



KOSOVO-SPAIN RELATIONS: HOW TO MOVE ON IN 2025



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Executive Summary

This paper seeks to provide a thorough analysis of Spain's stance regarding Kosovo and, accordingly, presents a practical roadmap for 2025 and beyond that is designed to mitigate political risk within Spain while enabling the unlocking of Kosovo's progression towards Euro-Atlantic integration.

The key argument of the paper is that Kosovo's context fundamentally differs from Catalonia, and the Basque Country. This distinction arises from the fact that Kosovo's independence emerged from Yugoslavia's violent dissolution, UN administration (UNMIK), and the Ahtisaari Plan, establishing it as a sui generis case under international law, unlike Spain's internal regions. Furthermore, Spain's non-recognition stance is primarily referred to its domestic precedent fears and by its rigid understanding of the international legal framework, even though the International Court of Justice's (ICJ) 2010 Advisory Opinion concluded that Kosovo's declaration did not violate international law. Despite this, status-neutral cooperation is growing in effectiveness, as evidenced by the EU's Stabilisation and Association Agreement (SAA), visa liberalisation, and progress toward Council of Europe membership. However, advancement in the EU-facilitated Dialogue with Serbia is identified as the key to unlocking broader engagement from Spain and the other non-recognisers. Finally, the positive momentum from 2024, including the implementation of visa-free travel, the Council of Europe direction, and the ongoing NATO/OSCE contacts, creates new and practical channels for fostering people-to-people, academic, diplomatic, cultural, and business ties that can gradually shift narratives within Spain.

Below are listed some of the main findings identified in the report on how to move forward the Kosovar-Spanish relationship:

- **Prioritise a “do not harm” approach and address Spanish sensitivities directly.** This means de-linking Kosovo from Spain's domestic debates and communicating the sui generis case with precision, using careful references to Catalonia and the Basque Country only to underline the legal and historical differences rather than to draw parallels.
- **Break the “Kosovo taboo” in Spain through status-neutral diplomacy.** Practical steps include using NATO, OSCE, UN, and EU formats for informal contacts with Spanish officials and pairing those engagements with cultural diplomacy, tourism promotion, and business forums so that Kosovo becomes a normalised topic in Spain's public and private spheres.
- **Link progress to the EU Dialogue with Serbia.** Support the revival and implementation of the process under the new EU Special Representative, correlate Dialogue milestones with Council of Europe accession and EU incentives, and widen the political space for Madrid to engage constructively.
- **Open parliamentary and expert diplomacy tracks.** Facilitate Spanish MPs' fact-finding visits to Kosovo's multiethnic municipalities and expand partnerships with Spanish universities and think tanks, helping to entrench the sui generis narrative among influential policy and academic communities.
- **Leverage the momentum from 2024 to “make it difficult to say no”.** Scale up people-to-people mobility following visa liberalisation, promote joint academic programs and exchanges, and use status-neutral mechanisms to deepen cooperation without forcing the recognition question.

The paper recommends that Kosovar stakeholders launch an awareness campaign clarifying the differences between Kosovo and Catalonia/Basque Country, referencing the ICJ opinion. This campaign should target both Spanish institutional actors and the general public.

It also suggests increasing engagement between Kosovo and Spain through international forums like NATO, the EU, and the OSCE, as well as via informal events such as conferences and symposia.

Establishing a parliamentary visit program for Spanish foreign affairs committees focusing on the Ahtisaari Plan and minority rights, alongside sustained academic and think-tank collaboration, could further promote bilateral dialogue without implying recognition of status.

The concluding remark of the paper is that while an immediate U-turn of Spain's approach regarding

Kosovo's statehood recognition is unlikely to happen, the potential for immediate and impactful progress in their relation is highly possible. Most importantly, by addressing Spanish concerns, utilising status-neutral platforms, and aligning initiatives with the EU Dialogue, Kosovo may achieve practical advancements, shape perceptions within Spain, and further its progression towards European integration.

Introduction

On February 17, 2008, Kosovo declared its independence, marking the end of the process of Yugoslavia's violent dissolution, while triggering a complex debate over international relations and law. Whereas more than 100 countries, including the United States (US) and most European Union (EU) members, have recognised Kosovo, Spain remains one of the five EU member states that have withheld recognition of Kosovo. The relationship between Kosovo and Spain is complex and sensitive. Spain's stance on Kosovo's independence arises primarily from its internal unrest about secessionist movements in Catalonia and the Basque Country, as it fears that the recognition of Kosovo could inspire internal disputes and set a dangerous precedent for separatist tendencies. These regional dynamics have direct implications in a broader context, as Spain undermines the EU's cohesion and legitimacy in dealing with the Western Balkans, while also potentially harming the European integration process of the region.

This discussion paper provides an analysis of the current state of Kosovo–Spain relations, exploring the Spanish rationale behind its stance on Kosovo, the impact of shifting geopolitics and the volatile situation in the Western Balkans. Underscoring the need for a cohesive EU approach to the region and rooting for the Kosovo–Serbia normalisation process. Kosovo's evolving geopolitical landscape is marked by new security challenges both in the EU and the Western Balkans, such as the increased presence of China and Russia. This further highlights the importance of a greater engagement between Spain and

Kosovo, even in the absence of formal recognition. The paper seeks to contextualise Spain's approach within both domestic and international frameworks, including the critical influence of the Catalonia and Basque Country issues. Additionally, it identifies practical options to move the bilateral relationship forward, providing a deeper understanding of the challenges and opportunities that define Kosovo–Spain interactions, while offering recommendations for advancing cooperation.

The paper is organised into six key sections. The first section offers an executive summary with the key insights on how the Kosovo–Spanish relationship could move forward for 2025 and beyond. Secondly, an examination of the Spanish view on Kosovo's Declaration of Independence and international law, where the Spanish diplomatic stance is analysed. This is followed by an investigation of what is believed to be the main issue for the non-recognition, the Spanish domestic concerns over Catalonia and the Basque Country. The fourth section focuses on the history of Kosovo–EU cooperation, by investigating the historical agreements of the past decade which enhanced the collaboration between the EU and Kosovo, while also taking into account the difficulties posed by Spain and the other four non-recognising countries. The fifth section mainly explores contributions made by other relevant think tanks and civil society organisations that work on the matter, describing an academic approach to a potential unblocking of the relations. Finally, a concluding section with the ending notes regarding the possibilities for a positive movement of the bilateral relationship ahead of 2025.

The Spanish View on Kosovo's Declaration of Independence and International Law

Spain's stance on Kosovo's declaration of independence, which Spain views as a unilateral move, has been shaped by a combination of legal, domestic, and diplomatic factors. Madrid's government aligned itself with Greece, Romania, Cyprus, and Slovakia to withhold recognition. This decision has been consistent over time, through successive Spanish governments, including both left-wing administrations (PM Zapatero, 2008–2011, and PM Sánchez, 2019–present) and right-wing administrations (PM Rajoy, 2011–2019), reflecting a complex interplay between international legal reasoning and internal political concerns.

From the Spanish perspective, the argument of non-recognition is based on international law. In its submission to the International Court of Justice (ICJ), Madrid's opposition argued on the basis of three cases: the principle of territorial integrity, the right to self-determination and secession, and the alleged acquiescence of international bodies to Kosovo's independence.¹

For the Spanish government, territorial integrity is the central pillar of international order. They warn that accepting unilateral secessions could destabilise global norms and encourage a separatist wave. Madrid views integrity in both external and internal politics, arguing that allowing any breach of this principle threatens the state's sovereignty and territorial integrity. The legal positioning is deeply rooted in Spain's sensitivities regarding the regions of Catalonia and the Basque Country, as it fears that Kosovo would become a precedent for unilateral secessions. Thus, Madrid maintains that Kosovo's independence, declared without a negotiated

settlement or UN Security Council resolution, undermines these principles and prefers a solution through dialogue, as outlined in UN Security Council Resolution 1244.²

On the other hand, Pristina emphasises that Kosovo's independence was declared in line with the Comprehensive Settlement Proposal (CSP), which the UN Special Envoy, President Martti Ahtisaari, put forward for future status talks. The Ahtisaari Plan not only outlined the framework for Kosovo's statehood but also provided extensive provisions for the protection of minority rights and international supervision. Following the declaration of independence in February 2008, Kosovo entered a period of supervised independence under the oversight of the International Civilian Office (ICO), which lasted for three years and formally concluded in 2012, marking the completion of Kosovo's internationally guided statebuilding process.

Another crucial dimension of international law is the concept of self-determination, which Spain interprets in balance with sovereignty and territorial integrity. In Madrid's view, self-determination does not imply independence, especially in the context of defending the territorial integrity of existing states. Instead, it is characterised as a flexible concept encompassing various forms, including autonomy, federalism, and special governance. Madrid's government repeatedly refers to the UN Council Resolution 1244 as Kosovo's self-determination process, since they reject the concept of remedial secession because international organisations were already guaranteeing Kosovo's autonomy and human rights.

However, Spain's argument that Kosovo's independence violates international law and the principle of self-determination is not supported by

1 International Court of Justice. (2009, July). Written comments of the Kingdom of Spain regarding the accordance with international law of the unilateral declaration of independence by the provisional institutions of self-government of Kosovo (Case No. 141). <https://www.icj-cij.org/sites/default/files/case-related/141/15706.pdf>

2 United Nations Security Council. (1999, June 10). Resolution 1244 (1999) [S/RES/1244]. [https://unmik.unmissions.org/unit-ed-nations-resolution-1244.Paras.11\(a\),11\(e\)](https://unmik.unmissions.org/unit-ed-nations-resolution-1244.Paras.11(a),11(e))

the findings of the ICJ. In its 2010 Advisory Opinion,³ the ICJ concluded that Kosovo's declaration of independence did not violate international law as there is no general prohibition on declarations of independence in international law. The Court also clarified that the declaration did not breach UN Security Council Resolution 1244, since it did not emanate from the Provisional Institutions of Self-Government (PISG) but from Kosovo's representatives acting outside that framework. Moreover, the Kosovo case is widely recognised as *sui generis*, an unprecedented case arising from the breakup of Yugoslavia, the prolonged international administration under the UN, and the failure of negotiations under the Ahtisaari Plan. This unique context differentiates it from ordinary self-determination claims and undermines the argument that Kosovo sets a precedent for secession contrary to international law.

Spain claims that its position on Kosovo follows the UN Security Council Resolution 1244, which stipulates that the Security Council must determine the future status of Kosovo. They reject the PISG, claiming that it can be dangerously understood as an alteration of the system established by the UN Charter. Moreover, Spain also argues that silence from the Security Council is viewed by Madrid as a deviation from the consensus within the international community and is understood as a form of acquiescence. Thus, they reject the claim that the process started by Resolution 1244 has ended, since that would give validity to Kosovo's declaration of independence. Hence, Spain claims that it is committed to the UN Secretary-General's status-neutral approach and fiercely defends UN Security Council Resolution 1244 as the current force, as long as the UN Security Council says otherwise.

³ International Court of Justice. (2010, July 22). Advisory opinion on the accordance with international law of the unilateral declaration of independence in respect of Kosovo (Case No. 141). International Court of Justice. <https://www.icj-cij.org/case/141>

Domestic Concerns: Catalonia and the Basque Country

Spain's non-recognition stance of the Republic of Kosovo cannot be understood without considering Madrid's reasoning behind its narrative and legal framework positioning. The Spanish domestic landscape is highly complex due to its division into Autonomous Communities, where the recurrent territorial challenges posed by the regions of Catalonia and the Basque Country present difficulties for the recognition of Kosovo. Spain's legal explanation builds upon an inelastic interpretation of international norms and law, for the Kosovo case, including the previously mentioned fundamentals of territorial integrity, proper to self-determination, and the non-recognition of unilateral secessions. These principles are indivisible from Spain's internal effort to preserve constitutional unity and avoid setting precedent recognitions that could encourage internal separatist claims.

The main Spanish political comparison to Kosovo comes from the Catalonia region, where Kosovo's declaration of independence was considered a legal and symbolic precedent of the nationalistic secessionist pro-Catalan movements.⁴ This perception became challenging for the Spanish government during the 2017 Catalan independence referendum and the consequent unilateral declaration of independence (UDI) by the Parliament of Catalonia on October 27, 2017.⁵ Members of the Catalan government and prominent pro-independence leaders such as Carles Puigdemont referred to Kosovo as a model for how stateless nations can seek self-determination without the agreement of the parent state⁶.

However, it is essential to note that existing literature

argues that the cases of Kosovo and Catalonia are different in both their legal and political context⁷. Kosovo emerged from the violent dissolution of Yugoslavia, a context marked by systematic human rights violations and the denial of meaningful self-governance to its majority population. It was placed under UN administration (UNMIK) following UNSC Resolution 1244, and its independence followed a comprehensive international mediation process led by UN Special Envoy Martti Ahtisaari, culminating in a period of supervised independence. By contrast, Catalonia is an autonomous region within a consolidated EU member state, with extensive constitutional self-governance and without a comparable history of state-sponsored repression or international administration (see Table 1). Its unilateral independence initiatives were domestic constitutional matters, without the involvement or endorsement of the international community. As such, Kosovo is considered a *sui generis* case in international law, unprecedented and of its own kind, while Catalonia falls strictly within Spain's internal constitutional framework.

For the Spanish government, these events were found to be profoundly disruptive. Madrid's position on the Catalan unilateral declaration of independence (UDI) highlights a clear violation of the 1978 National Constitution, which, in Article 2, defines the indivisibility of the Spanish nation while providing for regional autonomy within a unified State⁸. In this context, the Spanish legal positioning of territorial integrity and self-determination applies not only to third states but also to internal actors, reflecting a direct fear of recognising Kosovo and giving legitimacy to unilateral moves, such as Catalonia's.

Spain's worries also extend to the Basque Country, whose history of separatism has been marked

4 Sarriá, P., & Demjaha, A. (2019). Kosovo–Spain relations and the dilemmas on the problem of non-recognition. *SEEU Review*, 14(1), 69–90. <https://doi.org/10.2478/seeur-2019-0005>

5 Consell per la República Catalana. (2022, September). Declaration of Independence of the Catalan Republic [PDF]. https://gestio.consellrepublica.cat/wp-content/uploads/2022/09/ANGL_02-1.pdf

6 Archynewsy. (2024). Diplomats fear that the government will use the Kosovo precedent to legitimise its talks with Puigdemont. Archynewsy. <https://www.archynewsy.com/dip-lomats-fear-that-the-government-will-use-the-kosovo-precedent-to-legitimize-its-talks-with-puigdemont/>

7 Borgen, C. J. (2010). From Kosovo to Catalonia: Separatism and integration in Europe. *Goettingen Journal of International Law*, 2(3), 997–1033. <https://doi.org/10.3249/1868-1581-2-3-borgen>

8 Spain. (1978). Constitución española, Art. 2. Boletín Oficial del Estado. <https://www.boe.es/eli/es/c/1978/12/27/%281%29/con>

by the armed struggle of Euskadi Ta Askatasuna (ETA – Basque Fatherland and Liberty), a nationalist organisation responsible for decades of political violence in pursuit of Basque independence. Although the Basque conflict was demilitarised in 2011 with the definitive cessation of its armed activity, the legacy of armed secessionism remains a potent symbol of internal fragility.

On this matter, Madrid has drawn subtle parallels between ETA and the Kosovo Liberation Army (KLA) since both armed organisations emerged as nationalistic movements and engaged in armed insurgency. Even though Madrid’s legal submission to the ICJ never directly correlated the two organisations, the underlying analogies of secession through force and post-conflict political claims of independence shaped Spain’s attitude. Therefore, the recognition of the Republic of Kosovo, in the Spanish mindset, would increase the stakes for a potential legitimisation of the use of violence as a means to

achieve statehood, thereby damaging international norms, prohibiting secession through force, and domestic glorification of such movements.

Moreover, both Catalonia and the Basque region possess broader autonomy under the Spanish Constitution; they enjoy their own parliaments, police forces, and fiscal powers. Spain has repeatedly claimed that these mechanisms of internal self-government render remedial secession claims invalid. As exposed in Madrid’s ICJ submission, self-determination must be exercised within existing legal frameworks, and unilateral independence is not recognised in either Kosovo, Catalonia, or the Basque Country.

To visualise the legal and political differences between Kosovo, Catalonia, and the Basque Country, see this table comparing different historical processes and positionalities of these three regions:

TABLE 1: Kosovo vs Catalonia vs the Basque Country: Similarity to Kosovo Analysis

LEGEND: ■ Strong Similarity to Kosovo ■ Partial Similarity to Kosovo ■ Weak/No Similarity to Kosovo

	KOSOVO	CATALONIA	BASQUE COUNTRY
HISTORICAL STATUS	Autonomous province in Yugoslavia (1974), autonomy revoked in 1989, under UN administration (1999–2008)	■ Autonomous Community in Spain, with historical claims to nationhood	■ Autonomous Community in Spain, with historical claims to nationhood
INTERNATIONAL ADMINISTRATION	Yes (UNMIK, 1999–2008)	■ No	■ No
CONSTITUTIONAL TIES AT DECLARATION	Severed by Serbia in 1989; no functioning constitutional link since 1999	■ Full constitutional integration within Spain during the 2017 UDI	■ Full constitutional integration within Spain
CONFLICT/ VIOLENCE	Armed conflict, ethnic cleansing, NATO intervention, humanitarian crisis	■ No armed conflict; political and legal disputes	■ Past armed conflict (ETA), demilitarised since 2011

INTERNATIONAL RESPONSE	UN/NATO intervention, international negotiations, partial recognition as independent state	■ No international intervention; UDI not recognised internationally	■ No international intervention; no UDI in recent history
LEGAL FRAMEWORK FOR SELF-GOVERNANCE	UN-administered self-government, Ahtisaari Plan, failed negotiations with Serbia	■ Broad autonomy under Spanish Constitution; 2017 UDI declared unconstitutional	■ Broad autonomy under Spanish Constitution; no recent UDI
REMEDIAL SECESSION ARGUMENT	Strong: severe human rights abuses, lack of alternatives, international administration	■ Weak: broad autonomy, no current systematic oppression or denial of rights	■ Weak: broad autonomy, no current systematic oppression or denial of rights
INTERNATIONAL RECOGNITION	Recognised by over 100 states	■ Not recognised by any state	■ Not recognised by any state
EU POSITION	The majority of EU states recognise that the EU considers Kosovo a sui generis case	■ The EU supports Spanish territorial integrity	■ The EU supports Spanish territorial integrity
CURRENT SITUATION	De facto independent, with limited international recognition	■ High degree of autonomy within Spain	■ High degree of autonomy within Spain
PRECEDENT VALUE	Widely argued as sui generis, not a precedent for other secessionist movements	■ The Spanish government fears a precedent effect	■ The Spanish government fears a precedent effect

ANALYSIS: This matrix uses Kosovo as the reference point to evaluate similarities with Catalonia and the Basque Country. The colour coding in the Catalonia and Basque Country columns indicates their level of similarity to Kosovo's specific situation:

As previously mentioned, the ICJ 2010 advisory opinion created a turning point in the international legal discourse surrounding Kosovo's independence. The advisory opinion requested by the UN General Assembly addressed the particular question of whether the declaration adopted by Kosovo in 2008 violated international law. In its conclusion, the ICJ⁹ portrayed how the 2008 declaration of

independence did not breach international law, including the UN Charter, global norms of sovereignty and territorial integrity, or UN Security Council Resolution 1244. The Court argued that international law does not prohibit declarations of independence, specifically "that the scope of territorial integrity is confined to the sphere of relations between States", which is why the act itself could not be considered

⁹ International Court of Justice. (2010, July 22). Advisory opinion on the accordance with international law of the unilateral declaration of independence in respect of Kosovo (Case

No. 141). International Court of Justice. <https://www.icj-cij.org/case/141>

illegal. Nevertheless, the Court limited the extent of its opinion, withholding judgment on whether Kosovo had achieved statehood or whether its secession was justified under the general principles of self-determination.

This limited interpretation led critics from states such as Spain to argue that the ICJ had overlooked the spirit of territorial integrity and ignored the potential implications for other countries' internal secessionist movements. Regardless, the opinion delivered critical legal reasoning for the states that already recognised Kosovo or were considering doing so, particularly within the EU. Importantly, the ICJ's deliberate limitation concerning its views on Kosovo was considered by many states to be an invitation to make their own legal and political assessments, rather than as a precedent for other secessionist cases.

Therefore, amid Kosovo's 2008 declaration of independence, numerous EU member states embraced the *sui generis* argument to justify recognition while maintaining a distance between the Kosovo case and other contested or secessionist claims. Furthermore, the EU issued an opinion explicitly describing Kosovo as a *sui generis* case, particularly emphasising the unique circumstances and stating that it would not create a precedent for other secessionist movements.¹⁰ Moreover, during ICJ proceedings, countries such as France, Germany, Italy, and Belgium have explicitly hailed Kosovo's unique legal and political circumstances in its written statements arguing that this case is fundamentally different from examples like Brittany, Bavaria, Sardinia, Flanders, or any other region with independent aspirations. This argumentation enabled them to support Kosovar statehood without undermining the principle of territorial integrity while avoiding setting precedents for this type of secessionist movement.

As an example, Belgium's decision to recognise Kosovo illustrates how EU member states could

reconcile support for Kosovo's independence with their domestic considerations. As a federal state with active Flemish nationalist movements, Belgium faced potential internal sensitivities. However, it differentiated Kosovo as a *sui generis* case rooted in the violent breakup of Yugoslavia, UN administration, and internationally mediated status talks. This framing allowed Belgium to recognise Kosovo without fear of legitimising Flemish independence claims. Spain, by contrast, has consistently opposed recognition due to its strict constitutional approach to territorial integrity and concerns over Catalonia and the Basque Country. Unlike Belgium, Spain perceives any recognition of Kosovo as a possible precedent for internal secessionist movements, even though the EU and the ICJ have explicitly treated Kosovo as unique. In other words, while Belgium separated the Kosovo case from its domestic context, Spain has chosen to conflate the two, leading to its continued political non-recognition.

The Kosovo *sui generis* argument relies on multiple distinguishable and unique features of Kosovo's political and legal history: a) The loss of constitutional ties with Serbia, understanding that Kosovo gained autonomy status in 1974 through the Yugoslav constitution and experienced a historical detachment through Serbia's annulment of its status in 1989. Meaning that the legal ties and institutional links between both nations were nonexistent, thus the declaration of independence is uncorrelated with the secession of a functioning region within a democratic state. b) The international administration, in which Kosovo was placed following NATO's intervention, through the UN Security Council Resolution 1244, reaffirming that before 2008, Kosovo was not governed by Serbia, but by the UNMIK mission. c) The ethnic cleansing and the remedial secession case, following the cases of human rights violations, war crimes, ethnic cleansing and a forced displacement of around 800.000 people targeting Kosovo Albanians during the war (1998-1999). The justification of Kosovo's independence through remedial secession was widely accepted, even though the ICJ did not officially endorse it, it also did not reject it, leaving the door open for states to invoke such reasoning in their foreign policy decisions.

¹⁰ European Parliament. (2008, February 19). Press release: IPR(2008)02-19 – Kosovo declaration of independence [PDF]. [https://www.europarl.europa.eu/RegData/press/pr_info/2008/EN/03A-DV-PRESSE_IPR\(2008\)02-19\(21734\)_EN.pdf](https://www.europarl.europa.eu/RegData/press/pr_info/2008/EN/03A-DV-PRESSE_IPR(2008)02-19(21734)_EN.pdf)

Kosovo-EU frameworks of cooperation

The position of the European Union has been characterised by a balance between supporting Kosovo's European aspirations and accommodating the diverse diplomatic positions of its members. A milestone in the relationship between Kosovo and the EU is the Stabilisation and Association Agreement (SAA), signed in 2015 and entered into force in 2016, which marks the first contractual relationship between the two entities.¹¹

The SAA is a component of the EU's enlargement policy in the Western Balkans, which aims to encourage political dialogue, economic cooperation, and alignment with EU standards. Regarding Kosovo, the SAA embodies the formal acknowledgement of its European philosophy, providing a legal, institutional, and economic framework. This agreement obligates Kosovo to align its legislation with EU standards, strengthen the rule of law, and promote principles of good governance, human rights, and a market economy. The key characteristics of the SAA are its neutral formulation status and that its approach secures the participation of all EU member states, including the five non-recognisers, since the agreement was signed by the EU as a whole, rather than by individual states, allowing Spain to reinforce Kosovo's European path without altering their official stance.

Nevertheless, the legal interpretation of the SAA did not come without a brawl from Spain. In 2020, the General Court (Case T-370/19) confirmed that the EU can treat Kosovo as a "third country" even without universal recognition of statehood, despite Madrid's pursuit to dismantle such arguments.¹² The Court

highlighted that the SAA grants Kosovo participation in EU bodies and regulatory frameworks, on a status-neutral basis, ensuring that its participation does not imply recognition by the EU or its member states. The challenge posed by Spain clarifies its ongoing caution, even though the Court's decision reinforced the EU's inclusive approach, allowing functional integration into European structures despite political sensitivities.

In spite of Spain's non-recognition, its engagement with the SAA exemplifies a pragmatic procedure to Kosovo's path to European structures. With the SAA agreement, Spain concedes on the necessity of stability and progress in the Western Balkans, particularly in Kosovo, enabling practical cooperation and opening indirect channels for engagement and communication in the absence of formal diplomatic relations. The SAA has brought tangible benefits to Kosovo, including increased trade with the EU, access to development aid, and a clear roadmap for reforms. Moreover, it has enriched Kosovo's international legitimacy by strengthening its status as a credible partner in the region, as well as bringing Spain to a relatively closer diplomatic relation, slowly joining Greece as a friendlier non-recogniser.

In the context of Kosovo-Spain relations, the SAA showcases how the EU's soft power and flexible diplomacy bridge divisions between recognising and non-recognising states. Although the agreement does not resolve the recognition issue, it provides a platform for constructive engagement and potential gradual alignment, offering a blueprint for technical cooperation coexisting with diplomatic caution.

2024 marks another important development in Kosovo's European ambitions, with two key developments: the progress in the Council of Europe (CoE) membership application and the achievement of visa liberalisation in the Schengen Area.

The CoE, the leading institution defending human rights and democracy on the continent, has been the symbol of Europeanism. In April 2024, the

11 EUR-Lex. (2016). Stabilisation and Association Agreement (SAA) between the European Union and Kosovo. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGIS-SUM:4314927>

12 General Court. (2020). Judgment of the General Court (Ninth Chamber) of 23 September 2020, Kingdom of Spain v. European Commission (Case T-370/19, ECLI:EU:T:2020:440). <https://curia.europa.eu/juris/document/document.jsf?docid=231508&doclang=EN>

Parliamentary Assembly of the Council of Europe (PACE) shared a recommendation of an invitation for Kosovo to become a member of the CoE, an approach perceived as historic for both Kosovo and the CoE itself.¹³ This application proposal followed an exhaustive statutory and legal examination, as detailed in the European Parliament report¹⁴ and the PACE Statutory Opinion,¹⁵ they both acknowledged Kosovo's progressive alignment with the CoE standards, highlighting areas such as human rights, democracy, and rule of law. Concurrently, the report and opinion commented that additional reforms regarding minority rights and judicial independence are still needed.

As expected, Spain and other non-recognising states maintained their diplomatic caution, participating in the reviews while upholding their position of non-recognition. Moreover, the CoE, like the EU, adopted a status-neutral approach, which enables the Kosovar application to proceed without requiring recognition from member states. If Kosovo reaches full member status, it would come under the umbrella of the European Court of Human Rights (ECtHR) and other CoE bodies, which will strengthen its legal and human rights framework while further consolidating its international legitimacy.

Simultaneously, Kosovo achieved the long-awaited visa liberalisation with the EU in the Schengen Area, following the visa liberalisation roadmap in 2012¹⁶ and the recommendation from the European Commission in May of 2016. As of 2024, Kosovars are

eligible for visa-free travel for short stays, a significant development celebrated as a major step forward in Kosovo's European ambitions.¹⁷ The years of technical and political negotiations made the impact of visa liberalisation be felt on the ground, since according to UNDP analysts, it is expected that there will be an increase in mobility, educational and economic opportunities, which will foster an even stronger sense of European belonging among Kosovars.¹⁸

Madrid's administration has confirmed that it will recognise Kosovo passports for Schengen travel, once again highlighting the status-neutral approach of this liberalisation.¹⁹ On the same line of thought, during discussions regarding Kosovo's visa liberalisation and its connection to the operationalisation of the European Travel Information and Authorisation System (ETIAS), Spain has supported solutions that do not affect its recognition policy²⁰.

When considered together, these developments signify a growing recognition of Kosovo's status in Europe and internationally. The CoE would not only mean gaining access to the most prominent European human rights mechanism but also a signal of growing acceptance of its statehood, even among non-recognising countries. Coupling that with the freedom of movement granted by visa liberalisation would make its exclusion from full recognition increasingly difficult to justify, further embedding Kosovo within the European institutional framework.

13 Council of Europe. (2024). PACE recommends that Kosovo becomes a member of the Council of Europe. https://www.coe.int/en/web/portal/-/pace-recommends-that-kosovo*-becomes-a-member-of-the-council-of-europe

14 European Parliament. (2025). Report A-10-2025-0075. EN. https://www.europarl.europa.eu/doceo/document/A-10-2025-0075_EN.html

15 Parliamentary Assembly of the Council of Europe. (2024, April 16). Opinion 302 (2024): Application by Kosovo for membership of the Council of Europe. <https://pace.coe.int/en/files/33496>

16 European Commission. (2012, June 14). Commission delivers visa roadmap to Kosovo government (Press release IP/12/605). https://ec.europa.eu/commission/presscorner/detail/en/ip_12_605

17 European Commission. (2024, January 3). Visa-free travel for Kosovo citizens to the EU. https://home-affairs.ec.europa.eu/news/visa-free-travel-kosovo-citizens-eu-2024-01-03_en

18 UNDP Kosovo. (2024). UNDP publishes Public Pulse analysis on effects of visa liberalization. <https://www.undp.org/kosovo/press-releases/undp-publishes-public-pulse-analysis-effects-visa-liberalization>

19 Euractiv. (2024). Spain confirms recognition of Kosovo passports, not independence. <https://www.euractiv.com/section/politics/news/spain-confirms-recognition-of-kosovo-passports-not-independence/>

20 SchengenVisaInfo. (2022). Does Spain support proposal to link Kosovo's visa liberalisation process with the operationalisation of ETIAS? <https://schengenvisa.info.com/news/does-spain-support-proposal-to-link-kosovos-visa-liberalisation-process-with-the-operationalisation-of-etias/>

Civil Society as an avenue for cooperation?

After investigating international positionings, to fully grasp “the state of the art”, it is crucial to examine civil society organisations by reviewing their roundtable discussions, think tank reports, and studies on Kosovo’s international diplomacy. This section is vital since civil society creates opportunities for officials to participate in informal conversations and address the spaces where authorised diplomacy is limited, as is the case between Kosovo and Spain. By providing independent research and fostering dialogues, civil society organisations influence both public opinion and policy debates at national and European levels.

Recent reports from leading think tanks highlight significant findings and recommendations regarding the future of Kosovo–Spain relations. For instance, during a roundtable discussion under Chatham House rules, the Council for Inclusive Governance (CIG) identified that the main condition for recognition from the five non-recognisers would be Serbia’s acceptance of Kosovo. Even though the Kosovo representatives argued that it was an unfair situation because the other side was not constructive. The voices from the non-recognising countries agreed that if Kosovo made substantial progress on democracy, minority rights, and rejected unification with Albania, they believed their governments would reconsider their stance on Kosovo.²¹

Moreover, the Carnegie Endowment for International Peace noted that the Belgrade–Pristina EU dialogue stalemate was harming Kosovo’s European standing, highlighting its internal division and the lack of progress with the five non-recognisers.²² They also emphasised that the EU restrictions imposed in response to the escalation in northern Kosovo in 2023 are still being implemented, despite the European Commission High Representative, Josep

Borrell, advising against them in 2024. Nevertheless, Carnegie Endowment communicates that the newly appointed EU Special Representative, Peter Sorensen, presents a significant opportunity for Kosovo to revive the dialogue with Serbia. Overall, this think tank proposes an EU roadmap to lift the sanctions, a more proactive engagement with communities in northern Kosovo, and, concerning Kosovo–Spain relations, suggests that the EU should initiate separate dialogues with the non-recognising countries.

As it is observed, any political arrangement must be achieved through an EU-brokered dialogue. The Group for Legal and Political Studies (GLPS) emphasises the need for a renewed positive momentum between Kosovo and Serbia, highlighting how the progress in this area could indirectly influence Spain’s diplomatic stance by reducing political risks.²³ Therefore, as mentioned in the Carnegie report, Peter Sorensen will become a key figure as he stated his primary focus to be to “revive the dialogue”, an unprecedented opportunity for Kosovar diplomats to stick to the 2023 Ohrid agreement, or arrange a new suitable one. However it may be, the Kosovo officials must utilise this possibility that Sorensen brings, since he is not a member of any of the five non-recognising countries.

Finally, taking into account the paper from the Kosovo Foundation for Open Society (KFOS) on surveying the EU member states policies towards Kosovo,²⁴ Ruth Ferrero-Turrión when talking about Spain, accentuated the importance of the historical sympathy between Serbia and Spain, which together with the internal issues, have arisen as some of the

21 Council for Inclusive Governance. (2021). EU’s five non-recognisers and Kosovo. <http://www.cigonline.net/wp-content/uploads/2021/05/EU%E2%80%99s-Five-Non-Recognizers-and-Kosovo-1.pdf>

22 Carnegie Endowment for International Peace. (2025). Overcoming inertia in Kosovo. <https://carnegieendowment.org/research/2025/05/overcoming-inertia-in-kosovo?lang=en>

23 Group for Legal and Political Studies. (2024, July). The future of Kosova–Serbia dialogue: Normalization as a Sisyphian exercise (Policy Note No. 01/2024). <https://legalpoliticalstudies.org/the-future-of-kosova-serbia-dialogue-normalization-as-a-sisyphian-exercise/>

24 Ferrero Turrión, R. (2017). Spain. In *The EU and Kosovo: The five non-recognisers and the dialogue* (pp. 51–55). Kosovo Foundation for Open Society. <https://kfos.org/en/publications/73/lack-engagement-surveying-spectrum-eu-member-state-policies-towards-kosovo>

key reasonings for the Spanish policies towards Kosovo. As showcased in the paper, Spanish former Foreign Affairs Minister José García Margallo mentioned that, indeed, the motivation for the non-recognition lies in Catalonia and the Basque Country despite the incomparable situation and emphasised that Spain will assist Kosovo's development even without recognition. Yet, Spain has mainly focused on supporting the EU Belgrade-Pristina dialogue rather than other forms of collaboration or direct aid. Moreover, this report identifies civil society engagement between the two parties as a difficulty, which, with the recent visa liberalisation, opens new opportunities. The study mentions some relevant Spanish civil society organisations, such as the Real Instituto Elcano and Fundación CIDOB, that, given the new freedom of travel, could open up new opportunities for both parties. Another KFOS paper focusing on exploring engagement roads when recognition is blocked,²⁵ further develops the

25 Carpintero Molina, J., & Montoro, J. M. (2022). Kosovo and the Spanish-speaking world: Exploring roads to engagement when recognition is blocked. Kosovo Foundation for Open Society. <https://kfos.org/en/publications/117/kosova-dhe-bo-ta-spanjishfolese-eksplorimi-i-rrugeve-drejt-angazhimit-kur-njohja-eshte-e-blokuar>

need for civil society to engage, and goes further with the necessity to create more unofficial meeting opportunities during the common international organisations reunions, where officials from Madrid and Pristina could share their views in OSCE, NATO, or UNMIK events.

Looking ahead to 2025, the most optimal outcome would be a gradual shift of discourse at both the domestic and EU levels. Even though direct policy remains limited, the Pristina Institute for Political Science (PIPS) has identified that Kosovo is a taboo in Spain.²⁶ Hence, the first step towards improving relations must be the creation of a path to break this taboo within the Spanish government and civil society. In this context, civil society organisations have the opportunity to serve as a platform for collaboration and the creation of ideas, helping to pave the way for a forward-looking diplomatic relationship between the administrations of Madrid and Pristina.

26 Xhambazi, V. (2018). The incomplete puzzle: How should Kosovo approach 5EU non-recognizers? Prishtina Institute for Political Studies. <https://pips-ks.org/en/Detail/ArtMID/1446/ArticleID/3139/The-incomplete-puzzle-How-should-Kosovo-approach-the-5-EU-non-recognizers>

Concluding notes: The way forward in Kosovo–Spain relations

Spain's continued non-recognition of Kosovo presents both a political and diplomatic challenge to Kosovo's full integration into Euro-Atlantic structures. Unlike Spain, Belgium and other EU member states recognised Kosovo despite its domestic concerns, by framing it as a *sui generis* case. Spain maintains its rigid position mainly referring to its internal issues over Catalonia and the Basque Country, despite the ICJ confirming that Kosovo's declaration of independence did not violate international law. For Kosovo, mitigating the risk of further deterioration, creating channels of engagement, and gradually normalising relations with Spain while reinforcing the EU-facilitated dialogue with Serbia is essential to advancing European and international. Consistent with the findings and analysis of the paper, the following measures outline a pragmatic, step-by-step approach to achieve this.

A priority is to prevent any potential deterioration in relations by proactively addressing Spanish sensitivities. In other words, progress is not the only way Kosovo–Spain relations can go. This includes engaging political and civil society representatives from Catalonia and the Basque Country to emphasise that Kosovo's independence is fundamentally different (see Table 1). Reinforcing the *sui generis* argument through public diplomacy and academic outreach in Spain, via a policy brief or media kit, can help separate the Kosovo issue from internal Spanish dynamics.

Breaking the "Kosovo taboo" in Spain is equally essential. Kosovo should utilise opportunities in multilateral forums, such as NATO, OSCE, the UN, and EU-facilitated dialogue formats, to establish informal contacts with Spanish officials, building on existing practices where NATO–Kosovo engagement already occurs. Visa liberalisation offers a practical avenue to encourage exchanges between Kosovar and Spanish civil societies, academic institutions, and businesses, creating a human and professional bridge that softens political resistance, which also opens possibilities to status-

neutral roundtables that include officials from Spain and Kosovo. Parallel cultural and economic diplomacy efforts, including art exhibitions, tourism promotion, and business forums, can gradually introduce Kosovo into Spanish public awareness, creating a climate more conducive to engagement.

The success of the EU-facilitated dialogue for the normalisation of relations between Kosovo and Serbia is central to unlocking Spain's position.

All five EU non-recognisers, including Spain, have consistently linked potential recognition to an eventual Serbia-Kosovo agreement. By supporting the revival and implementation of the Dialogue under the new EU Special Representative and pursuing concrete consensus, building on the Ohrid Agreement, Kosovo can enhance its international legitimacy and create political space for Spanish engagement. Linking dialogue outcomes to Kosovo's Council of Europe accession and broader EU integration incentives can provide additional leverage and encourage non-recognisers to align gradually.

Rooting for EU-brokered dialogues between Pristina and the other five non-recognisers, including Spain. This implementation would mean increasing the EU's role and pressure on the non-recognising member states, while enhancing potential diplomatic advancements of relations. Regarding the Spanish case, Kosovar diplomats would have the opportunity to address and directly negotiate with Spanish officials, marking the beginning of negotiations between Spain and Kosovo. Moreover, although recognition is a difficult option, Kosovo could aim for cooperation and engagement between both nations.

Targeted parliamentary diplomacy can be a practical entry point. By engaging Spain's foreign and European affairs committees, as well as European Parliament delegations, Kosovo can facilitate fact-finding visits by Spanish MPs to meet Kosovo's multiethnic communities and observe the Ahtisaari

Plan's successful implementation in practice. These visits would provide first-hand evidence that Kosovo's case is distinct from Spain's internal regions.

Fostering engagement with Spanish academia and think tanks is another long-term investment.

Partnering with universities, research centres, and policy institutes for seminars, joint publications, and expert panels would help solidify the sui generis narrative in Spain's intellectual and policy circles. Inviting ICJ and EU law experts to participate would lend additional credibility and depoliticise the discussion.

Kosovo should also capitalise on regional and multilateral initiatives to expand contact with Spain without requiring formal recognition.

Participation in platforms like the Union for the Mediterranean or OSCE parliamentary formats, as well as joint regional projects in energy, security, and youth cooperation, can create recognition-neutral channels that normalise interaction and demonstrate Kosovo's constructive regional role.

In parallel, **cultural and economic diplomacy can generate bottom-up support.** Initiatives could include joint art exhibitions, cultural festivals, tourism promotion campaigns, and business forums to strengthen people-to-people and commercial ties.

Building familiarity and positive perception in Spanish society can indirectly reduce political resistance to deeper engagement. In this context, Kosovo's Ministry of Foreign Affairs and Diaspora appointed a Kosovar artist living in Spain as a lobbyist to facilitate greater exchange and cooperation.

Taking all of this into account, the complexity of Kosovo and Spain's bilateral relations are evident. The way forward is promising yet challenging. Looking ahead of 2025, the relationship will be characterised by good-faith dialogue under the EU framework, committed implementation of existing agreements, and practical cooperation in areas like trade, rule of law, and mobility. Spain's emphasis on international legality and the UNSC Resolution 1244 can coexist with incremental engagement that builds confidence without predetermining a final status. While Kosovo's progress, exhibited through governance reforms, visa liberalisation and CoE accession efforts, creates concrete and real opportunities for constructive ties. To make this trajectory real, Kosovar administrations should maintain their efforts on adjusting to EU standards and the most important as it was said during the Council for Inclusive Governance roundtable discussion: "make it difficult for them to say no".²⁷

²⁷ Council for Inclusive Governance. (2021). EU's five non-recognizers and Kosovo. <http://www.cigonline.net/wp-content/uploads/2021/05/EU-%E2%80%99s-Five-Non-Recognizers-and-Kosovo-1.pdf>

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About KCSS

Established in April 2008, the Kosovar Center for Security Studies (KCSS) is a specialized, independent, and non-governmental organization. The primary goal of KCSS is to promote the democratization of the security sector in Kosovo and to improve research and advocacy work related to security, the rule of law, and regional and international cooperation in the field of security.

KCSS aims to enhance the effectiveness of the Security Sector Reform (SSR) by supporting SSR programs through its research, events, training, advocacy, and direct policy advice.

Advancing new ideas and social science methods are also core values of the centre. Every year, KCSS publishes numerous reports, policy analysis and policy briefs on security-related issues. It also runs more than 200 public events including conferences, roundtables, and debates, lectures – in Kosovo, also in collaboration with regional and international partners.

A wide-range of activities includes research, capacity-building, awareness raising and advocacy. KCSS's work covers a wide range of topics, including but not limited to security sector reform and development; identifying and analyzing security risks related to extremism, radicalism, and organized crime; foreign policy and regional cooperation; and evaluating the rule of law in Kosovo.

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