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Overcoming EU internal dividing lines in the Belgrade-Pristina dialogue

Last year saw the 10th anniversary of the EU-facilitated Belgrade-Pristina dialogue. While leading to results on technical matters, political normalisation of the relationship between Serbia and Kosovo has not been achieved. As part of a broader study on EU foreign policy effectiveness, this policy brief discusses the ways in which EU internal factors have hampered the EU's effectiveness in the Belgrade-Pristina dialogue. Specifically, the paper assesses the positions and influence of EU member states vis-à-vis one another and the European institutions, asking how contradictions could be overcome in the future. This assessment is placed in the wider context in which the dialogue takes place, taking into account the state of EU enlargement and foreign power influence.

Introduction¹

The last two decades have witnessed several conflict resolution efforts being made in the widely known Kosovo-Serbia dispute. After Kosovo's declaration of independence in 2008 and its rejection by Serbia, the European Union took on the role of facilitator in 2010 to settle the tensions between the two countries – using the

EU's accession path as a central incentive.² The EU-facilitated Brussels Agreement (2013) marked a point of progress in what became known as the Belgrade-Pristina dialogue and was followed by several agreements on technical matters such as telecommunications, all intended as

1 This brief is based on 11 research interviews with policy makers from EU member states and EU institutions, carried out between 8 December 2021 and 30 March 2022, complemented with desk research carried out between November 2021 and March 2022.

2 The EU's role of facilitator is based on the UN General Assembly Resolution 64/298 (2010): “[The General Assembly] welcomes the readiness of the European Union to facilitate a process of dialogue between the parties; the process of dialogue in itself would be a factor for peace, security and stability in the region, and that dialogue would be to promote cooperation, achieve progress on the path to the European Union and improve the lives of the people”, see: European External Action Service, “[Dialogue between Belgrade and Pristina](#),” July 15, 2020.

a stepping stone towards the eventual full normalisation of relations.³

Technical concessions did not, however, spill over to any structural political settlement of the conflict. In 2018, the dialogue came to a full halt when Kosovo enforced tariffs on goods coming from Serbia in response to discussions on border changes, Serbia's international de-recognition campaign and its vote against Kosovar Interpol membership. Negotiations reopened in 2020, headed by the new EU Special Representative (EUSR) for the Belgrade-Pristina dialogue and other Western Balkan regional issues, Miroslav Lajčák.⁴ Yet, severe escalation in September 2021 on the recognition of licence plates at the mutual border of Kosovo and Serbia was proof of the structural instability between the two.⁵ With no final agreement in sight, the dispute remains a potential source of instability for the Western Balkans and as such, in the EU's proximity. Hence, the EU should have a genuine interest in its resolution.

This policy brief examines the effectiveness of the EU's facilitation of the Belgrade-Pristina dialogue. It researches in particular the way that divisions within the EU affect EU conflict resolution efforts. To do so, the brief first provides a forcefield analysis of relevant EU actors. Second, the paper zooms in on dividing lines among and between EU member states and EU institutions. Third, other factors hampering EU effectiveness are assessed, including the state of EU enlargement, the situation on the ground and third-power influences. The policy brief ends with recommendations for the EU and its member states.

EU actors involved

The Belgrade-Pristina dialogue is facilitated by the EUSR and his team, who are part of the European External Action Service (EEAS).⁶ The EUSR is mandated by the EU's Foreign Affairs Council and as such by member states. The dialogue is thus essentially of an intergovernmental nature. The EUSR acts as an envoy for member states and for The High Representative of the Union for Foreign Affairs and Security Policy/ Vice-President of the European Commission (HR/VP), momentarily Josep Borrell.⁷ The EUSR holds frequent meetings in both capitals and in Brussels with counterparts at both ministerial and negotiating team level. The HR/VP is also personally involved at high-level meetings in Brussels. The EEAS is furthermore present on the ground through its delegation in Belgrade and its office in Pristina, led by EU Ambassador Emanuele Giaufret and EU Special Representative to Kosovo, Tomáš Szunyog, respectively.⁸

EU member states are not directly involved in the Belgrade-Pristina dialogue, meaning they only follow the negotiations indirectly. Importantly, only a limited number of member states are present in Pristina, as several member states that have recognised the country lack diplomatic representation in addition to two out of the five non-

3 Gashi Krenar, Vjosa Musliu and Jan Orbie, "Mediation Through Recontextualization: The European Union and the Dialogue Between Kosovo and Serbia," *European Foreign Affairs Review* 22, no.4 (2017): 538-539.

4 European Parliament, "[Belgrade-Pristina dialogue. The rocky road towards a comprehensive normalization agreement](#)," *European Parliamentary Research Service*, March 2021.

5 uronews, "[Tensions as Kosovo begins removing Serbian license plates at border](#)," September 21, 2021.

6 European External Action Service, "[Dialogue between Belgrade and Pristina](#)," July 15, 2021.

7 European Parliament, "[The scope and Mandate of EU Special Representatives \(EUSRs\)](#)," *Policy Department for External Relations*, January, 2019, 11; See also: Official Journal of the European Union, "[COUNCIL DECISION \(CFSP\) 2021/470 of 18 March 2021](#)," March 19, 2021.

8 See [website of the Delegation of the European Union to Serbia](#) and the [website of the European Union Office in Kosovo](#).

recognising EU member states.⁹ Policy makers from member states interviewed for this project noted the importance of the EU speaking with one voice, although in practice this does not always happen. Member states look to contribute to the EU's overall credibility in both countries through their bilateral diplomatic contacts and support programmes. In bilateral high-level contacts with the parties the dialogue is almost always on the agenda, and member states' representatives seek to underline the relevance of making progress.

Furthermore, the dialogue in Pristina takes a more central position in contacts between member states' Heads of Mission (HoMs) than it does in Belgrade. Also, the intensity of member state engagement with the parties differs. For one, Dutch interlocutors hinted they take a more passive position, following the line of the EUSR.¹⁰ Others are more active. France and Hungary have placed national advisers with the responsible ministers for European Integration in Kosovo and Serbia to facilitate a direct channel of influence and communication.¹¹

Interaction between the HR/VP and EUSR and the member states takes place via the Political and Security Committee (PSC) in Brussels, a body of the Council in which member states are represented at ambassador level. Interaction also takes place in Kosovo and Belgrade itself. EUSR

Lajčák and his team regularly brief the HoMs of EU member state embassies in Pristina and Belgrade prior to or after meetings with negotiators from the Serbian and Kosovar governments.¹²

Other EU institutions like the Commission – in particular, DG NEAR – and the European Parliament (EP) are only indirectly involved, although they play an important role in EU enlargement, and as such in overall EU relations with Kosovo and Serbia. The rules of engagement of the EP with the EUSR were stipulated in a 2011 Declaration on Accountability signed by the HR/VP. Individual Members of the European Parliament (MEPs), especially the rapporteurs, play an important public role. They reinforce the visibility of the EU in the region and through their reporting ensure that the EP is informed.

Who runs the Belgrade-Pristina dialogue?

On the surface, EUSR Lajčák is clearly in the driving seat of the dialogue, while the member states with one voice support the negotiations in the background. His mandate is to reach a legally binding agreement on the comprehensive normalisation of relations between Kosovo and Serbia, albeit 'in close coordination with the member states'.¹³ If we dig a little deeper, the picture looks different. According to some interviewees, it is the member states who preside over the dialogue through their embassies and the PSC. They would ensure through the PSC that negotiations do not move in a direction that is deemed disadvantageous.¹⁴ Particularly representatives from larger EU member states assert that they hold the cards to the dialogue in terms of political leverage over

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- 9 The non-recognisers are Spain, Slovakia, Cyprus, Greece and Romania. Despite non-recognition, Slovakia, Greece and Romania boast of Liaison Offices in Pristina. Several member states that have recognised Kosovo are not present in the country but run non-resident (accredited) diplomatic missions from Vienna (Denmark, Estonia), Budapest (Ireland, Portugal), Prague (Latvia), La Valletta (Malta) or Skopje (Poland). Lithuania has no diplomatic representation to Kosovo. See Ioannis Armakolas and James Ker-Lindsay (eds). "The Politics of Recognition and Engagement – EU Member State Relations with Kosovo," Palgrave Macmillan 2020, 4;
- 10 Interview with diplomat from EU member state, December 8, 2021; Interview with diplomat from EU member state, December 21, 2021.
- 11 Interview with diplomat from EU member state, December 17, 2021.

12 Interview with diplomat from EU member state, December 8, 2021.

13 EUR-LEX, [Council Decision \(CFSP\) 2020/489 of 2 April 2020 appointing the European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues.](#)

14 Interview with former EU representative from EU member state, December 9, 2021.

the parties and their information position on the ground. This would apply especially to those belonging to the Quint countries, comprising Germany, France, Italy, but also non-EU countries the United Kingdom and the United States.^{15, 16}

There is more reason to assert that member states hold more power than the formal division of labour initially suggests, and that EU unity is not set in stone. In 2018, the European Commission and EEAS kept the door open for the idea of territorial exchanges as a potential solution to the dialogue. This idea, allegedly negotiated by Serbian president Aleksandar Vučić and former Kosovar president Hashim Thaçi, eventually marked the derailment of the process under former HR/VP Mogherini.¹⁷ Member states such as Germany, Luxembourg and Croatia in 2018 openly rejected it, citing stability-related risks and fearing spillover effects in the wider region. Member states became more vocal on the issue as the process became political, with Germany and France initiating talks in their capitals, which according to an EU official above all complicated the negotiation process.¹⁸

In interviews for this paper, policy makers from several member states declared that territorial exchanges, or ‘land swaps’, would still constitute a red line for them.¹⁹ Independent researchers assert that Lajčák, as was the case in 2018, would be sidelined when drawing outside the lines stipulated by

the member states.²⁰ Interesting to note in this regard is that Lajčák’s mandate states that a final agreement should ‘contribute[...] to regional stability’.²¹ Accounts of the member states clearly differ as to the extent that an agreement based on territorial exchanges would do so. As such, the EUSR is not fully free to direct the dialogue in any direction he deems opportune. The lack of shared purpose on what should be the outcome of the negotiations is problematic, as it makes the end goal for the dialogue unclear.

Our research also suggests several practical problems with coordination within the EU. A professional close to the negotiations at the time of the Brussels agreement noted that EU negotiators at the time were ‘over-obsessed with confidentiality’.²² Especially in the runup to agreements, they would not provide many details to member states. Accounts of current member state representatives on the information provision by the EUSR differ, with some still experiencing a lack of communication. In September 2021 there were indications that there might be an issue with number plates that could give rise to some problems. However, the ensuing crisis between Kosovo and Serbia escalated severely, taking many member states by surprise and thus being in fact more urgent than the EUSR had suggested.²³ An EU official noted that in recent years there has been little information to share as “not a lot is happening”, but asserted that relevant developments are shared by the EUSR.²⁴

A MEP also noted the lack of structural communication with the EUSR. Notwithstanding the procedure in the

15 Interview with diplomat from EU member state, December 17, 2021; Interview with diplomat from EU member state, December 21, 2021.

16 The UK appointed a Special Envoy to the Western Balkans, Sir Stuart Peach, in 2021. For the US, Deputy Assistant Secretary of State Gabriel Escobar is overseeing US policies towards the Western Balkans. The Belgrade-Pristina dialogue is among their key tasks.

17 Deutsche Welle, “[A Cold War solution for Serbia and Kosovo?](#)”, 2019.

18 Interview with an official from an EU institution, 2022.

19 Interview with policy maker from EU member state, December 8, 2021

20 Interview with subject matter expert from EU member state, December 8, 2021.

21 EUR-LEX, [Council Decision \(CFSP\) 2020/489 of 2 April 2020 appointing the European Union Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues.](#)

22 Interview with former EU representative from EU member state, December 9, 2021.

23 Interview with diplomat from EU member state, December 8, 2021.

24 Interview with official from EU institution, 2022.

Declaration on Accountability that the EUSR ‘shall be invited to keep the Parliament fully and regularly informed’, this MEP noted the EEAS lacks a systemic approach to do so.²⁵ This may be attributable to the intergovernmental nature of the Common Foreign and Security Policy (CFSP) framework in which the EUSR operates.²⁶ Nevertheless, this MEP argued that better cooperation would enable them to reinforce messages from the EUSR towards the parties.²⁷

Another factor hampering the functioning of the EU is that the neutrality of the EUSR is sometimes questioned. On the Kosovar side especially, there is a feeling that the EUSR presses to disclose its negotiating position only to subsequently forward it to Belgrade.²⁸ What is more, personal ties matter, and those between the EUSR and Kurti are not in the best shape.²⁹

When it comes to HR/VP Borrell, several interviewees noted that his limited engagement with the dialogue might prevent him from playing a constructive role in those moments when he is involved. Some asserted that several of his tweets and public statements suggest partiality. Others argued that Borrell’s open rift with Kurti in a November 2021 press conference regarding the failure of Kosovo to comply with an earlier agreement to establish the Association of Municipalities (ASM) in Kosovo’s north is part of a pattern in which both the HR/VP and EUSR apply uneven pressure on Kosovo, though at the same time it was asserted that Borrell was right in this specific case.³⁰ As the HR/VP is

not consistently involved, one interviewee suggested leaving high-level meetings to the EUSR, whose full-time posting bears the advantage of being well acquainted with the contents of the dialogue.³¹

Dividing lines between the member states

Dividing lines between EU member states affect the dialogue in different ways.

The most important divisions are between member states who formally recognise Kosovo and those who do not, as well as between member states with diverging attitudes towards potential solutions.

Kosovo is not recognised by Greece, Slovakia, Romania, Cyprus or Spain, although these do not form a homogeneous group. Cyprus and Spain have been the strongest opponents of Kosovo’s independence. Cyprus has opposed the cementing of Kosovo’s status due to its links with Serbia as well as its national aversion against Erdogan’s consolidation of North Cyprus.³² Spain has similarly been reluctant, spurred by its anxiety for secessionism in Catalonia and the Basque region. Spain and Greece also cited their conviction that Kosovo’s declaration of independence and international law are incompatible.³³ Romania and Slovakia are concerned about setting a precedent of international recognition of separatist movements in light of their own minority-populated regions.

The non-recognisers tend to support EU efforts to facilitate the dialogue and keep in line with most decisions of the Council. Notwithstanding their position towards Kosovo’s status, the somewhat ‘softer’

25 European Parliament, “[The Scope and Mandate...](#)”, 21.

26 European Parliament, “[The Scope and Mandate...](#)”, 20.

27 Interview with member of European Parliament, December 20, 2021.

28 Interview with diplomat from EU member state, December 8, 2021.

29 Interview with policy maker from EU member state, December 17, 2021.

30 See Euronews, “[Kurti clashes with Borrell in Brussels over Association of Serb-majority municipalities](#),” December 7, 2021.

31 Interview with policy maker from EU member state, December 17, 2021.

32 Ioannis Armakolas and James Ker-Lindsay, *The Politics of Recognition and Engagement*. (Palgrave Macmillan, 2020), 209.

33 Pol Vila Sarriá and Agon Demjaha, “[Kosovo and Spain at the EU level: A Battle of Semantics](#),” *Kosovo Research and Analysis Fellowship*, March 2021.

non-recognisers – Greece, Slovakia and Romania – have searched to strengthen bilateral engagement with Kosovo, e.g. through economic cooperation or through the opening of (informal) representative offices.³⁴ There is an expectation that once an agreement between Serbia and Kosovo is reached, the non-recognising countries will accept it.³⁵ Even hardliners Spain and Cyprus have hinted at recognition at the point of mutual agreement. Or, as succinctly put by Serbian sympathiser Cyprus, ‘we cannot be more Serbian than Serbia’.³⁶

As a final agreement is not in sight, the five non-recognising member states will continue to have an influence on EU efforts. Such influence is threefold. First, non-recognition leads to practical diplomatic problems. For example, Cyprus and Spain initially proved unwilling to join the 2018 Sofia summit on account of Kosovo’s attendance.³⁷ The EU’s Stabilisation and Association Agreement (SAA) with Kosovo had to be drafted without referral to potential EU accession and was concluded directly between Kosovo and the EU instead of with EU member states as to avoid issues with non-recognisers.³⁸ Second, non-recognition weakens the negotiation position of Kosovo, which is already thwarted by a comparative disadvantage when it comes to the professionalism of government

institutions and access to ‘Brussels’ and other member state capitals. As such, the dialogue is often perceived to take place between two unequal players. Third, non-recognising member states affect the credibility of the EU. It is noted in Kosovo that both the HR/VP and the EUSR are from non-recognising countries.³⁹

A second dividing line between the member states constitutes incompatible national sentiments towards potential solutions to the dialogue. An International Crisis Group report outlines three broad options for a final agreement: one based on territorial exchanges, one with autonomy for Serb regions in Kosovo and vice versa, and one based on significant EU support for Serbia in exchange for recognition of Kosovo.⁴⁰ In our interviews, various member state representatives asserted that their countries align themselves with the EU and leave the solution to the dialogue to the EUSR and the parties.⁴¹ However, follow-up questions revealed that different member states have different red lines.

In particular, the idea of territorial exchanges that surfaced in 2018 displays a rift within the EU. Countries like Belgium, Hungary, Austria and Romania would not protest against a ‘land swap’, pointing out the potential of the solution when Belgrade and Pristina reach this agreement on non-violent terms.⁴² Even Spain, as the most principled opponent of Kosovo’s independence, would be willing to agree with such a potential ‘land swap’ solution to end the dispute.⁴³ On the other side of the debate, we find Germany, Finland and Luxembourg firmly

34 Interview with diplomat from EU member state, December 8, 2021. See also: Euractiv, “[Greece reassures Serbia its position on Kosovo has not changed.](#)” September 8, 2021.

35 Interview with policy maker from EU member state, December 8, 2021; Interview with subject matter expert from EU member state, December 14, 2021.

36 Ioannis Armakolas and James Ker-Lindsay. *The Politics of Recognition*. ..., 207.

37 European Western Balkans, “[Romania and Cyprus to join Spain on Kosovo ahead of Sofia Summit?](#),” March 31, 2018.

38 See for a full analysis: Peter Van Elsuwege, “[Legal Creativity in EU External Relations: The Stabilization and Association Agreement Between the EU and Kosovo.](#)” *European Foreign Affairs Review* 22, no. 3, (2017); See for the SAA: Council of the European Union, “[Stabilisation and Association agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo*, of the other part.](#)” 10728/1/15, October 2, 2015.

39 See Toby Vogel and Bodo Weber, “[Why Miroslav Lajčák is the wrong choice for EU envoy.](#)” *EU observer*, February 21, 2020.

40 International Crisis Group, “[Relaunching the Kosovo-Serbia Dialogue.](#)” *Europe Report N. 262*, January 25, 2021.

41 Interview with policy maker from EU member state, December 8, 2021.

42 Beata Huszka, “[A high risk, high reward gamble: What are the benefits of a Kosovo-Serbia land-swap?](#),” *LSE*, November 2018.

43 Ioannis Armakolas and James Ker-Lindsay. *The Politics of Recognition*. ..., 235.

against territorial adjustments. They argue that redrawing borders would be tantamount to ethnic ownership and would come with major implementation challenges and risky precedents for the region at large. A French official asserted that his country is open to any kind of solution the parties can agree on, although France's formal position on the issue has been ambiguous.^{44, 45}

The land swap initiative has thus caused internal division among EU member states on a matter that *de jure* should be facilitated by the EUSR. As such, the future effectiveness of the dialogue could be negatively affected by disjointed interference of member states on potential solutions.

EU effectiveness in the Belgrade Pristina dialogue

It is clear from the sections above that several dividing lines directly and indirectly affect the EU's effectiveness in the dialogue. Other related factors may, however, have an equal if not larger impact.

First, the dialogue suffers from a lack of progress and EU credibility in EU accession. EU leverage over Kosovo and Serbia is closely connected to enlargement because the dialogue and EU accession were explicitly tied together in the early phases of negotiations. EU accession was to serve as the 'carrot' for Serbia in particular to do something that it considers not in its own interest and which goes against popular will, as Kosovo is closely connected to Serbian identity.⁴⁶

Analysts argue that the Brussels agreement could be concluded because back then enlargement was still moving forward. Now

that enlargement has reached an impasse, the EU has limited incentives to motivate the Kosovar and Serbian government to take a constructive stance.⁴⁷ There is, however, a definite rift in the EU on how to move forward with Enlargement. EU member states can be divided in a rule of law-oriented group and a swift integration group attributing less value to the Copenhagen criteria. This constitutes another dividing line that, albeit indirectly, has a strong impact on the dialogue. The deadlock in enlargement is not only due to the EU but deprives it of 'low-hanging fruit' that could help to alter calculations in Belgrade and Pristina. Several interviewees noted in this regard that the deadlock on visa liberalisation for Kosovo seriously affects EU credibility in that country.⁴⁸

Second, both countries show little ownership over the dialogue. On the Serbian side, a deteriorating rule of law situation in the past 10 years has left the country not conducive to public debate on the Kosovo issue. The Serbian government has so far not invested in earnest public communication on the dialogue, even though a referendum would be needed to seal the deal. It is doubtful if even President Vučić could convince the Serbian population of a final agreement that would grant Kosovo recognition. While often pointing to Kosovo for not implementing the ASM in North Kosovo, Serbia itself has a history of non-implementation of earlier agreements.⁴⁹

Similar problems persist on the Kosovar side. The Kurti government has refused to take any steps towards implementation of

44 Ajándok Fehér and Boglárka Rédlkki. "An Ambitious Idea Without Practical Foundations: The Pragmatic Side of a Potential Land Swap Deal between Serbia and Kosovo", KKI, 2021, 11-12.

45 Interview with diplomat from EU member state, December 17, 2021.

46 Interview with subject matter expert from EU member state, December 14, 2021.

47 For a comprehensive overview of the current state of EU enlargement, see: Wouter Zweers et al, "The EU as a promoter of democracy or 'stabilitocracy' in the Western Balkans," *Clingendael Institute and Think for Europe network*, February 8, 2022.

48 Interview with diplomat from EU member state, December 8, 2021; Interview with subject matter expert from EU member state, December 14, 2021; Interview with member of European Parliament, December 20, 2021; Interview with official from EU institution, 2022.

49 Interview with policy maker from EU member state, December 17, 2021.

the ASM in spite of public pressure from the HR/VP. Kurti's Vetëvendosje party has always been opposed to the Brussels agreement, and his current government has vowed to reassess all agreements made by its predecessors.⁵⁰ Kurti did express his commitment to the dialogue after the instalment of his second cabinet in 2021, but also declared it is not a priority.^{51, 52} According to an interviewee, his principled position and little experience in international negotiations have provided a welcome excuse to Belgrade.⁵³

Finally, foreign power influence plays an important role in the dialogue. The lack of EU-US coordination during the Trump administration undermined the EU's position as facilitator.⁵⁴ A US-fostered economic agreement from 2020 has so far proved not much more than a poisoned chalice undermining EU-led efforts.⁵⁵ Since President Biden took office, the US has reassured the EU and the parties that it is behind the EU-facilitated dialogue, thereby reinforcing the EU's leverage.

On the contrary, more illiberal forces like China and Russia that do not recognise

Kosovo continue to undermine the dialogue.⁵⁶ While these two UN Security Council members have almost fully blocked Kosovo's integration into international organisations, Serbia has developed strong political ties with Beijing in the past decade while maintaining good ties with Moscow.⁵⁷ This has hampered EU leverage over the country while also emphasising the uneven positions of Kosovo and Serbia.

Towards a more effective dialogue

This policy brief has provided an analysis of practical and ideological dividing lines within the EU, as well as external factors affecting EU foreign policy effectiveness in the case of the Belgrade-Pristina dialogue. We draw several conclusions.

First, the totality of EU institutions involved in the dialogue leads to inter-institutional difficulties. Most importantly, ownership over the dialogue is not fully clear. While the EUSR Lajčák is on paper the facilitator of the dialogue, several member states assert they hold the cards behind the scenes. This raises questions with regard to the legitimacy and leverage of the EUSR. Communication issues between the EUSR, member states and the European Parliament exacerbate such questions. The questioned neutrality of the HR/VP and EUSR further affect EU credibility, and hence effectiveness.

Second, the non-recognition of Kosovo by five member states raises political and practical barriers in the dialogue and affects the credibility of the EU and the negotiating position of Kosovo. At the same time, the impression emerges that these member

50 Suzan Kodrazi, and Daniel Heler, "EU Facilitated Belgrade-Pristina Talks: Analysis of the Impact of Domestic Actors on the Process of Dialogue," *Contemporary Europe* 20, no. 2 (2015): 24-52.

51 See: Albin Kurti (@albinkurti), "Ahead of my visit to Brussels I had a [picture of phone call] with the President of

@EUCouncil@eucopresident. [I thanked him for his congrats on our victory & reiterated that securing vaccines & delivering on jobs & justice are gov. top priorities. I also assured him of our commitment to the dialogue.](#)" *Twitter*, April 27, 2021.

52 N1, "[Kosovo's Kurti: Dialogue with Belgrade isn't main priority](#)," March 1, 2021.

53 Interview with diplomat from EU member state, December 8, 2021.

54 Legal Political Studies, "[The U.S. direct involvement in Kosovo-Serbia Dialogue: A Testimony of EU's inconclusive role in the process](#)," February 6, 2020.

55 See Sandra Maksimović, "[What did Serbia and Kosovo sign in Washington](#)," *EuropeanWesternBalkans*, September 17, 2020.

56 Atlantic Council of Montenegro, "Western Balkans Security Report", July 2021.

57 See for an analysis of Serbia-China relations: Frans-Paul van der Putten et al, "[China and the EU in the Western Balkans – A zero sum game?](#)," *Clingendael Institute*, August 2020; For an analysis of Russia's influence in the region, see: Othon Anastasakis, "[Russia, South East Europe and the "geopolitics of opportunism"](#)," *Clingendael Spectator*, 2017.

states would themselves appreciate a final agreement, and non-recognition has not prevented them from constructive informal engagement with Kosovo.

Third, member states have different ideas on potential solutions. This means that the end goal of the dialogue is not clear and the mandate of the EUSR is undermined. This could lead to problems if the EUSR were to facilitate an agreement that crossed the red lines of some member states. Such red lines are at odds with the idea that the EU is only a facilitator in the dialogue which would agree with any mutually acceptable solution for Belgrade and Pristina.

Fourth, the EU lacks credible incentives to motivate the parties to take a more constructive stance in the dialogue. EU leverage is closely connected with a credible accession perspective, which is currently weak. When it comes to Kosovo, the failure to grant visa liberalisation is widely cited as undermining EU credibility.

Fifth, several factors outside the EU realm remain a prominent barrier to conflict resolution. The governments of both Kosovo and Serbia show a lack of genuine prioritisation and a lack of political will to implement former agreements. They fail to communicate a compelling narrative to their populations. Also, Russia's and China's interference in the region undermines the dialogue. Furthermore, EU-US cooperation is an important condition to success but is not a given, as was observed during the Trump administration.

While the EUSR often cites the need for swift progress, a final agreement currently seems far away.⁵⁸ Nevertheless, inaction could be both costly and risky for the EU in the medium to long term. We therefore make the following recommendations to enhance the effectiveness of the EU.

To EU Institutions:

- The EUSR and his team could better inform member states and EU Heads of Mission in a more open and concrete fashion to address the information gap between the EEAS and EU member states cited by various interviewees.
- To ensure more systemic information provision towards the European Parliament, the rules of procedure on this matter in the Declaration of Accountability between the EUSR and the EP should be further specified.
- The EUSR may be in a better position to facilitate high-level meetings than the HR/VP as he deals with the dialogue on a daily basis. Key EU representatives need to ensure that their public communications do not hint at a bias towards one of the two parties.

To EU member states

- A solution must be found for the contradiction between the EU as a facilitator and the red lines from some member states on potential solutions. EU member states should coordinate better with each other to find which solutions would be mutually acceptable, so that this might be clearly communicated to the parties. The outcome of such a discussion should lead to a clearer mandate for the EUSR and clarify whether the EU is in reality merely a facilitator in the process.
- The five EU member states that do not recognise Kosovo could communicate more concretely their willingness to recognise Kosovo should there be a mutually acceptable agreement between the parties. In order to further normalise their relations, it is recommended that they expand constructive informal bilateral cooperation with Kosovo.

⁵⁸ Euractiv, "[Lajcak: High time for real progress in Belgrade-Pristina dialogue](#)," November 18, 2021.

To EU institutions and EU member states

- With enlargement in bad shape, the EU could come up with alternative incentives that could be realised in the short term. In particular, regional cooperation in the form of a Common Regional Market might be a way forward which the EU could support. In the case of Kosovo, the Council would do well to reassess whether requirements for visa liberalisation have been met.
- The EU could also take measures to fuel more long-term incentives and revitalise its enlargement agenda in line with suggestions from other recent research.⁵⁹ A principled approach in the rule of law domain, with a special interest in media freedom, could directly contribute to an environment in Kosovo and Serbia that is more conducive for the dialogue.
- Much of the disagreement between Kosovo and Serbia goes back to the lack of implementation of earlier agreements. However, what has been implemented by whom remains somewhat ambiguous and could profit from a publicly accessible monitoring and accountability mechanism in the comprehensive agreement.
- Public opinion remains an important part of the dialogue's effectiveness, especially considering that in Serbia a referendum to change the constitution would be required once an agreement is reached. It is therefore important for both countries to increase their public communication, inform the public about an eventual deal, and create a more constructive narrative. The EU should insist on the importance of such a narrative to foster more open public debate on the dialogue in both countries.
- While the current prospects for resolution of the Kosovo-Serbia dispute are poor, all EU member states and institutions should take an active interest in overcoming internal dividing lines to enhance EU effectiveness. Perpetuating the status quo comes with stability risks and jeopardises the EU's credibility as an international actor.

59 Wouter Zweers et al, "[The EU as a promoter of democracy or 'stabilitocracy' in the Western Balkans.](#)" *Clingendael Institute and Think for Europe network*, February 8, 2022.

About the Clingendael Institute

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This policy brief is part of a project that explores ways to improve the effectiveness of EU foreign policy. It is one of three case-briefs. The others analyse [defence specialisation](#) and the role of the Hungary in the formation of EU China-policy respectively (forthcoming). A fourth essay (forthcoming) – *Europe cannot wait on unity. Teaming up to improve EU foreign policy effectiveness, and what the Netherlands may contribute to it* – is the synthesis of the main insights gained from the case-studies, but also the result of independent research into policy-domain transcending issues related to the effectiveness of the EU as a geopolitical player.