

France and visa liberalisation for Kosovo

Ready to move forward?

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Donika Emini
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Clingendael Report



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October 2022

Supported by a grant from the Foundation Open Society Institute in cooperation with the OSIFE of the Open Society Foundations.

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Cover photo: France's President Emmanuel Macron welcomes Kosovo Prime Minister Albin Kurti before a meeting at the Elysee Palace in Paris on June 23, 2021. © ABACAPRESS / Alamy

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The Clingendael Institute
P.O. Box 93080
2509 AB The Hague
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About the authors

Florent Marciacq is deputy secretary general of the Austro-French Centre for Rapprochement in Europe (ÖFZ) in Vienna, co-director of the Observatoire des Balkans at the Fondation Jean Jaurès in Paris and Senior Fellow at the Centre international de formation européenne in Berlin and Nice. He works on the intersection between European and domestic politics, foreign policy and European security issues. His research focuses on the politics of enlargement, EU accession policy and geopolitics in Europe. Florent coordinates various activities in track-2 diplomacy, together with think tanks from the EU, the Western Balkans and countries in the Eastern Europe. He holds a Ph.D. in political sciences from the University of Vienna and Luxembourg and Master's degrees in international relations (Vienna Diplomatic Academy) and corporate management (neoma).

Donika Emini (PhD candidate in Politics and International Relations at the University of Westminster, London) is leading the CiviKos Platform, a secretariat gathering 290 CSOs in Kosovo. She holds a master's degree in Public Policy, specializing in Public and Non-Profit Management and International Relations from the Willy Brandt School of Public Policy at the University of Erfurt. Her field of expertise include regional cooperation, dialogue between Kosovo and Serbia, security cooperation between Western Balkans and the EU (CSDP). She works in the Eastern Partnership Countries on cybersecurity as part of the EU funded projects. Ms. Emini is country analyst for the Freedom House covering Kosovo and Albania, she is country analyst for the Economist Intelligence Unit Launch "Migration Governance Index", as well as member of the Balkans in Europe Policy Advisory Group.

Wouter Zweers is a Research Fellow with the EU and Global Affairs-research unit of the Netherlands Institute of International Relations 'Clingendael'. His research revolves around the external dimension of EU policy making, with a special focus on EU enlargement and the Eastern dimension of the European Neighbourhood Policy. Wouter coordinates Clingendael's 'Balkans Hub', a project in which Clingendael engages with think tanks from the Western Balkans in joint research and events. He is the secretary of the Russia and Eastern Europe Knowledge Alliance (REKA), a Dutch network of experts and practitioners dedicated to enhance knowledge about Eastern Europe in The Netherlands. He holds a BA in European Studies from the University of Amsterdam and a MA in International Public Management and Policy from the Erasmus University Rotterdam.

Contents

Executive summary	1
1 Introduction	3
2 France's deeply rooted concerns regarding Kosovo's visa liberalisation	6
3 Delusions and political instability in Kosovo did not play in favour of the process	9
4 Merit was not enough, but bilateral engagement pays off	11
5 Promising implications for Kosovo and beyond	14
Conclusions and recommendations	17

Executive summary

Kosovo's European Union (EU) visa liberalisation process has been, for many years, an ordeal for Kosovo citizens and a thorn in the image of the EU in the Western Balkans. Reaching a conclusion to this process would allow both the EU and Kosovo to move forward in a regional and European context fraught with geopolitical instability. The position of France in this matter remains cardinal. Together with various other member states, it has since 2018 prevented the process from returning to the Council's voting agenda. However, a recent shift in the French position could now set a positive course and have implications beyond Kosovo.

This report builds on an analysis of official documents and a series of interviews with policy makers and politicians from France and Kosovo. It first examines the French position on Kosovo's visa liberalisation process since 2018, as well as its motives and driving forces. France has traditionally taken a rather strict approach toward Kosovo's visa liberalisation process. Its concerns have been grounded in fears that rule of law reforms in Kosovo might be unsustainable, as well as fears about the effects of visa liberalisation on irregular migration to France. Dominant narratives about organised crime and security also play a role, as well as a lack of knowledge among the French of the Western Balkans in general and Kosovo's visa liberalisation process in particular.

The report subsequently discusses how Kosovo has sought to alleviate these concerns. It discusses how, in terms of rule of law reforms, the country has made good headway under the Kurti government, even if persistent challenges remain. When it comes to irregular migration, Kosovar asylum applications have dropped significantly in recent years and are now the second lowest in the region. In terms of security Kosovo has successfully implemented counter-terrorism measures. The report also highlights the dialogue between Kosovo and France which has helped to create good bilateral cooperation and political understanding between the two countries.

While highlighting the strategic character of this issue in the broader context, the report finally explores the implications of the completion of Kosovo's visa liberalisation process for the EU and the region, as well as for France and Kosovo. It shows that visa liberalisation would not only be a relief for Kosovar citizens, but could also positively affect the country's EU accession process, as it would allow for a redistribution of diplomatic resources. For the EU, granting visa liberalisation would show that it is serious about its merit-based approach and thereby yield some much-needed credibility. Finding an ending to the process would also allow the EU to focus on more strategically challenging dossiers such as the Belgrade-Pristina dialogue. For France, the finalisation

would add to President Macron's objective to 'firmly anchor the Western Balkans to the European Union'.¹

In order to reap these benefits, some last remaining obstacles would need to be removed. These include ensuring the Czech presidency places this issue on the Council agenda, as well as addressing any remaining hesitation in France and in some other member states. The assessment of the October 2022 European Commission technical report to the Council will be pivotal in that regard. The report recommends that France signals more clearly its readiness to move forward and act proactively on the matter, for example by engaging with Dutch authorities or setting up mini-lateral tracks with other member states. It recommends that Kosovo continues to push reforms on rule of law, good governance, and the fight against corruption and organised crime. It also recommends that Kosovo communicates in a transparent manner with EU institutions and member state capitals and explores the possibility of developing bilateral dialogues – particularly with those member states with which its relations are at a low level.

1 Élysée, "[Transcription de la Conférence de Presse du Président de la République Emmanuel Macron à Sofia en Bulgarie](#)," last modified May 18, 2018.

1 Introduction

More than a decade has passed since the EU launched its visa liberalisation dialogue with Kosovo to work towards an agreement allowing for short stays in the EU (up to 90 days).² In 2012, the European Commission was tasked with monitoring Kosovo's progress in fulfilling the 95 criteria listed on the roadmap to visa liberalisation.³ Reforms followed to strengthen readmission and reintegration, document security, border and migration management, public order and security, and fundamental rights.⁴ To remove visa-related impediments and deliver on the benchmark that the EU had set, Kosovo even agreed with Montenegro to relinquish its claim on about 8,000 hectares of disputed territory. It ratified, at the behest of the EU, a very contested Border Demarcation agreement that added to the already mounting political polarisation in the country.⁵

Immediately afterwards, on 18 July 2018, the European Commission confirmed that Kosovo had met all outstanding visa liberalisation benchmarks, and accordingly proposed granting Kosovo visa liberalisation. The European Parliament backed the Commission's proposal in November 2018, calling on 'the Council to swiftly adopt its mandate to move forward towards the adoption of a visa-free regime.'⁶ It has, since then, repeatedly confirmed its support for opening the co-decision procedure with the Council on visa liberalisation, including in its last resolution of 6 July 2022.⁷ But to date, the item has never been formally put on the agenda of the Council.

In the region, North Macedonia, Serbia and Montenegro have enjoyed visa-free travel to the EU since December 2009 and Albania and Bosnia and Herzegovina joined the EU whitelist in December 2010. In the meantime, Moldova, Georgia and Ukraine were granted visa liberalisation in March 2014, February 2017 and May 2017 respectively, after four, five and nine years of visa liberalisation dialogue. With its visa liberalisation process incomplete, Kosovo remains *de facto* the only country in wider Europe, together with

2 In this article, visa liberalisation refers to the process enabling non-EU citizens to enter the EU without visa obligation for short stays, up to 90 days.

3 Kosovo unilaterally adopted the visa liberalisation roadmap in 2009.

4 Zoran Nechev and Donika Emini, "[Visa liberalization: Kosovo's Saga on the EU path](#)," *Kosovo Foundation for Open Society*, February 2022.

5 Jana Juzová, "[The Unfulfilled Promise of Kosovo Visa Liberalization](#)," *Europeum Monitor*, March 2019.

6 European Parliament, "[European Parliament Resolution of 29 November 2018 on the 2018 Commission Report on Kosovo \(2018/2149\(INI\)\)](#)," last modified November 29, 2018.

7 European Parliament, "[European Parliament Resolution of 6 July 2022 on the 2021 Commission Report on Kosovo \(2021/2246\(INI\)\)](#)," last modified July 6, 2022.

Belarus, Armenia and Azerbaijan, where visa procedures apply for short-term stays in the EU.

This treatment, hardly reflecting Kosovo's single-minded pursuit of Euro-Atlantic orientations, has become a dramatic source of frustration and bitterness in the country. Five members of the EU (Cyprus, Greece, Romania, Slovakia and Spain) have not recognised Kosovo as an independent state, although cooperation and engagement with some has progressed in recent years.⁸ Their enduring contestation of Kosovo's statehood narrows the country's horizon on the international scene and renders its European perspectives blurry, at best. Being one of the very few tangible outlooks achievable in the short-run, visa liberalisation ranks high on Kosovo's agenda. But the stalemate exacerbates citizens' 'already-present sense of living in a sort of second-class country'.⁹ Obtaining a Schengen visa in Kosovo, for most citizens, is a challenging, expensive and time-consuming ordeal. It also sheds a negative light on the EU's self-declared merit-based approach in the region, which underpins the accession policy, and undermines the EU's credibility on more sensitive issues such as EU facilitation of the Kosovo-Serbia Dialogue among other issues, in times of geopolitical confrontation.

Although a decision on visa liberalisation only requires a qualified majority in the Council, in practice consensus making has proved the dominant decision-making mechanism. Past presidencies (including the German one, which raised high expectations) have therefore all refrained from formally putting the question to the vote even if there was a majority, given the opposition of a small number of member states which, for various reasons, turned a blind eye on the recommendations of the Commission and European Parliament. Initially reluctant and divided internally, Germany has now expressed without ambiguity its will to move forward.¹⁰ Less amenable to give in so far have been Denmark and Belgium, which continue to express concerns over justice reforms and rule of law. This concern has been shared by the Netherlands for several years, but a change in the Dutch position is underway, as has been signalled by Prime Minister Mark Rutte and others since the beginning of the year. This change in

8 Bilateral relations between Greece and Kosovo have been developing steadily in recent years, and Kosovo has opened the Liaison Office in Athens. Multi-sectoral cooperation has been established without *de jure* diplomatic recognition. Slovakia and Kosovo mostly cooperate at technical and expert levels. Attempts have been made to create a new dynamic in relation to Romania. Cyprus and Spain remain the hard non-recognisers refusing to soften their approach toward Kosovo.

9 Wouter Zweers, Luc Köbben, Arben Kalaja and Demush Shasha, "[The Dutch Position on Kosovo's EU Visa Liberalisation Process: Light at the End of the Tunnel?](#)," *Clingendael*, August 2022.

10 Schengenvisa News, "[German Chancellor: Kosovo's Visa Liberalization Process Must Move Forward](#)," June 14, 2022; Adelheid Feilcke, "[EU Will 'Stand by its Promises' on Western Balkans Enlargement](#)," *DW*, June 23, 2022.

the Dutch position is likely to accelerate if France, after years of hesitation, confirms its readiness to support Kosovo's visa liberalisation without undue delay.¹¹

Progress on the visa liberalisation front has been set as one of the priorities of the French Presidency of the Council for the Western Balkans. Although in the end, little could be achieved formally, in the margins of the European Council of June 2022 French President Emmanuel Macron ensured the president of Kosovo, Vjosa Osmani, that French reservations would henceforth be lifted.¹² If confirmed, this shift in the French position is a timely development. In October 2022 the European Commission will communicate to the member states a new technical report on Kosovo's visa liberalisation; the Czech presidency of the Council has voiced its interest in putting the question on the agenda; and following this line of positive events, a decision could be taken, in principle, by the end of the year, by the European Council. Visa liberalisation could subsequently become effective in 2023, while the ETIAS (European Travel Information and Authorisation System) mechanism upgrading the EU's border management will enter into force (probably by November 2023). By then, Kosovo will perhaps have also submitted its application for EU membership. No doubt, positive momentum is building up and the topic is 'in conditions that are more favourable than ever before'.¹³

Such a rather positive scenario is not set in stone. The modalities of the final push in the process remain unsettled, and visa liberalisation might well face new delays. But politically, acceptance in Paris that the EU and Kosovo need to move forward could have important implications: for France, which strives for strategic leadership in European affairs; for the EU, which faces sensitive geopolitical issues at this time; for the Balkans region, which needs to capitalise on a positive momentum; and, of course, for Kosovo citizens, who will celebrate their 15 years of independence in 2023.

11 Wouter Zweers, Luc Köbben, Arben Kalaja and Demush Shasha, "[The Dutch Position on Kosovo's EU Visa Liberalisation Process: Light at the End of the Tunnel?](#)," *Clingendael*, August 2022, 4-5.

12 Interview with a Kosovo official, August 24, 2022.

13 RTIKlive, "[French Ambassador Gives Positive Signals for Visa Liberalization](#)," July 15, 2022.

2 France's deeply rooted concerns regarding Kosovo's visa liberalisation

France, in the past, has consistently followed a rather strict approach to visa liberalisation. It only reluctantly lifted its reservations in 2010, when Albania and Bosnia and Herzegovina were granted visa-free travel.¹⁴ Together with others, it repeatedly pushed for activating the safeguard mechanism allowing member states to rapidly suspend visa liberalisation in the event of a growth in irregular stays in the EU and unfounded asylum claims.¹⁵ France's concerns regarding Kosovo's visa liberalisation matters reflects this critical state of mind.

Concerns over rule of law have often been brought forward to justify French objections. In 2018, French Foreign Minister Jean-Yves Le Drian worried that reforms in Kosovo were 'too fresh' to be conclusive.¹⁶ His assessment of the situation, closely echoing the Dutch position,¹⁷ did not build much on Brussels' reports on visa liberalisation, which were encouraging in this respect. It rather reflected rising distrust in French society vis-à-vis EU institutions in general and the European Commission in particular: in 2021, 49% of the French conceded that they did not trust EU institutions.¹⁸ The reports prepared by the Commission on the Western Balkans were deemed too rosy and the Treaty of Lisbon had re-empowered member states in their prerogatives. While acknowledging progress, France, just as the Netherlands and Germany, argued that reforms should prove sustainable before Kosovo could be granted visa-free travel. Little trust was placed in those mechanisms put in place in 2012 that enabled the EU to monitor post-visa liberalisation developments and address possible abuses of the visa-free regimes. For France and the others, stricter *ex-ante* conditionality was the preferred approach,

14 Clémentine Forissier, "[Albanais et Bosniens N'auront Plus Besoin de Visas](#)," *Euractiv*, November 8, 2010.

15 Nikolaj Nielsen, "[EU Moves Closer to Reimposing Visas on Western Balkans](#)," *EUobserver*, July 9, 2013; Schengenvisa News, "[Some EU Countries Want to Reimpose Visas for Albanians, Moldovans, Ukrainians, & Serbs Citing Abuse of Visa-Free Regime](#)," September 29, 2021.

16 "Question écrite n° 10179 de [Mme Hélène Conway-Mouret](#)," *JO Sénat*, last modified April 25, 2019, 2215.

17 Wouter Zweers, Luc Köbben, Arben Kalaja and Demush Shasha, "[The Dutch Position on Kosovo's EU Visa Liberalisation Process: Light at the End of the Tunnel?](#)," *Clingendael*, August 2022.

18 European Union, [Eurobarometer 94 – Winter 2020-2021](#). Data annex (EN) - QA6b.10.

But concerns over rule of law have not been as potent in France as fears that visa liberalisation would fuel irregular migration and asylum seeker applications. These fears, deeply rooted, have proved empirically ungrounded for the other countries of the region.¹⁹ But the massive influx of asylum seekers travelling mostly through, but also from, the Western Balkans in the mid-2010s made the topic very sensitive and prone to political instrumentalisation. The political turmoil caused by the deportation of the Kosovo-born Leonarda Dibrani marred the beginning of the Presidency of François Hollande in 2013 and put politicians' attitudes in migration-related affairs on the spotlight. Demonstrating strictness became the hobbyhorse, and trademark, of Prime Minister Manuel Valls, especially during the refugee and migration crisis. Between November 2014 and April 2015, roughly 48,000 Kosovo citizens entered the EU, and within a year, the number of Kosovo first-time asylum-seeking applicants correspondingly doubled in France.²⁰ In the meantime, discussions in the EU heated up on a barely related topic, posted workers, between France and Poland,²¹ adding political pressure on ruling elites. These events and developments, readily instrumentalised by far-right political forces, created a lastingly unfavourable context for the French executive to follow the Commission's recommendation on Kosovo's visa liberalisation.

Even more pernicious were concerns over security and crime. These run under the surface of the political scene, in party politics and polemicising table talks. They lumped together unreasoned fears and sheer prejudices thriving among a French population largely ignorant of Kosovo affairs, the Balkans at large and its relations with the EU. In the media, for instance, articles about criminal activities run by Kosovo and Albanian immigrants in France occasionally hit the headlines.²² They nurtured sentiments of rejection in France, which the terrorist threat had already enshrined as a breeding ground. Tragic events like the Paris terrorist shooting of November 2015²³ or the Nice truck attack of July 2016²⁴ magnified these fears. Both terror attacks involved firearms illegally imported from the Western Balkans and/or people from the region. They resuscitated old narratives presenting the Western Balkans as Europe's powder keg. Fears that foreign terrorist fighters returning from Syria would eventually turn against France, led President Macron in 2019 to dismiss Bosnia-Herzegovina as 'ticking bomb'²⁵

19 European Stability Initiative, "[Saving Visa-free Travel - Visa, Asylum and the EU Roadmap Policy](#)," January 2013.

20 OFPRA, "[Premiers Chiffres de L'asile en France en 2015](#)," last modified January 22, 2016.

21 TV5 Monde, "[Travailleurs Détaché: La Pologne Sourde aux Remontrances Françaises](#)," October 12, 2016.

22 France Info, "[Seize Ressortissants Albanais et Kosovars soupçonnés D'avoir Participé à Plus de 350 Cambriolages Interpellés](#)," last modified November 9, 2017.

23 Mission Allemandes en France, "[Stopper Ensemble le Commerce Illégal D'armes](#)," last modified July 13, 2018.

24 Nouvel Obs, "[Attentat de Nice en 2016: Un Homme Soupçonné D'avoir Fourni une Arme à L'assaillant Arrêté en Italie](#)," April 22, 2021.

25 Courrier international, "[Polémique. En Pointant le Risque Terroriste, Macron Fâche la Bosnie-Herzégovine](#)," November 18, 2019.

and exposed Kosovo as well. With 242 returnees, Kosovo was in 2021 the country with the highest concentration of people returning or repatriated from Syria and Iraq in Europe, relative to population size, but the country's programme for controlling this flux and preparing had shown encouraging results.²⁶ All in all, hijacked by a heuristic of fear, Kosovo's visa liberalisation remained a topic which no government in France was willing to put on the political scene.

These concerns over rule of law, migration and security became irresistibly dominant on the French political scene as a result of: the lack of knowledge in France about the Western Balkans in general and Kosovo's visa liberalisation process in particular; the prevailing negative attitudes toward enlargement in general and Kosovo joining the EU most notably;²⁷ the insignificance of economic exchanges between France and Kosovo;²⁸ the sensitivity of the topic, especially during election times; and the virulence of far-right forces. Barely discussed in the French Parliament and largely decoupled from considerations emanating from EU institutions, the topic did benefit from more positive inclinations on the part of the French Ministry of Foreign Affairs, but remained the lead prerogative of the less amenable Ministry of Interior and Presidency.

26 Adrian Shtuni, "[Rehabilitation and Reintegration Path of Kosovar Minors and Women Repatriated from Syria](#)," *International Republican Institute*, September 2021.

27 Christine Hübner, Jan Eichhorn, Luuk Molthof and Srđan Cvijić, "[It's the EU, Not Western Balkan Enlargement...](#)," *Open Society Foundation*, February 2021.

28 Florent Marciacq and Romain le Quiniou, "[French Engagement in the Western Balkans: Boosting Strategic, Political, Economic and Societal Cooperation](#)," *Études de l'IFRI*, February 2022.

3 Delusions and political instability in Kosovo did not play in favour of the process

Concerns over rule of law, irregular migration, crime and security failed initially, and until recently, to be taken seriously by Kosovo governments. Visa liberalisation, for Kosovo officials, was primarily seen as an offspring of the EU accession process. And it required, as such, to engage with the Commission and the Parliament rather than with member states in the Council. Previous governments accordingly prioritised implementation of the roadmap, as requested, hoping that a positive outcome in this process would also bolster Kosovo's integration path in general. In so doing, they overlooked important pitfalls in Kosovo's roadmap, making the whole process rickety.

At first, the benchmarks set out by the roadmap became much more stringent than those applied earlier by the EU. Their number for Kosovo was close to twice their number for other countries from the Western Balkans. Second, the roadmap, in its conception, fully involved the Council and the member states – and both reserved the right to amend it if they deemed necessary.²⁹ This created a precedent for them to take the upper hand in the matter and block the process at will. Third, in the implementation of the roadmap, the EU decided to capitalise on the leverage provided by visa liberalisation in order to solve a bilateral issue that remained open between Kosovo and Montenegro.³⁰ The idea, quite arbitrary, was to include border demarcation with Montenegro in the roadmap under Block 2, as a precondition to visa liberalisation. No such condition, interestingly, was posited in relation to Kosovo's border/boundary with Serbia, or Georgia and Moldova's territorial sovereignty in their respective visa liberalisation processes.

This unequal treatment of Kosovo in the roadmap monitored by the EU reinforced the perception of double standards in Kosovo. The governments nonetheless accepted the benchmarks, including the Block 2 condition regarding border demarcation with Montenegro. A controversial agreement on this was concluded swiftly in 2015, which together with another agreement facilitated by the EU as part of the Belgrade–Pristina dialogue (on the General Principles/Main Elements of Association/Community of

29 European Commission, "[Visa Liberalisation with Kosovo* Roadmap](#)," last modified June 4, 2012, 3.

30 Zoran Nechev and Ivan Nikolovski, "EU Conditionality in the Visa Liberalisation Process with Kosovo: Increased Specificity, Meticulous Scrutiny," in the *Local and International Determinants of Kosovo's Statehood*, ed. Ioannis Armakolas et al (Kosovo Foundation for Open Society, 2019).

Serbian Majority Municipalities) triggered massive contestation in Kosovo, on the streets and in public institutions. The topic exacerbated divisions and led to the fall of the government in 2017, before the agreement on border demarcation could be ratified. With this political crisis gaining ground in Kosovo, no progress could be made to address pre-emptively the concerns expressed by member states, including France. In the meantime, the Council had opened visa liberalisation for Ukrainian³¹ and Georgian³² citizens.

With the ratification of the border demarcation agreement with Montenegro in 2018, Kosovo returned to its somewhat naïve belief that fulfilling all benchmarks would open the EU's door to visa-free travel. It therefore failed to proactively engage with key member states bilaterally on this topic (while engaging bilaterally with non-recognisers) and merely hoped that the decision to move forward, as signalled by EU officials, was imminent.³³ This reckless faith in a process that had had destabilising implications led to nothing but mounting disappointment and frustrations.

31 European Council, "[Visa: Council Adopts Regulation on Visa Liberalisation for Ukraine Citizens](#)," last modified May 11, 2017.

32 European Council, "[Visas: Council Adopts Regulation on Visa Liberalisation for Georgians](#)," last modified February 27, 2017.

33 European Commission, "[Joint Statement on the Ratification of the Border Demarcation Agreement Between Kosovo and Montenegro](#)," last modified March 21, 2018.

4 Merit was not enough, but bilateral engagement pays off

Kosovo citizens, following the EU's failure to deliver in 2018, have accordingly perceived their exclusion from the EU's visa-free regime with a strong sense of unfairness.³⁴ The issue has been a source of disillusionment particularly for younger people, who have felt discriminated against by the EU's treatment and hindered in their personal, academic and professional development.³⁵ The perception that unfair standards apply in this case has been reinforced by the fact that the obligation to undergo visa procedures does not apply to citizens in Kosovo who hold a second passport – predominantly Albanian – or Kosovo Serbs, who benefit from Serbia's liberalised visa regime. Understandingly, the role played by France in blocking the process has been subject to intense criticism in Kosovo, in the region and the EU.

But French concerns did not remain unanswered. Kosovo authorities have sought to address them by intensifying reforms in the judiciary. These have accelerated since the government headed by Prime Minister Albin Kurti took office in March 2021, with a comfortable majority in the parliament. On 8 August 2021, the government of Kosovo adopted a comprehensive judicial reform strategy aimed at implementing key reforms and advancing integrity, accountability and credibility in the justice system. A progressive vetting process for judges and prosecutors has also been initiated, although its implementation remains problematic.³⁶ To strengthen institutions and fight corruption, several pieces of legislation have been passed in 2022. In the field of the rule of law, these reforms have translated into increased police activity and a surge of 85% in indictments.³⁷ Significant progress in good governance, democratic governance and judicial reforms have been recorded by Transparency International and Freedom House. Yet, corruption remains systemic in the country. In 2021, basic courts throughout Kosovo

34 Antigonë Isufi, "[Kosovars Lament Long Wait for Visa Liberalisation](#)," *Pristina Insight*, May 12, 2022.

35 Nicasia Picciano, "[A Never-Ending Visa Liberalization Process for Kosovo: Between Commitments and Disillusionment](#)," *Group for Legal and Political Studies*, February 2022.

36 Council of Europe and Venice Commission, "[Concept Paper on the Development of the Vetting Process in the Justice System](#)," February 2022.

37 Wouter Zweers, Luc Köbben, Arben Kalaja and Demush Shasha, "[The Dutch Position on Kosovo's EU Visa Liberalisation Process: Light at the End of the Tunnel?](#)" *Clingendael*, August 2022.

issued only 80 convictions out of 424 ongoing corruption cases.³⁸ ‘Despite efforts made’, as noted by the European Commission in 2021, ‘there is a need for strong and continual political will to effectively address systemic corruption risks, as well as a robust criminal justice response to high-level corruption’.³⁹ Hence, achieving the set goals for the government that ran the election on an anti-corruption ticket will be a difficult and lengthy process.

In migration matters, French concerns have receded, as the number of asylum applicants from Kosovo in the EU dropped markedly from 66,860 in 2015 to only 1,600 in 2021.⁴⁰ Numbers for Kosovo are now among the lowest in the region and only Montenegro counts less people applying for asylum in the EU. This drop in Kosovo asylum seekers has contributed to assuage French concerns over Kosovo’s potential abuse of the asylum system, even though France still attracts most of Kosovo’s first-time asylum applications in the EU. In 2021, it recorded 855 applications from Kosovo citizens – three to four times more than Italy and Germany.⁴¹ But compared to the 5,205 applications in 2013, the situation has significantly improved. The Kosovo government has furthermore developed a reporting and updating system – including on asylum-seeking statistics – to keep all member states informed about issues that might potentially hinder their support for visa liberalisation.⁴²

Kosovo has finally intensified its cooperation in countering terrorism, with inter alia the amendment of its Criminal Code in 2019 to address issues relating to false documents. Its experience in rehabilitating and reintegrating returnees (in particular women and children) conveys interesting lessons for member states.⁴³ With the entry into force of the ETIAS mechanism in 2023, which aims to strengthen EU borders amid mounting terror threats, stars are now becoming aligned for a timely change in the EU’s visa regime for Kosovo.

These reforms have shed a positive light on Kosovo’s track record and backed Kosovo’s plea for completing the visa liberalisation process. But merit alone has been a poor guarantee of success, considering the nature of French concerns. To address these even more specifically, Kosovo launched a bilateral dialogue with France in July 2019 on

38 Freedom House, “[Nations in Transit 2022: Kosovo](#)”.

39 European Commission, “[Kosovo 2021 Report](#),” SWD 292 final/2, October 19, 2021, 24.

40 Eurostat, “[Enlargement Countries - Statistics on Migration, Residence Permits, Citizenship and Asylum](#),” last modified April 2022.

41 Germany’s open-door policy toward Kosovo citizens has significantly reduced visa asylum applications from Kosovo. Legal and controlled migration has effectively replaced irregular migration to Germany.

42 Interview with a Kosovo official, September 11, 2022.

43 Teuta Avdimetaj and Julie Coleman, “[What EU Member States Can Learn from Kosovo’s Experience in Repatriating Former Foreign Fighters and their Families](#),” *Clingendael*, May 2020.

irregular migration and security.⁴⁴ The idea of this dialogue, at first, was to create new channels of communication between French and Kosovo authorities to stimulate police cooperation, and thereby defuse key impediments in the visa liberalisation process. But as time went by, the scope, nature and goals of the bilateral dialogue changed and became more ambitious. Cooperation expanded to new areas in which France had remarkable expertise to share, for example in civilian security and public administration. It remained technical in many aspects, but became increasingly political too, with an exponential surge of high-level visits and contacts since 2021. Increasing engagement of France, together with Germany, in support of the dialogue between Belgrade and Pristina offered new opportunities at the margins of high-level meetings to discuss visa liberalisation and build common understanding.⁴⁵

The bilateral dialogue eventually went beyond advocacy for visa liberalisation, toward a more comprehensive form of engagement with a key member state. Understanding the importance of engaging bilaterally, Kosovo signed two agreements in 2020 with the French Ministry of Foreign Affairs, which involved the Ministry of Interior of Kosovo.⁴⁶ The bilateral dialogue, originally designed to address French concerns about visa liberalisation, turned into a framework for building trust between administrations, sharing expertise and dismantling prejudices. Cooperation between both Ministries of Interior on this matter was crucial. It played a decisive role in allowing France to shift its approach on Kosovo's visa liberalisation and contribute more generally to deepen relations between France and Kosovo. The bilateral dialogue, serving the interest of both countries, came to be praised both in Paris and Pristina, for its progress, and a comprehensive security agreement between France and Kosovo is now in preparation. The dynamic created by this form of engagement also found fertile ground in the geopolitical context that erupted after the Russian invasion of Ukraine. For France, as for its partners, it went hand in hand with the need to bolster EU credibility in all matters related to the Western Balkans, including thence, visa liberalisation.

44 Government of the Republic of Kosovo, "[Ministrja Hoxha me ministrin francez Nuñez, u pajtuan për bashkëpunim në fushën e sigurisë, si pjesë e reformave për integrim në BE,](#)" last modified 10 April 2019.

45 Euronews Albania, "[PM Hoti and President Macron Meeting: Kosovo and France Sign Two Agreements,](#)" July 8, 2020."

46 France Diplomacy, "Visit by the Prime Minister of Kosovo, Mr Avdullah Hoti, from 6 to 8 July 2020".

5 Promising implications for Kosovo and beyond

The completion of the visa liberalisation process, if confirmed, will first of all bring to Kosovo citizens a long-overdue breath of fresh air. It will fix an anomaly that has caused profound frustrations in Kosovo society and give Kosovo youth brighter perspectives about their country's future. Research shows that in the case of other countries in the Balkans visa liberalisation has had a positive impact on people-to-people connections.⁴⁷ It could therefore have a positive impact on Kosovo's economic development, as such person-to-person exchanges, and thus business relations with the EU, would be facilitated. Kosovo entrepreneurs would more easily be able to find inspiration in the EU, expand their business network and participate in fairs.⁴⁸ The same positive impact might be found in culture, education and sport. Kosovo artists could more easily participate in award celebrations or festivals in the EU; students could similarly enjoy a broader horizon to develop their knowledge; and sportsmen and sportswomen would be able to more freely participate in European competitions. The multiplication of interpersonal connections, which visa-free travel allows for, could in turn contribute to deconstructing the prejudices that remain in the EU about Kosovo citizens.

The completion of the visa liberalisation process could also have positive implications for Kosovo's accession process. It could bring about a redistribution of diplomatic resources, hitherto devoted to this issue, and could allow Kosovo to reinforce its engagement with key member states in the EU, in support of its forthcoming application for EU membership. It would accordingly boost exchanges among professionals by facilitating the participation of civil servants from Kosovo in training programmes, conferences and seminars organised in the EU. For the broader public, this step would increase the credibility of the EU in delivering on its promises and could accordingly give reforms a new momentum. Renewed impetus is needed, as the percentage of Kosovar citizens who believed that EU membership would be a 'good thing' declined from 84% in 2018 to 74% in 2022.⁴⁹

47 European Migration Network, "Impact of Visa Liberalisation on Countries of Destination – Synthesis Report," March 2019, 41-42.

48 Laurence Dynes, "The Impact of EU Visa Liberalization in the Western Balkans," *SAIS Journal*, 2022.

49 Regional Cooperation Council, "[Balkan Barometer 2022](#)," p. 43-51.

For the EU and its member states, the completion of the process would lift a key obstacle and pave the way, together with the opening of accession negotiations with North Macedonia and Albania, for addressing more sensitive issues. In the region, these include facilitation of the dialogue between Kosovo and Serbia, into which the completion of the process might possibly positively feed,⁵⁰ and the EU's difficult engagement in Bosnia-Herzegovina, which arguably will absorb more political and diplomatic capital on the EU side. The EU's ability to shape compromise being also contingent on its credibility, the completion of the visa liberalisation process could moderately strengthen the EU's position in the region and re-evaluate its membership incentives. It would also demonstrate that the new accession methodology as adopted in March 2020, while extending the prerogatives of member states, does not automatically reinforce existing stalemates at the expenses of aspiring member states.

While a decision on visa liberalisation may not be a decisive factor in EU foreign policy effectiveness at large, some other more indirect effects might also emerge. On the broader picture, the completion of Kosovo's visa liberalisation process would allow the EU to improve the consistency of its external policy across its eastern and southeastern neighbourhoods. It could put Kosovo on an equal footing with Ukraine, Moldova and Georgia, at least in visa liberalisation matters. This greater consistency, and the political messages it would convey, are not superfluous. They would back the ambition signalled in the EU, and in Paris in particular, to better structure the continent politically. They could also help to counter narratives blaming the EU for applying double standards – narratives which are readily used to undermine the credibility of the EU's foreign, security and accession policies.

The completion of the process, in the same vein, would send a positive signal toward strengthening EU cohesion in international affairs. While recognition remains problematic for five member states, the bilateral dialogue between France and Kosovo has shown that engagement on sensitive issues can bear fruit, for both countries concerned and the EU alike. In this respect, the momentum created by this shift in the French approach resonates well with the ambitions of the EU as an international actor and its efforts at boosting its strategic autonomy. This success should be allowed to feed into the efforts at bringing convergence at EU level on issues of strategic importance, including the successful finalisation of the Belgrade-Pristina Dialogue and Kosovo's full-fledged recognition by the EU.

For France, finally, it may provide a welcome success to claim at a time when plans to launch a European Political Community are enacted. French proposals on this front often tend to be regarded with suspicion, as dominated by domestic interests. The will

50 Zoran Nechev and Donika Emini, "[Visa liberalization: Kosovo's Saga on the EU path,](#)" *Kosovo Foundation for Open Society*, February 2022.

to move forward would, however, signal that France takes stock of what is at stake in the Western Balkans. It translates into concrete action the ambition carried by President Macron to 'firmly anchor the Western Balkans to the European Union'.⁵¹

51 Élysée, "[Transcription de la Conférence de Presse du Président de la République Emmanuel Macron à Sofia en Bulgarie](#)," last modified May 18, 2018.

Conclusions and recommendations

While the modalities allowing Kosovo and the EU to actually move forward remain unsettled, an opportunity window seems to have opened in Paris, which could indeed yield progress in Kosovo's visa liberalisation. The EU member states present in Kosovo have engaged with the government to ensure that this window of opportunity is effectively used by Kosovo. All obstacles have not been removed, and concerns in France over rule of law, irregular migration and security have not vanished. The question is being discussed with the European Commission, which will present its technical report to member states in October 2022, ahead of the Council's meeting. Procedural delays could still slow down the process, although the Czech presidency announced that the question will be on the Council's agenda. While the focus has largely remained on the visa-liberalisation hardline sceptics, other member states, for instance those who have not recognised Kosovo, might be tempted to create additional obstacles ahead of Pristina's pending decision to submit its application for EU membership.

However, the shift in the French position toward Kosovo's visa liberalisation, if continued, should allow the EU and Kosovo to move forward in a regional and European context fraught with geopolitical instability. Its implications could extend beyond offering visa-free travel for Kosovo citizens as it creates a positive momentum for intensifying engagement in the region. The completion of the process could arguably feed into progress in accession-policy matters, in the dialogue between Kosovo and Serbia, and in European and regional security.

To capitalise on this momentum, France should signal more clearly its readiness to move forward with Kosovo's visa liberalisation, if not to the broader public, at least to EU partners. To pre-emptively remove new obstacles, it should engage with Dutch authorities in particular, so that the process comes to completion without undue delay. France would win from engaging swiftly and proactively on that matter, as in all matters related to the EU. After all, its political credit in EU affairs also depends on its ability to shape solutions to key issues. An attempt to reinforce the role of France therein was made in this sense last July, when Paris submitted a (controversial) proposal allowing Bulgaria to lift – at least for now – its veto against North Macedonia.⁵² And France has joined forces with Germany to advance dialogue between Serbia and Kosovo. Whether

52 Alejandro Esteso Pérez, "[France's EU Proposal for North Macedonia Teaches Us that Nationalism Shall Prevail.](#)" *New Eastern Europe*, August 22, 2022.

these steps will bear fruit and prove constructive in the long run remains to be seen. But right now, they are important steppingstones for France to bolster its credibility on the EU scene, for conveying its vision, and for gaining support for its flagship initiative, the European Political Community.

France could also build on the completion of the process, which denotes increased unity in EU external affairs, and launch a mini-lateral track-1 or track-2 initiative with representatives of member states that have recognised Kosovo's independence and also member states which have not. None of Kosovo's non-recognisers has opposed Kosovo's visa liberalisation. The momentum created by the completion of the process could be used to further boost member states' levels of cooperation and engagement with Kosovo, on the bilateral level, in light of the EU's agenda of strategic autonomy.

A swift removal of Kosovo's visa liberalisation issue from the agenda should allow Brussels and the member states to raise their engagement with more sensitive issues, namely the Kosovo-Serbia dialogue and the situation in Bosnia-Herzegovina. In this respect, and on the broader picture, the EU would be well advised to level off remaining impediments and inconsistencies across and within its neighbourhoods. Raising the level of geopolitical consistency across and within eastern and southeastern Europe is paramount. This means, in particular, pushing for visa liberalisation between Kosovo and Bosnia-Herzegovina, playing an active role in facilitating freedom of movement between Kosovo, Moldova, Georgia and Ukraine,⁵³ and engaging with Spain to soften its approach toward official documents issued in Kosovo.

For Kosovo, completion of the process should be accompanied by continued efforts at pushing reforms in the fields of rule of law, good governance, and the fight against corruption and organised crime. Transparent communication with EU institutions and the capitals are key to defusing future impediments. Kosovo would also be well advised to continue expanding the scope of its bilateral dialogue with France. It should also explore the possibility of developing similar tools, on a bilateral level, with other member states in order to boost relations where they are at a low level (e.g., with Poland) and build trust with countries that have not recognised Kosovo, even though all member states may not be equally interested in engaging.

53 In support of Kyiv, the government of Kosovo decided on 9 March 2022 to temporarily lift its visa regime for Ukrainian citizens and offer shelter to Ukrainian refugees and journalists.