference and in full compliance with international human rights standards and Best European practices."⁷⁶ The current mandate of the EULEX has been launched to cover the period until 14 June 2025 based on Council Decision 2023/1095. The Mission undertakes monitoring activities and has limited executive functions. In addition, EULEX continues to support the Specialist Chambers and Specialist Prosecutor's Office in line with relevant Kosovo legislation.⁷⁷

Apart from establishing EULEX, the EU has been taking also the other actions to strengthen the security in Kosovo. Since 2000, the European Commission (EC) with the EU presence in Kosovo has supported the European perspective of Kosovo. In this year Kosovo started benefitting from the Community Assistance for Reconstruction, Development and Stabilization (CARDS). The main goal of this

⁷⁴ Decision 305 of Permanent Council of OSCE 1999.

⁷⁵ P. Szelağ, *Ewolucja zakresu działalności Misji Organizacji Bezpieczeństwa i Współpracy w Europie (OBWE) w Kosowie w latach 1999–2019* [in:] *Współczesna polityka bezpieczeństwa w Europie Środkowo-Wschodniej. Uwarunkowania, wyzwania, zagrożenia*, eds. M. Delong, J. Puacz-Olszewska, Rzeszów 2020, p. 120.

⁷⁶ EULEX. *What is EULEX?*, <https://www.eulex-kosovo.eu/?page=2,16> [accessed 22.03.2024].

⁷⁷ Ibidem.

programme was to create an institutional and legislative framework to underpin democracy, reconstruction, sustainable economic development, and market economy-oriented reform. In 2007, CARDS was replaced by the Instrument of Pre-Accession Assistance (IPA). This programme enables Kosovo to obtain financial assistance for transition and institution building, cross-border cooperation, and regional development.⁷⁸ In addition, to promote closer ties between Kosovo and the EU, in 2004 the European Union Liaison Office in Kosovo was created. In 2012, the EC decided to launch a visa liberalisation dialogue with Kosovo and handed over to Kosovo's government a *Roadmap Towards a Visa-free Regime*. In 2018, the EC confirmed in a report on the progress made by Kosovo in the visa dialogue, that the country had fulfilled the requirements included in the roadmap. Since, 1 January 2024, visa-free travel for citizens of Kosovo has been granted.⁷⁹

When it comes to the EU engagement in Kosovo, it should be stressed that this organization has been actively taking part in negotiation process between Kosovo Albanians and Serbs. One of the reasons is that Serbia supported by already mentioned Russia, China and some other countries did not recognize Kosovo as a sovereign state. The lack of recognition has impeded the path of accession to the EU for Serbia and Kosovo and bars Kosovo from membership in international organizations as a result of Serbia's efforts. This impasse made that political forces in Serbia and Kosovo leveraged nationalist sentiments and increased insecurity among Albanian and Serb communities in Kosovo. The Treaty of Lisbon, which entered into force in 2009, was a basis of greater responsibility of the EU in security matters in Europe and its neighbourhood. The EU sought a greater diplomatic role in the Western Balkans, where unresolved conflict over Kosovo is one of the greatest problems and might cause tensions and instabilities on the border of the European Union. Since, 2011 the EU had facilitated a technical dialogue between Serbia and Kosovo, which in 2012 has transformed into a high-level dialogue between the state leaders. The purpose of this dialogue was to address outstanding issues from the war and help bring about a normalization of relations that would lead to mutual recognition. The technical phase produced agreements on practical issues such as freedom of movement, customs stamps, cadastral records, border management, and mutual recognition of diplomas. However, most of these agreements were never fully implemented.⁸⁰ Speaking of the high-level dialogue, it produced such agreement as 2013 Brussels Agreement, which largely dealt with the status of the Serbian community in Kosovo. Most of them also have not entered into force. It makes, that

⁷⁸ N. Kh. Nezaj, *The development of Kosovo and Its Relationship with the EU*, "Discussion Paper" 2015, no. 4, p. 11–12.

⁷⁹ European Commission. Migration and Home Affairs, *Visa-free travel for Kosovo citizens to the EU*, 3.01.2024, https://home-affairs.ec.europa.eu/news/visa-free-travel-kosovo-citizens-eu-2024-01-03_en [accessed 28.03.2024].

⁸⁰ H.A. Conley, D. Saric, *The Serbia-Kosovo normalization process: a temporary U.S. decoupling*, "Center for Strategic and International Studies (CSIS)" 2021, p. 1–13.

in 2015, the dialogue between Kosovo and Serbia stalled. It was connected with the fact, that the leaders of Kosovo claimed that 2013 Brussels Agreement had meant that Serbia *de facto* recognized Kosovo, whereas Serbian leaders indicated that this document had enabled provinces inhabited by Serbian communities to gain autonomy and relations between Kosovo and Serbia had nothing to do with recognition. What is more, the tensions in northern part of Kosovo escalated in years 2022–2023 due to the license plates issue and extraordinary municipal elections in the region of Mitovica.⁸¹

RELATIONS OF KOSOVO WITH EURO-ATLANTIC STATES

Just as international intergovernmental organizations also Euro-Atlantic states have been engaging in conflict over Kosovo since late 90's. As a result, countries such as, the US, the UK, France, Germany, Turkey have been supporting Kosovo in its path to independence. As it was already mentioned, these countries apart from being engaged in NATO military operation, as well as in peace talks in 1999 and negotiations connected with the final settlement of Kosovo in 2007, they also have been supporting Kosovo in campaign for gaining international recognition. They have been also providing financial and logistical backing. For example, in 1999–2019 to improve the rule of law, increase economic development and promote regional stability, the US Agency for International Development (USAID) has invested over \$ 1 billion (USAID, 2022).⁸² The US troops continue to participate in KFOR to maintain a safe and secure environment and freedom of movement for all of Kosovo's citizens. The US is the largest KFOR contributor of the 28 troop-contributing nations.⁸³ However, NATO does not support Kosovo's move to upgrade its Security Force into a regular army, the US seems to be for this idea. In August 2021, Defense Minister Mehaj announced that the US had donated a total of 50 armoured vehicles to the KSF.⁸⁴ "On 11 January 2024, the USE Defense and Security Cooperation Agency announced that it had accepted Kosovo's request for the delivery

⁸¹ D. Bechev, *The latest Kosovo–Serbia tensions reveal the EU's diplomatic limits*, "Commentary", 25.08.2022, <https://carnegieeurope.eu/2022/08/25/latest-kosovo-serbia-tensions-reveal-eu-s-diplomatic-limits-pub-87755> [accessed 22.03.2024]; M. Pinna, *What's behind the new tensions in Kosovo*, 30.06.2023, <https://www.euronews.com/2023/06/30/whats-behind-the-new-tensions-in-kosovo> [accessed 23.03.2024].

⁸² USAID, *U.S. Government demonstrates partnership with Kosovo through announcement of \$31.9 million in developing funding 2022*, <https://www.usaid.gov/kosovo/press-release/us-government-demonstrates-partnership-kosovo-through-announcement-319-million-development-funding> [accessed 23.03.2024].

⁸³ Kosovo Force (KFOR), op. cit.

⁸⁴ V. Fana, X. Bami, *Kosovo to equip security forces with armoured vehicles*, 20.08.2021, <https://balkaninsight.com/2021/08/20/kosovo-to-equip-security-forces-with-armoured-vehicles/> [accessed 23.03.2024].

of 246 *Javelin FGM--148F* missiles, as well as tracking equipment, for an estimated cost of 69 million euros (\$75 million)."⁸⁵

The process of constructing regular army in Kosovo is also supported by the UK. The Euro-Atlantic states have also established consular relations with Kosovo. The highest number of consulars and consulars general ale located in Germany, Switzerland, Italy, the USA, Turkey, Croatia and France. As a result, in these countries citizens of Kosovo can obtain consular support in case of need.

Speaking of Euro-Atlantic states' engagement in Kosovo's assistance it should be emphasise the role of the US. This country has been actively engaged in pro-Kosovo campaign since the war in 1999. However, in the early 2010s the US began to slowly disengage from the Western Balkans and regional responsibilities were transferred to the EU, which facilitated soon after normalization talks between Kosovo and Serbia, the US did not leave Kosovo on its own. The Trump administration decided to reengage in the region in 2019. Then the US ambassador to Germany Richard Grenell was appointed as US special envoy fro Serbia and Kosovo. Consequently, for the first time, the US did not coordinate its dialogue or negotiating positions with the EU, creating a separate Washington-led dialogue. In 2020, as a result of pressure towards Kosovo, the Trump's administration succeeded in signing individually numbers of commitments by Kosovo and Serbia representatives. These commitments included i.a. opening an office of the US International Development Finance Corporation in Belgrade, agreeing with the US Export-Import Bank to finance part of a new highway between Serbia and Kosovo, mutual recognition of diplomas, operationalizing border crossing point.⁸⁶ Trump's administration approach to Serbia and Kosovo was nevertheless different from this of Biden's. The new president of the US as Conley and Saric claim is concentrated on the defense of democracy. This means that in the context of US diplomatic and economic assistance toward Serbia and Kosovo, the US must prioritize and redirect transparent and accountable US assistance to civil society and local actors in both countries, rather than concentrating on institutions and leaders at the federal level. The US should also prioritize completing the implementation of existing agreements.⁸⁷

CONCLUSIONS

Investigating the impact of recognition of the Republic of Kosovo on international relations of this state, it is certain, that in this case the act of recognition makes, that Kosovo is not internationally isolated country. The Republic of Kosovo is now-

⁸⁵ A. Ćup, op. cit.

⁸⁶ H.A. Conley, D. Saric, op. cit., p. 8.

⁸⁷ Ibidem, p. 10; E.L. Engel, *The U.S. should stand with Kosovo*, 18.07.2023, <https://foreignpolicy.com/2023/07/18/biden-kosovo-policy-serbia-democracy-vucic/> [accessed 25.03.2024].

adays a part of international agreements, member of international organizations. What is more, this state has established diplomatic and consular relations with other states. Among them are: the United States of America, Germany, Switzerland, United Kingdom, France, Italy, Israel, Canada, Australia. Representatives of Kosovo are present in international arena. Kosovo is also not a subject of economic penalties. On the contrary, this state after the NATO military campaign of 1999 has been obtaining financial assistance from various entities such as: the EU or the US.⁸⁸

On the other hand, this state is not recognized by the UN and the EU. What is more, the fact, that two UN Security Council permanent members, Russia and China and five members of the EU do not recognize Kosovo makes that the country will not become a member either the UN or the EU. As a result, Kosovo has no impact on decision-making process in the biggest international organizations. Kosovo has also no possibility to appear before the international courts and be party of military pacts. This country also struggles with problems associated with the limited trade.⁸⁹

Nevertheless, a case study of Kosovo, shows that a state with limited recognition can conduct its foreign policy. However, this foreign policy is restricted mostly to international campaign for gaining recognition and joining to the international intergovernmental organizations. Establishing diplomatic and consular relations and setting up diplomatic and consular missions makes that Kosovo is able to promote its own interests and conduct the public diplomacy. However, a limited recognition of Kosovo makes that this country cannot be a party of military pacts. On the other hand, through foreign policy, which is strictly related with gaining international recognition, Kosovo obtains international support and become more secure and stable. Representatives of Kosovo are also visible in international meetings. Kosovo as only one state with limited recognition has been represented by them in in the recent years in Munich Security Conference.

As it was already mentioned the absence of universal recognition is perceived as a threat to Kosovo's political existence. This is the reason why Kosovo is building effective diplomatic and consular services and cooperate with Euro-Atlantic states and international governmental organizations.

Analysis of the relations of Kosovo and its foreign policy however show that a country with limited recognition usually can rely on states and international intergovernmental organizations, which have been conducting policy towards this state for a long time. In case of Kosovo these entities have been engaged in situation in this state since late 90s and took part in every single stage of peace process and rebuilding stability in Kosovo and other Western Balkans states.

⁸⁸ N.Xh. Nezaj, op. cit.

⁸⁹ N. Culkin, R. Simmons, *Study of the challenges that hinder MSME development in Kosovo*, "Country Report for the British Council and Swedish Institute" 2018, vol. 1, p. 14.

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