

EPS { European Politics and Society

Improving the 'Minimalist State': The Targeting of EU State Building Policies in Kosovo

Student: Tom Dautzenberg (59421971)

Charles University, Prague

Supervisor: Dr. Tomáš Weiss

June 2022

Word count: 21.719



CHARLES
UNIVERSITY



JAGIELLONIAN
UNIVERSITY
IN KRAKÓW



Universiteit
Leiden



Universitat
Pompeu Fabra
Barcelona

Abstract

This research investigates the targeting of EU state building policies in Kosovo. By employing the conceptual framework of the ‘minimalist state’ and applying this to the case, it studies to what extent the EU policies are suitable to improve Kosovo’s status and performance as a state. Minimalist states are countries that have been established as a result of intervention and state building by international actors and were developed to accommodate competing claims, but in doing so, fall short of sets of functions states are widely expected to carry out. By applying this concept to Kosovo, this study analyses to what extent the EU’s policies are targeted correctly to improve the features of Kosovo’s minimalist state. The study was conducted by analysing the three main policy frameworks through which it engages with Kosovo: the Stabilisation and Association Process (SAP), EULEX, and the Belgrade-Pristina Dialogue. Document analysis was conducted with Kosovo as a single case study to answer the research question. The research has shown that the EU addresses only a limited number of features of Kosovo’s minimalist state. Whereas the policies focus on increasing the strength of Kosovo’s state, the EU’s state building policies do not directly target the scope and legitimacy of Kosovo.

Keywords: European Union, EU foreign policy, Kosovo, minimalist state.

Acknowledgements

Here, I would like to take the opportunity to thank Dr. Tomáš Weiss, my supervisor, for his valuable feedback, recommendations and guidance throughout the writing process. Furthermore, I am grateful to have gotten the opportunity to take part in the Vaclav Havel Joint Master in European Politics and Society. Thanks to this program, I got the chance to study with a diverse group of students at two different universities – Jagiellonian University in Krakow and Charles University in Prague – and to be taught by an excellent group of lecturers.

Table of Contents

Acknowledgements.....	3
Introduction.....	6
Setting the scene	6
Structure.....	9
Literature Review and State of the Art	10
The EU as a state builder	10
The European Union and state building in the Western Balkans.....	12
State building in Kosovo.....	15
Kosovo as a minimalist state.....	18
Academic relevance	21
Methodology.....	23
Introduction.....	23
Case study	23
Document analysis	36
Relevance and expectations	38
Ethical considerations and limitations	41
Background and Context of Kosovo’s Minimalist State.....	42
Introduction.....	42
From parallel state to international protectorate: Kosovo pre-independence	42
Kosovo’s minimalist state	46
Findings	53

Limited external legitimacy	53
Limited Domestic Legitimacy	57
Limited strength of state functions	61
Limited scope of the state	66
Discussion of results	71
Final Remarks	76
Conclusion	76
References.....	79

Introduction

The first chapter of this dissertation will introduce the central topic of this research: the targeting of the European Union's (EU) policies toward Kosovo. This section will address the goal of the thesis by highlighting the relevance of such research and presenting the main research question. It will also include an overview of the structure of this research, as well as a general introduction to the topic.

Setting the scene

In February 2012, four years after seceding from Serbia, Kosovo's parliament adopted a resolution calling for complete independence without international supervision. According to Hashim Thaci, Kosovo's Prime Minister at the time, the adoption marked the beginning of "a new era" (Aliu, 2012). At the time, 86 states worldwide, including 22 EU Member States and the United States, had recognised Kosovo's independence, but the country remained under international monitoring. Having been under UN supervision since the end of the Kosovo War in 1999, some argued that the 2008 declaration of independence marked the beginning of "the era of the EU protectorate" for Kosovo (Judah, 2008). With the 2012 resolution, Thaci's ruling Democratic Party of Kosovo attempted to close the chapter of supervised independence.

At the time of writing this dissertation, ten years after the commencement of Thaci's "new era", Kosovo's status is as unclear as it was in 2012. Despite almost 15 years of independence and EU state building efforts, Kosovo is still described as "an aporetic structure oscillating in between meanings and status: being a former province of Serbia; a UN/EU protectorate lookalike; an independent state, and a projected EU member state, all at the same time" (Musliu, 2021, p. 28). The core of Kosovo's ambiguity seems to be its lack of unanimous recognition, with five EU Member States not recognising it. Despite being actively involved in Kosovo, this reality forces the EU to refer to the country with an asterisk,

usually accompanied by a footnote saying that the “designation is without prejudice to positions on status and is in line with UN Security Council resolution 1244 and the International Court of Justice Opinion on the Kosovo declaration of independence” (Panić, 2020).

However, it is not just the recognition issue that has prevented Kosovo from growing into a fully functioning independent state. It is an example of a type of country that is referred to as a ‘minimalist state’, which has been established as a result of intervention and state building by international actors since the early 1990s and was developed to accommodate competing claims rooted in disputes over governance and ethnic dominance (Bieber, 2011). Minimalist states attempt to address the sources of conflict by “fostering state structures which fall short of the set of functions most states are widely expected to carry out, but by doing so might be able to endure” (Bieber, 2011, p. 1784). A minimalist state can be considered successful when it loses its minimalist scope and capacity and acquires additional functions. Despite having been supervised and influenced by state building policies of the EU since its independence, Kosovo has not been able to grow out of its minimalist scope. Kosovo has received more assistance than any other similar territory in the world but remains one of the poorest and least developed countries in Europe (Howard, 2014, p. 119). What does Kosovo’s enduring minimalist status say about the EU as a state builder?

The objective of this research is to use the concept of the minimalist state to study, describe, and critique the targeting of the EU’s policies toward Kosovo. Almost twenty years after the EU expressed its “unequivocal support” to the Western Balkans at the 2003 Thessaloniki Summit and close to the fifteen-year milestone of Kosovo’s independence, Kosovo is the only Western Balkan nation whose citizens still require a visa to travel to the Schengen area, with five EU Member States not recognising its independence from Serbia. Despite failing to reach a common stance on Kosovo’s independence, the EU has extensively

engaged with the state through several policy frameworks. By operationalising the concept of the minimalist state and applying it to the case of Kosovo, a framework will be created to study the targeting of EU policies in Kosovo. Minimalist states have specific characteristics that define their minimalist status, which need to be improved in order to realise the ambition of outgrowing their minimalist scope. The main goal of this research will be to study to what extent the EU's policies as part of its three primary forms of engagement with Kosovo – the Stability and Association Process (SAP), the European Union Rule of Law Mission in Kosovo (EULEX), and the EU-facilitated Belgrade-Pristina dialogue – address the features of Kosovo's minimalist state, and whether they are tailored to assist Kosovo in growing out of its minimalist scope. As Kosovo remains relatively underdeveloped despite the high amount of EU investments in the state, researching the targeting of EU policies can teach us more about the functioning of the Union as a state builder. In this way, this research will clarify deficiencies in the targeting of EU policies in terms of improving Kosovo's minimalist state while also highlighting what aspects are represented in the EU's policy goals. This dissertation, therefore, aims to research whether the EU addresses the features that make Kosovo a minimalist state and to what extent the EU manages to address the aspects that need to be improved for Kosovo to grow out of its minimalist scope.

Although much research has been done about post-independence Kosovo and the EU's intentions in the area, gaps occur regarding the research problem of the targeting of EU policies in relation to improving Kosovo's state. By employing the minimalist state as the main conceptual framework, the study of the targeting of EU's policies in Kosovo can be operationalised. By combining different sets of literature on EU state building in the Western Balkans and Kosovo specifically, as well as studies of minimalist and contested states, this research aims to contribute to filling the operationalisation gap when it comes to studying the EU's policies with the goal of finding out more about the EU as a state builder.

Structure

This dissertation is divided into five sections. The first section will cover the state of the art in this field of research. By creating an overview of the existing academic literature on the topic, this section will identify the literature gap and show the research's relevance. The second section will highlight the research methodology and operationalisation of the minimalist state concept. The subsequent chapter will provide historical background and context to the situation while identifying Kosovo as a minimalist state. The fourth section will present and analyse the findings of this research. Finally, the fifth section will draw general conclusions and provide recommendations for future research.

Literature Review and State of the Art

This chapter will focus on presenting the academic discourse surrounding the topic of the European Union's external state building in the Western Balkans, specifically in Kosovo. The section will look at what has been written about EU state building in Kosovo and the effects this has had on Europe's youngest state before discussing several definitions or labels that have been appointed to Kosovo to characterise the type of state. In this way, this chapter will also show in what way this research will contribute to the existing literature.

The EU as a state builder

In recent studies on the European Union's foreign policy, enlargement, and integration, there has been a broad spectrum of theories and concepts in which the matter has been embedded. In literature specified on the EU as a state builder, studies generally focus on the implications of its policies and projects, for example in relation to legitimacy, or on the shifting priorities of the Union, from a liberal to a pragmatic and more limited approach (Chandler, 2019). Another approach has been to use state building projects as cases to study the limitations of Europeanisation (Bieber, 2011). However, studies that focus on what the EU's policies are specifically aimed at are currently still relatively underrepresented.

Studying the EU's state building engagement in its different projects cannot be done through a single conceptual framework, as Bouris and Papadimitriou (2019) argue in their study on the EU's strategies toward contested statehood in its 'near abroad'. Assessing the impact of the EU's state building engagement on the ground faces some significant recurring implications. For example, the EU state building strategy is usually a combination of different sets of policies, both 'harder' and 'softer' mechanisms aimed at modifying the discursive paradigm of conflict. The effects of soft mechanisms tend to be less identifiable and more focused on the longer-term (Bouris & Papadimitriou, 2019, p. 275).

Besides this, the EU's involvement in international conflicts, or post-conflict regions, is seldomly isolated from the acts of 'significant others'. For example, in the case of Kosovo, the UN, NATO, OSCE, US, and Russia are all stakeholders, and their agendas were hardly always compatible with the EU's policies. The implications of studying the impact of the EU are increased by the EU's internal 'coordination' problem, involving disagreements between EU institutions and member states. This situation makes the attribution of success and failure of a single player hard to identify (Bouris & Papadimitriou, p. 275). According to Noutcheva (2018, p. 450), the internal processes and decisions in the EU's institutional machinery of responses to contested statehood are conditioned by external opportunities and constraints, as well as the way in which those influence the internal agreement to act or not. The author argues that two types of external actors are particularly relevant: other international or regional players and the conflict parties themselves. Noutcheva (2018, p. 457) explains that "the views and expectations of these other actors of EU actorness in specific conflict situations affect the EU's own considerations on whether to act, and the potential reactions of these actors to EU action or inaction are factored into the EU's responses to contested statehood."

Another implication is the normative contestation involved in cases of state building and the boundaries of legitimate intervention by the international community. Studies into the transmission of a specific set of rules, norms, ideas, and practices by international actors to a target state, so-called *norm diffusion*, have appeared within the contextual framework of social constructivism in International Relations (Tholens & Gross, 2015, p. 250). Norm diffusion in this context occurs when external actors operate in a territory that may qualify as possessing 'low statehood' due to the fragmentation of institutions designed to control the territory of the state. However, the meaning of these international norms is regularly

contested in local political struggles, acknowledging the interactive nature of norms (Tholens & Gross, 2015, p. 256).

The European Union and state building in the Western Balkans

Since the early 1990s, several international actors had proposed plans to promote the reformation and creation of states as a solution to the conflicts that were taking place in former Yugoslavia, with their successes highly limited. The EU sought to replace these actors to present itself as the prime state builder in the area, based on a dual strategy that combined features of state building and European integration (Bieber, 2011, p. 1783).

With the emergence of its Common Security and Defence Policy (CSDP), the EU started taking on an active international role. The EU's international politics have traditionally focused on the ethical dimension and an urge to 'civilise'. Part of this discourse is a 'moral obligation' to respond to crises in its proximity. At the core of the CSDP endorsement has always been an aspiration of multilateralism and a demand for building partnerships. In this capacity, state-building policies have become essential tools for crisis management and prevention (Kurowska & Seitz, 2014, p. 20). In the Western Balkans region, EU state building is often studied through the framework of 'Europeanization'. This is explained as a process of building 'European-like' states and societies, whereby the Union benchmarks and evaluates local populations in the respective countries of the region on whether and how European they are and can become (Musliu, 2021, p. 14). These externally assisted state-building processes are defined as the construction of legitimate and effective governmental institutions in the state recipient. However, Kurowska and Seitz (2014, p. 25) argue that one may also see it as "aiming to shape the governance system of the neighbours according to the model embraced by a particular entity in order to create a favourable environment for the latter." In this way, the authors argue that state building may be construed

as an elaborate and long-term strategy to avert or manage crises in the European neighbourhood.

Focusing on the EU's state building efforts, Bieber (2011, p. 1790) argues that the practice of external state building originates from the fundamental presumption of an inability or lack of capacity for domestic state building. In several cases in the Western Balkans, ruling elites are generally not hostile toward state building but would instead invest in promoting sub-state units. The EU's self-image of being 'a force for good' is validated and reproduced through their appearance of normative or transformative power in situations like these. Through this identity, the EU tries to present itself as a crisis manager and state builder, with the reputation of an honest broker as a crucial ingredient in this process. However, the way in which the EU positions itself also leads to problems, a significant one being that the aim of local ownership is frequently compromised, at times as part of an implicit pact between EU actors and the local elites (Kurowska & Seitz, 2014, p. 28). The complex relationship between 'Brussels' and local agents within the context of state building is a much-studied topic, particularly from a perspective of legitimacy. Legitimacy from local actors is pivotal, whereas appraisals of illegitimacy may stimulate local collective responses and rejection of the state building efforts. A general acceptance of the EU's legitimacy provides it with an essential source of authority that can generate motivation for participation and voluntary acceptance of decisions and actions. The foundations for this are rooted in a "complex process of legitimation that generates consent, recognition and support for different EU decisions, policies, actors, and actions" (Yabanci, 2016, p. 346). In the Western Balkans, the Union's state building policies can be seen in accordance with the liberal peacebuilding paradigm, with similar objectives across countries, Yabanci explains. The main goals are to transform conflict-torn societies and states through promoting human security, good governance, the rule of law, market reforms, and the basic elements of democracy. What

makes the EU different from other external state builders is the commitment that is asked from the recipient states through adopting EU laws, regulations, and standards. In exchange for this commitment, incentives are offered, such as preferential trade agreements, development aid, technical assistance, and, most importantly, potential membership. These incentives are strictly conditional and imposed in a top-down manner on local ruling political elites. Because of this method, the consent and support of local stakeholders have become vital aspects of the legitimacy and overall success of EU state building (Yabanci, 2016, p. 349).

Another key implication of the EU's efforts in the Western Balkans comes from this quest for legitimacy and participation by local stakeholders and is closely tied to the lack of bottom-up strategies. According to more critical voices, the EU's approach in the region has resulted in the rise of 'stabilitocracies'. Bieber and Kmezić (2017) describe these as "weak democracies with autocratically minded leaders, who govern through informal, patronage networks and claim to provide pro-Western stability in the region." The state of democracy in these stabilitocracies is weak and declining, while the gatekeepers of functional democracies, such as independent media and strong institutions, are failing (Bieber & Kmezić, 2017, p. 95). This dynamic has been tolerated by the EU and its member states, which raises implications and risks that go beyond the decline of democracy, such as a rise of geopolitics in the region, as the autocratic leaders in the Western Balkans are exclusively in the EU integration process for strategic interest, and they may be inclined to set different priorities once there is a 'better offer'. Another lingering risk is the intensification of renewed ethnic conflict stoked by autocrats (Bieber & Kmezić, p. 95). What might be the most significant threat of this tendency for 'Brussels' is the plummeting support for its policies amongst local citizens, resulting in the EU integration process losing its core constituency and natural allies. The support for the Union in most of the Western Balkans region has decreased dramatically

after years of deprioritising, neglect and stabilitocracy. The member states' fatigue with the enlargement strategy is an important factor in this trend. Cvijic (2020, p. 205) shows how the Commission's 2020 Strategy in the Western Balkans offered a clear path toward reform for candidate countries, but the Member States refused to endorse it. As the Commission is being overruled by the member states' nationalisation of the enlargement process, Cvijic argues that this undermines the EU's credibility in the region. This forms another implication for the EU's aspirations in the Western Balkans.

State building in Kosovo

International state building unfolded in Kosovo in 1999, after the end of the Kosovo War. The international community, led mainly by the European Union, the United Nations, the United States, the World Bank, the International Monetary Fund, and NATO, "promoted the creation of a type of state in Kosovo that transcends ethnicity and is more in line with the self-perpetuating European ideals of a state: based on civic nationalism as opposed to ethnic nationalism" (Musliu, 2021, p. 22). With the 1999 Kumanovo Agreement, the United Nations Mission in Kosovo (UNMIK) took on the assignment to carry out all aspects of civil administration, establishing democratic institutions and creating a basis for the eventual resolving of Kosovo's disputed political status (United Nations Security Council, 1999). UNMIK operated on a three-phase transition plan, with the final goal of culmination with a complete transfer of responsibilities to the new democratic institutions of Kosovo. Amidst a series of unsuccessful negotiations between Kosovar and Serbian representatives in 2006 and 2007, mediated by a Troika of representatives of the US, the EU and Russia, former UN envoy Marti Ahtisaari designed a blueprint for Kosovo's independence. In the so-called Ahtisaari Plan, the major provisions for building a state were set out in the form of a "mélange of so-called best practices from the most prosperous Western democracies", providing a detailed institutional design in terms of sovereignty, political and economic

systems, minority accommodation, neighbourly relations and foreign policy (Musliu, 2021, p. 24). However, the members of the United Nations Security Council (UNSC) that supported the plan formally discarded a draft resolution backing Ahtisaari's proposal in 2007 due to failed efforts to secure Russian backing.

Since Kosovo unilaterally declared independence in 2008, the EU has been present in different capacities. The European Union Rule of Law Mission in Kosovo, known as EULEX, was deployed in the same year, with the mission to monitor, mentor and advise Kosovo's justice system under a far-reaching mandate, including the works and activities usually carried out by government ministries, departments and agencies in a country (Musliu, 2021, p. 27). Besides the rule of law mission, the Union engages with Kosovo through two interlinked policy goals, the first of which is the Stability and Association Process (SAP), which aims to transfer concrete EU rules, procedures, and policies, as well as norms and 'ways of doing things' to (potential) candidate countries, in this case, Kosovo. The EU also engages with Kosovo as a facilitator in the "Belgrade-Pristina dialogue for the normalisation of relations between Kosovo and Serbia". This dialogue consists of a series of high-level negotiations that have been taking place in Brussels since 2011 between the leaders of Kosovo and Serbia, generating several agreements. Though described by the EU as technical negotiations, the dialogue has shown to be inherently political in the past decade (Musliu, 2021, p. 27).

There is no unanimity amongst scholars over the degree to which these different forms of EU involvement in Kosovo can be seen as a success or a failure. Still, there seems to be a consensus that not all ambitions have been matched. For example, scholars note a shift in ambition for the EU as a mediator in the Belgrade-Pristina dialogue. Whereas the primary purpose of the dialogue initially was to get to agreements that are aimed at improving citizens' lives and bringing both parties closer to the EU, this shifted in the course of the

mediation process to a less ambitious – but perhaps more realistic – ‘normalisation of relations’ (Bergmann & Niemann, 2015, p. 965). Chandler (2019, p. 545) identifies the same development in his analysis of twenty years of state building in Kosovo, moving from an idealist, liberal discourse to one emphasising pragmatic and realist considerations. More specifically, the EU aims to broker an agreement on the governance of Northern Kosovo by facilitating the dialogue. Despite the EU’s significant mediating leverage, with EU membership as the eventual ‘big carrot’ for Serbia and Kosovo, as well as the potential of visa-free travel for Kosovar citizens in the Union’s member states, the incompatibilities between both sides have not yet been resolved. Mediating effectiveness has been limited at best, which Bergmann and Niemann (2015, p. 968) attribute to the limited coherence of the EU, for example, when it comes to Kosovo’s status as an independent state, as well as disagreements among member states regarding accession negotiations. Besides that, the authors argue that there is a structural problem in the EU’s interventionist mediation strategy, which is inadequate for fostering confidence and trust between conflict parties. The lack of internal cohesiveness in Kosovo and Serbia is also mentioned as a critical problem. This lack of cohesiveness comes forward in the European External Action Service (EEAS) negotiation strategy, Yabanci argues, which has excluded the Kosovo Serb community from the negotiations table. At the same time, the normalisation of relations between Kosovo and Serbia primarily concerns the status and future of the northern municipalities and, therefore, directly affects this particular community. Besides this, the author argues that the confidentiality of the dialogue has caused fear, suspicion and conspiracy in both Kosovo and Serbia (Yabanci, 2016, p. 357).

Musliu (2021, p. 28) argues that it is indeed surprising that the EU has been resistant to actualising Kosovo’s projected Europeanness, considering the amounts of material and declarative support that has been delivered in the process, with Brussels being involved in the

process of ‘building’ its future member state. However, there has been more hesitation than with any other country in the region. In general, the EU still enjoys high levels of trust as an institution, with overwhelming support amongst Kosovars for EU membership. Still, its local projects fall below expectations, which has generated a downward trend in support. Yabanci explains this trend as a result of unmet expectations from the EU’s involvement in Kosovo, and the top-down nature of decision-making, with EULEX as the only actor that allows some local participation (Yabanci, 2016, p. 363).

Overall, studies conclude that the international community has failed to erect a stable and well-governed democratic state, creating a fragile state with weak institutions instead, in an already unstable region. The EU is criticised for its technocratic approaches to state building, which relies predominantly on a top-down approach of constitutional engineering, which has repeatedly been applied in Kosovo and has produced unsatisfactory results (Capussela, 2015, p. 50).

Kosovo as a minimalist state

The lack of clarity regarding Kosovo’s status has been a source for discussion among scholars who aim to define the character of Kosovo’s state and its degree of ‘stateness’. Bieber (2011) sees Kosovo as an example of a type of state that has been established as a result of intervention and state building by international actors since the early 1990s, which the author refers to as ‘minimalist states’. This particular form of state was developed to accommodate competing claims rooted in disputes over governance and ethnic dominance. As the only viable alternative to redrawing borders after ethnic conflict, minimalist states “constitute an effort to address the sources of conflict and state weakness by fostering state structures which fall short of the set of functions most states are widely expected to carry out, but by doing so might be able to endure” (Bieber, 2011, p. 1784). The author stresses that minimalist states must be distinguished from weak or failed states, as failed states risk

causing conflict or coexist with a low-level form of conflict, whereas minimalist states manage to address the sources of conflict (Bieber, p. 1784). Bieber regards Kosovo as a minimalist state created with substantial input by the EU and can be seen as an unfinished state rather than a permanent and enduring state structure. A minimalist state can be considered successful when it loses its minimalist scope and capacity and acquires additional functions. The minimalist state will need to increase its scope and strength to be a legitimate future EU member state that can function in this fashion and provide citizens in a manner that allows the state to secure popular legitimacy (Bieber, p. 1797).

One of the main features of minimalist states is their contested nature and weak domestic legitimacy. Baracani (2020, p. 363) describes contested states as entities that have declared independence and display some statehood components but face difficulties in terms of external sovereignty, because they are not recognised by a significant part of the international community, and internal sovereignty, as they are unable to govern or control a part of their territory effectively. Kosovo can be characterised as a contested state as its internal sovereignty is compromised due to its government's inability to govern effectively over its country, particularly in the Serb-populated municipalities in the North. Its external sovereignty is also compromised by the fact that the international community is divided over Kosovo's independence. The implications for internal legitimacy can be attributed to the phenomenon of enclavisation, which has been the main feature of Kosovo's ethnic landscape after the NATO intervention. Kostovicova (2008, p. 638) explains how the existence of geographically concentrated areas of Serbs in Kosovo has facilitated a continued political presence of Serbia, which enabled the Belgrade government to organise and fund parallel education, health care and civil services, as well as clandestine security structures on Kosovar territory. These enclaves offered a solution to the insecurity felt by the remaining Serbs after

the withdrawal of Serbian security forces but currently form a significant implication for Kosovo's internal legitimacy.

The features of enclavisation and contested statehood show similarities with the concept of the minimalist state. The concepts of minimalist and contested states both contain the element of constrained domestic and external sovereignty or legitimacy. Kostovicova's definition of enclavisation can be seen as a product of limited sovereignty, as the dispute with Serbia has led to parallel structures on Kosovar territory. The minimalist state differs from these concepts in the way that the contested statehood is one of its characteristics while containing several other factors. Besides that, the concept is specified as being established due to conflict intervention. A further description of the minimalist state will be presented later in this paper.

Chandler (2019) sees Kosovo as an example of a broader international policy shift away from the liberal universal policy prescriptions of the 1990s toward more pragmatic alternatives. An example of pragmatic critiques of international state building goals is the idea of 'good enough governance', which Chandler applies to Kosovo. In this option, the international community enforces a minimal set of rights standards to ensure that key international security threats are dealt with. In the option of 'good enough governance', stability is seen as more important than democracy (Chandler, 2019, p. 553). In this way, it shares some characteristics with the theories about the 'stabilitocracies' of the Western Balkans, which have been mentioned before. The literature surrounding this 'good enough governance' context mostly appears in a United States foreign policy context, with former US diplomats Karl Eikenberry and Stephen D. Krasner advocating for this to become a dominant aim for the foreign policy of the US. In their policy paper aimed at the US government, the authors explain how this type of governance should improve security in the target country, improve some public services such as healthcare, and stimulate economic growth. However,

the goals should remain ‘realistic’ (Eikenberry & Krasner, 2021, p. 22). Chandler sees this way of thinking as a prime example of pragmatism and a return to Cold War clientelist regimes, which according to the author is evident in NATO’s KFOR presence in Kosovo (Chandler, 2019, p. 554).

Academic relevance

As the literature review shows, the topics of the policies of the European Union in the Western Balkans region and Kosovo specific, as well as the implications regarding Kosovo’s status, have been widely covered in academic studies. The fundamental premise that is implied by the practice of external state building – an inability or lack of capacity of domestic state building – has legitimised over two decades of extensive presence of the international community in Kosovo, without any clear success.

Since Kosovo declared independence in 2008, the EU has engaged with Kosovo through the frameworks of the SAP, EULEX, and the Belgrade-Pristina dialogue. However, as Musliu (2021) describes, what remains in Kosovo what remains is still an ambiguous arrangement staggering between meanings and status. In the academic debate regarding the characterisation of Kosovo’s state, it is defined as a contested (Baracani, 2020) or minimalist state (Bieber, 2011), while the EU’s engagement is characterised by a shift in approach towards pragmatism (Chandler, 2019; Eikenberry & Krasner, 2021; Bergmann & Niemann, 2015). The EU’s motivations in the region are explained through normative narratives of Europeanization (Musliu, 2021) or as an ‘urge to civilise’ (Kurowska & Seitz, 2014). Although there is an abundance of literature studying the status of Kosovo, as well as the EU’s intentions, gaps occur regarding the research problem of the relation between the EU’s engagement with Kosovo and its status, and the targeting of EU policies regarding these issues has not been studied sufficiently. By using the minimalist state as the main theoretical framework, the study of the targeting of EU’s policies in Kosovo can be operationalised.

According to Bieber (2011, p. 1797), a minimalist state can be considered successful when it loses its minimalist scope and capacity and acquires additional functions. By combining different sets of literature on EU state building in the Western Balkans and Kosovo specifically, as well as studies of minimalist and contested states, this research aims to contribute to filling the operationalisation gap when it comes to studying the EU's policies. By using these different sets of literature, this research aims to answer the question of to what extent the EU's engagement in Kosovo, through the capacities of the SAP, the Pristina-Belgrade dialogue, and EULEX, are designed to improve the different aspects that make Kosovo a minimalist state.

Methodology

Introduction

The research methods used to collect and analyse the data and answer the research question are the single case study and document analysis. The minimalist state will be used as a framework to study the matter. The choice was made to exclusively use qualitative research methods, as the main aim of the research is to study the targeting of the EU's policies in Kosovo. Qualitative methods allow deep attention to detail and in-depth analysis of documents within their context. They are well applicable to the research question, as all matters concerning the EU's engagement with Kosovo have been well documented. This section will discuss the benefits of employing the single case study and document analysis research methods. It will also operationalise the conceptual framework that will be utilised to analyse the empirical evidence. Finally, the limitations and ethical concerns will be concerned.

Case study

In terms of operational methods of data collection, the study shall focus on the targeting of EU policies in Kosovo as a single case study by using this qualitative method with the aim of gaining scientific insights concerning the main research question. As Merriam (2009, p. 50) describes, this method "offers a means of investigating complex social units consisting of multiple variables of potential importance in understanding the phenomenon." Case studies result in a rich and holistic account of a phenomenon. The method has some significant advantages in being applied to the case study of Kosovo. By focusing on this particular case, the aim is to define the primary purposes of the EU's engagement with Kosovo by focusing on certain elements of causality, to discover what the findings ultimately say about the European Union. By focusing exclusively on the case study of the EU in Kosovo, this method may provide scientific insights into the choices made by the Union and

to what extent the policies regarding minimalist or contested states aim to improve the status of the recipient country. The single case study method also presents a helpful tool for testing theories (Van Evera, 1997, p. 55). Whilst the literature on minimalist states describes a concept rather than a theory, the single case study of Kosovo can provide a valuable tool to analyse the breadth of the EU's engagement. The idea of the minimalist state will be operationalised to answer the research question, while the case study provides a framework of analysis.

Significant implications for the single case study method are visible in terms of insufficient validity and unsuitability for generalisation. However, the method allows for a thorough investigation of a case, and the ambition of this research is to create an in-depth study of the targeting of the EU's engagement with Kosovo. To obtain more qualitative insights regarding the EU's policies regarding Kosovo's minimalist state, the case study method seems to be an irreplaceable method.

Focus of case study

As the practice of external state building only exists under the presumption of an inability of domestic state building, the question remains when state building can be considered 'fulfilled' or 'successful'. The concept of minimalist states, as displayed by Bieber (2011), can prove to be a helpful tool for identifying what the main aims of the EU in Kosovo are and if its policies are aimed at elevating Kosovo's status. According to this theory, a minimalist state is successful when it loses its minimalist scope and capacity and acquires additional functions. Thus, minimalist states must expand their scope and strength to function as a future EU member state and provide services to citizens that allow them to secure popular legitimacy (Bieber, 2011, p. 1798). By using the minimalist state as a framework to study EU policies in Kosovo in its three main capacities – the Stability and Association Partnership (SAP), the European Union Rule of Law Mission in Kosovo (EULEX) and the

Belgrade-Pristina Dialogue – the concept can support research into the targeting of the EU’s engagement in Kosovo.

Bieber (2011, p. 1784) describes minimalist states as “an effort to address the sources of conflict and state weakness by fostering state structures which fall short of the set of functions most states are widely expected to carry out, but by doing so might be able to endure”. Three defining features can be distinguished in the character of minimalist states: the problems regarding the state’s legitimacy, the limited scope of state institutions, and the weakness of state functions. The state’s legitimacy can be determined by external and internal or domestic legitimacy. External legitimacy is “measured in terms of international recognition and relations with neighbouring countries and key international actors”, whereas domestic legitimacy derives from internal support for the states as such and the key institutions of the state, such as its government, parliament, and the president (Bieber, 2011, p. 1786). The scope of the institutions of the state describes the ‘ambition’ of the state in terms of the fields in which it engages. An example of a question of the scope of a particular state is the extent to which the state aims to facilitate a welfare state. The strength of the state function, on the other hand, refers to the ability of states to plan and execute their policies and enforce laws cleanly and transparently (Fukuyama, 2004, p. 22).

Minimalist states fall into the category of weak states, both in terms of strength and scope (Bieber, 2011, p. 1786). The minimalist scope is considered to be the consequence of a lack of consensus on ensuring the states have greater competencies. The competencies of minimalist states are thus heavily compromised to a level on which it affects a state’s capacity to act as an independent state. As minimalist states are considered successful when they grow out of their minimalist scope and acquire additional functions and therefore do not have the characteristics of a minimalist state anymore, the goal of this research is to find out to what extent the EU policies are aimed at improving the features that make Kosovo a

minimalist state: its limited internal and external legitimacy, its weak state functions, and the small scope of the state institutions.

Minimalist states are often contested and not based on a consensual arrangement. Therefore, there is some overlap with Baracani's (2020) work on contested states and Yabanci's (2016) study of actor legitimacy in Kosovo. For this research, the choice was made to use the minimalist state as the primary conceptual tool. Whereas the literature on contested states proves to be helpful, the concept of the minimalist state not only incorporates the characteristics of the contested state but also expands on this phenomenon by incorporating an analysis of the scope and strength of the state beyond its contested nature. Besides this, the concept of the minimalist state, as a type of state which falls short of typical sets of state functions, is inherently related to the EU as an external state builder, as it constitutes an effort to address the sources of conflict and state weaknesses. As mentioned in the literature review, Bieber (2011, p. 1797) regards Kosovo as a minimalist state created with substantial input by the EU and describes it as an unfinished state rather than a permanent and enduring state structure. As the EU has played a significant role in the development of Kosovo's state, this concept can be used to operationalise the study into the targeting of the EU's policy goals.

Operationalising the minimalist state

As this study aims to define to what extent the EU's policies are targeted toward improving Kosovo's minimalist state, the following paragraphs will operationalise the concept to create an overview of what the policies should be targeting in order to address and improve the minimalist features.

The first characteristic of minimalist states is their limited legitimacy, both in terms of external and domestic legitimacy. As external legitimacy derives from international recognition, relations with neighbouring countries and key international actors, the issues constraining the international recognition and relations need to be resolved to grow out of the

minimalist scope. First, the relations with neighbouring countries and international actors need to be improved in case of a limitation of sovereignty or recognition. As Caspersen (2015, p. 184) argues, states that lack widespread international recognition are widely seen to have violated the territorial integrity of their *de jure* 'parent states', and therefore their right to self-determination is denied by the international community, or at least by several states. Therefore, when aiming to grow out of the minimalist scope, there should be a focus on resolving the causes of the lack of external legitimacy, which is often the dispute with the bordering 'parent state'. As a dispute of this kind is commonly the main motive for non-recognition for other members of the international community, resolving the initial disagreement may contribute to creating widespread external legitimacy. Therefore, when researching the targeting of policies with regard to resolving the issues of minimalist states, one can expect policy frameworks to be targeted at aiming to resolve the core dispute between the 'parent' state and the state that declared its independence.

Domestic or internal legitimacy can be defined as the degree of acceptance of a state by the people it governs (Kostovicova, 2008, p. 631). It derives from support for the state as such, as well as for key institutions of the state, such as the government, parliament, and the head of state. Internal legitimacy is sometimes also defined as popular support for the state. (Caspersen, 2015, p. 186) In case of a lack of internal legitimacy amongst the population or within certain sub-groups of the people of a country, the issues that cause this legitimacy gap need to be addressed. A key element in states that face a lack of domestic legitimacy is their contested nature, which means that the problems regarding external legitimacy are reflected in the scepticism of a significant share of citizens. (Bieber, 2011, p. 1789) The question, in this case, is which specific groups of citizens consider the state an illegitimate actor and what is at the root of this legitimacy gap. As Caspersen (2015, p. 188) explains, strategies for promoting internal legitimacy usually take the form of improving public services and

introducing political reforms or democratisation. Besides this, when searching whether specific policies are aimed at lifting a state's minimalist scope, there should be a focus on including those citizens who view the state as an illegitimate actor. In this way, the solutions regarding both domestic and external legitimacy become intertwined, as domestic legitimacy partly derives from international recognition.

Another feature of minimalist states is the limited strength of the state functions. The strength of the state function refers to the ability of states to plan and execute their policies and enforce laws cleanly and transparently. Bieber (2011, p. 1788) presents several examples through which a lack of state strength reflects on minimalist states, such as limited security structures, a clear dominance of sub-state entities, and limited decision-making capacities for central state institutions, with sub-state units able to paralyse state-level decisions. This inability of the state to take decisions encourages the creation of certain parallel sub-state structures or so-called informal institutional alternatives. Especially in cases where an ethnic minority resorts to these informal sub-state 'authorities', this may result in an inability for the state to control the entire state territory, which harms the state's strength to a further extent (Bieber, p. 1788). Besides this, there is a lack of transparency of rule of law institutions. Therefore, policies should be targeted not only at improving decision-making capacities for central state institutions and more efficient state structures and independent rule of law but also at the involvement of minorities.

Ultimately, minimalist states function with a limited state scope. The scope of the state describes the 'state ambition' in terms of the fields in which it engages, such as the extent to which a state holds autonomous competencies in several areas. Examples are the ability of a state to conduct foreign policy or establish its own currency or economic space. It also refers to the constitutional scope and the extent to which state competencies are clearly located in central institutions. (Bieber, p. 1787) When increasing the scope of a state, there

must be a focus on the key competencies a state fails to provide. Policies should be targeted at aiding a state to fulfil its state functions autonomously.

If the EU aims to increase the minimalist character of Kosovo's state, it can be expected that the characteristics of the minimalist states will be addressed through the appropriate targeting of policies to achieve this goal. As improving Kosovo's minimalist state is not one of the EU's explicit goals, the operationalisation section has presented policy fields that need to be targeted to improve different aspects of the minimalist state. By researching to what extent the EU's policies match the targeting required to lift the minimalist scope, it will be possible to study Kosovo as a case study for the EU's state building policies. The table on the following page presents the factors of the minimalist state and their descriptions in a schematic manner. It also features the type of policy targeting I expect to find in case they are designed to lift Kosovo's minimalist state.

Table 1*Operationalisation of minimalist state*

<i>Factors</i>	Limited external legitimacy	Limited domestic legitimacy	Limited strength of state functions	Limited scope of the state
<i>Description</i>	External legitimacy derives from international recognition, relations with neighbouring countries and key international actors.	Domestic legitimacy can be explained as the degree of acceptance of a state by the people it governs.	Strength of the state refers to the ability of states to plan and execute their policies and to enforce laws efficiently and transparently.	The scope of a state can be described as ‘state ambition’, the extent to which a state engages with typical tasks of states, or its constitutional scope.
<i>Indicators of minimalist state</i>	<ul style="list-style-type: none"> - Non-recognition by several members of international community; - Dispute with bordering ‘parent state’. 	<ul style="list-style-type: none"> - Contested nature of the state and its institutions; - Insufficient inclusion of minorities who consider the state illegitimate. 	<ul style="list-style-type: none"> - Limited decision-making capacities for central state institutions; - Presence of sub-state entities and parallel state structures; - Lack of transparency of rule of law institutions. 	<ul style="list-style-type: none"> - Limited autonomy for state institutions - Failure to provide a functioning economic environment
<i>Policy targeting</i>	<ul style="list-style-type: none"> - Resolving the dispute with the bordering ‘parent state’. 	<ul style="list-style-type: none"> - Improvement of public services for all citizens - Solving the external legitimacy issue 	<ul style="list-style-type: none"> - Improvement of decision-making capacities for state institutions; - Development of independent rule of law; - Involvement of minorities, targeting parallel state structures. 	<ul style="list-style-type: none"> - Increasing the autonomy of state institutions - Improve capability of state functions of providing prosperity and economic development

Selection of Data

To study the targeting of EU policies in Kosovo, the data will be derived from the three main policy frameworks through which the European Union engages with Kosovo. These policy frameworks will be briefly introduced in the following paragraphs.

European Union Rule of Law Mission in Kosovo (EULEX). After it declared independence in 2008, Kosovo was inspired by the Ahtisaari Plan to invite the deployment of a mission led by the EU to help stimulate the rule of law in Kosovo (Musliu, 2021, p. 25). The mission was created with the deployment of EULEX in late 2008, with the goal “to monitor, mentor and advise on all areas related to the rule of law and carry out certain executive functions” (European Court of Auditors, 2012). From its deployment onwards, the mission had additional judicial and security-related executive functions, allowing EULEX police and prosecutors to independently investigate and prosecute cases, as well as granting judges working under the mission’s mandate final authority over cases under their provision. EULEX would become the largest civilian mission ever launched under the Common Security and Defence Policy of the EU (CSDP), initially comprised of over 3000 police officers, judges, prosecutors, and administrative personnel. EULEX acts on a mandate that is extended regularly, for which it needs to be approved by the European Council. The EU has planned to phase out EULEX after the current mandate, meaning that Kosovo’s rule of law institutions are entering a period of transition (Rashita, 2019, p. 1).

Despite having realised a certain extent of progress in strengthening Kosovo’s legal framework, policing, and customs, EULEX has not had a strong track record in its main work areas. Whereas reforms of the justice system have theoretically brought it closer in line with EU standards, there has been little practical effect, while the high expectations to combat high-level corruption and organised crime and strengthen judicial independence were not met (Rashita, p. 1). Currently, the institutions that have been supervised and monitored by

EULEX remain the weakest institutions in Kosovo, especially when it comes to their performance in fighting systemic corruption, which is seen in both the public opinion and the civil society as one of the most prevalent threats to Kosovo's democratic consolidation and stability. Levels of appreciation of EULEX's performance have consistently been deficient in public opinion surveys, and some Civil Society Organisations (CSOs) have interpreted its poor performance as a deliberate strategy to contain the corrupt political elite to guard the short-term stability in Kosovo (Yabanci, 2016, p. 361). This concern can be placed in line with the critique of the EU's approach of accepting weak democracies with autocratically minded leaders for the sake of EU-minded stability (Bieber & Kmezić, 2017, p. 95).

Since 2018, the mandate under which EULEX operates has been limited, particularly when it comes to its executive capacities. Its executive functions in the judiciary have been handed over to local authorities entirely, limiting its mandate to the so-called Monitoring and Operations Pillars. The Monitoring Pillar monitors selected cases and trials in the justice system that are deemed to possibly affect Kosovo's "European path", as well as selected cases which were dealt with by EULEX under its previous mandate and were later handed over to the local judiciary. The mission's Operations Pillar mainly offers continued support to the Kosovo Police on several levels (EULEX, n.d.). Despite expectations that the mandate that commenced in 2018 would be the last period for the mission's existence, the Council of the European Union Decision CFSP 2021/904 meant that a new mandate was launched in June 2021, covering the period until 14 June 2023 (Council Decision 2021/904, 2021).

Stabilisation and Association Process (SAP). In addition to EULEX, the EU engages with Kosovo through the SAP. This works as a transitional process to the eventual EU membership of Kosovo and focuses on promoting democratic governance and rule of law, as well as initiating market reforms and resolving the ongoing conflicts in the Western Balkans originating from the 1990s. Within this framework, the EU sets conditions that

aspiring members must fulfil to receive the reward of further integration, seeking to stabilise the region with the prospect of future EU membership for candidate countries and potential candidates from the area. At the time of its launch, all Western Balkans states were part of the partnership. As Slovenia and Croatia have become EU Member States since, the current partners of the EU within this framework include Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia (European Union, n.d.). Kosovo, at that point still under UNMIK administration and not having formally declared its independence, became a part of the SAP in 2002. The implementation of the SAP has changed the influence of the EU and processes of Europeanisation in non-Member States, as countries that became part of this framework in the early 2000s were at an even earlier stage of the integration process than the candidate Member States of the time. The states of the Western Balkans faced extra demands on their 'European path' and a lack of a hard guarantee of eventual membership (Economides & Ker-Lindsay, 2015, p. 1029). While conditionality was already a crucial part of the accession process for the Central and Eastern European candidates who became EU members in 2004 and 2007, it was applied to the pre-accession process for the countries in the Western Balkans through the implementation of the SAP.

Over the course of the last ten years, pre-accession conditionality has become increasingly EU-driven, coercive, and demanding, with the EU expecting recipient states to comply with 'technical issues' by adjusting their domestic legal frameworks. Thus, the SAP can be seen as a form of the EU's membership state building policy, aiming to transfer concrete EU rules, procedures, policies, norms and 'ways of doing things' to the (potential) candidate countries in the Western Balkans. In this way, the EU seeks to monitor and benchmark government reforms (Yabanci, 2016, p. 353). Whereas all countries of the Western Balkans in their pre-accession phase are part of the Stabilisation and Association Process, specific Stabilisation and Association Agreements (SAA) are implemented with

individual countries. Negotiations for the opening of the SAA between the EU and Kosovo were launched in 2013 and initialled in July 2014. The SAA came into force in 2016, making Kosovo the last country in the Western Balkans to sign the SAA. While focusing on respect for key democratic principles and core elements at the heart of the Union's single market, the SAA also establishes "an area that allows for free trade and the application of European standards in other areas such as competition, state aid and intellectual property." The SAA also features provisions that cover political dialogue, the environment, justice and home affairs, and cooperation in several sectors (Council of the European Union, 2015). Even though the depth of the policy harmonisation under the framework of SAA is less than for EU Member States, SAAs are still primarily based on the EU's *acquis communautaire*.

The SAP carries a significant element of conditionality, with EU membership looming as the main 'carrot' in the distance. Yabancı (2016, p. 355) explains the importance of incentives such as the SAA for Kosovo's local point of view. Besides the symbolic political value of establishing and maintaining close institutional relations with the EU, the SAP has high economic importance. Especially the incentive of visa liberalisation, which Kosovo has tried to negotiate since 2012, but has been unsuccessful in doing so, despite the European Parliament and Commission arguing in favour, has been perceived as pivotal for Kosovo's economy, as Yabancı explains.

Despite the lack of progress in some fields, the SAA, as part of the SAP, functions as the EU's main transitional process to the potential EU membership of Kosovo by promoting democratic governance and rule of law while also initiating market reforms across the Western Balkans region (Musliu, 2021, p. 27). As the SAP is a state building policy for (potential) candidate member states of the EU, it can be expected that the EU will engage with Kosovo through this framework for the foreseeable future.

Belgrade-Pristina Dialogue. Ultimately, the EU also acts as a facilitator in the Belgrade-Pristina dialogue for the normalisation of relations between Kosovo and Serbia. Since April 2011, the EU has regularly managed to bring together high-level representatives of the Serbia and Kosovo governments to facilitate a dialogue. The dialogue serves the interests of both entities, as progress on the EU path is directly linked to the condition of a normalisation of relations. Meetings and working groups are held at various levels in Brussels. They are facilitated by the High Representative of the Union for Foreign Affairs and Security Policy and the European External Action Service (EEAS). The dialogue was launched following the adoption of the UN General Assembly Resolution 64/298, which 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. (United Nations General Assembly, 2010)

The process initially achieved some success and high hopes for a resolution of the long-lasting disputes between the two countries, as former warring factions on both sides managed to agree on a wide range of issues in the Brussels Agreements, of which the first agreement was signed in 2013. This included both straightforward technical matters and more sensitive political issues. However, despite repeated praise towards the dialogue by EU and international actors, the implementation of these agreements, as well as further developments towards a normalisation of the relations between both parties, turned out to be a more complicated task (Beysoylu, 2018).

By selecting these three primary forms of EU engagement with Kosovo, the data will be narrowed down sufficiently to create a feasible though complete study of the aims of the EU's policy goals in Kosovo in relation to the minimalist state. As the engagement with

Kosovo has changed over the years since the declaration of independence in 2008, this research will investigate different phases of the policy frameworks. The following paragraphs will present a more detailed overview of the studied documents.

Document analysis

Document analysis is a form of qualitative research carried out in this dissertation to determine the EU's policy plans in Kosovo. In this method, documents are interpreted by the researcher in relation to an assessment topic. The method is described by Bowen (2009, p. 28) as "a systematic procedure for reviewing or evaluating documents – both printed and electronic material". Document analysis requires the found data to be examined and interpreted to extract a definition, attain understanding, and develop empirical knowledge. Rather than relying on the description and interpretation of data from previous studies and secondary literature, document analysis allows the researcher to have the raw data as a basis for analysis.

Furthermore, Bowen (2009, p. 29) stresses the applicability of document analysis as a research method for qualitative case studies, studying a single phenomenon, organisation, or program. For these reasons, document analysis forms an appropriate method for researching the EU's engagement with Kosovo. It allows the researcher to study the diversity of available documents such as EU statements, agreements, mission mandates, and declarations. By studying the targeting of EU policies rather than the execution on the Kosovo level, there is no limitation in terms of understanding of languages, as all documents published by the EU are available in English. It is essential to acknowledge that this research aims to study the targeting of the EU's policy plans rather than analyse the execution of these policies. Whereas studying how the EU promotes and conducts its policies and the extent to which its goals in Kosovo are met requires a different type of research, for which document analysis might not suffice, the method is relevant when researching the targeting of the EU's policy plans.

Document analysis provides a useful method for this research due to the availability of a large amount of online primary and secondary sources and empirical evidence. The fact that the documents studied for this research are accessible, providing important historical and political context to the matter, presents another advantage for document analysis as a method for this research. Morgan (2021, p. 66) mentions the stability of the data in analysed documents as another benefit of document analysis. The use of technology for finding online documents helps the researcher overcome practical issues, allowing researchers to have access to data that would otherwise take enormous effort and time to collect (Morgan, 2021, p. 67). Documents also provide a means of tracking change and development, while they can also suggest additional questions that deserve observation as part of the research. Ultimately, the document analysis method has the value of verifying findings and corroborating evidence from other sources (Bowen, 2009, p. 30).

An implication of document analysis is that it may be infeasible to cover all available sources, especially in the case of analysing the EU's engagement, due to the extensive availability of documents. Besides that, selecting applicable documents can be a pitfall, as an incomplete collection of documents may suggest 'biased selectivity' (Yin, 1994, p.80). Bowen (2009, p. 32) also stresses the risk of selecting documents aligned with certain policies and procedures with the agenda of a particular organisation's principles and aims. This research will aim to circumvent these pitfalls by setting high standards for the legitimacy of sources and by verifying the authenticity, credibility, representativeness, and meaning of the selected documents.

The Union's online EU law database EUR-Lex provides official and comprehensive access to EU legal documents for any researcher. Besides giving access to all editions of the Official Journal of the European Union, EUR-Lex also features all official documents related to the EU within several categories, including treaties, legal acts from EU institutions,

preparatory documents related to EU legislation, EU case law, international agreements, and EFTA documents (Publications Office of the European Union, n.d.). All official EU documents concerning EULEX, the SAP with Kosovo, and the Belgrade-Pristina Dialogue can be found through this platform, which also allows the researcher to search for keywords. As one of the main research topics of this dissertation, the “minimalist state” is a term that cannot be explicitly found in EU documents, more implicit keywords have been utilised to research the targeting of EU policies. Whereas all documents concerning EULEX, SAP, and the Belgrade-Pristina Dialogue are potentially useful, more targeting research can be done by utilising keywords related to the research goals.

Regarding EULEX, all mandates since the start of the mission in 2008 will be studied, as well as UNSC Resolution 1244, on which the mission was based, and press statements through the mission’s official channels. Within the SAP framework, documents that will be studied include the feasibility study for an SAA, the SAA itself, the yearly progress reports published by the European Commission as well as reports by the European Reform Agenda. As the Belgrade-Pristina Dialogue is less transparent, this research will work with the agreements that were made within the framework of the dialogue, as well as press statements.

Besides the official EU documentation, the extensive presence of NGOs and international organisations in Kosovo produces a great wealth of policy papers, yearly reports and evaluations, which can be utilised as well. In addition to this, the research will rely and expand on existing secondary academic literature on the topic.

Relevance and expectations

As this paper focuses on the main question of to what extent the EU policies in Kosovo are targeted at improving the features of the minimalist state, a few expectations can be noted. First, as the minimalist state is a concept which is not explicitly part of the EU’s – or any international organisation’s – goals or interests, one cannot expect that the mentioned

specific elements of the minimalist state will be targeted. Results will have to be found by searching for keywords in the available documents, as there will be no explicit mention of the minimalist state. I expect to find this information in the EU's official documents regarding the policy frameworks of the SAP, EULEX, and the Belgrade-Pristina Dialogue. By searching for indicators in the documents concerning these policy frameworks, the intention is to find mentions of the policy goals that need to be addressed in order to lift Kosovo's minimalist status. Though it is not the EU's direct goal to 'solve' or improve the problems in Kosovo according to the concept of the minimalist state, it helps us to conceptualise the problems that exist in this type of state. With the EU having emerged as the primary actor in state building in the Western Balkans since the early 2000s and the Union becoming heavily involved in the state building of Kosovo through several policy frameworks, the targeting of its policies can teach us a lot about the EU's strategies as a state builder. By searching for keywords in the EU's official documents on their different policy frameworks in Kosovo, I expect to be able to make a structured overview of the EU's engagement with the different policy goals related to the minimalist state. In this way, conclusions can be drawn as to what extent the EU's policies are correctly targeted in order to lift Kosovo's minimalist status.

Whereas many studies have focused on several elements of Europeanization and the (pre-)accession of (potential) candidate member states, there is a lack of studies into the targeting of policies from the perspective of improving the recipient state. As issues of normative contestation, the identifiability of legislative mechanisms, and the influence of 'significant others' can constrain the study of the EU's state building engagement, a different framework is needed for this. Using the minimalist state theory as a framework to study the EU's engagement in the contested state of Kosovo can be an appropriate way of countering these implications, as it is used to study the targeting of EU policies rather than its successes or achievements. Through the operationalisation of the concept of the minimalist state and by

applying this to the policies of the EU, this study contributes to the existing literature as it analyses the EU policies through an angle of improving Kosovo's state, rather than using the Europeanization approach that is more common.

I expect that the extent to which the policies engage with the elements of the minimalist state differs. For example, the EU has made it one of its key goals to mediate a solution for Kosovo's status issue, which is essential for both its external and domestic legitimacy. The issues of legitimacy are not only addressed in the Belgrade-Pristina Dialogue, but in the SAA's, which were made by the EU with both Kosovo and Serbia, a resolution of the status issue has been deemed essential for the continuation of the European path of both states. Therefore, it can be expected that policy goals regarding legitimacy will be explicitly mentioned in the studied documents. Other elements of the minimalist state that need to be addressed in order to improve Kosovo's status, such as increasing the scope of state institutions, will be less explicitly present in the documents. To study the extent to which these features come back in the EU's policies, keywords will have to be used to retrieve this information.

As the policy frameworks through which the EU engages with Kosovo have developed over time, changes in the extent to which the policies engage with the features of the minimalist state can be expected. For instance, EULEX's mandate was significantly decreased over the years, while several scholars have concluded a shift in ambition for the Belgrade-Pristina Dialogue. A possible outcome could be that the EU policy frameworks that engage with Kosovo have been suitable for establishing a minimalist state but insufficient in assisting a state in growing out of its minimalist scope.

Ethical considerations and limitations

There are no ethical concerns since the primary and secondary sources which have been used can be found and accessed online in a legal manner. No additional granting of permission from another person or entity was required for this.

As this research is focused on the targeting of the EU's plans and policies, it does not include the actual execution and actions of the EU. Therefore, the results will not tell us whether the EU's engagement with Kosovo is successful, if the policy goals are met, or if the strategies have been effective. The aim of this research is not to understand the EU's activities in Kosovo but to investigate the targeting of its policies. By researching the targeting of policies according to the concept of the minimalist state, this research hopes to contribute to creating a deeper understanding of the EU's motives as a state builder. The execution of their policies is less relevant for this research goal and will therefore not be considered for this research.

Background and Context of Kosovo's Minimalist State

Introduction

The following chapter will centre around the historical and political background of the European Union's engagement with Kosovo and its emergence. The chapter will therefore consider relevant historical and political events in the build-up towards, during, and in the aftermath of the Kosovo War, leading up to the current situation. The reader will be presented with an overview of the years after the Kosovo War and the ways in which the EU became increasingly involved with the newborn state. This chapter will also apply the concept of the minimalist state to Kosovo.

From parallel state to international protectorate: Kosovo pre-independence

To describe the scene in which the EU's increasing involvement in Kosovo was set, it is important to discuss the events that occurred in the build-up to, during, and in the immediate aftermath of the Kosovo War. As a part of the Socialist Federal Republic of Yugoslavia, the so-called region of Kosovo-Metohija was incorporated as an autonomous province within the People's Republic of Serbia. Although the province received autonomous status in the 1946 constitution of Yugoslavia, its rights and scope were not specified. Instead, it stated that this matter was to be defined by the constitution of the parent republic, Serbia, in this case (Constitution of the Federative People's Republic of Yugoslavia, 1946). The status of Kosovo changed drastically with the 1974 Yugoslav Constitution, significantly increasing the province's autonomy. Changes to its status could only be made with the consent of the Provincial Assembly, granting it *de facto* veto power. With the approval of this new constitution, guaranteeing freedom and independence in decision-making for the political authorities of the Republics and Autonomous Provinces, the way was opened for provinces within the state to ratify their own constitutions (Imeraj, 2021, p. 3). Kosovo's increasing autonomy caused discontent among Serbian politicians, arguing for a reversion of these

changes of status. When Slobodan Milošević became President of Serbia in 1987, this marked a shift in policy towards the autonomous province, resulting in the Serbian government abolishing Kosovo's status as such. Milošević, who had used the issue of Kosovo to generate public support, presented the abolishing of Kosovo's autonomous status and Serbia's subsequent actions as a defensive reaction to what Serbia framed as "ethnic cleansing of Serbs from Kosovo by Albanian Kosovar terrorists", as well as their attempts to achieve full federal status for Kosovo with the final goal of becoming incorporated in a Greater Albania (Herring, 2000, p. 226).

After the removal of the province's autonomy by Milošević in 1989, a strategy of passive resistance through civil disobedience towards Belgrade was adopted by the majority Albanian population in Kosovo, under the leadership of Ibrahim Rugova. The Kosovo Albanians set up a shadow government to parallel the official Serb-dominated administration, functioning at a number of levels, including the collection of taxes and the development of some infrastructure (Stroschein, 2008, p. 656). Rugova's practical approach to the eventual goal of realising an independent state was twofold: to establish parallel administrative structures for Albanians within Kosovo, and to "internationalise" the struggle by actively seeking international assistance for the secessionist movement (Howard, 2014, p. 120). However, popular support for this form of peaceful resistance diminished after the Dayton peace talks in 1995, which ended the war in Bosnia but did not cover the problems in Kosovo. The Dayton Agreement inspired hard-line political and military actors in Kosovo in their thought that international recognition would only come with armed resistance. This belief sparked the rise of the militant Kosovo Liberation Army led by Hashim Thaci (Howard, p. 120). The situation escalated in 1998 when several events led to stirrings of violence among Albanian extremists of the Kosovo Liberation Army (KLA). Repression by the Serbian forces increased with the growth of Albanian extremist activity. The international

community's attention was drawn when Milošević directed a military campaign of ethnic cleansing in Kosovo.

With international attempts to negotiate an end to the conflict failing, NATO launched a military air campaign against Serbia which started in March 1999, causing Milošević to agree to withdraw his troops three months later. Even though the EU had not been able to avoid the escalation of the conflict in Kosovo, it did play a significant role in the final phase of the NATO intervention through the appointment of Finnish President Martti Ahtisaari as its mediator in diplomatic activity, which resulted in the deployment of the NATO security force and the establishment of UNSCR 1244 (Baracani, 2020, p. 369). According to this resolution, the UN held *de facto* control over Kosovo. Kosovo would officially remain under the control of the Federal Republic of Yugoslavia, essentially meaning that Kosovo would remain a *de jure* part of Serbia, while Serbia held no *de facto* control in Kosovo's Albanian-majority areas. As Stroschein (2008, p. 656) points out, the real authority was UNMIK, with its capacities stretching beyond just providing security. The UN mission also proposed legislation for Kosovo's parliament, nullified parliamentary decisions on security issues and regulated foreign visitors to Kosovo (Stroschein, 2008, p. 656).

While failing to resolve the dispute with Serbia over Kosovo's territory, UNSCR 1244 opened the way for a stronger involvement of the EU. In the first years of the mission's deployment, the activity was guided by the principle of 'standards before status', essentially prioritising the achievement of "basic standards on the democratic functioning of provisional institutions of self-government, rather than addressing the final status issue" (Baracani, 2020, p. 370). Instead of addressing the issue of Kosovo's status, UNMIK operated on a three-phased transition plan. The first phase of this transition would be characterised by the building and governing of the emerging Kosovo polity, followed by the organisation of elections in the second phase. The final stage of the mission would culminate with a complete

transferral of capabilities and responsibilities to the newly formed institutions, despite there still being no clarity as to whether they would be operating in an independent Kosovo or if there would be a return to the status of an autonomous territory within Yugoslavia (Dobranja, 2017, p. 77). As a result of this approach, Kosovo's first democratic elections could be organised in 2002, establishing a president, an assembly, and a government, to which UNMIK would progressively delegate responsibilities for several competencies. Whereas the organisation of elections was seen as a successful development, the newly established institutions were confronted with fundamental challenges to their legitimacy by the Serbian minority, which refused to engage with them and installed a parallel system relying on Belgrade instead.

The status issue was addressed several times in the UNMIK years, but no agreement was reached as Kosovo's representatives insisted on independence, whereas Serbia's representatives were prepared to negotiate any solution but independence (Musliu, 2021, p. 24). It was against this background that former Finnish President and UN Special Envoy for Kosovo Martti Ahtisaari reappeared on the scene, designing a blueprint for Kosovo's independence and setting out the major provisions for building a state, a design which has become known as the 'Ahtisaari Plan'. Musliu (2021, p. 24) describes the plan as a "mélange of so-called best practices from the most prosperous Western democracies and provides a detailed institutional design in terms of sovereignty, political and economic systems, minority accommodation, neighbourly relations and foreign policy".

A defining feature of the Ahtisaari Plan is the role envisaged for the international community, which "shall supervise, monitor and have all necessary powers to ensure effective and efficient implementation of this Settlement". The plan states that "Kosovo shall also invite the international community to assist Kosovo in successfully fulfilling its obligations to this end" (Ahtisaari, 2007). Essentially, Ahtisaari proposed a state that would

function in supervised independence. Although the status settlement proposal was never fully implemented, Kosovo declared its independence on 17 February 2008, with the Ahtisaari Plan forming an important inspiration for the design of the state.

Kosovo's minimalist state

Substantial parts of the Constitution of Kosovo, as enacted in 2008, are based on the Ahtisaari Plan. For example, the Plan's clause on the supervision of the international community, as mentioned in the previous paragraph, was reiterated in the constitution. This has led to a significant and visible presence and influence of the EU in Kosovo. However, despite the international presence and involvement in state building, Kosovo has had all characteristics of a minimalist state since it declared independence.

As mentioned in the methodology, minimalist states can be described as "an effort to address the sources of conflict and state weakness by fostering state structures which fall short of the set of functions most states are widely expected to carry out, but by doing so might be able to endure" (Bieber, 2011, p. 1784). Several features can be distinguished in the character of minimalist states. The following paragraphs will apply these features to Kosovo, showing why it qualifies as a minimalist state.

External Legitimacy

When it comes to Kosovo's qualification as a minimalist state, the problems regarding its external legitimacy are perhaps the most explicit. The declaration of independence in 2008 came unilateral, with Serbia considering Kosovo as a province on its territory until today. The question regarding Kosovo's status has also proven to be a continuous complication in the relations with the European Union. Whereas the EU expressed its willingness to assist Kosovo's economic and political development from a European perspective, the ambivalence regarding Kosovo's status within the EU has impacted the policies in the area in several ways. At the time this research was conducted, in the first half of 2022, 22 of the 27 EU

member states had recognised Kosovo as an independent state. The five member states that do not recognise Kosovo's independence are Spain, Slovakia, Cyprus, Romania, and Greece. The reasons for non-recognition have little to do with Kosovo itself and are based on matters of domestic politics. As a result of the inability of the EU to unanimously recognise Kosovo, despite the European Parliament adopting a resolution on all member states to recognise Kosovo in July 2010, the Union refers to Kosovo with an asterisked footnote containing the following text, which was agreed to by the Belgrade-Pristina negotiations: "This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence" (for example, see: European Union, 2016).

Whereas representatives in the European Parliament have suggested that lack of recognition would not be an obstacle to progress on Kosovo's European path, the recognition issue has impacted Kosovo's integration significantly. For example, whereas EULEX was initially supposed to be legally deployed under the EU, the fact that Serbia deemed this solution unacceptable meant that EULEX had to opt for a "status-neutral" mandate of neither opposing nor favouring Kosovo's independence (Musliu, 2021, p. 26). As it was working in this capacity under UNSC resolution 1244, EULEX had to ignore the legal infrastructure enacted by the newly independent institutions of Kosovo. Musliu (2021, p. 27) explains that this complicated the mission, as it had to "systematically work with and through the legal infrastructure and institutions of Kosovo as an independent state, while having to silence them declaratively."

In terms of the EU's functioning as a mediator, Bergmann and Niemann (2015, p. 968) have concluded that the EU's position on the status question is highly incoherent, having a constraining effect on the mediation process. Whereas one might argue that the lack of a common stance in Brussels might contribute to the Union's role as an honest broker in the

negotiations, non-recognition has prevented the EU from credibly offering Kosovo a clear perspective on opening negotiations for the Stability and Association Agreement in the early phase of the dialogue, while still averting the EU from providing a future for visa liberalisation. Besides this, the lack of coherence among the EU Member States' stances harms the conflict parties' trust in the EU's ability to deliver promises (Bergmann & Niemann, p. 969).

Considering the complications, it may seem remarkable that the EU and Kosovo have come to a Stabilisation and Association Agreement, which entered into force on 1 April 2016. To avoid problems during the ratification process and to circumvent the issue of recognition at the national level, which would have become a very delicate issue for some Member States, the SAA with Kosovo is the only SAA that is not concluded by the EU and its Member States but by the Union alone. This significantly accelerated the agreement's procedure and entry into force (Van Elsuwege, 2017, p. 395).

From the Union's perspective, Kosovo does not need to be unanimously recognised as an independent state to continue its European path. However, if Kosovo moves towards receiving official candidate Member State status, the question will arise to what extent this situation is sustainable. As the uncertainty surrounding Kosovo's status continues, the source of the problem – Kosovo's relationship with Serbia – seems to be the main factor blocking any progress. Therefore, a resolution of this conflict and normalisation of relations appears to be the only way to tackle this ongoing issue of limited external legitimacy.

Domestic legitimacy

Domestic legitimacy concerns the degree of acceptance of a state by the citizens it governs. The problems regarding domestic legitimacy in Kosovo are heavily intertwined with the external legitimacy issues, given that few members of Kosovo's Serb minority have supported Kosovo's independence. In its quest for domestic legitimacy at the time of its

independence, Kosovo defined itself as a multi-ethnic state of all its communities rather than as a nation-state of its majority Kosovo-Albanian population. To live up to this definition, firm commitments were made to collective rights for minority communities, while the constitution repeatedly refers to diversity and multiethnicity as critical features of the state. Landau (2017, p. 442) considers the constitutional prominence of minority rights and diversity as a response to the challenges to legitimacy. The motives here were evident, as being rejected by a significant part of the population would be detrimental to a state's legitimacy, especially when that group is inherently linked to a state that simultaneously challenges the state's external legitimacy; in this case, Serbia (Landau, p. 450).

Due to its lack of control in northern municipalities, Kosovo has had to accept Serb influence through the integration of the existing parallel structures and the expansion of the autonomous self-governance of the Serb community in Kosovo (Baracani, 2019, p. 378). Vulović (2020, p. 337) explains how from the perspective of Serb minority leaders in the northern parts of Kosovo, Serbia has sovereignty over Northern Kosovo, even more so than over the rest of Kosovo, as its presence is not only performed through institutional presence and practice but also symbolically constructed in everyday practices. The Serb government in Belgrade is still seen as the principal advocate of Kosovo Serbs' interests, with the degree of willingness to engage politically in Kosovo's institutions and society dictated by Belgrade's policy towards Kosovo (Baliqi, 2018, p. 62). An example of limited participation is that the 2010 Kosovo general elections were almost entirely boycotted by Kosovo Serbs in Northern Kosovo, with a turnout of just 2,3% (Bieber, 2015, p. 193).

Addressing issues of domestic legitimacy mainly asks for the inclusion of Kosovo Serb minorities. Despite the constitutional request for the participation of all minorities in state government coalitions, which has been successful in all governments since the independence, there are still problems regarding the participation of Kosovo Serbs (Selimi,

2019, p. 149). Bieber (2015, p. 196) defines the main challenge as making it possible for the Serb community to identify as Kosovo citizens rather than Serbia citizens. Despite the multi-ethnic constitutional character of Kosovo, the Albanian dominance in Kosovo leaves little space for a Serbian Kosovar civic identity, Bieber (p. 197) argues, leaving the community itself to seek refuge in relatively homogeneous communities. This has led local Serb leaders, including judges and prosecutors, to have repeatedly boycotted their work in the central Kosovo Government or local institutions (Vulović, 2020, p. 337).

Strength of state functions

Minimalist states face problems regarding their limited state strength, which refers to the ability of states to plan and execute their policy and to enforce laws transparently. In Kosovo, the problems are linked to the limited internal legitimacy of the state. The limited state strength appears to be a direct function of the rejection of the state by Kosovo Serbs, resulting in a lack of state authority in several regions predominantly populated by Serbs (Bieber, 2011, p. 1788).

An example of Kosovo's limited state functions in the north of the country is the fact that in the years following its independence, northern municipalities were not integrated with the national judiciary system, meaning that they were *de facto* covered by the Serbian judiciary, which could not cooperate with the Kosovo police or implement court cases (Vulović, 2020, p. 335). Issues regarding borders and border control in Northern Kosovo have formed another scene for dispute and limited state strength due to limited domestic legitimacy in this part of the country, with border control in the north having been on the agenda since the declaration of independence. Despite Kosovo's attempts to institute sovereignty, competencies at the border must be shared with the Serbian police (Vulović, 2020, p. 339).

Judiciary institutions throughout the country have been weak since independence, with political interference in the form of threats and intimidation against the justice sector affecting their independence and institutional capabilities. Another crucial issue which has been present in the long term is systematic corruption (Yabanci, 2016, p. 360). The problems in these fields have led to a continuing weakness of Kosovo's rule of law system, which has required addressing. To address the issues of Kosovo's minimalist state within this category, policies will need to be aimed at strengthening the rule of law institutions and the improvement of decision-making capacities for central state institutions, as well as brokering an agreement in Northern Kosovo

Scope of the state

The scope of state functions can be explained as the 'ambition' of a state, or the extent to which policy fields are covered within the constitutional scope of a country, and whether a state holds autonomous competencies in several areas. The scope of Kosovo's state is not particularly weak, with legislation and most state competencies clearly located in central institutions (Bieber, 2011, p. 1787).

Matters have been more complicated regarding the economy of Kosovo, as it finds hardship in providing prosperity and economic development, which is widely seen as an essential state function. Whereas one of UNMIK's key goals was to promote economic recovery and social reforms in post-war Kosovo, the overall economic and social situation has been very fragile in the years since independence. Many obstacles have been at the root of this, such as the economic legacy of the communist era, the decades of ethnic tension and violence between Kosovo Albanians and Serbs, as well as the economic and political isolation during the Milosević era. These circumstances, combined with the long-lasting uncertainty regarding Kosovo's status, have negatively impacted its road to recovery (Silander & Janzekovitz, 2012, p. 43). Kosovo's economic situation in the years following its

declaration of independence has been dramatic. Despite structural reforms to its market economy, the Kosovo population remains one of the poorest in Europe, with soaring unemployment rates. A structural problem has been Kosovo's black-market economy, with over a third of workers in Kosovo working in the 'informal sector' (Cojocaru, 2017, p. 41). The presence of this parallel sector severely limits remittances to the government for economic, social, and welfare reforms (Silander & Janzekovitz, p. 43). Whereas Kosovo has the ambition to function as a market economy, it struggles to fulfil the essential state function of providing prosperity and economic development, with the informal economy having a significant impact. In order to upgrade Kosovo's scope of state functions, policies need to address the difficulties of Kosovo's state functions to fulfil its task of providing prosperity and economic development.

Findings

The following chapter will present a structured overview of the findings. Each characteristic of Kosovo's minimalist state will be discussed individually, investigating to what extent the EU engages with the feature and whether the three EU policy frameworks – EULEX, SAP, and the Belgrade-Pristina Dialogue – are aimed at improving the respective components of the minimalist state. A schematic overview of the factors of the minimalist state can be found in table 1 in the methodology.

Limited external legitimacy

As discussed earlier in the operationalisation section, states that lack widespread international recognition are often considered to have violated the territorial integrity of another state. In the case of Kosovo, the main reason for the lack of external legitimacy is that Serbia considers its independence to be illegitimate, meaning that Belgrade still sees Kosovo as a Serbian province. An indicator of this problem is that five EU member states have proven unwilling to recognise Kosovo under the current circumstances. If the EU aims to resolve the issues related to Kosovo's external legitimacy, it can be expected that its policies will be directed at settling the dispute with Serbia. The following paragraphs will expand on how the EU's policy frameworks engage with this goal.

Belgrade-Pristina Dialogue

The Belgrade-Pristina Dialogue originates from UN General Assembly resolution 64/298, which responded to a requested advisory opinion of the International Court of Justice (ICJ) on the accordance with international law of Kosovo's declaration of independence. In its report, ICJ concluded that the adoption of the declaration of independence “did not violate general international law” or “any applicable rule of international law” (International Court of Justice, 2010, p. 53). In acknowledgement of this advisory opinion, the UN General Assembly welcomed the EU as a facilitator of dialogue between Kosovo and Serbia,

explicitly mentioning achieving the promotion of cooperation and “progress on the path to the European Union” as its goals (United Nations General Assembly, 2010). Improving relations between Serbia and Kosovo to define mutual acknowledgement in a legally binding document is the *raison d'être* for the EU-facilitated dialogue, making its implicit ambition of resolving Kosovo's external legitimacy problem unequivocal.

After the commencement of negotiations in 2011, the First Agreement of Principles Governing the Normalisation of Relations, commonly known as the Brussels Agreement, was signed on 19 April 2013. Whereas the Brussels Agreement does not directly mention a final goal of mutual acknowledgement and full resolving of the dispute, the agreement provided steppingstones for Serbia to begin normalising relations with the government of Kosovo (Government of the Republic of Serbia, 2013). The most important features of the agreement were a planned association of Serb majority municipalities in Kosovo, which would have a representative role to the central authorities, as well as the integration of northern Kosovar police into the Kosovo Police. Besides that, the agreement states that “neither side will block, or encourage others to block, the other side's progress in their respective EU path” (Government of the Republic of Serbia, 2013).

There have been further agreements since the Brussels Agreement of 2013, with the conclusion of four new deals in 2015, on the actual establishment of an Association of Serbian Municipalities, on energy and telecoms, and the opening of the Mitrovica Bridge. Whereas these agreements primarily address technical topics rather than highly sensitive core issues of legitimacy, they aim to contribute to further normalising relations. Some consider the Brussels Agreement a “de facto recognition of Kosovo” (Prelec, 2016), but this seems to put too much weight on the agreement. However, the fact that both parties have reached agreements can be considered a significant development in addressing Kosovo's limited external legitimacy.

EULEX

Given that EULEX is a rule of law mission, carrying the primary goal of strengthening Kosovo's institutions, judicial authorities, and law enforcement agencies, the mission's mandate does not directly address Kosovo's external legitimacy. However, with EULEX changing its shape and purpose through different mandates over the years, it has played its role in the background of the EU's attempts to resolve Kosovo's dispute with Serbia.

The 'status issue' was already addressed in Council Joint Action 2008/124/CFSP, EULEX's founding mandate. The document mentions "the readiness of the EU to play a leading role in strengthening stability in the region in line with its European perspective and in implementing a settlement defining Kosovo's future status" as one of the motivations for the adoption of a rule of law mission (Council Joint Action 2008/124/CFSP). The EU declaring its readiness to play an important role in Kosovo contributes to the state's external legitimacy, as does the expressed commitment "to assisting Kosovo in the path towards sustainable stability" (Council Joint Action 2008/124/CFSP).

Whereas the mandate of EULEX was renewed roughly every two years, most changes have been administrative and budgetary. However, the amendments made to the mission in the 2018 mandate significantly impacted the character of EULEX. It is here that the mandate first explicitly mentions the core task of providing "operational support to the EU-facilitated Dialogue" (Council Decision 2018/856), which is how the EU frequently refers to the Belgrade-Pristina Dialogue. Whereas EULEX was already supporting the dialogue in practice, it became one of its core goals through the new mandate.

In practice, EULEX's operational support to the EU-facilitated has proven practical and technical, assisting in implementing agreements within the dialogue framework. It does not directly work on the resolution of the conflict between Kosovo and Serbia but assists in

practical issues that are supposed to bring the two parties together, such as the establishment of six so-called co-located interim crossing points, which are border crosses where both parties share common infrastructure at the same location (EULEX, 2015). In this way, EULEX aims to contribute to addressing Kosovo's limited external legitimacy.

SAP

The Stabilisation and Association Agreement between the EU and Kosovo addresses the external legitimacy problem in a more explicit manner than EULEX. Article 2 of this document, which was published in 2016, states that “none of the terms, wording or definitions used in this Agreement (...) constitute recognition of Kosovo by the EU as an independent state nor does it constitute recognition by individual Member States of Kosovo in that capacity where they have not taken such a step” (European Union, 2016). In this way, the EU reaffirms its character as a neutral actor regarding Kosovo's recognition status, which is also necessary for facilitating the Belgrade-Pristina Dialogue.

Simultaneously, the fact that the EU and Kosovo have come to an official SAA could be interpreted as a significant increment to Kosovo's external legitimacy, as it expresses a commitment to further integration. When it comes to resolving the founding dispute of Kosovo's limited external legitimacy, a section within the agreement is dedicated to the topic of political dialogue. First, the political dialogue refers to an exchange that accompanies “the rapprochement between the EU and Kosovo” while contributing “to the establishment of close links of solidarity and new forms of cooperation between the Parties” (European Union, 2016, Art. 11). Kosovo's participation in the international democratic community is expressed as an explicit goal in the SAA, as well as the development of good neighbourly relations in the Western Balkans. In this section, the agreement prioritises the normalisation of relations between Serbia and Kosovo, declaring a commitment for the latter to “continued engagement towards a visible and sustainable improvement in relations with Serbia” (European Union

2016, Art. 5). This process is supposed to ensure a continuation for both states on their “European paths”. Simultaneously, this process should also avoid that “either can block the other in these efforts, and should gradually lead to the comprehensive normalisation of relations between Kosovo and Serbia, in the form of a legally binding agreement, with the prospect of both being able to fully exercise their rights and fulfil their responsibilities” (European Union, 2016, Art. 13). By addressing the importance of improving the relations between Serbia and Kosovo, the EU commits to increasing Kosovo’s external legitimacy while retaining a neutral position. Particularly significant is the fact that the aim of establishing a legally binding agreement between both parties is expressed.

Since the finalisation of the SAA, the European Commission has published yearly progress reports as part of its communication on the enlargement policy. These documents report on the progress of Kosovo regarding implementing the SAA commitments. Regarding normalising relations with Serbia, the Commission has been critical of Kosovo’s actions. The progress reports also reaffirm the importance of an agreement, stating that “such an agreement is urgent and crucial so that Kosovo and Serbia can advance on their respective European paths” (European Commission, 2021, p. 7).

By including the normalisation of relations between Serbia and Kosovo in the SAP and SAA, the EU has made this a condition for both countries to progress on their European path. Whereas this does not directly increase Kosovo’s legitimacy, it urges the parties to find a solution, which should contribute to solving its problems regarding external legitimacy. However, due to the EU’s neutral status toward the status issue, it cannot explicitly contribute to Kosovo’s external legitimacy.

Limited Domestic Legitimacy

Domestic legitimacy can be explained as the degree of acceptance of a state by the people it governs. Minimalist states cope with limited domestic legitimacy, which reflects on

the contested nature of the state and its institutions and a failure to sufficiently include minorities who consider the state an illegitimate actor. The issues concerning Kosovo's domestic legitimacy are intertwined with its external legitimacy, as it mainly applies to the situation of Kosovo Serb minorities. A substantial part of this group does not recognise the Kosovo government as theirs, which has led to the existence of parallel state structures, particularly in the northern municipalities, which are primarily populated by Kosovo Serbs. Therefore, if the EU aims to improve the situation concerning domestic legitimacy, policies should be targeted at improving the inclusion of Kosovo Serb minorities and at improving public services for all citizens.

EULEX

The main goal of EULEX is to assist in developing and strengthening independent multi-ethnic justice, police and customs systems (Council Joint Action 2008/124/CFSP), which inherently implies a dedication to involving all minorities, including Kosovo Serbs. Simultaneously, EULEX does not directly address increasing state legitimacy towards minorities. An important factor is the fact that EULEX was deployed under UNCSR 1244, which means the mission operates as status-neutral (United Nations Security Council, 1999). Because the rule of law mission positioned itself neither in favour of nor in opposition to Kosovo's declaration of independence, its deployment was acceptable for both Kosovo Albanians and Kosovo Serbs (Musliu & Geci, 2014, p. 72). To increase its visibility for Kosovo Serbs, EULEX opened an office in the predominantly Serb-populated North Mitrovica soon after the deployment of the mission (EULEX, 2009). Whereas this increases EULEX's legitimacy with Kosovo Serbs, the mission's ambiguous stance does little to improve the domestic legitimacy of Kosovo state institutions vis-à-vis this minority. Though EULEX has reaffirmed its mission statement of supporting the Kosovo rule of law institutions "on their way towards (...) multi-ethnicity" in the 2018 mandate (Council Joint

Action 2018/856), which should positively affect Kosovo's internal legitimacy in the long term, its goal is not explicitly to promote the Kosovo government as a legitimate actor in the northern Serb-populated areas.

SAP

In its 2012 feasibility study for an SAA between the EU and Kosovo, which preceded the negotiations to establish the agreement, the promotion of a multi-ethnic state which creates "conditions for Kosovo Serbs to feel part of Kosovo's future" was mentioned as one of the conditions for a possible SAA (European Commission, 2012, p. 4). While acknowledging that it considered Kosovo largely ready to open negotiations for an SAA, the study made the position of Kosovo Serbs a pivotal element in this, urging the Kosovo government to continue implementing decentralisation (European Commission, 2012, p. 14). However, the inclusion of the Kosovo Serb minority is not directly addressed in the SAA. In a comparable fashion to EULEX, the SAA mentions how the rights of persons belonging to minority groups are central to the SAP (European Union, 2016, Art. 7).

The SAA touches upon Kosovo's problems regarding domestic legitimacy to a certain extent by recognising that Kosovo citizens enjoy rights under the EU *acquis*, as mentioned in article 86 of the SAA. This adds to both the EU's and Kosovo's legitimacy among citizens. Whereas the feasibility study in 2012 noted that the EU had launched a visa liberalisation dialogue and presented a roadmap to the Kosovo authorities (European Commission, 2012, p. 12), this topic was not addressed in the SAA. The yearly progress reports of the Commission do include the question of visa liberalisation, mentioning that it "maintains the assessment it made in July 2018 that Kosovo has fulfilled all visa liberalisation benchmarks" (European Commission, 2021, p. 3). However, the Member States in the Council of the EU have blocked lifting visa requirements for Kosovo citizens.

Like EULEX, the EU does not explicitly address Kosovo's limited domestic legitimacy under the SAP framework. Whereas the documents show that the EU is committed to a multi-ethnic Kosovo, the EU's neutrality regarding Kosovo's status prevents it from taking a more active stance in improving its domestic legitimacy.

Belgrade-Pristina Dialogue

The position of Kosovo Serbs in northern municipalities in Kosovo plays an essential role in the EU-facilitated dialogue between Belgrade and Pristina. By addressing the issue, the parties agreed on the planned establishment of an association of Serb majority municipalities in Northern Kosovo, which was supposed to provide the Kosovo Serb population with an actor that plays a representative role in the central authorities (Government of the Republic of Serbia, 2013). This community would be vested with autonomy regarding economic development, education, health, and urban and rural planning, replacing the existing parallel Serbian structures (Lilyanova, 2016). By granting the Serb majority municipalities space to cooperate on a coordinated level while working with the central authorities, this agreement would contribute to the domestic legitimacy of the Kosovar government. Its general principles are stated in a document shared by EEAS, which mentions the strengthening of local democracy, the adaptation of measures to improve local living conditions for returnees to Kosovo, and the provision of services to its members per Kosovo law, as some of the association's core objectives (EEAS, 2015).

As this association would curb Serb parallel structures in Northern Kosovo, the planned establishment can be seen as a significant step for Kosovo's internal legitimacy while simultaneously being a potential compromise for Kosovo's authority. The association's development has contrasting meanings for the Kosovo Serbs and Kosovo Albanians. Whereas the association manifests the retreat of Serbia from Kosovo for Kosovo Serbs, it institutionally establishes Belgrade's involvement in Kosovo's affairs for the Kosovo

Albanians, undermining their sovereignty (Kartsonaki, 2020, p. 113). Though the formation of the association was expected in 2015, it is yet to be established since Kosovo's Constitutional Court proclaimed parts of the agreement unconstitutional, putting the realisation of the association on hold. Even though the establishment of the association of municipalities is still pending, the EU-facilitated dialogue has directly targeted Kosovo's domestic legitimacy problem by mediating agreements surrounding this topic. Through the dialogue, Serb parallel state structures were curbed, while further inclusion of Serb majority municipality was stimulated, which could raise the degree of acceptance of the state by the minority.

Limited strength of state functions

The strength of state functions refers to the ability of states to plan and execute their policies and enforce laws cleanly and transparently. Typically, states with limited strength are characterised by insufficient decision-making capacities for central state functions, the presence of sub-state entities, and a lack of transparency of rule of law institutions. Kosovo's state weakness has mainly been visible in its inability to control northern municipalities effectively, but also through systematic corruption and unstable rule of law institutions. To address the issues of Kosovo's minimalist state within this category, policies will need to be aimed at strengthening the rule of law institutions and increasing its judicial control in Northern Kosovo. The attempts to reach an agreement in Northern Kosovo have been discussed in the section on legitimacy, so the following paragraphs will focus on the extent to which the EU policy frameworks address the strengthening of the rule of law institutions, the curbing of systematic corruption, and the improvement of decision-making capacities for central state institutions.

EULEX

As the EU's rule of law mission in Kosovo, strengthening state institutions concerning the rule of law is EULEX's core goal. UNSCR 1244, the framework within which EULEX works, mentioned maintaining "civil law and order, including establishing police forces" as one of the main tasks of the international civil presence in Kosovo (United Nations Security Council, 1999). In its founding mandate, EULEX's mission statement covers an assisting role for the mission to

the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices (Council Joint Action 2008/124/CFSP, Art. 2)

This mission statement confirms that the mission was dedicated to strengthening Kosovo's state functions and assisting the establishment of independent rule of law institutions. In article 3 of the same document, the tasks to fulfil this mission statement include ensuring the "maintenance and promotion of the rule of law, public order and security", helping "to ensure that all Kosovo rule of law services, including a customs service, are free from political interference", and contributing "to the fight against corruption, fraud and financial crime" (Council Joint Action 2008/124/CFSP, Art. 3).

Whereas one could argue that the high levels of interference through the civil mission cannot increase the strength of Kosovo's state functions sustainably, EULEX's current mandate explicitly mentions "the aim of handing over remaining tasks to other long-term EU instruments and phasing out residual executive functions" (Council Joint Action 2018/856). The 2018 mandate also stresses that EULEX's task is to "monitor selected cases and trials in

Kosovo’s criminal and civil justice institutions” (Council Joint Action 2018/856). In contrast, the founding mandate went beyond monitoring and had international investigators, judges, and prosecutors cooperate with their Kosovo counterparts (Council Joint Action 2008/124/CFSP, Art. 3). The transferring of competencies shows how EULEX’s timeline has been designed to strengthen and increase independence for Kosovo’s state functions.

Under the 2008 mandate, the mission’s ‘Strengthening Division’ provided “monitoring, mentoring and advising” to strengthen the chain of justice, emphasising fighting political interference. For example, the Regional Police Directorate in North Mitrovica and its police stations were supported to contribute to Kosovo’s state institutions establishing control in the northern municipalities (EULEX, 2018c). The division also monitored and assisted Kosovo Border Police and Kosovo Customs in implementing the Integrated Border/Boundary Management (IBM), helping Kosovo cooperate with Serbia on its borders. Under the current mandate, EULEX’s activities in Northern Kosovo fall under its ‘Monitoring Pillar’, taking on a strictly advising role on several issues related to the provision of policing services in the region, including the cooperation between the police and the prosecution (EULEX, 2018b).

Through these policy plans, EULEX addresses the characteristics that limit Kosovo’s state functions. The mission’s founding mandate focuses on improving decision-making capacities for central state institutions while attempting to safeguard an independent rule of law. Simultaneously, it addresses Kosovo’s lack of control of the northern municipalities by supporting state institutions in this area.

SAP

The SAA between the EU and Kosovo mentions supporting the efforts to strengthen democracy and the rule of law as the first aim of the association (European Union, 2016, Art. 1). As the association agreement is a commitment that is ultimately supposed to prepare a state for candidate membership status, the focus within the topic of strengthening state

institutions is mainly on the approximation and compatibility of Kosovo law and legislation with the EU *acquis*. This is explained in article 74 of the SAA, which clarifies that the early stage of approximation focuses “on fundamental elements of the EU *acquis* in the field of the Internal Market, and in the field of Freedom, Security and Justice, as well as on trade-related areas” (European Union, 2016, Art. 74). Besides this, article 83 of the SAA is dedicated to cooperation in the field of freedom, security and justice, and the reinforcement of institutions and the rule of law. The SAA states that

cooperation shall notably aim at strengthening the independence, impartiality and accountability of the judiciary in Kosovo and improving its efficiency, developing adequate structures for the police, prosecutors and judges and other judicial and law enforcement bodies to adequately prepare them for cooperation in civil, commercial and criminal matters, and to enable them to effectively prevent, investigate, prosecute and adjudicate organised crime, corruption and terrorism. (European Union, 2016, Art. 83)

Besides the core aim of strengthening Kosovo’s rule of law institutions, the SAA creates a commitment to cooperate in reinforcing Kosovo’s structures for combating and preventing organised crime and corruption (European Union, 2016, Art. 91). The SAA also states that the EU and Kosovo shall cooperate in developing the country's taxation system, which is a crucial state function of sovereign states.

The lack of control in the north of Kosovo is not explicitly addressed in this context but regularly appears in the EU’s progress reports. For example, the most recent progress report states that the situation in the north of Kosovo needs to be improved, particularly in terms of corruption, organised crime, and the conditions for freedom of expression (European Commission, 2021, p. 4). Similar comments are made concerning Kosovo’s development of a

well-functioning judicial system, which is described as a “slow, inefficient” process vulnerable to political influence (European Commission, 2021, p. 4).

Through the European Reform Agenda (ERA), in which the main priorities of the SAA have been established, specific issues are addressed once more while also monitoring Kosovo’s progress. Its 2017 monitoring report stresses the need for “reforms which will enable the consolidation of the justice system and increase the transparency and accountability of the government and its officials” (European Reform Agenda, 2018, p. 6). Moreover, the report also pushes for further reforms to provide better results in the fight against corruption and organised crime. (European Reform Agenda, p. 6)

Belgrade-Pristina Dialogue

As the goal of the EU facilitated dialogue is to achieve comprehensive normalisation of the relations between Kosovo and Serbia and improve neighbourly relations (EEAS, 2022), it does not constitute a direct ambition to contribute to the strengthening of state functions in Kosovo. However, the dialogue has indirectly addressed the limited state strength as the question of control in northern Kosovo is one of the main topics of the dialogue.

The Brussels Agreement of 2013 mentions the establishment of one police force in Kosovo in which all police in northern Kosovo shall be integrated, with members of other Serbian security structures being offered a place in equivalent Kosovo structures (Government of the Republic of Serbia, 2013). In this way, the agreement has contributed to increasing the control of state institutions in northern municipalities. The Dialogue has also addressed the issue of border management, leading to a deal on IBM between Kosovo and Serbia in the early stages of the dialogue in 2011, which meant that both countries harmonised their legislation with the EU *acquis* (Dialogue-Info, 2018). This has also

motivated both sides to work together on the border, ensuring Kosovo has control over its border crossing with Serbia.

While the Dialogue aimed to address more fundamental issues, such as the situation in northern Kosovo, it has focused on technical matters so far. Whereas agreements on the management of borders and establishing a centralised Kosovo police force are important steps, the Dialogue does not explicitly address strengthening state functions.

Limited scope of the state

The scope of a state can be defined as ‘state ambition’. Whereas state strength refers to the strength of existing state institutions, the scope refers to whether a state engages with certain functions such as the facilitation of a functioning market economy or whether there are social institutions that provide basic economic security for citizens. Minimalist states struggle to facilitate these functions and are characterised by the limited autonomy of their institutions and a failure to provide a functioning economic environment. Although the scope of Kosovo’s state has been described as not particularly weak, with legislation and most state competencies located in central institutions (Bieber, 2011, p. 1787), it finds hardship in providing prosperity and economic development. The Kosovo population has remained among the poorest in Europe despite structural reforms to its market, with soaring unemployment rates and a sizeable black-market economy. The challenges regarding upgrading Kosovo’s scope of state functions are primarily economic. If the EU aims to support Kosovo in increasing the scope of its state, the EU policies should address Kosovo’s limitations in fulfilling its task of providing prosperity and economic development, as well as expanding its state functions and increasing the autonomy of state institutions.

EULEX

Whereas not as explicit as the strengthening of state functions, one of the aims of EULEX is to assist the Kosovo state in increasing its scope. UNSCR 1244 (1999, par. 11)

mentions the promotion of the establishment “of substantial autonomy and self-government in Kosovo” as one of the core responsibilities of the international civil presence, which would later become EULEX. It also encourages the EU “to develop a comprehensive approach to the economic development” of the region (United Nations Security Council, 1999, par. 17).

In the EULEX mandates, the function of providing support to Kosovo’s economic development is not mentioned. The mission has worked to assist Kosovo in strengthening its state functions rather than building up additional state functions and increasing the state scope. When addressing the question of building up the scope of the state, the matters were more technical. For example, EULEX has supported increasing the scope of the state by monitoring, mentoring and advising in the process of establishing a fully reliable civil registry in Kosovo (EULEX, 2015). there is a division between operations support and monitoring activities in Kosovo. Neither of the pillars under EULEX’s current mandate is dedicated to building additional state institutions (EULEX, 2021).

SAP

As the SAP sets out common political and economic goals, part of the framework is designed to address the problems regarding the scope of Kosovo’s state. Already before concluding the SAA in 2016, Kosovo benefitted from the Instrument for Pre-Accession cross-border cooperation programmes, through which the Union aimed to support Kosovo’s socio-economic development (European Commission, 2012, p. 6). The economic problems in Kosovo, specifically the high unemployment rates and the weak private sector, were mentioned in the 2012 feasibility study for the SAA, also noting that there should be attention to the rule of law to combat the widespread ‘informalities’ in Kosovo’s economy. Therefore, the study called for efforts to target economic policies and job creation (European Commission, 2012, p. 10).

When the SAA was concluded in 2016, supporting the efforts of Kosovo to complete the transition into a functioning market economy was identified as one of the association's aims (European Union, 2016, Art. 1). This is specified in article 94, which states that “Kosovo shall strive to establish a functioning market economy and to gradually approximate its policies to the stability-oriented politics of the Economic and Monetary Union. At the request of the authorities of Kosovo, the EU may provide assistance designed to support the efforts in this respect.” In this way, the EU commits to supporting Kosovo in developing a fully functional market economy compatible with the Union. Whereas the EU’s definition of a ‘functioning market economy’ requires “proper functioning of the labour market” (European Commission, 2016a), the SAA does not address Kosovo’s problems in the labour market. Article 106 (European Union, 2016) mentions reform of employment policies, but this primarily concerns the legal approximation of Kosovo’s legislation on labour, health, and safety at work, as well as creating equal opportunities for all members of society. The SAA does not mention the structurally high unemployment rates and informal economy.

The incapability of Kosovo’s state functions to provide prosperity and economic development is addressed by the European Reform Agenda (ERA), which developed priorities and concrete actions which should be undertaken to improve Kosovo’s competitiveness. According to the ERA, institutions should focus on undertaking crucial reforms to promote foreign direct investment while prioritising the fight against the informal economy (European Reform Agenda, 2018, p. 6). In the same report, ERA also addresses the unemployment rates by arguing to foster the connection between higher education and the job market (p. 7).

In these ways, different elements address the limitations of Kosovo’s state when it comes to providing prosperity and facilitating a functioning market economy. Whereas the SAA mainly focuses on approximating Kosovo’s market economy with the EU’s standards,

the ERA addresses the source of the problems in more detail by providing specific priorities and actions that the Kosovo institutions should follow.

Belgrade-Pristina Dialogue

The negotiations between Serbia and Kosovo have not directly addressed the autonomy of state institutions or the capability of the state to provide prosperity and economic development. The planned establishment of an association of Serb majority municipalities as agreed on in the 2013 Brussels Agreements would have given this community a complete overview of economic development. However, the association has not been developed until now. Any agreements that concerned the scope of the state were technical, such as an arrangement on telecommunications that was made in 2016, which granted Kosovo its own dial code. Besides this, the dialogue does not explicitly address the scope of Kosovo's state.

Table 2
Key findings

	EULEX	SAP	Belgrade-Pristina Dialogue
<i>External legitimacy</i>	<ul style="list-style-type: none"> - No policy targeting at resolving Kosovo-Serbia dispute, but provides technical support to Belgrade-Pristina Dialogue 	<ul style="list-style-type: none"> - SAA explicitly states the goal of a legally binding document for the normalisation of relations between Kosovo and Serbia - Normalisation as condition for progress on the ‘European path’ 	<ul style="list-style-type: none"> - Framework is fully targeted at resolving the dispute
<i>Domestic legitimacy</i>	<ul style="list-style-type: none"> - Targeted at creating multi-ethnic justice and police institutions, including minorities - However, unable to promote Kosovo’s state as just actor due to neutral status 	<ul style="list-style-type: none"> - Commitment to multi-ethnic Kosovo, but no active positions or policies 	<ul style="list-style-type: none"> - Aims to broker agreements for institution-building for minorities, but dependent on Kosovo and Serbia institutions for success
<i>Strength of the state</i>	<ul style="list-style-type: none"> - Designed to build up the strength of state institutions - Aims to support institutions, judicial authorities, and law enforcement on their way to sustainability and accountability - Building down mandate to transfer more powers to institutions 	<ul style="list-style-type: none"> - Several articles in SAA dedicated to rule of law - Creates commitment for EU and Kosovo to cooperate in developing taxation system and combating organised crime and corruption 	<ul style="list-style-type: none"> - Aims to broker agreements for establishing central institutions - No explicit goal of strengthening the state
<i>Scope of the state</i>	<ul style="list-style-type: none"> - Promoting autonomy of institutions - No explicit policies for increasing state scope 	<ul style="list-style-type: none"> - Explicit goal of supporting Kosovo in its transition into a functioning market economy - No policies to improve problems regarding informal economy and unemployment 	<ul style="list-style-type: none"> - Does not address scope of the state

Discussion of results

The previous chapter has shown the extent to which the EU policy frameworks are targeted to improve the elements of Kosovo's minimalist state. A schematic overview of the results can be found in table 2. The results have shown how the focus differs per policy framework. Whereas the Belgrade-Pristina Dialogue focuses primarily on resolving the dispute between Kosovo and Serbia, which is the source of Kosovo's legitimacy problems, EULEX finds its essence in building up the strength of Kosovo state institutions, judicial authorities, and law enforcement and is therefore inherently linked to increasing the strength of Kosovo's state functions. The SAP, established to prepare Kosovo for eventual EU membership, has had broader ambitions, addressing all characteristics of the minimalist state to different extents.

As stated before, when aiming to increase the external legitimacy of minimalist states, policies should target the dispute which forms the root of the lack of legitimacy. The results show that the EU addresses Kosovo's external legitimacy problems by facilitating a dialogue between the governments of Serbia and Kosovo. The SAA between the EU and Kosovo explicitly states the goal of this dialogue, which is to establish a legally binding document between both parties that should normalize relations. The current mandate of EULEX says that it should provide technical support to implement any agreements made within the framework of the dialogue. Whereas the EU policies are targeted at normalizing the relations between Belgrade and Pristina, which contributes to resolving Kosovo's external legitimacy problem in the long term, the non-recognition by five Member States prevents the EU from actively promoting Kosovo's external legitimacy.

Due to its officially neutral status, the EU takes a more ambiguous stance toward Kosovo's domestic legitimacy. EULEX's mandates mention establishing multi-ethnic justice and police structures as core goals, which would contribute to reaching more representation

for Kosovo Serbs and could result in acceptance of state institutions among this community. However, EULEX cannot actively promote the Kosovo government as a legitimate sovereign actor since it acts under UNSCR 1244, which forces the mission to keep neutrality towards the status issue. The framework through which domestic legitimacy has been addressed most is the dialogue, which has resulted in the Brussels Agreements, which called for the establishment of an Association of Serb Municipalities. However, this association has still not been formed. The SAP features no clear policies targeted at improving Kosovo's internal legitimacy.

The study demonstrates that all researched policy frameworks aim to strengthen Kosovo's state functions. EULEX thoroughly addresses the issue, as it is the primary goal of the mission to increase the strength of state institutions by supporting judicial authorities and law enforcement on their way to sustainability and accountability. EULEX's involvement has been scaled down in the more recent mandates to transfer more competencies and autonomy to the institutions. Several articles in the SAA are also dedicated to Kosovo's rule of law, creating a commitment for the EU and Kosovo to cooperate in developing the country's taxation system and combating organized crime and corruption within the SAP framework. The dialogue addresses the issue in a less explicit manner but contributed by brokering an agreement on establishing a central Kosovo police force. In this way, the minimalist feature of Kosovo's weak state is addressed by all studied policy frameworks.

The economic problems that show the limitations of the scope of the state of Kosovo are not fully addressed under the studied policy frameworks. Whereas this research stated that the state functions of providing prosperity and economic development had to be developed and actively targeted by policies to elevate the minimalist state, no such approach can be traced. EULEX, which dedicates itself to promoting autonomy for Kosovo institutions, does not address the failure of Kosovo's state to provide prosperity or an effective labour market.

Whereas the SAP aims to support Kosovo in its transition into a functioning market economy, it does not feature concrete plans to combat Kosovo's surging informal economy and high unemployment rates. The dialogue also does not address any issues within the scope of this topic.

In relation to the aim of this research, to study the extent to which EU policies address the features of Kosovo's minimalist state and whether they are tailored to assist Kosovo in growing out of its minimalist scope, the results show that the extent of engagement differs per minimalist factor. Whereas the policies are designed to support the strengthening of Kosovo's state institutions and the resolving of the dispute with Serbia, which is at the root of its external legitimacy problem, the EU's policies do not put a strong emphasis on enlarging the scope of Kosovo's state. At the same time, it is hard to find concrete examples of how the policies are targeted at increasing Kosovo's domestic legitimacy. A recurring constraining factor in the EU's policies is the lack of cohesiveness towards Kosovo's status. Whereas EU representatives have suggested that a lack of unanimous recognition would not be an obstacle to making progress on Kosovo's European path, the studied policy frameworks have been affected significantly by this reality. For example, the neutral status meant that EULEX had to "systematically work with and through the legal infrastructure and institutions of Kosovo as an independent state, while having to silence them declaratively" (Musliu, 2021, p. 27). The fact that the Belgrade-Pristina Dialogue and the SAP have not been able to address the domestic legitimacy problem can be explained through Bergmann and Niemann's (2015, p. 968) idea that the lack of coherence among EU Member States has harmed the conflict parties' trust in the EU's ability to deliver promises. The EU's strategy for the Dialogue plays its part here as well, which Yabancı (2016, p. 357) has explained by highlighting the exclusion of representatives from the Kosovo Serb community from the negotiations table by the EEAS. As normalization of relations between Kosovo and Serbia and resolving Kosovo's

internal and external legitimacy problems primarily concerns the northern municipalities' status and future and directly affects this particular community, this strategy can be considered dubious. Yabanci (2016, p. 357) has argued that the confidentiality of the dialogue, which has also implicated this research, has caused fear, suspicion and conspiracy in both Kosovo and Serbia.

Interpreting the results through the framework of Europeanisation, which has been explained by Musliu (2021, p. 14) as creating 'European-like' states, it is perhaps unsurprising that the factor of limited state strength has most clearly been addressed by the EU's policies. The main goals of the EU in the Western Balkans since the 1990s have been to transform post-conflict societies and states into potential EU Member States through promoting human security, good governance, the rule of law, market reforms, and the basic elements of democracy (Yabanci, 2016, p. 346). These motives, as well as the inability of the EU to reach a consensus on Kosovo's status, can explain why the EU policies put a strong emphasis on developing an independent rule of law and improving decision-making capacities for state institutions, while having a weaker character when it comes to legitimacy and scope.

The results have shown that, whereas the EU policies are targeted at increasing the strength of Kosovo's state institutions, the lack of consensus on Kosovo's status implicates the ability of the current policies to promote its state legitimacy, while the limited scope of the state is also not fully targeted. As this study has investigated the targeting of policies rather than their execution, no statements can be made on the effectiveness of said policies. Besides this, it must be acknowledged that there are EU policies that affect Kosovo which are not part of the three studied frameworks. The clearest example of this is the visa liberalization dialogue that was launched in 2012. Whereas the European Commission has proposed visa-free travel for the people of Kosovo since 2016 (European Commission, 2016b), no

consensus has been reached in the Council of the EU on the topic until today. Though visa liberalization is not part of the studied frameworks, it reaffirms the conclusions this study drew regarding the constraining factor the EU's incoherent position towards Kosovo's status has on Kosovo's legitimacy problems. However, even when considering these limitations, the concept of the minimalist state has proven a useful framework for studying the targeting of EU state building policies.

Final Remarks

The final section of this thesis will be drawing conclusions from the gathered data. Moreover, this chapter will contain recommendations on addressing the shortcomings highlighted in this work and provide input for further research.

Conclusion

This research used the concept of the minimalist state to research the targeting of EU policies in Kosovo. As a minimalist state can be considered successful when it loses its minimalist scope and capacity and acquires additional state functions, the goal of this dissertation was to research to what extent the EU's policies are targeted at improving the factors of Kosovo's minimalist state.

The results indicate that in order to improve Kosovo's status and performance as a state, the EU addresses only a limited number of features with its policies. This research has shown that the policy frameworks through which the EU engages with Kosovo are tailored to increase the state's strength. Particularly the policies under the EULEX and SAP frameworks are committed to building up the strength of state institutions and supporting the independent rule of law. The EU has also committed to solving Kosovo's external legitimacy problem, mainly through the Belgrade-Pristina Dialogue, which is entirely targeted at resolving Kosovo's conflict with Serbia. However, due to a lack of coherence regarding the EU's stance toward Kosovo's independence, it cannot play an active role in increasing Kosovo's external legitimacy. Similar issues appear regarding the minimalist feature of limited internal legitimacy. While promoting multi-ethnic institutions, the EU is unable to promote Kosovo's state as a just actor due to its neutral status. The least engagement can be seen regarding the scope of Kosovo's state, with the EU policies showing no commitment to increasing this. In this way, the results show that the targeting of EU state building policies in Kosovo is only partially suitable for improving the minimalist state.

These results fit within the literature on EU state building in the Western Balkans and the concept of 'Europeanisation'. By showing that the targeting of EU policies is focused on building up the strength of the state to create potential EU-member states, rather than lifting Kosovo's minimalist status, this research contributes to the literature on EU state building. In this way, this dissertation teaches us more about the objectives of 'Brussels'. Besides this, the results indicate that the studied frameworks have all significantly been affected by the EU's incoherent status towards Kosovo's status. The obligation to remain neutral means that the policies cannot always be tailored in the most effective way to improve Kosovo's minimalist status.

As this research was focused on the targeting of EU policies, it does not answer the question of to what extent their execution is sufficient to improve those features of the minimalist state they aim to improve. However, this study has shown that the minimalist state provides a useful analytical framework for studying the targeting of EU state building policies. By describing the limitations that prevent minimalist states from performing the functions most states are widely expected to carry out, the concept can be operationalized to realize an image of what state building policies should be targeted at. In this way, the minimalist state is helpful for future studies into the targeting of state building policies. To better understand the implications of these results, future studies could also address the policies by investigating their execution and effectiveness. Combined with this study, a thorough analysis of both the targeting and implementation of EU policies in Kosovo can be done.

From a state building perspective, it can be concluded that the EU's policies should be customized to support Kosovo's development into a more prosperous state. The critical recurring implication in this respect is the non-recognition of Kosovo as an independent state, which prevents it from resolving its external and domestic legitimacy problems and plays a

restraining role in the other minimalist features. Therefore, a policy lesson that could be drawn from this research for the EU is to remain fully committed to resolving the dispute between Kosovo and Serbia. At the same time, the Union should also attempt to tackle its internal lack of cohesion regarding this topic. While no significant changes seem to be on the radar for the near future, it is essential for the EU to remain committed to this issue to prevent losing credibility as an actor in Kosovo.

References

- Aliu, F. (2012, February 1). *Kosovo Seeks Full Independence in 2012*. Balkan Insight.
<https://balkaninsight.com/2012/02/01/parliament-adopts-a-resolution-to-end-supervised-independence/>
- Ahtisaari, M. (2007). *Comprehensive Proposal for the Kosovo Status Settlement*. United Nations Security Council. S/2007/168/Add.1.
<https://reliefweb.int/report/serbia/comprehensive-proposal-kosovo-status-settlement-s2007168add1>
- Baliqi, B. (2018). Promoting Multi-Ethnicity or Maintaining a Divided Society: Dilemmas of Power-Sharing in Kosovo. *Journal on Ethnopolitics and Minority Issues in Europe*, 17(1), 39-71.
- Baracani, E. (2019). Evaluating EU Actorness as a State-Builder in ‘Contested’ Kosovo. *Geopolitics*, 25(2), 362–386. <https://doi.org/10.1080/14650045.2018.1563890>
- Bergmann, J., & Niemann, A. (2015). Mediating International Conflicts: The European Union as an Effective Peacemaker? *JCMS: Journal of Common Market Studies*, 53(5), 957–975. <https://doi.org/10.1111/jcms.12254>
- Beysoylu, C. (2018). Implementing Brussels Agreements: the EU’s facilitating strategy and contrasting local perceptions of peace in Kosovo. *Southeast European and Black Sea Studies*, 18(2), 203–218. <https://doi.org/10.1080/14683857.2018.1474549>
- Bieber, F. (2011). Building Impossible States? State-Building Strategies and EU Membership in the Western Balkans. *Europe-Asia Studies*, 63(10), 1783–1802.
<https://doi.org/10.1080/09668136.2011.618679>
- Bieber, F. (2015) The Serbs of Kosovo. In: Ramet, S.P., Listhaug, O., & Simkus, A. (Eds.), *Civic and Uncivic Values in Kosovo. History, Politics and Values Transformation* (pp. 175-197). Budapest: CEU Press.

- Bieber, F., & Kmezić, M. (2017, March). The Crisis of Democracy in the Western Balkans. An Anatomy of Stabilitocracy and the Limits of EU Democracy Promotion. Balkans in Europe Policy Advisory Group (BiEPAG).
- Bouris, D., & Papadimitriou, D. (2019). The EU and Contested Statehood in its Near Abroad: Europeanisation, Actorness and State-building. *Geopolitics*, 25(2), 273–293.
<https://doi.org/10.1080/14650045.2019.1643162>
- Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27–40.
- Capussela, A. L. (2015). *State-Building in Kosovo: Democracy, Corruption and the EU in the Balkans*. I.B. Tauris.
- Caspersen, N. (2015). Degrees of Legitimacy: Ensuring Internal and External Support in the Absence of Recognition. *Geoforum*, 66, 184-192.
<https://doi.org/10.1016/j.geoforum.2014.10.003>
- CONSTITUTION OF THE FEDERATIVE PEOPLE'S REPUBLIC OF YUGOSLAVIA (1946). (n.d.). World Statesmen. Retrieved 5 May 2022, from
https://www.worldstatesmen.org/Yugoslavia_1946.txt
- Chandler, D. (2019). Kosovo: Statebuilding Utopia and Reality. *Journal of Intervention and Statebuilding*, 13(5), 545–555. <https://doi.org/10.1080/17502977.2019.1658565>
- Cojocar, A. (2017). *Jobs Diagnostic Kosovo* (World Bank, Ed.). International Bank for Reconstruction and Development / The World Bank.
<https://documents1.worldbank.org/curated/en/814361497466817941/pdf/Kosovo-Jobs-Diagnostic.pdf>
- Council Decision (CFSP) 2018/856. *Amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo* (EULEX)*. Council of the European Union.
<https://www.eulex-kosovo.eu/eul/repository/docs/CouncilDecision-203336.pdf>

Council Joint Action 2008/124/CFSP. Council of the European Union. (2008, February 4).

On the European Union Rule of Law Mission in Kosovo, EULEX Kosovo. Council of the European Union. https://www.eulex-kosovo.eu/eul/repository/docs/WEJointActionEULEX_EN.pdf

Council of the European Union. (2015, October 27). *Stabilisation and Association Agreement (SAA) between the European Union and Kosovo signed.*

<https://www.consilium.europa.eu/en/press/press-releases/2015/10/27/kosovo-eu-stabilisation-association-agreement/#:%7E:text=The%20SAA%20will%20establish%20an,of%20European%20standards%20by%20Kosovo.>

Council of the European Union. (2016). *International Agreements.* Council Decision (EU) 2016/342. [https://eur-lex.europa.eu/legal-](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0342&qid=1652707450228&from=EN)

[content/EN/TXT/PDF/?uri=CELEX:32016D0342&qid=1652707450228&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D0342&qid=1652707450228&from=EN)

Council of the European Union. (2021). *On the European Union Rule of Law Mission in Kosovo * (EULEX KOSOVO).* Council Decision (CFSP) 2021/904. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021D0904&from=EN>

Cvijic, S. (2021). *A Ship without a Rudder? The EU Strategy in the Western Balkans.*

European Institute of the Mediterranean. <https://www.iemed.org/wp-content/uploads/2021/01/A-Ship-without-a-Rudder-The-EU-Strategy-in-the-Western-Balkans.pdf>

Dialogue-Info. (2021, July 28). *Integrated Border/Boundary Management.* The Dialogue.

<https://dialogue-info.com/integrated-border-boundary-management/>

Dobranja, D. (2017). Privatization or Patronage: Assessment of Difficulties in Kosovo's

Privatization Process. In: Armakolas, I., Demjaha, A., Elbasani, A., Schwandner-

Sievers, S., Skendaj, E., & Tzifakis, N. (Eds.), *State-building in Post-independence*

Kosovo: Policy Challenges and Societal Considerations (pp. 73–94). Kosovo Foundation for Open Society.

Economides, S., & Ker-Lindsay, J. (2015). ‘Pre-Accession Europeanization’: The Case of Serbia and Kosovo. *JCMS: Journal of Common Market Studies*, 53(5), 1027–1044.

<https://doi.org/10.1111/jcms.12238>

EEAS. (2015, August 25). *Association/Community of Serb majority municipalities in Kosovo – general principles/main elements*. European Union External Action Service.

https://eeas.europa.eu/archives/docs/statements-eeas/docs/150825_02_association-community-of-serb-majority-municipalities-in-kosovo-general-principles-main-elements_en.pdf

EEAS. (2016, December 15). *EU-facilitated Belgrade-Pristina Dialogue: Implementation of the arrangement on telecommunication*. European Union External Action Service.

https://www.eeas.europa.eu/node/17303_en

EEAS. (2022, March 16). *Belgrade-Pristina Dialogue - About the Dialogue*. European Union External Action Service. https://www.eeas.europa.eu/eeas/belgrade-pristina-dialogue_en#:~:text=The%20EU%2Dfacilitated%20Dialogue%20aims,the%20lives%20of%20their%20citizens.

https://www.eeas.europa.eu/eeas/belgrade-pristina-dialogue_en#:~:text=The%20EU%2Dfacilitated%20Dialogue%20aims,the%20lives%20of%20their%20citizens.

Eikenberry, K., & Krasner, S. D. (2021). “Good Enough” Governance Humility and the Limits of Foreign Intervention in Response to Civil Wars and Intrastate Violence [E-book]. American Academy of Arts & Sciences.

EULEX. (n.d.). *About EULEX - EULEX - European Union Rule of Law Mission in Kosovo*.

EULEX Kosovo. Retrieved 9 March 2022, from <https://eulex-kosovo.eu/?page=2,60>

EULEX. (2009, October 15). *EULEX to open a new office in North Mitrovica*. EULEX

Kosovo. <https://www.eulex-kosovo.eu/?page=1,11,2338>

- EULEX. (2015, September 1). *Support to the EU-facilitated dialogue between Pristina and Belgrade - EULEX - European Union Rule of Law Mission in Kosovo*. EULEX Kosovo. <https://www.eulex-kosovo.eu/?page=2,46>
- EULEX. (2018a, May 29). *Meeting of the Joint Rule of Law Coordination Board held in Pristina - EULEX Press Releases*. EULEX Kosovo. <https://www.eulex-kosovo.eu/?page=2,10,830&sqr=visa%20liberalisation>
- EULEX. (2018b, June 18). *Monitoring - EULEX - European Union Rule of Law Mission in Kosovo*. EULEX Kosovo. <https://www.eulex-kosovo.eu/?page=2,58>
- EULEX. (2018c, September 30). *The Strengthening Division - EULEX - European Union Rule of Law Mission in Kosovo*. EULEX Kosovo. <https://www.eulex-kosovo.eu/?page=2,3>
- EULEX. (2021, July 19). *Mandate - EULEX - European Union Rule of Law Mission in Kosovo*. EULEX Kosovo. <https://www.eulex-kosovo.eu/?page=2,75>
- European Commission. (2009, October 14). *Communication from the Commission to the European Parliament and the Council: Kosovo* - Fulfilling its European Perspective*. COM(2009) 534 final. Brussels: Commission of the European Communities. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52009DC0534&from=EN>
- European Commission. (2012, October 10). *Communication from the Commission to the European Parliament and the Council on a Feasibility Study for a Stabilisation and Association Agreement between the European Union and Kosovo**. COM(2012) 602 final. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012DC0602&from=en>

- European Commission. (2013, April 22). *Serbia and Kosovo*: historic agreement paves the way for decisive progress in their EU perspectives*. European Commission Press Corner. https://ec.europa.eu/commission/presscorner/detail/en/IP_13_347
- European Commission. (2016a, April 10). *Economic accession criteria*. https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/international-economic-relations/enlargement-and-neighbouring-countries/enlargement/economic-accession-criteria_en
- European Commission. (2016b, May 4). *European Commission proposes visa-free travel for the people of Kosovo*. European Commission Press Corner. https://ec.europa.eu/commission/presscorner/detail/en/IP_16_1626
- European Commission. (2018, April 17). *Commission Staff Working Document: Kosovo* 2018 Report*. SWD(2018) 156 final. Available at: <https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-05/20180417-kosovo-report.pdf>
- European Commission. (2021, October 19). *Commission Staff Working Document: Kosovo* 2021 Report*. SWD(2021) 292 final/2. Available at: https://ec.europa.eu/neighbourhood-enlargement/kosovo-report-2021_en
- European Council. (2000). *Presidency Conclusion. Santa Maria da Feira. June 19–20*. https://www.europarl.europa.eu/summits/fei1_en.htm
- European Court of Auditors. (2012). *European Union assistance to Kosovo related to the rule of law*. (Special Report No. 18/2012). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52012SA0018&qid=1652105524422>
- European Reform Agenda. (2018, May). *ERA Monitoring Report 2017*. European Reform Agenda: High level dialogue between Kosovo and the European Union. <http://www.eramonitoring.org/wp-content/uploads/2019/06/Monitoring-Report-2017.pdf>

- European Union. (n.d.). *Stabilisation and Association Process*. EUR-Lex. Retrieved 12 May 2022, from <https://eur-lex.europa.eu/EN/legal-content/glossary/stabilisation-and-association-process.html>
- European Union. (2016, March 16). *Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo**, of the other part. EUR-Lex. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A22016A0316%2801%29>
- Fukuyama, F. (2004). The Imperative of State-Building. *Journal of Democracy*, 15(2), 17-31.
- Herring, E. (2000). From Rambouillet to the Kosovo accords: NATO'S war against Serbia and its aftermath. *The International Journal of Human Rights*, 4(3-4), 224-245. <https://doi.org/10.1080/13642980008406901>
- Howard, L. M. (2014). Kosovo and Timor-Leste. *The ANNALS of the American Academy of Political and Social Science*, 656(1), 116-135. <https://doi.org/10.1177/0002716214545308>
- Imeraj, S. (2021). The Constitution Of The Socialist Autonomous Province Of Kosovo Of February 27, 1974 And The Functioning Of The Central And Judicial Institutions Of Kosovo According To This Constitution. *Journal of History and Future*, 7(3), 579-594. <https://doi.org/10.21551/jhf.963473>
- International Court of Justice. (2010, July 22). *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*. ICJ. Accessed through: <https://www.icj-cij.org/public/files/case-related/141/141-20100722-ADV-01-00-EN.pdf>
- Judah, T. (2008, February 18). *Kosovo: the era of the EU protectorate dawns*. European Union Institute for Security Studies. <https://www.iss.europa.eu/content/kosovo-era-eu-protectorate-dawns>

- Ker-Lindsay, J., & Economides, S. (2012). Standards before Status before Accession: Kosovo's EU Perspective. *Journal of Balkan and Near Eastern Studies*, 14(1), 77–92. <https://doi.org/10.1080/19448953.2012.656939>
- Kartsonaki, A. (2020). Playing with Fire: An Assessment of the EU's Approach of Constructive Ambiguity on Kosovo's Blended Conflict. *Journal of Balkan and Near Eastern Studies*, 22(1), 103–120. <https://doi.org/10.1080/19448953.2020.1715668>
- Kostovicova, D. (2008). Legitimacy and International Administration: The Ahtisaari Settlement for Kosovo from a Human Security Perspective. *International Peacekeeping*, 15(5), 631–647. <https://doi.org/10.1080/13533310802396160>
- Kurowska, X., & Seitz, T. (2014). 'The EU's Role in International Crisis Management'. In E. Gross & A. E. Juncos (Eds.), *EU Conflict Prevention and Crisis Management* (pp. 17–31). Abingdon, Verenigd Koninkrijk: Routledge.
- Landau, D.M. (2017). The quest for legitimacy in independent Kosovo: the unfulfilled promise of diversity and minority rights. *Nationalities Papers*, 45(3), 442–463. <https://doi.org/10.1080/00905992.2016.1267137>
- Lilyanova, V. (2016). *Serbia and Kosovo: Normalisation of Relations*. European Parliamentary Research Service. https://www.europarl.europa.eu/RegData/etudes/ATAG/2016/579079/EPRS_ATA%282016%29579079_EN.pdf
- Marsh, D., & Stoker, G. (2010). *Theory and Methods in Political Science: Third Edition (Political Analysis)* (3rd ed.). Palgrave Macmillan.
- Merriam, S. B. (2009). *Qualitative Research: A Guide to Design and Implementation* (3rd ed.). Jossey-Bass.
- Morgan, H. (2021). Conducting a Qualitative Document Analysis. *The Qualitative Report*, 27(1), 64–77. <https://doi.org/10.46743/2160-3715/2022.5044>

- Musliu, V. (2021). *Europeanization and Statebuilding as Everyday Practices: Performing Europe in the Western Balkans*. Routledge.
- Musliu, V., & Geci, S. (2014). Deconstructing and Defining EULEX. *Central European Journal of International and Security Studies*, 8(1), 66–80.
- Noutcheva, G. 2018. Contested statehood and EU actorness in Kosovo, Abkhazia and Western Sahara. *Geopolitics*. Advance online publication. doi:10.1080/14650045.2018.1556641.
- Panić, K. (2020, June 27). *Kosovo – the country with the asterisk in its name*. FairPlanet. <https://www.fairplanet.org/editors-pick/kosovo-the-country-with-the-asterisk-in-its-name/>
- Prelec, M. (2016, November 3). *The Kosovo-Serbia Agreement: Why Less Is More*. International Crisis Group. <https://www.crisisgroup.org/europe-central-asia/balkans/kosovo/kosovo-serbia-agreement-why-less-more>
- Publications Office of the European Union. (n.d.). *About EUR-Lex - EUR-Lex*. EUR-Lex. Retrieved 11 May 2022, from <https://eur-lex.europa.eu/content/welcome/about.html>
- Rashiti, N. (2019, May). *Ten years after EULEX: Key principles for future EU flagship initiatives on the rule of law* (No. 2019–07). Centre for European Policy Studies (CEPS). https://www.ceps.eu/wp-content/uploads/2019/05/LSE2019-07_Ten-years-after-EULEX.pdf
- Selimi, B. (2019). Minority Veto Rights in Kosovo’s Democracy. *The Age of Human Rights Journal*, 12, 148–157. <https://doi.org/10.17561/tahrj.n12.8>
- Silander, D., & Janzekovitz, J. (2012). State-Building and Democracy: Prosperity, Representation and Security in Kosovo. *International Studies. Interdisciplinary Political and Cultural Journal*, 14(1), 39–52. <https://doi.org/10.2478/v10223-012-0053-1>

- Stroschein, S. (2008). Making or Breaking Kosovo: Applications of Dispersed State Control. *Perspectives on Politics*, 6(4), 655–674. <https://doi.org/10.1017/s153759270808184x>
- Government of the Republic of Serbia. (2013, April 19). *Brussels Agreement*. Retrieved 30 May 2022, from <https://www.srbija.gov.rs/specijal/en/120394>
- Tholens, S., and L. Gross. 2015. Diffusion, contestation and localization in post-war states: 20 years of Western Balkans reconstruction. *Journal of International Relations and Development* 18 (3):249–64. doi:10.1057/jird.2015.21.
- Turp-Balazs, C. (2022, March 11). *Why do Cyprus, Greece, Romania, Slovakia, Spain not recognise Kosovo?* Emerging Europe. <https://emerging-europe.com/news/the-explainer-the-eus-kosovo-refuseniks/>
- United Nations General Assembly. (2010, October 13). *Resolution 64/298*. New York. Available from <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/ROL%20A%20RES64%20298.pdf>
- United Nations Security Council. (1999, June 10). *Resolution 1244*. New York. Available from https://unmik.unmissions.org/sites/default/files/old_dnn/Res1244ENG.pdf
- Van Elsuwege, P. (2017). Legal creativity in EU external relations : the stabilization and association agreement between the EU and Kosovo. *European Foreign Affairs Review*, 22(3), 393–410.
- Van Evera, S., 1997. *Guide for Methods for Students of Political Science*. 1. ed. New York: Cornell University Press.
- Vulović, M. (2020). Performing statehood in Northern Kosovo: Discursive struggle over contested space. *Cooperation and Conflict*, 55(3), 326–346. <https://doi.org/10.1177/0010836720906851>

Yabanci, B. (2016). The (Il)legitimacy of EU state building: local support and contention in Kosovo. *Southeast European and Black Sea Studies*, 16(3), 345–373.

<https://doi.org/10.1080/14683857.2016.1156345>

Yin, R. K. (1994). *Case study research: Design and methods* (2nd ed.). Thousand Oaks, CA: Sage.