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# Kosovo's Path to the Council of Europe: Identifying procedures, obstacles and solutions for membership



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## Policy Report 06/2013

### Kosovo's Path to the Council of Europe: Identifying procedures, obstacles and solutions for membership

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# KOSOVO'S PATH TO THE COUNCIL OF EUROPE: IDENTIFYING PROCEDURES, OBSTACLES AND SOLUTIONS FOR MEMBERSHIP

## I. INTRODUCTION

This policy report assesses Kosovo's path to joining the Council of Europe. Founded in 1949, the Council of Europe is Europe's most inclusive institution, including 47 of a possible 51 states. It is also considered the human rights standard for Europe, making it one of Europe's most important institutions. Kosovo's integration into international organizations would not be complete without membership in the Council, making it a foreign policy priority for Kosovo.

This report seeks to identify the procedures to joining the Council, the requirements Kosovo will have to fulfill to gain membership and the roadblocks that would prevent Kosovo from joining the Council. It also tries to identify the timeframe for Kosovo's application, the way to fulfill the Council's requirements and the strategy to overcome roadblocks impeding Kosovo's accession. The report begins with an overview of the Council of Europe and its institutions, especially those relating to democracy, the rule of law and human rights. It then explains the necessity of Kosovo's membership for both the Council of Europe and Kosovo. Next, it considers the requirements for Kosovo to join the Council of Europe, especially considering statehood, receiving an invitation to join the Council of Europe and ability and willingness to fulfill demands on members. It also discusses alternative, intermediate forms of membership and when Kosovo should apply to the Council of Europe. It concludes with a series of recommendations that will ease Kosovo's path to membership

## II. THE COUNCIL OF EUROPE

At its broadest, the Council of Europe seeks to facilitate collaboration among its member states.<sup>1</sup> States collaborate at both the intergovernmental level in the Committee of Ministers, where each state's foreign minister or foreign minister's deputy represents its interests in the Council's executive decision-making body, and across legislatures, as each state sends a representative delegation from their legislature to the Parliamentary Assembly of the Council of Europe (PACE) to advise the Committee of Ministers. While the Council's broad mandate has led to a wide variety of conventions passed, Article 3 of the Statute of the Council of Europe's requirement that all members "must accept the principles of the rule of law and the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realization of the aim of the Council" pushes the Council of Europe to focus on improving member states' standards for democracy, the rule of law and human rights to comply with Article 3.<sup>2</sup>

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<sup>1</sup> Statute of the Council of Europe, Article 1(a). Available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/001.htm>

<sup>2</sup> Council of Europe, Warsaw Summit, *Warsaw Declaration*, 17 May 2005, Warsaw. Available at: [http://www.coe.int/t/dcr/summit/20050517\\_decl\\_varsovie\\_en.asp](http://www.coe.int/t/dcr/summit/20050517_decl_varsovie_en.asp).

While Article 3 does not mention democracy, democratic governance is understood to be necessary and proper for the implementation of the rule of law and human rights.<sup>3</sup> To help members build and sustain effective democracies, the Council has developed several institutions to advise members on how to govern democratically and effectively. Of these, the European Commission on Democracy through Law, i.e. the Venice Commission, is the most important. The Venice Commission helps member states meet European standards for democracy by assessing their democratic institutions as well as reviewing legislation. It thus provides an important external observer for the realization of democracy in Europe.<sup>4</sup>

In the area of rule of law, the Council of Europe houses several commissions and committees to helping states apply the rule of law and fight efforts to undermine it. The Council provides committees to improve the efficiency of justice in member states, addressing the structure of member states' judiciary as well as the competence of judges and prosecutors. The Council also tries to develop common standards for the rule of law, easing cooperation between states to fight crime across borders. The Council additionally provides advisory groups to fight threats to the rule of law, including corruption, money laundering and illicit trafficking.<sup>5</sup>

While democracy and the rule of law may enable human rights and fundamental freedoms, protecting those rights and freedoms has become the core mission of the Council of Europe. The European Convention on the Protection of Human Rights and Fundamental Freedoms (ECHR) and its accompanying protocols are among the few treaties in the Council of Europe that all members have signed and ratified, binding them to its measures. The Council houses the European Court of Human Rights, the most advanced and most used international court for human rights for European citizens. Its decisions are binding on all members, making it the only institution in the Council of Europe with which every member must comply.<sup>6</sup> A citizen or group of citizens from any member state may bring a case before the Court to determine if their rights were violated, checking against any abuse from member states.<sup>7</sup>

### III. WHY KOSOVO NEEDS TO JOIN THE COUNCIL OF EUROPE

The most pressing concern for Kosovo to join the Council of Europe is that membership in the Council legitimates Kosovo's status as an independent state. Sovereign states enjoy an exclusive right to join international organizations.<sup>8</sup> By joining an international organization, not only does a state assert its sovereignty, but also the international organization recognizes that state's sovereignty, making the original assertion even stronger. For Kosovo, joining the Council of Europe would build a positive feedback loop where it asserts its right to join the Council of Europe as a sovereign European state. Membership would, in turn, strengthen its claim to being a sovereign European state. Kosovo thus normalizes its sovereignty within Europe, strengthening its case for universal accession to international organizations.

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<sup>3</sup> Convention for the Protection of Human Rights and Fundamental Freedoms, Preamble. Available at: [http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

<sup>4</sup> Venice Commission, "For democracy through law-the Venice Commission of the Council of Europe," *Council of Europe Venice Commission*. Retrieved from [http://www.venice.coe.int/WebForms/pages/?p=01\\_Presentation](http://www.venice.coe.int/WebForms/pages/?p=01_Presentation). (Accessed 26 August 2013)

<sup>5</sup> Council of Europe, *Council of Europe*, [hub.coe.int](http://hub.coe.int) (accessed 26 August 2013).

<sup>6</sup> Convention for the Protection of Human Rights and Fundamental Freedoms, Article 46

<sup>7</sup>*Ibid.*, Article 34

<sup>8</sup> Stephen D. Krasner, "Sovereignty", *Foreign Policy* 122 (2001): 20.

Kosovo's longer-term concern for joining the Council of Europe is the aid that the Council's various institutions can provide to Kosovo to help it meet European standards. As discussed above, the Council of Europe provides a battery of institutions to its members to improve their capacity in democracy, human rights and the rule of law to meet Article 3 standards. The European Union has stressed the importance of these institutions in helping candidate countries comply with EU norms. As Kosovo seeks to eventually join the EU, the Council of Europe can provide the additional oversight and advice that Kosovo needs to meet EU standards.

On the Council of Europe's side, it has stated that, no matter Kosovo's status, Kosovo's citizens deserve "European standards for democracy, human rights, the rule of law and good governance."<sup>9</sup> However, the Council of Europe cannot guarantee democracy, human rights, the rule of law or good governance will be upheld in Kosovo. Kosovo's government may cooperate with the Council of Europe in these areas, but it is under no international obligation to do so, since Kosovo is not a member state. Additionally, the body that best enforces European standards for human rights, the European Court of Human Rights, has no jurisdiction in Kosovo and cannot hear cases brought by Kosovo's citizens.

There is no halfway measure where Kosovo's citizens receive European standards for human rights while Kosovo remains outside of the Council of Europe. A key argument here should be that, if the Council of Europe seriously foresees to see European standards of democracy, human rights and rule of law implemented in Kosovo, it must eventually invite Kosovo to become a member. Otherwise, no bilateral commitment will exist to implement those standards in Kosovo. The Council of Europe will make perfunctory suggestions without any monitoring or advisory body to help their implementation. Denying membership also reduces motivation in Kosovo to work towards Article 3 standards, since it will never reap membership's rewards. This situation seriously deprives Kosovo's citizens of European standards and impedes Kosovo's European future.

There are five requirements for Kosovo's accession to the Council of Europe: European identity; statehood; an invitation from the Committee of Ministers to join; ability and willingness the requirements of members elucidated in Article 3; and ratification of the Statute.<sup>10</sup> Since Kosovo's European identity is not disputed and ratification of the Statute is the last step by a new member after receiving an invitation, the next three sections of this report will focus on statehood, receiving an invitation from the Committee of Ministers and the ability and willingness to comply with Article 3.

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<sup>9</sup> Committee of Ministers' Deputies, *The situation in Kosovo and the role of the Council of Europe'-Parliamentary Assembly Recommendation 2006*, 19 June 2013, CM/AS(2013)Rec2006, 1174th Meeting of the Ministers' Deputies, Strasbourg. Available at:

[https://wcd.coe.int/ViewDoc.jsp?Ref=CM/AS\(2013\)Rec2006&Ver=final&Language=lanEnglish&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/AS(2013)Rec2006&Ver=final&Language=lanEnglish&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383)

<sup>10</sup> Statute of the Council of Europe Article 4.



## IV. STATEHOOD

The Council of Europe does not define statehood. Instead, it relies on its member states to decide the status of a potential member.<sup>11</sup> Disagreements on this issue are rare, but do occur. Among current members, Turkey does not recognize Cyprus as a state while members Azerbaijan and Armenia mutually withhold recognition. The Council of Europe has dealt with these issues by demanding that all parties involved seek a peaceful solution and try to collaborate as effectively as possible.<sup>12</sup> While the Council of Europe does try to help resolve the disputes, it does not determine status questions. Instead, it continues promoting greater collaboration among member states, hoping that it will help resolve these conflicts.

While Kosovo may be extraordinary in comparison, with 13 members of the Council with holding recognition (see appendix)—never before has a potential member not been recognized by a current member when trying to join the Council and never has more than one member withheld recognition from a particular member—its case is clearly not unique. The Council of Europe has ably worked around this dispute before and continues to function in spite of the status questions. The addition of Kosovo should not be an insurmountable hurdle.

If states refuse to take part in a forum that implies Kosovo's independence, thus threatening collaboration, other international organizations provide a method to soothe these states. Kosovo has joined many institutions, such as the, the European Bank for Reconstruction and Development, the Regional Cooperation Council Board and the Council of Europe Development Bank, where some members do not recognize it, not including here the World Bank and the International Monetary Fund. Kosovo was allowed to become a member of these institutions as long as the organization noted that Kosovo's membership did not prejudice individual member state's (the non-recognizers) view on Kosovo's status.<sup>13</sup> This would be an effective compromise for the Council of Europe's functioning.

While these discussions of precedent and accommodations for particular member states show why the dispute over Kosovo's status should not be an obstacle to Kosovo's accession, it must be noted that, as an institution, the Council of Europe cannot deny Kosovo's statehood. In 2008, the Committee of Ministers recommended to all member states to accept "the jurisdiction of the International Court of Justice in accordance with Article 36, paragraph 2, of its statute"<sup>14</sup>, which includes "any question of international law." In 2010, the International Court of Justice

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<sup>11</sup> Bjorn von Sydow *The situation in Kosovo\* and the role of the Council of Europe*, 7 January 2013, Doc 13088, Committee on Political Affairs and Democracy, 2013-First part-session, Strasbourg: Parliamentary Assembly of the Council of Europe, 10. Available at: <http://assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=19250&Language=en>

<sup>12</sup> Parliamentary Assembly of the Council of Europe (PACE), *Armenia's application for membership of the Council of Europe*, 28 June 2000, Opinion 221, 2000 Parliamentary Assembly 21st Sitting, Strasbourg. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=16815&lang=EN>;

Parliamentary Assembly of the Council of Europe (PACE), *Azerbaijan's application for membership of the Council of Europe*, 28 June 2000, Opinion 222, 2000 Parliamentary Assembly 21st Sitting, Strasbourg. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=16816&lang=EN>.

<sup>13</sup> Press Office, "Kosovo to become member of the EBRD," *European Bank for Reconstruction and Development*, 16 November 2012, retrieved from <http://www.ebrd.com/pages/news/press/2012/121116a.shtml>. (accessed 7 August 2013). Regional Cooperation Council, "RCC and regional initiatives task forces in South East Europe", *Regional Cooperation Council*, retrieved from <http://www.rcc.int/pages/016/rcc-and-regional-initiatives-and-task-forces-in-south-east-europe>. (accessed 7 August 2013).

Council of Europe Development Bank, "Kosovo to become member of the CEB", *Council of Europe Development Bank*, 17 June 2013, retrieved from <http://www.coebank.org/Upload/infocentre/communiqués/en/347.pdf>. (Accessed 2 August 2013)

<sup>14</sup> Committee of Ministers' Deputies, *Recommendation CM/Rec(2008)8 of the Committee of Ministers to member states on the acceptance of the jurisdiction of the International Court of Justice*, 2 July 2008, Recommendation CM/Rec(2008)8, 1031st Meeting of the Ministers' Deputies. Available at: [http://www.coe.int/t/dlapil/cahdi/Source/Adopted\\_texts/Recommendation\\_2008\\_8\\_EN.pdf](http://www.coe.int/t/dlapil/cahdi/Source/Adopted_texts/Recommendation_2008_8_EN.pdf)

found Kosovo's declaration of independence did not break international law, making the action legal. While such a judgment does not bind the member states that received the recommendation, it should bind the organization that issued it. The Council of Europe cannot resist the ruling of an international court that it has previously endorsed.

## V. INVITATION FROM THE COMMITTEE OF MINISTERS

In practice, states must apply to the Council of Europe, but the process of accession officially begins in the Committee of Ministers. One member of the Committee of Ministers must place a potential member state on the agenda and the Committee of Ministers must adopt a resolution asking the Parliamentary Assembly of the Council of Europe for an opinion on accession.<sup>15</sup> The resolution requires a two-thirds majority of votes cast with a majority of the total members of the Committee of Ministers voting for the resolution.<sup>16</sup>

Kosovo should navigate this step fairly easily. Thirty-four current Council of Europe member states recognize Kosovo, meaning it could clear the two-thirds majority barrier even if all 47 member states voted. However, the Committee of Ministers could defer on the application. The Committee of Ministers did not ask PACE for an opinion on Bosnia and Herzegovina for over three years after receiving its application.<sup>17</sup> Kosovo's foreign ministry must lobby a highly committed, powerful state to place Kosovo on the agenda and keep it there. The United Kingdom would be preferable. The United Kingdom government is committed to Kosovo joining international organizations and holds the largest delegation in PACE unanimously recognizing Kosovo.

After receiving a resolution for an opinion on a potential member state's accession, PACE assesses the potential member state's candidacy. The candidacy is first referred to the Committee on Political Affairs and Democracy, which assigns a rapporteur to study the case.<sup>18</sup> The rapporteur focuses on issues involving Article 3 standards for democracy, human rights and the rule of law as well as collaboration with fellow member states if that state has a major dispute with a member or future member.<sup>19</sup> Once he/she finishes that report, the Committee on Political Affairs and Democracy writes a draft opinion based on this report, which is sent to the Committee on Legal Affairs and Human Rights. There a second rapporteur gives a report, which

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<sup>15</sup> Rules of Procedure of the Committee of Ministers, Article 25(a). Available at: <https://wcd.coe.int/ViewDoc.jsp?id=814763&Site=COE>

<sup>16</sup> Statute of the Council of Europe, Article 20(d).

<sup>17</sup> Parliamentary Assembly of the Council of Europe (PACE), *Bosnia and Herzegovina's application for membership of the Council of Europe*, 22 January 2002, Opinion 234, 2002 Parliamentary Assembly 2nd Sitting, Strasbourg. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=16967&lang=EN>

<sup>18</sup> Due to the Council of Europe's interest in Kosovo, a rapporteur has already submitted reports from the Committee on Political Affairs and Democracy.

<sup>19</sup> Based on the six most recent opinions on membership

PACE, *Armenia's application for membership*; PACE, *Azerbaijan's application for membership*; PACE, *Bosnia and Herzegovina's application for membership*;

Parliamentary Assembly of the Council of Europe (PACE), *Federal Republic of Yugoslavia's application for membership of the Council of Europe*, 24 September 2002, Opinion 239, 2002 Parliamentary Assembly 26th Sitting, Strasbourg. Available at <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=17039&lang=EN>;

Parliamentary Assembly of the Council of Europe (PACE), *Principality of Monaco's application for membership of the Council of Europe*, 27 April 2004, Opinion 250, 10th Sitting of 2004 Parliamentary Assembly, Strasbourg. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=17206&lang=EN>;

Parliamentary Assembly of the Council of Europe (PACE), *Accession of the Republic of Montenegro to the Council of Europe*, 17 April 2007, Opinion 261, 12th Sitting of the Parliamentary Assembly, Strasbourg. Available at <http://www.assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=17528&lang=EN>

serves as the basis for any amendments to the draft opinion by the Committee on Legal Affairs and Human Rights.<sup>20</sup> Both committees must pass the reports by a majority of votes cast with a quorum of either one-third or one-half of members voting.<sup>21</sup> PACE members recognizing Kosovo form large majorities in both committees, so passing the resolutions to PACE as a whole could be a relatively simple process.<sup>22</sup>

While other reports by the rapporteurs or other PACE members may study the progress of the candidate state or address specific issues in that state with regard to democracy, the rule of law or human rights, the two reports by the rapporteurs specifically on Council of Europe membership are considered authoritative and are the only ones cited in PACE's opinion.<sup>23</sup>

Once the draft opinion has been written and amended, it reaches the whole of PACE, which votes on it. The opinion, either for or against membership, must win a two-thirds majority of votes cast. One-third of eligible voters must vote.<sup>24</sup> Based on party leaders' actions, votes in the European Parliament and independent PACE members' associations with the ruling party in their state, roughly 194 PACE members recognize Kosovo and 80 do not (see appendix). Forty-four more members belong to parties uncertain about Kosovo's status. If a vote on a positive opinion for Kosovo were based solely on recognition, it would pass.

However, recognition may not accurately predict a vote in either the committees or the whole of PACE. A blocking coalition may form from PACE members that do not recognize Kosovo, uncertain members who choose to vote against a positive opinion and PACE members who recognize Kosovo, but are discouraged by the PACE rapporteurs' assessment on Kosovo's willingness and ability to comply with Article 3 standards. While this will likely not lead to a negative opinion ending Kosovo's membership bid, they could keep Kosovo's application in stasis.

Due to their importance, Kosovo should insist that the reports informing the PACE opinion from the Committees of Political Affairs and Democracy and Legal Affairs and Human Rights be positive in terms of the statehood issue. Otherwise the status issue may prevent a fair assessment of Kosovo's ability and willingness to meet Council of Europe criteria. This would not be too arduous a demand since PACE members recognizing Kosovo form large majorities in both committees. These rapporteurs need support Kosovo's membership, otherwise their reports could block seriously a positive opinion. They must assess Kosovo on its ability and willingness to meet Article 3 standards, though, and not the status dispute.

After assurance that rapporteurs will not let status affect their reports, Kosovo should alleviate the concerns of PACE members who recognize Kosovo, but doubt its ability and willingness to apply Article 3 standards once it joins the Council of Europe. Bjorn von Sydow, the current rapporteur on Kosovo to the Committee on Political Affairs and Democracy, exemplifies

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<sup>20</sup> *Ibid.*

<sup>21</sup> Rules of Procedure of the Assembly, Rule 47. If one-sixth of the members demand for quorum to be raised, it will be raised from one-third to one-half.

<sup>22</sup> 54 of 84 members of the Committee on Political Affairs and Democracy come from parties recognizing Kosovo based on the statements and actions of party leaders', votes in the European Parliament and independent PACE members' associations with the ruling party in their state. 51 of 84 members of the Committee on Legal Affairs and Human Rights come from parties recognizing Kosovo.

<sup>23</sup> PACE, *Armenia's application for membership*; PACE, *Azerbaijan's application for membership*; PACE, *Bosnia and Herzegovina's application for membership*; PACE, *Federal Republic of Yugoslavia's application for membership*; PACE, *Principality of Monaco's application for membership*; PACE, *Accession of the Republic of Montenegro*. Montenegro was an exception. A third report came from the Monitoring Committee of PACE, as Montenegro had been under Council of Europe monitoring of member states' fulfilment of obligations as part of the Federal Republic of Yugoslavia.

<sup>24</sup> Rules of Procedure of the Assembly, Rules 40 and 41. Available at <http://www.assembly.coe.int/RulesofProcedure/PDF/Rules2013.A5.pdf>

this group in his 2013 report, writing that a “consensus on the necessity that the people in Kosovo enjoy good governance, democracy, rule of law and the same legal and human rights as other people in Europe...has yet to be achieved.”<sup>25</sup> PACE members like Mr. von Sydow must be assured of Kosovo’s commitment to these standards because losing them undermines Kosovo’s current advantage. The number of PACE members coming from parties recognizing Kosovo form a formidable enough majority, adding that the PACE members not recognizing Kosovo cannot block a positive opinion in either committee and would currently have to acquire at least 18 votes from the uncertain group to block a positive opinion in PACE as a whole. Losing PACE votes that recognize Kosovo would lower the threshold needed to block a positive opinion on Kosovo’s membership. Kosovo should use an effective and active diplomacy to show it is willing and able to apply Article 3 standards so as to keep this group on the board. Kosovo Assembly members should also reach out to any contacts they may have in this group to reassure them of Kosovo’s commitment to applying Article 3 standards, as parliamentary members from Kosovo could be another layer of institutional lobbying in PACE.

Kosovo should also lobby uncertain PACE members to either recognize Kosovo and vote for a positive opinion on Kosovo’s membership or abstain from voting to prevent a blocking coalition. Kosovo should especially target Romanian PACE members. Romania’s ruling coalition is considering recognizing Kosovo and would give Kosovo seven votes in PACE and a vote in each PACE committee drafting PACE’s opinion.<sup>26</sup> If they recognize Kosovo and vote for a positive opinion, the number of votes needed to block Kosovo’s membership increases by three.

Finally, Kosovo should lobby members from non-recognizing parties to abstain from votes on Kosovo’s membership. This would lower the bar for the number of PACE members required to pass a positive opinion on Kosovo’s membership, allowing for abstentions from parties that recognize Kosovo. The parties targeted for such an effort should be very specific. The Kosovo government and members of the Kosovo Assembly should not lobby ultranationalist<sup>27</sup> or communist parties<sup>28</sup>, as none of these parties recognize Kosovo. Instead, they should focus on non-recognizing centrist parties. Centrist parties from non-recognizing European Union states should especially be targeted because they are tied to a common policy dedicated to integrating Kosovo into Europe and could be convinced to abstain and help that policy.

Once the Committee of Ministers receives the opinion from PACE, it votes on the candidate state’s membership. While the opinion does not bind the Committee of Ministers, recent precedent suggests the Committee will not add a new member without a positive opinion from PACE.<sup>29</sup> According to the Statute of the Council of Europe, a two-thirds majority of all members must vote for the new member.<sup>30</sup> However, when meetings only involve the deputies of

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<sup>25</sup> Von Sydow, *The Situation in Kosovo\**, 9

<sup>26</sup> Agerpres, “PM Ponta: Personally, I believe Romania should embrace same stance on Kosovo as its EU partners,” *Agerpres*, 3 June 2013, Retrieved from <http://www.agerpres.ro/english/index.php/english-news/item/200464-PM-Ponta-Personally-I-believe-Romania-should-embrace-same-stance-on-Kosovo-as-its-EU-partners.html>. (Accessed 30 August 2013)

<sup>27</sup> The United Kingdom Independence Party is an illustrative example of those wanting to keep Kosovo out of Europe. See <http://www.telegraph.co.uk/news/politics/10006116/Weve-got-enough-criminals-so-keep-Kosovo-out-of-Europe-says-Ukip-MEP.html> (Accessed 29 August 2013).

<sup>28</sup> Communist parties from many states adopted a common declaration against Kosovo’s independence. See [http://communist-party.org.uk/index.php?option=com\\_content&view=article&id=224:common-declaration-of-communist-and-workers-parties-on-the-self-proclaimed-independence-of-kosovo&catid=127:statements&Itemid=160](http://communist-party.org.uk/index.php?option=com_content&view=article&id=224:common-declaration-of-communist-and-workers-parties-on-the-self-proclaimed-independence-of-kosovo&catid=127:statements&Itemid=160) (Accessed 29 August 2013).

<sup>29</sup> The accession of Montenegro, the most recent member was condition on a positive opinion from PACE. See <https://wcd.coe.int/ViewDoc.jsp?id=114539&Site=COE> (Accessed 30 August 2013).

<sup>30</sup> Statute of the Council of Europe, Article 20(c)

foreign ministers, votes must be unanimous.<sup>31</sup> Since 34 of the 47 Council of Europe members recognize Kosovo, Kosovo would not meet the unanimity requirement among the ministers' deputies, but could receive more than the 32 votes required if member states sent their foreign ministers. All member states of the Council of Europe supporting Kosovo's accession must send their foreign ministers to any Committee of Ministers meeting inviting Kosovo to join the Council of Europe and at least 32 of them must vote to invite Kosovo. Any relationships the Kosovo Foreign Ministry has with the foreign ministries of Council of Europe member states must be used to ensure that this occurs.

## VII. ABILITY AND WILLINGNESS TO FULFILL MEMBERSHIP REQUIREMENTS

The need to show members of PACE that doubt Kosovo's ability and willingness to apply Article 3 standards makes trying to apply these standards crucial for Kosovo's accession. It also makes the reports by the rapporteurs from the Committee on Political Affairs and Democracy and the Committee on Legal Affairs and Human Rights very important, as they will be the authoritative reports on Kosovo's accession to the Council of Europe. This is especially true of the report from the Committee on Political Affairs and Democracy, since, the rapporteur from the Legal Affairs and Human Rights Committee mostly supplements that report. The Committee on Political Affairs and Democracy's 2013 report on Kosovo, hereafter referred to as the PACE Report, thus gives a rough approximation of a report of PACE on Kosovo's accession to the Council of Europe, except in one respect. Since Kosovo has not applied for membership, it does not give recommendations on what Kosovo must promise to do upon acceding to the Council of Europe, including what treaties it must sign and ratify after joining, what laws it must pass, what policies it must implement and what diplomatic actions it must take.<sup>32</sup> These will be expected later and Kosovo must be prepared to make promises to the Council of Europe along these lines.

As noted above, many PACE members do not believe there is a firm commitment in Kosovo to democracy, the rule of law and human rights. The PACE Report shows concerns in all three of these areas as well as Kosovo's willingness to cooperate with Serbia. It could thus argue that Kosovo falls short of Article 3 standards, fueling the doubts of those in PACE who recognize Kosovo, but do not consider it can meet Council of Europe standards.

Before discussing the PACE Report's concerns, two caveats to its report must be noted. First, the report was issued in January 2013 with its last apparent act of information gathering taking place in December 2012. Many events have taken place in Kosovo since then that directly address some of the PACE Report's concerns. These areas will be identified.

Second, the PACE Report's sources do not include the European Commission outside of its discussion of Kosovo's relationship with the European Union. The European Commission has been involved in Kosovo for years and assembled a concurrent report issued three months before the PACE Report on Kosovo's ability to enter into Stability and Association Agreement with the EU. While the two reports generally agree, they diverge in important ways. These areas are

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<sup>31</sup>Committee of Ministers' Deputies, *Working Methods of the Ministers' Deputies: Voting Procedures for the Meetings of the Ministers' Deputies*, 14 May 2007, Information Document CM/Inf(2007)22. Available at: <https://wcd.coe.int/ViewDoc.jsp?id=1133029&Site=COE>.

<sup>32</sup> PACE, *Armenia's application for membership*; PACE, *Azerbaijan's application for membership*; PACE, *Bosnia and Herzegovina's application for membership*; PACE, *Federal Republic of Yugoslavia's application for membership*; PACE, *Principality of Monaco's application for membership*; PACE, *Accession of the Republic of Montenegro*

identified in the report. The Council of Europe rapporteurs should perform an independent assessment of Kosovo based on Article 3 standards. However, the Council of Europe and the European Commission have a mutual interest in pooling resources to gain the most accurate picture of Kosovo for their assessments and recommendations.

## A. Democracy

The PACE Report noted several concerns regarding democracy in Kosovo. Irregularities in the last election included multiple voting and vote manipulation and the government appeared to show little desire to conduct a fair election. It urged the Kosovo Assembly's current electoral reform process to address these issues.<sup>33</sup> Past new member states were not required to hold a perfectly free and fair election, but had to show improvements over time and hold elections observed by PACE members.<sup>34</sup> Considering past cases and the PACE Report's current concerns, Kosovo will have to demonstrate improvements in its ability to run a free and fair election and have such an election observed by PACE members.

In terms of democratic institutions, the PACE Report showed concerns about the independence of the legislature and regulatory institutions. The government's dominance in proposing and passing legislation impedes proper scrutiny by the Kosovo Assembly. The government's political control of the Kosovo Assembly's budget adds to this problem by restricting resources from the Assembly to properly assess legislation and its impacts. Regulatory/independent institutions such as the Central Election Commission, the Ombudsperson and the Independent Media Commission remain weak, overlooked and underfunded.<sup>35</sup> The existence of these institutions and their capacities marked an improvement according to the PACE Report, but it urged Kosovo to ensure that all independent institutions have the necessary resources to complete their tasks free of political interference.<sup>36</sup> Additionally, there must be progress showing that the legislature and regulatory institutions not only exist, but are also taken seriously with their suggestions and reports affecting change in how the government operates.

In the area of freedom of expression, the PACE Report was very critical of Kosovo. It saw little progress in political interference in the media. Independent media companies are harassed and threatened. Public media remain vulnerable to editorial interference from the government. Professional journalist associations have frequently complained of political interference.<sup>37</sup> Laws that ensure the media's independence must be enforced and attempts to intimidate the media must stop. Kosovo should take seriously the protection of freedom of expression, a cherished human right for the Council of Europe.

The PACE Report's largest concern in the functioning of democracy in Kosovo, however, has been the judiciary. While capacity of the judicial branch has improved, it still cannot deal with cases in an efficient, timely manner, leading to a backlog of cases. Political interference in the judiciary has persisted. All of this wastes the efforts of what is widely considered Kosovo's most trusted institution, the police, which can never be assured that any crime will be prosecuted

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<sup>33</sup> Von Sydow, *The Situation in Kosovo\**, 12-13

<sup>34</sup> PACE, *Armenia's application for membership*; PACE, *Azerbaijan's application for membership*; PACE, *Bosnia and Herzegovina's application for membership*; PACE, *Federal Republic of Yugoslavia's application for membership*; PACE, *Principality of Monaco's application for membership*; PACE, *Accession of the Republic of Montenegro*

<sup>35</sup> Von Sydow, *The situation in Kosovo\**, 13, 23

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

properly.<sup>38</sup> The Council of Europe has emphasized that Kosovo's judiciary must have sufficient resources and be free of political entanglement.<sup>39</sup>

The PACE Report's report does omit that many of the improvements in the judiciary are part of a reform still in progress. The European Commission agreed that problems still existed in its report, but had high hopes for the continuation of reform, including the introduction of a new court system in 2013. The Commission believed that this effort would help improve the independence, impartiality and efficiency of Kosovo's judiciary.<sup>40</sup> While Kosovo must fully implement these reforms, they show forward progress that the PACE Report misses.

## B. Rule of Law

The PACE Report notes two prominent rule-of-law issues in Kosovo: corruption and organized crime. Among the problems most commonly cited for government corruption were abuse of government procurement activities, solicitation of bribes, tax evasion and money laundering.<sup>41</sup> These problems are not as important for Kosovo's Council of Europe accession as the Council of Europe's perception that Kosovo does not want to deal with the problems.<sup>42</sup> There have been notable improvements, especially in creating a legislative framework to fight corruption, implementing anti-corruption laws and strengthening anti-corruption institutions. Anti-corruption bodies, however, remain weak and chronically underfunded. They also confront a problematic public procurement system, easing the misuse of public funds.<sup>43</sup>

While less detailed than its assessment of corruption, the PACE Report's assessment of organized crime in Kosovo is even more alarming. The continued ubiquity of organized crime, especially in smuggling and drug trafficking, has been disappointing. The PACE Report regards Kosovo's police as insufficient to tackle the scale of organized crime in the country.<sup>44</sup> Most of these concerns, however, have been tackled and partially addressed in the visa liberalization framework between the European Commission and the Government of Kosovo.

The PACE Report was encouraged by the new effort by EULEX to prioritize both organized crime and corruption in Kosovo.<sup>45</sup> This effort already started to pay dividends both in combating corruption and organized crime the problem and boosting Kosovo's police's capabilities.<sup>46</sup> If these efforts are continued and applied effectively, they could counter the perception that Kosovo is neither willing nor able to tackle organized crime and corruption.

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<sup>38</sup> *Ibid.*, 17-18

<sup>39</sup> Parliamentary Assembly of the Council of Europe (PACE), *The situation in Kosovo\* and the role of the Council of Europe*, 22 January 2013, Resolution 1912, 2013 Parliamentary Assembly 3rd Sitting, Strasbourg. Available at: <http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=19344&lang=en>

<sup>40</sup> European Commission, *Commission staff working document accompanying the document 'Commission communication on a feasibility study for a Stabilization and Association Agreement between the European Union and Kosovo\**, SWD(2012) 339, 23 October 2012, Brussels, 8-10. Accessible at [http://ec.europa.eu/enlargement/pdf/key\\_documents/2012/package/ks\\_analytical\\_2012\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/ks_analytical_2012_en.pdf)

<sup>41</sup> Von Sydow, *The situation in Kosovo\**, 17

<sup>42</sup> PACE, *The situation in Kosovo\**

<sup>43</sup> Von Sydow, *The situation in Kosovo\**, 17

<sup>44</sup> *Ibid.*, 17-18

<sup>45</sup> *Ibid.*, 10

<sup>46</sup> European Commission and High Representative for the European Union for Foreign Affairs and Security Policy, *Joint report to the European Parliament and the Council on Kosovo's\* progress in addressing issues set out in the Council Conclusions of December 2012 in view of a possible decision on the opening of negotiations on the Stabilization and Association Agreement*, JOIN(2013) 8, 22 April, 2013, Brussels, 3. Available at: [http://ec.europa.eu/enlargement/pdf/key\\_documents/2013/ks\\_spring\\_report\\_2013\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2013/ks_spring_report_2013_en.pdf)

## C. Human Rights

The area of human rights shows the largest divide between the PACE Report and the European Commission. The European Commission regards Kosovo's legislative record on human rights as "solid".<sup>47</sup> The principles of the Council of Europe's Framework Convention for the Protection of Minorities are enshrined in Kosovo's constitution along with the principles of the ECHR, including here the constitutional status of the European Court of Human Rights case-law. Kosovo also has an existing legislative basis to help integrate minorities into national civic life.<sup>48</sup> The PACE Report plays down these points—and does not mention many of them, including Kosovo's inclusion of the ECHR in its constitution—focusing on lack of progress to protect human rights, which both it and the European Commission acknowledge.<sup>49</sup> While implementation of legislation protecting human rights is far more important than the legislation itself, the existence of such legislation should be acknowledged to specify that Kosovo government officials need to focus on implementing existing legislation to work towards Article 3 standards.

Both the PACE Report and the European Commission agree that implementation of laws protecting human rights has been sporadic. The integration of the Roma, Egyptian and Ashkali populations into Kosovo's civic life has not been fully implemented and the Kosovo government should put more effort into implementing existing plans,<sup>50</sup> adding here that the implementation of most of these benchmarks has been addressed through the reintegration block of the visa liberalization roadmap. The Kosovo government has a plan in place to combat trafficking of women and girls for sexual exploitation and has finalized the Action Plan on Domestic Violence. However, both reports indicate that these plans are underfunded and slow to be implemented.<sup>51</sup> The Kosovo government must implement both of these plans and make sure they are given their warranted attention. While Kosovo has two official languages, Albanian and Serbian, and several other linguistic minorities, few Kosovo institutions provide adequate resources in languages other than Albanian. Minority children who wish to study in their native language lack adequate resources to do so.<sup>52</sup> The naming of a Language Commissioner and the launch of a minority-language public broadcaster are both positive developments to combat these problems passed since the two reports were written.<sup>53</sup> Both the Office of the Language Commissioner and the minority language public broadcaster should be given adequate resources and be actively encouraged by the Kosovo government.

The PACE Report was also concerned about the perceived impunity of individuals involved in war crimes at the end the 1999 conflict between Serbia and Kosovo.<sup>54</sup> Few Serbs involved in the conflict and even fewer Kosovo Albanians have been brought to justice for their

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<sup>47</sup> European Commission, *Commission staff working document*, 12

<sup>48</sup> *Ibid.*

<sup>49</sup> Von Sydow, *The situation in Kosovo\**, 18-21; European Commission, *Commission staff working document*, 12-15.

<sup>50</sup> The most comprehensive of these plans for the Roma, Egyptian and Ashkali populations are the "Forty Actions" drawn up by the European Commission. See [http://eeas.europa.eu/delegations/kosovo/documents/press\\_corner/111608-com-korae-meeting-recommendations\\_en.pdf](http://eeas.europa.eu/delegations/kosovo/documents/press_corner/111608-com-korae-meeting-recommendations_en.pdf)

<sup>51</sup> Von Sydow, *The situation in Kosovo\**, 23-24; European Commission, *Commission staff working document*, 14

<sup>52</sup> Von Sydow, *The situation in Kosovo\**, 20; European Commission, *Commission staff working document*, 14

<sup>53</sup> Sladen Mladenovic was named Language Commissioner in December 2012; Balkan Insight (2013), "Kosovo broadcaster launches new channel in Serbian," *Balkan Insight*, 4 June 2013, Retrieved from <http://www.balkaninsight.com/en/article/kosovo-public-broadcaster-launches-programme-in-serbian>. (Accessed 21 August 2013)

<sup>54</sup> Von Sydow, *The situation in Kosovo\**, 16



role in these events and the fates of many disappeared persons remain unresolved.<sup>55</sup> While precedent of the Federal Republic of Yugoslavia (FRY) does not suggest that these issues need to be completely resolved before Council of Europe membership will be offered, it does suggest a concerted effort needs to be made to begin addressing grievances.<sup>56</sup>

The European Commission and the PACE Report again disagree about Kosovo's handling of repatriated persons. Both believe Kosovo has made progress in reintegrating repatriated persons, but the PACE Report fears its resources may be overwhelmed and suspects the housing program for repatriated persons discriminates against minorities, while the European Commission has no such complaints, because most of this has been addressed within the visa liberalization tracking mechanisms between the EU and Kosovo.<sup>57</sup> This may be a difference of opinion or show a difference in information. In either case, Kosovo should continue its progress reintegrating repatriated persons into civic life.

#### D. Relations with Serbia

The need to cooperate with other Council of Europe member states necessarily means the normalization of relations with Serbia. Events have overtaken the PACE Report in this regard. The agreement in April 2013 encouraged the Council of Europe, but it emphasized the need for this agreement and all previous ones between Kosovo and Serbia need to be implemented.<sup>58</sup> Based on the invitations to Azerbaijan and Armenia, talks between Kosovo and Serbia would have to continue and both sides would have to make efforts to implement the established agreements to receive an invitation to the Council of Europe.<sup>59</sup> Both states would have to promise to continue negotiations past Kosovo joining the Council of Europe.

### VIII. OTHER TYPES OF MEMBERSHIP

While Kosovo works towards that goal of full membership, there exist three intermediate forms of membership to the Council of Europe: observer status, associate membership and special guest status. All these membership types need be reviewed against Kosovo's needs and foreign policy interests.

The first intermediate form of membership, observer status, would allow Kosovo to observe the Committee of Ministers, PACE or both. Observers have no voting rights, but may observe meetings of issue committees and expert panels.<sup>60</sup> These states need not be European, but must be democratic, respect human rights and ensure the rule of law.<sup>61</sup> Such a status, though, would only make Kosovo appear an outsider to an organization it wishes to join. The only

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<sup>55</sup> Amnesty International, *Kosovo: UNMIK's Legacy* (London: Amnesty International Publications, 2013). Available at: <http://www.amnesty.org/en/library/asset/EUR70/009/2013/en/579d7730-4514-4a78-a719-8b6254ece22f/eur700092013en.pdf>

<sup>56</sup> PACE, *Federal Republic of Yugoslavia's application for membership*

<sup>57</sup> Von Sydow, *The situation in Kosovo\**, 22; European Commission, *Commission staff working document*

<sup>58</sup> Parliamentary Assembly of the Council of Europe, "PACE President and Rapporteur congratulate Belgrade and Pristina on 'historic agreement' to normalize relations," *Parliamentary Assembly of the Council of Europe*, 19 April 2013, Retrieved from [http://www.assembly.coe.int/ASP/NewsManager/EMB\\_NewsManagerView.asp?ID=8615](http://www.assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=8615). (Accessed 30 August 2013).

<sup>59</sup> PACE, "Armenia's application for membership"; PACE, "Azerbaijan's application for membership"

<sup>60</sup> Committee of Ministers, *Statutory Resolution (93) 26 on observer status*, 14 May 1993, Resolution (93) 26, 92nd Session, Strasbourg. Available at <http://conventions.coe.int/Treaty/en/Treaties/Html/Resol9326.htm>.

<sup>61</sup> *Ibid.*

European state with observer status is the Holy See,<sup>62</sup> which cannot become a Council of Europe member, as it is an absolute monarchy. Observer status thus would make Kosovo appear non-European or unwilling to accept the principles of the Council of Europe. Kosovo, therefore, should not apply for observer status under any circumstances due to the damage it would inflict on its potential membership.

The second intermediate form of membership, associate membership, would allow Kosovo to sit and vote in PACE, but not in the decision-making Committee of Ministers.<sup>63</sup> Such a path would be dangerous for Kosovo. First, associate members must go through the same rigorous process for joining as full members but need not be recognized as a “state”, an entirely useless distinction for Kosovo.<sup>64</sup> Second, associate membership is an antiquated and has not been used in over 50 years in the Council of Europe.<sup>65</sup> Since then the Council of Europe has successfully navigated the problem of status without resorting to having associate members. Finally, Kosovo faces a scenario where it could lock into secondary status as a semi-state that must be regulated by Council of Europe treaties, but does not deserve a member state’s rights. Such a scenario would perpetuate and institutionalize a secondary status for Kosovo. Kosovo should not apply for a status that carries such a danger, nor should the Council of Europe offer associate membership.

The third intermediate form of membership, special guest status, would allow Kosovo to send a non-voting delegation to PACE and differs markedly from both observer status and associate membership. First, it would not compromise Kosovo on the question of status, as 20 current members held special guest status before membership and were recognized by previous members. Second, the threshold for becoming a special guest is relatively low. While Kosovo has not signed the Paris Charter or Helsinki Final Act,<sup>66</sup> it declared both to be binding on Kosovo in its declaration of independence.<sup>67</sup> Kosovo is then eligible for consideration by PACE.<sup>68</sup> After applying, Kosovo must only be approved by a single committee of PACE and the group of PACE officers in the Bureau of the Assembly.<sup>69</sup> Third, applying for special guest status shows Kosovo’s willingness to be accountable to Article 3 standards. PACE has shown that it will take away the status for violations of standards.<sup>70</sup> Accepting further scrutiny for Kosovo will only affirm its acceptance of Article 3 standards.

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<sup>62</sup> The Holy See became an observer in 1970, before the observer restrictions were put in place. It was grandfathered into observer status.

<sup>63</sup> Statute of the Council of Europe, Article 5

<sup>64</sup> *Ibid.*

<sup>65</sup> Benoît-Rohmer, F. and Klebes, H. *Council of Europe Law: Towards a pan-European legal area*, (Strasbourg: Council of Europe Publishing, 2005), 45.

<sup>66</sup> The requirement of signature by the Council of Europe is predicated on states being “normally” able to participate in the Organization for Security and Cooperation in Europe if they are in the OSCE’s area of operation. However, Kosovo’s membership in the OSCE is an extraordinarily contested issue and Kosovo could use this extraordinary reality to argue that the simple declaration of being bound by the documents meets PACE’s criteria.

Rules of Procedure of the Assembly, Rule 59

<sup>67</sup> Kosovo Declaration of Independence, Paragraph 8. Available at [http://www.mfa-ks.net/repository/docs/Dek\\_Pav\\_e.pdf](http://www.mfa-ks.net/repository/docs/Dek_Pav_e.pdf).

<sup>68</sup> Rules of Procedure of the Assembly, Rule 59

<sup>69</sup> *Ibid.*

<sup>70</sup> Andres Herkel, *The Situation in Belarus*, 9 January 2012, Document 12820, Committee on Political Affairs and Democracy, 2012-First part-session, Strasbourg: Parliamentary Assembly of the Council of Europe. Available at <http://www.assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=12917&lang=EN>. Belarus’s special guest status was suspended for violating human rights.

## IX. TIMING

Kosovo should begin the process of applying to join the Council of Europe immediately. Joining the Council of Europe is a long process. Among states that applied to the Council of Europe since the beginning of 1995, only Montenegro received an invitation in less than a year after application, as it had already acceded to the Council of Europe as part of the FRY in 2003. Kosovo's solid-case scenario would be that of the FRY, which acceded two years and five months after applying. Three to four years between application and accession would be more realistic.<sup>71</sup> Starting the process of accession now means that these three to four years end sooner rather than later.

It also helps Kosovo avoid exogenous events delaying its accession. Parliamentary elections in Council of Europe member states will continuously change the composition of PACE and not necessarily for Kosovo's benefit. Since each PACE delegation is divided among national parties to be representative of a member state's legislature, ultranationalist, communist or socialist parties that do not recognize Kosovo could gain additional seats in PACE if they perform well in their legislative elections. These parties will increase the size of a potential blocking coalition against Kosovo's membership. Currently, communists are already expected to make gains in the upcoming Czech Republic legislative elections<sup>72</sup> and ultranationalist parties are making gains in Denmark<sup>73</sup>, France<sup>74</sup>, the Netherlands<sup>75</sup> and the United Kingdom,<sup>76</sup> which all have elections between 2015 and 2017, i.e. the earliest likely time period that Kosovo's application for membership would be considered in PACE. After 2015, but especially after 2017, the road to the Council of Europe could be more difficult for Kosovo and it must do all it can to avoid those difficulties.

## X. RECOMMENDATIONS

1. Kosovo should apply to join the Council of Europe as soon as possible. The current composition of PACE favors Kosovo, but polling in Council of Europe member states shows parties that do not recognize Kosovo gaining support in their national elections. These parties could likely move to block a positive opinion on Kosovo, leaving its application in stasis.
2. Kosovo must show its ability and willingness to enforce Article 3 standards. The most likely coalition to block a positive opinion on Kosovo's accession in PACE is of PACE members that do not recognize Kosovo and PACE members that recognize Kosovo, but do not believe it will comply with Article 3 standards. To assuage these skeptics, the government of Kosovo must improve the quality of its elections, take the input of legislative and regulatory institutions seriously, improve press freedom, continue the current judicial reform, continue cooperation with EULEX to combat organized crime and

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<sup>71</sup> This has been both the median (3 years, 150 days) and the average (3 years, 313.8 days) for states acceding since the beginning of 1995, excluding Montenegro.

<sup>72</sup> See [http://www.median.cz/docs/MEDIAN\\_Snemovni\\_volebni\\_model\\_KVETEN-CERVEN\\_2013.pdf](http://www.median.cz/docs/MEDIAN_Snemovni_volebni_model_KVETEN-CERVEN_2013.pdf) (Accessed 27 August 2013)

<sup>73</sup> See <http://www.dr.dk/nyheder/politik/meningsmaalinger> (Accessed 27 August 2013)

<sup>74</sup> See [http://www.interieur.gouv.fr/Elections/Les-resultats/Legislatives/electresult\\_LG2012/\(path\)/LG2012/\(path\)/LG2012//FE.html](http://www.interieur.gouv.fr/Elections/Les-resultats/Legislatives/electresult_LG2012/(path)/LG2012/(path)/LG2012//FE.html) (Accessed 27 August 2013) and [http://cdn.yougov.com/cumulus\\_uploads/document/9cvij2z9j7/Barom%C3%A8tre\\_politique\\_HP\\_It%C3%A9%C3%A9\\_Juin.pdf](http://cdn.yougov.com/cumulus_uploads/document/9cvij2z9j7/Barom%C3%A8tre_politique_HP_It%C3%A9%C3%A9_Juin.pdf) (Accessed 27 August 2013)

<sup>75</sup> See <http://www.ipsos-nederland.nl/content.asp?targetid=621> (Accessed 27 August 2013)

<sup>76</sup> See <http://ukpollingreport.co.uk/voting-intention-2> (Accessed 27 August 2013)

corruption, implement existing plans to integrate the Roma, Ashkali and Egyptian populations and to protect women's rights, support the Office of the Language Commissioner and the minority language broadcaster, put greater effort into resolving war crimes claims following the 1999 war, and continue the dialogue with Serbia. The government of Kosovo must be prepared to promise to pass additional legislation addressing Council of Europe concerns in these areas upon acceding to the Council of Europe. The government of Kosovo must also be prepared to promise to sign various Council of Europe treaties within the time period specified by the Council of Europe.

3. Kosovo should apply for special guest status in PACE as a temporary measure before Council of Europe accession. It would give Kosovo access to PACE and show its commitment to Council of Europe institutions without compromising its status.
4. The Kosovo Foreign Ministry must use its relationships with the foreign ministries of all 34 Council of Europe member states recognizing Kosovo to lobby these member states to vote to ask PACE for an opinion on Kosovo's candidacy as a member state. The Foreign Ministry should also advocate for all recognizing member states to send their foreign minister to any vote to invite Kosovo to join the Council of Europe and for that foreign minister to vote to invite Kosovo to join. Kosovo needs at least 32 states to vote for membership.
5. Kosovo Assembly members should lobby legislators represented in PACE to vote for a positive opinion on Kosovo's membership, or at least not vote against it. They should especially focus on members of Romania's governing coalition and on centrist parties that do not currently recognize Kosovo, but could be persuaded to abstain.
6. All Council of Europe member states should send their foreign ministers to any vote on whether or not to invite Kosovo to join the Council of Europe. Otherwise the Council risks a small group of deputies blocking Kosovo's accession.
7. The United Kingdom should place Kosovo's membership in Council of Europe on the Committee of Ministers' agenda. All Council members recognizing Kosovo should ensure that Kosovo's application stays on the agenda and is promptly answered.
8. The PACE Committee on Political Affairs and Democracy must continue to appoint rapporteurs on Kosovo that recognize Kosovo's independence. When Kosovo applies for membership, the PACE Committee on Legal Affairs and Human Rights must do the same. This will ensure Kosovo's candidacy is assessed on its ability and willingness to apply Council of Europe standards for democracy, rule of law and human rights while continuing cooperation with Serbia instead of on its status.
9. PACE rapporteurs are encouraged to collaborate with officials from the European Commission as well as make direct enquiries when assessing Kosovo's ability and willingness to implement Council of Europe standards. European Commission officials can be a valuable resource for any assessment of Kosovo's fitness to join the Council of Europe.

## APPENDIX

<b>I. Council of Europe Members Recognizing Kosovo</b>	<b>2. Council of Europe Members Not Recognizing Kosovo</b>
<ol style="list-style-type: none"> <li>1. Albania</li> <li>2. Andorra</li> <li>3. Austria</li> <li>4. Belgium</li> <li>5. Bulgaria</li> <li>6. Croatia</li> <li>7. Czech Republic</li> <li>8. Denmark</li> <li>9. Estonia</li> <li>10. Finland</li> <li>11. France</li> <li>12. Germany</li> <li>13. Hungary</li> <li>14. Iceland</li> <li>15. Ireland</li> <li>16. Italy</li> <li>17. Latvia</li> <li>18. Liechtenstein</li> <li>19. Lithuania</li> <li>20. Luxembourg</li> <li>21. Macedonia</li> <li>22. Malta</li> <li>23. Monaco</li> <li>24. Montenegro</li> <li>25. Netherlands</li> <li>26. Norway</li> <li>27. Poland</li> <li>28. Portugal</li> <li>29. San Marino</li> <li>30. Slovenia</li> <li>31. Sweden</li> <li>32. Switzerland</li> <li>33. Turkey</li> <li>34. United Kingdom</li> </ol>	<ol style="list-style-type: none"> <li>1. Armenia</li> <li>2. Azerbaijan</li> <li>3. Bosnia and Herzegovina</li> <li>4. Cyprus</li> <li>5. Georgia</li> <li>6. Greece</li> <li>7. Moldova</li> <li>8. Romania</li> <li>9. Russia</li> <li>10. Serbia</li> <li>11. Slovakia</li> <li>12. Spain</li> <li>13. Ukraine</li> </ol>

Projected Parliamentary Assembly Vote by Member State on Kosovo's Statehood <sup>77</sup>			
State	Yes	No	Uncertain
1. Albania	4 <sup>78</sup>	0	0
2. Andorra	1 <sup>79</sup>	0	1 <sup>80</sup>
3. Armenia	0	2 <sup>81</sup>	2 <sup>82</sup>
4. Austria	5 <sup>83</sup>	1 <sup>84</sup>	0
5. Azerbaijan	0	4 <sup>85</sup>	2 <sup>86</sup>
6. Belgium	6 <sup>87</sup>	0	1 <sup>88</sup>
7. Bosnia and Herzegovina	0	2 <sup>89</sup>	3 <sup>90</sup>
8. Bulgaria	5 <sup>91</sup>	1 <sup>92</sup>	0
9. Croatia	5 <sup>93</sup>	0	0

<sup>77</sup> Based on an report of party leaders statements and actions regarding Kosovo, as well as votes in the European Parliament by parties from EU member states and independent members' association with the ruling party.

<sup>78</sup> Socialist Party (see [http://www.academia.edu/3164256/Signaling\\_Change\\_in\\_Albanian\\_Politics\\_Edi\\_Ramas\\_Visit\\_to\\_South\\_Serbias\\_Presevo\\_Valley](http://www.academia.edu/3164256/Signaling_Change_in_Albanian_Politics_Edi_Ramas_Visit_to_South_Serbias_Presevo_Valley)), the Party for Justice and Unity (see <http://www.president-ksgov.net/?page=2,6,1651>) and the Democratic Party (see <http://www.balkan.eu.com/premier-berisha-hails-agreement-reached-kosovo-serbia/>)

<sup>79</sup> Democratic Party (see <http://www.balkaninsight.com/en/article/andorra-recognised-kosovo-s-statehood>)

<sup>80</sup> Social Democratic Party (no information)

<sup>81</sup> Republican Party of Armenia (see <http://www.arminfo.info/english/politics/article/05-04-2011/03-40-00>)

<sup>82</sup> Prosperous Armenia (<http://www.tert.am/en/news/2013/01/22/exv-naira/>) and Armenian National Congress (<http://news.az/articles/19767>)

<sup>83</sup> Austrian People's Party (see [http://www.diplonews.com/feeds/free/12\\_September\\_2012\\_234.php](http://www.diplonews.com/feeds/free/12_September_2012_234.php)), Social Democratic Party of Austria (see <http://www.kryeministri-ks.net/?page=2,9,2422>) and the Green Party ([http://www.b92.net/eng/news/politics.php?yyyy=2012&mm=11&dd=10&nav\\_id=83102](http://www.b92.net/eng/news/politics.php?yyyy=2012&mm=11&dd=10&nav_id=83102))

<sup>84</sup> Freedom Party of Austria (see <http://www.balkaninsight.com/en/article/kosovo-given-green-light-for-full-independence/1434/6>)

<sup>85</sup> Civil Unity Party and New Azerbaijan Party (see <http://www.eurasianet.org/departments/insight/articles/eav032808a.shtml>); independent Ganira Pashayeva (see <http://www.balkanpeace.org/index.php?index=article&articleid=14753>).

<sup>86</sup> Civil Solidarity Party and independent Rovshan Rzayev (no information).

<sup>87</sup> Reform Movement and Socialist Party (see [http://www.aukonline.org/web/index.php?option=com\\_content&view=article&id=493:didier-reynders-lecture-kosovo-and-the-eu-how-to-realize-together-the-european-perspective&catid=79&Itemid=534](http://www.aukonline.org/web/index.php?option=com_content&view=article&id=493:didier-reynders-lecture-kosovo-and-the-eu-how-to-realize-together-the-european-perspective&catid=79&Itemid=534)); Christian Democratic and Flemish Party (see <http://www.mfa-ks.net/?page=2,4,308>); New Flemish Alliance (see <http://www.janjabon.be/nieuws/persberichten/n-verwelkomt-uitspraak-over-kosovo>)

<sup>88</sup> Empty seat in PACE.

<sup>89</sup> Serb Democratic Party (see <http://www.blic.rs/Vesti/Politika/376696/Bosic-pozvao-Dodika-da-izjavama-ne-otezavapolozaj-Beograda>); Alliance of Independent Social Democrats (see [http://www.b92.net/eng/news/region.php?yyyy=2011&mm=09&dd=16&nav\\_id=76419](http://www.b92.net/eng/news/region.php?yyyy=2011&mm=09&dd=16&nav_id=76419))

<sup>90</sup> Croatian Democratic Union (see [http://www.b92.net/eng/news/region.php?yyyy=2008&mm=02&dd=17&nav\\_id=47779](http://www.b92.net/eng/news/region.php?yyyy=2008&mm=02&dd=17&nav_id=47779)); Social Democratic Party (see [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2013/03/11/feature-03](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/03/11/feature-03)); Party of Democratic Action (see <http://ceas-serbia.org/root/index.php/en/home-en/93-preuzeto/1118-the-big-difference-between-kosovo-and-republic-of-srpska>)

<sup>91</sup> Citizens for the European Development of Bulgaria (see <http://www.kryeministri-ks.net/?page=2,9,2946>); Union of Democratic Forces and Movement for Rights and Freedoms (see [http://www.novinite.com/view\\_news.php?id=90235](http://www.novinite.com/view_news.php?id=90235)); Coalition for Bulgaria (see <http://news.bbc.co.uk/2/hi/europe/7307234.stm>)

<sup>92</sup> Ataka (see [http://www.novinite.com/view\\_news.php?id=90460](http://www.novinite.com/view_news.php?id=90460))

<sup>93</sup> Croatian Democratic Union (see <http://news.bbc.co.uk/2/hi/7304488.stm>); Croatian People's Party-Liberal Democrats (see <http://daily.tportal.hr/224835/Croatia-and-Kosovo-sign-economic-cooperation-agreement.html>); Social Democratic Party (see <http://www.balkaninsight.com/en/article/croatia-supports-kosovo-talks>)

<b>10. Cyprus</b>	0	2 <sup>94</sup>	1 <sup>95</sup>
<b>11. Czech Republic</b>	5 <sup>96</sup>	2 <sup>97</sup>	0
<b>12. Denmark</b>	4 <sup>98</sup>	1 <sup>99</sup>	0
<b>13. Estonia</b>	3 <sup>100</sup>	0	0
<b>14. Finland</b>	4 <sup>101</sup>	0	1 <sup>102</sup>
<b>15. France</b>	16 <sup>103</sup>	1 <sup>104</sup>	1 <sup>105</sup>
<b>16. Georgia</b>	0	2 <sup>106</sup>	3 <sup>107</sup>
<b>17. Germany</b>	16 <sup>108</sup>	2 <sup>109</sup>	0
<b>18. Greece</b>	0	6 <sup>110</sup>	1 <sup>111</sup>
<b>19. Hungary</b>	6 <sup>112</sup>	1 <sup>113</sup>	0
<b>20. Iceland</b>	1 <sup>114</sup>	0	2 <sup>115</sup>

<sup>94</sup> Progressive Party of Working People and Democratic Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>95</sup> Empty seat in PACE

<sup>96</sup> Civic Democratic Party (see [http://sofiaecho.com/2008/05/21/660780\\_czech-republic-recognises-kosovo-independence](http://sofiaecho.com/2008/05/21/660780_czech-republic-recognises-kosovo-independence)); TOP 09 and Mayors (see <http://praguemonitor.com/2012/12/04/kosovo-wants-cooperate-czechs-needs-aid-investment>)

<sup>97</sup> Czech Social Democratic Party (see [http://sofiaecho.com/2008/05/21/660780\\_czech-republic-recognises-kosovo-independence](http://sofiaecho.com/2008/05/21/660780_czech-republic-recognises-kosovo-independence))

<sup>98</sup> Liberal Party (see <http://www.eu-27watch.org/?q=node/801>); Social Democratic Party, Social Liberal Party and Socialist People's Party (see <http://um.dk/da/politik-og-diplomati/nyhederogpublikationer/udenrigspolitiske-nyheder/newsdisplaypage/?newsid=cff87b03-f960-4ef1-b481-603006270e48>)

<sup>99</sup> Danish People's Party (see <http://www.eu-27watch.org/?q=node/801>)

<sup>100</sup> Reform Party (see <http://www.vm.ee/?q=en/node/17100>); Pro Patria Union (see <http://www.vm.ee/?q=node/7451>); Center Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>101</sup> Social Democratic Party (see <http://www.president-ksgov.net/?page=2,6,1864>); Center Party (see <http://www.finlandkosovo.org/public/default.aspx?contentid=194204&nodeid=42563&contentlan=2&culture=en-US>); National Coalition (see <http://www.kryeministri-ks.net/?page=2,9,259>)

<sup>102</sup> True Finns (see <http://www.perussuomalaiset.fi/tietoa-meista/arvomaailmamme/>)

<sup>103</sup> Socialist, Radical, Citizen and Miscellaneous Left Coalition (see <http://www.diplomatie.gouv.fr/en/country-files/kosovo/france-and-kosovo/events-7589/article/kosovo-s-ebrd-membership-19-11-12>); Union for a Popular Movement (see [http://www.b92.net/eng/news/politics.php?yyyy=2008&mm=09&dd=02&nav\\_id=53154](http://www.b92.net/eng/news/politics.php?yyyy=2008&mm=09&dd=02&nav_id=53154)); Union of Democrats and Independents (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>104</sup> Communist Party (see <http://www.pcf.fr/2480>)

<sup>105</sup> Empty seat in PACE

<sup>106</sup> United National Movement (see <http://www.eurasiareview.com/08062012-saakashvili-says-us-never-pushed-georgia-to-recognize-kosovo/>)

<sup>107</sup> Georgian Dream Coalition (see <http://www.georgiatimes.info/en/articles/90543.html>)

<sup>108</sup> Christian Democratic Union (see <http://www.balkaninsight.com/en/article/germany-pushes-serbia-to-normalise-relations-with-kosovo>); Social Democratic Party (see <http://belgradeinsight.com/attachment/000002254.pdf>); Free Democratic Party (see <http://dalje.com/en-world/serbian-leadership-facing-tough-decision/462345>); Greens (see <http://www.mfa-ks.net/index.php?page=2,4,800&offset=117#UgplEGT8-5l>)

<sup>109</sup> The Left (see <http://de-construct.net/e-zine/?p=1391>)

<sup>110</sup> New Democracy (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=03&dd=25&nav\\_id=85354](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=03&dd=25&nav_id=85354)); Panhellenic Socialist Movement (see <http://www.cablegatesearch.net/cable.php?id=08ATHENS536&version=1314919461>); Coalition of the Radical Left (see <http://www.humanite.fr/monde/grece-syriza-histoire-de-la-coalition-de-gauche-qui-monte-496055>)

<sup>111</sup> Independent Epameinondas Marias (no information)

<sup>112</sup> Fidesz and Christian Democratic People's Party (see <http://www.kryeministri-ks.net/?page=2,9,2926>); Hungarian Socialist Party (see [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/newsbriefs/2007/07/31/nb-07](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/newsbriefs/2007/07/31/nb-07))

<sup>113</sup> Jobbik (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>114</sup> Independence Party (see <http://www.mfa.is/news-and-publications/nr/4135>)

<sup>115</sup> Progressive Party and Left-Green Movement (no information)

<b>21. Ireland</b>	4 <sup>116</sup>	0	0
<b>22. Italy</b>	13 <sup>117</sup>	1 <sup>118</sup>	4 <sup>119</sup>
<b>23. Latvia</b>	2 <sup>120</sup>	0	1 <sup>121</sup>
<b>24. Liechtenstein</b>	2 <sup>122</sup>	0	0
<b>25. Lithuania</b>	3 <sup>123</sup>	0	1 <sup>124</sup>
<b>26. Luxembourg</b>	3 <sup>125</sup>	0	0
<b>27. Macedonia</b>	3 <sup>126</sup>	0	0
<b>28. Malta</b>	3 <sup>127</sup>	0	0
<b>29. Moldova</b>	0	3 <sup>128</sup>	2 <sup>129</sup>
<b>30. Monaco</b>	2 <sup>130</sup>	0	0
<b>31. Montenegro</b>	3 <sup>131</sup>	0	0

<sup>116</sup> Fina Gael (see <http://www.irishtimes.com/news/world/europe/kosovo-deal-opens-door-to-eu-accession-talks-for-serbia-1.1368996>); Fianna Fael (see <http://foreignaffairs.gov.ie/home/index.aspx?id=42938>); Labor Party (see <http://www.labour.ie/press/2008/02/17/historic-day-for-kosovo-but-clarity-needed-on-stat/>)

<sup>117</sup> Democratic Party (see <http://www1.lastampa.it/redazione/cmsSezioni/politica/200802articoli/30334girata.asp>); People of Freedom (see [www.balkaninsight.com/en/article/italy-looks-to-strengthen-kosovo-ties+&cd=16&hl=en&ct=clnk](http://www.balkaninsight.com/en/article/italy-looks-to-strengthen-kosovo-ties+&cd=16&hl=en&ct=clnk)); Civic Choice for Italy (see [http://www.ilmondo.it/esteri/2013-04-19/serbia-kosovo-monti-esprime-viva-soddisfazione-accordo-storico\\_240324.shtml](http://www.ilmondo.it/esteri/2013-04-19/serbia-kosovo-monti-esprime-viva-soddisfazione-accordo-storico_240324.shtml))

<sup>118</sup> Northern League (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>);

<sup>119</sup> Five Star Movement and Misto (see <http://euobserver.com/political/119336>)

<sup>120</sup> Unity Party (see <http://mksf-ks.org/?page=2,24,643>); Zatlter's Reform Party (see <http://www.reitingi.lv/en/news/politics/5477.html>)

<sup>121</sup> Concord Center (see <http://latviansonline.com/news/article/7725/>)

<sup>122</sup> Progressive Citizens' Party (see <http://www.llv.li/amtstellen/llv-pia-pressemittellungen/pressemittellungen-alt.htm?pmid=108807&lpid=3789&imainpos=15844>); Patriotic Union (see <http://www.llv.li/rss/amtstellen/llv-ikr-pressemittellungen/pressemittellungen-alt.htm?pmid=185580&lpid=3789&imainpos=2165>)

<sup>123</sup> Lithuanian Social Democratic Party (see <http://www.balsas.lt/naujiena/214759/j-olekas-pirma-karta-susitiks-su-kosovo-vyriausybes-atstovais>); Homeland Union-Lithuanian Social Democrats (see <http://balticreports.com/2009/11/30/lithuania-kosovo-sign-military-agreement/>)

<sup>124</sup> Labor Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>125</sup> Christian Social People's Party (see <http://www.wort.lu/en/view/luxembourg-and-kosovo-sign-bilateral-agreement-51769defe4b08127f96a2a98>); Luxembourg Socialist Worker's Party (see [http://www.gouvernement.lu/salle\\_presse/discours/autres\\_membres/2008/02-fevrier/20-asselborn-kosovo/](http://www.gouvernement.lu/salle_presse/discours/autres_membres/2008/02-fevrier/20-asselborn-kosovo/)); Democratic Party (see <http://www.eu-27watch.org/?q=node/825>)

<sup>126</sup> Social Democratic Union for Integration (see <http://www.thefreelibrary.com/Crvenkovski%3A+Kosovo+is+a+country.-a0276276723>); Democratic Union for Integration (see <http://www.kryeministri-ks.net/?page=2,9,162>); Internal Macedonian Revolutionary Organization (see [http://www.nytimes.com/2008/10/09/world/europe/09iht-09kosovo.html?\\_r=0](http://www.nytimes.com/2008/10/09/world/europe/09iht-09kosovo.html?_r=0))

<sup>127</sup> Labor Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>); Nationalist Party (see <http://www.timesofmalta.com/articles/view/20080821/local/malta-recognises-independence-of-kosovo.221659>)

<sup>128</sup> Liberal Party of Moldova (see <http://www.euopalibera.org/articleprintview/2108479.html>); Democratic Party of Moldova (see <http://www.azim.md/en/story/18688>); Communist Party of Moldova (see <http://www.sunrisenewsonline.com/content/moldova-against-independence-kosovo-transnistria-others>)

<sup>129</sup> Liberal Democratic Party of Moldova (see <http://politicom.moldova.org/news/transnistrias-appeal-for-recognition-to-united-nations-is-illogical-211282-eng.html>)

<sup>130</sup> Horizon Monaco (see <http://www.mfa-ks.net/?page=2,33,231>)

<sup>131</sup> Positive Montenegro (see <http://www.vesti.rs/NATO/Crna-Gora-pred-izbore-NATO-Kosovo-srpsko-pitanje.html>); Democratic Party of Socialists (see [http://www.nytimes.com/2008/10/09/world/europe/09iht-09kosovo.html?\\_r=0](http://www.nytimes.com/2008/10/09/world/europe/09iht-09kosovo.html?_r=0)); Social Democratic Party (see <http://www.pobjeda.me/2012/06/02/krivokapic-otvaranje-ambasade-na-kosovu-nece-pogorsati-odnose-sa-srbijom/>)



<b>32. Netherlands</b>	5 <sup>132</sup>	2 <sup>133</sup>	0
Norway	5 <sup>134</sup>	0	0
Poland	10 <sup>135</sup>	1 <sup>136</sup>	1 <sup>137</sup>
Portugal	7 <sup>138</sup>	0	0
Romania	1 <sup>139</sup>	1 <sup>140</sup>	8 <sup>141</sup>
Russia	0	16 <sup>142</sup>	2 <sup>143</sup>
San Marino	2 <sup>144</sup>	0	0
Serbia	0	7 <sup>145</sup>	0
Slovakia	0	4 <sup>146</sup>	1 <sup>147</sup>
Slovenia	3 <sup>148</sup>	0	0

<sup>132</sup> Christian Democratic Party (<http://www.government.nl/news/2008/05/22/parliament-supports-civilian-mission-to-kosovo.html>); Labor Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>); Liberal Party (see <http://www.elsevier.nl/Politiek/nieuws/2011/10/Kabinet-steunt-Brussel-en-schaft-visumplicht-Kosovo-af-ELSEVIER318803VV/>)

<sup>133</sup> Dutch People's Party (see [http://www.geertwilders.nl/index.php?option=com\\_content&task=view&id=1740](http://www.geertwilders.nl/index.php?option=com_content&task=view&id=1740)); Socialist Party (see <http://vorige.nrc.nl/nieuwsthema/kosovo/article1882791.ece>)

<sup>134</sup> Conservative Party and Progress Party (see <http://www.stortinget.no/no/Hva-skjer-pa-Stortinget/Nyhetsarkiv/Hva-skjer-nyheter/2011-2012/Stortingets-PACE-delegasjon-besokte-Vest-Balkan/>); Labor (see <http://kryeministries.net/?page=2,9,3419>); Socialist Left (see <http://www.gd.no/nyheter/article3356681.ece>)

<sup>135</sup> Civic Platform Party (see <http://www.wbj.pl/article-54707-states-to-boycott-warsaw-summit-over-kosovo-participation.html>); Law and Justice Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>); Alliance of the Democratic Left (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>); Polish Solidarity (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>)

<sup>136</sup> Polish People's Party (see [http://www.b92.net/eng/news/politics.php?yyyy=2008&mm=08&dd=10&nav\\_id=52598](http://www.b92.net/eng/news/politics.php?yyyy=2008&mm=08&dd=10&nav_id=52598));

<sup>137</sup> Palikiot's Movement (no information)

<sup>138</sup> Socialist Party (see <http://newkosovareport.com/2008/10/07/1285/Politics/portugal-recognizes-independent-kosovo.html>); Social Democratic Party (see <http://www.cablegatesearch.net/cable.php?id=08LISBON2630>); Democratic and Social Center-People's Party ([http://www.b92.net/eng/news/politics.php?yyyy=2012&mm=01&dd=16&nav\\_id=78305](http://www.b92.net/eng/news/politics.php?yyyy=2012&mm=01&dd=16&nav_id=78305))

<sup>139</sup> Democratic Alliance of Hungarians in Romania (see <http://www.balkaninsight.com/en/article/romania-s-hungarian-minority-supports-kosovo-recognition>);

<sup>140</sup> Democratic Liberal Party (see <http://www.kosovocompromise.com/cms/item/topic/en.html?view=story&id=3066&sectionId=1>)

<sup>141</sup> National Liberal Party and Social Democratic Party coalition (see <http://www.agerpres.ro/english/index.php/english-news/item/200464-PM-Ponta-Personally-I-believe-Romania-should-embrace-same-stance-on-Kosovo-as-its-EU-partners.html>); People's Party (no information)

<sup>142</sup> United Russia, Fair Russia, Liberal Democratic Party and Communist Party (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=07&dd=29&nav\\_id=87098](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=07&dd=29&nav_id=87098)); Independent Boris Shpigel (see <http://www.haaretz.com/jewish-world/2.209/putin-supporter-tapped-to-head-russia-s-united-israel-appeal-1.254828>)

<sup>143</sup> Independents Andrey Molchanov and Valeriy Sudarenkov (no information)

<sup>144</sup> Socialist Party (see <http://www.smtvsanmarino.sm/politica/2008/05/11/congresso-stato-san-marino-riconosce-kosovo>); Sammarinese Christian Democratic Party (see <http://www.sanmarinonotizie.com/?p=48385>)

<sup>145</sup> Serbian Progressive Party (see <http://www.bbc.co.uk/news/world-europe-22506485>); Democratic Party of Serbia (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=04&dd=27&nav\\_id=85923](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=04&dd=27&nav_id=85923)); United Regions of Serbia (see <http://inserbia.info/news/2013/04/mladan-dinkic-we-are-close-to-an-agreement-but-kosovos-un-seat-is-unacceptable/>);

Liberal Democratic Party (see [http://www.hranzasve.com/eng/news/politics.php?yyyy=2012&mm=10&dd=28&nav\\_id=82886](http://www.hranzasve.com/eng/news/politics.php?yyyy=2012&mm=10&dd=28&nav_id=82886)); Socialist Party of Serbia (see <http://www.tanjug.rs/news/89260/dacic--recognition-of-kosovo-unacceptable-condition.htm>)

<sup>146</sup> Direction-Social Democracy (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=06&dd=05&nav\\_id=86516](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=06&dd=05&nav_id=86516)); Christian Democratic Movement (see [http://www.b92.net/eng/news/politics.php?yyyy=2009&mm=02&dd=19&nav\\_id=57279](http://www.b92.net/eng/news/politics.php?yyyy=2009&mm=02&dd=19&nav_id=57279))

<sup>147</sup> Slovak Democratic and Christian Union Party (see [http://www.b92.net/eng/news/politics.php?yyyy=2009&mm=02&dd=19&nav\\_id=57279](http://www.b92.net/eng/news/politics.php?yyyy=2009&mm=02&dd=19&nav_id=57279))

<sup>148</sup> Slovene People's Party (see <http://beqiraj.de/docs/independence/Slowenien.pdf>); Slovenian Democratic Party (see <http://www.votewatch.eu/en/kosovo-motion-for-a-resolution-vote-resolution-text-as-a-whole.html>); Positive Slovenia (see [http://www.kpv.gov.si/nc/en/press\\_centre/news/article/252/6684/](http://www.kpv.gov.si/nc/en/press_centre/news/article/252/6684/))

Spain	1 <sup>149</sup>	11 <sup>150</sup>	0
Sweden	6 <sup>151</sup>	0	0
Switzerland	6 <sup>152</sup>	0	0
Turkey	11 <sup>153</sup>	0	1 <sup>154</sup>
Ukraine	0	7 <sup>155</sup>	5 <sup>156</sup>
United Kingdom	18 <sup>157</sup>	0	0
<b>Total</b>	<b>194</b>	<b>80</b>	<b>44</b>

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<sup>149</sup> Convergence and Union (see <http://www.abc.es/local-cataluna/20130418/abci-artur-lamenta-espana-reconozca-201304181807.html>)

<sup>150</sup> Popular Party (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=04&dd=25&nav\\_id=85886](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=04&dd=25&nav_id=85886)); Socialist Party (see [http://sofiaecho.com/2009/03/11/687366\\_spain-will-never-recognise-kosovo-zapatero](http://sofiaecho.com/2009/03/11/687366_spain-will-never-recognise-kosovo-zapatero))

<sup>151</sup> Moderate coalition (see <http://english.people.com.cn/90001/90777/90853/6366085.html>); Social Democratic Coalition (see <http://www.stockholmnews.com/more.aspx?NID=596>)

<sup>152</sup> Democratic Union of the Center, Christian Democratic Party and Radical Liberals (see <http://www.albinfo.ch/de/aktuell/die-kosovarische-diaspora-der-schweiz-als-br-cke-zwischen-den-beiden-l-ndern>); Swiss Socialist Party (see [http://www.swissinfo.ch/eng/politics/Calmey-Rey\\_defends\\_Kosovo\\_recognition.html?cid=29086018](http://www.swissinfo.ch/eng/politics/Calmey-Rey_defends_Kosovo_recognition.html?cid=29086018))

<sup>153</sup> Justice and Development Party (see [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2011/08/30/feature-03](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/08/30/feature-03)); Republican People's Party (see <http://serbianna.com/report/archives/722>); Nationalist Movement Party (see [http://www.todayszaman.com/newsDetail\\_getNewsById.action?load=detay&link=134459](http://www.todayszaman.com/newsDetail_getNewsById.action?load=detay&link=134459))

<sup>154</sup> Peace and Democracy Party (no information)

<sup>155</sup> Party of Regions (see [http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=06&dd=07&nav\\_id=86552](http://www.b92.net/eng/news/politics.php?yyyy=2013&mm=06&dd=07&nav_id=86552)); Communist Party (see [http://communist-party.org.uk/index.php?option=com\\_content&view=article&id=224:common-declaration-of-communist-and-workers-parties-on-the-self-proclaimed-independence-of-kosovo&catid=127:statements&Itemid=160](http://communist-party.org.uk/index.php?option=com_content&view=article&id=224:common-declaration-of-communist-and-workers-parties-on-the-self-proclaimed-independence-of-kosovo&catid=127:statements&Itemid=160)); Independent Lev Myrmyskyi (see <http://img.tyzhden.ua/Content/Digest/week/november/2/Book18.pdf>)

<sup>156</sup> All Ukrainian Union (see <http://www.unian.info/news/280045-ukraines-stance-on-kosovo-dictated-by-its-desire-to-keep-neutral-status.html>); Ukrainian Democratic Alliance for Reforms (no information)

<sup>157</sup> Conservative Party (see <http://www.mei-ks.net/?page=2,5,682>); Labor Party (see <http://www.express.co.uk/news/world/52011/Britain-confirms-Kosovo-aid-package>); Liberal Democratic Party (see <http://northeasthampshirelibdems.org.uk/en/article/2010/157826/all-eu-countries-must-now-recognise-kosovo>)

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## POLICY REPORTS

Policy Reports are lengthy papers which provide a tool/forum for the thorough and systematic analysis of important policy issues, designed to offer well informed scientific and policy-based solutions for significant public policy problems. In general, Policy Reports aim to present value-oriented arguments, propose specific solutions in public policy – whereby influencing the policy debate on a particular issue – through the use of evidence as a means to push forward the comprehensive and consistent arguments of our organization. In particular, they identify key policy issues through reliable methodology which helps explore the implications on the design/structure of a policy. Policy Reports are very analytical in nature; hence, they not only offer facts or provide a description of events but also evaluate policies to develop questions for analysis, to provide arguments in response to certain policy implications and to offer policy choices/solutions in a more comprehensive perspective. Policy Reports serve as a tool for influencing decision-making and calling to action the concerned groups/stakeholders.