

## VISA LIBERALISATION PROCESS IN WESTERN BALKANS COUNTRIES ASPIRING TO JOIN THE EUROPEAN UNION

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### **Abstract:**

The process of Visa Liberalization is a very important set before all the countries which are prospering to enter the large family of the European Countries. All Western Balkan countries are benefitting from this process except the citizens of the Republic of Kosovo. Kosovo being as the youngest state in Europe that has declared its independence on 17th of February 2008, along with the whole Western Balkans has expressed its interest to become part of the European Union and has been working with the EU institutions to emerge its way towards European integration. After receiving the recommendation for visa liberalization and passing deadlines necessary for the vote by the EU institutions, new "conditions" have been introduced, which have been transformed into a wall between the citizens of Kosovo and the free movement in EU cities. Major legal and political problems in Kosovo have caused great barriers to the functioning of the state and the fulfilment of aspirations for membership and the proper functioning of relations between the state and EU institutions. So, the aim of this article is dual. In one side, the article proof that the conditions for visa liberalisation process for western Balkan countries differ in case of Kosovo, and on the other side identifies main barriers that prolong the visa liberalisation process in Kosovo by applying a comparative, historical and analytical approach towards relations between EU and those countries and current situation.

*Keywords: EU Integration, visa liberalization, western Balkan countries, conditions, process, progress, barriers*

## 1. INTRODUCTION

Republic of Kosovo is a state announced on 17 February 2008 and so far has been recognized by 114 countries of which 23 states of the European Union (EU). The EU consists of 27 member states and 5 states that have not recognized it have been a constant problem in the visa liberalisation process. As one of the constituent states of the former Yugoslavia, Kosovo's citizens enjoyed the right to visa liberalization with many states, including the states that are now part of the EU (Hadžišehović, 2003). On 27 October 2015, the Republic of Kosovo has signed the Stabilization and Association Agreement with the EU, and on 1 April 2016 the same has been empowered enabling Kosovo to be part of the free trade area with the EU (Council of the EU, 2015). Kosovo institutions and citizens welcomed with great interest and euphoria the signing of this agreement as it was seen as a very large approximation with visa liberalization, and this became even more real on May 4, 2016 when the EU with the European Commission specifically adopted the recommendation for visa liberalization for Kosovo (EC, 2016).

After receiving the recommendation for visa liberalization from the European Commission and passing deadlines necessary for the vote by the European Parliament and the Council of the EU, new "conditions" have been introduced, which have been transformed into a wall between the citizens of Kosovo and their free movement in EU cities. The report of the Council of EU to the European Parliament among other highlighted the necessity for the fulfilment of the two essential criteria: i) a register of investigations, final court decisions and seizures on cases of High profile of organized crime and corruption; ii) the ratification of the border demarcation agreement with Montenegro (Kosovo Government, 2018). The demarcation with Montenegro has been transformed into an unprecedented condition in the process of visa liberalisation. On 25th of August 2015, it was signed the demarcation agreement with Montenegro but this agreement has encountered opposition to the opposition in Kosovo. This opposition has caused a long blockade in the Kosovo Assembly and has caused great delays in the harmonization of legislation with the European Union. The phenomenon of migration has been present in Kosovo society for decades. Labour migration as well as socio-economic and political interaction with the Kosovo diaspora has had a great impact on economic opportunities and the improvement of the well-being of Kosovo's citizens (Koinova, 2013). Today, about one in four families have a family member living abroad, while one in four families also receive support from these individuals in the form of remittances. Socio-economic, political and civic grievances have influenced some waves of emigration, which have profoundly affected the development of the country. The last wave in the years 2014 -2015 has influenced much in the integration processes of Kosovo (Ivlevs and King, 2015).

This study will serve as a factual and practical document as it will present the exact state of Kosovo towards visa liberalisations by comparing it with the other Western Balkans countries. The specific objectives are twofold: i) Identification of problems considered by the citizens as key issues to the prolongation of the visa liberalization, and ii) Identify the political difficulties and economic barriers as per Visa Liberalization Process. The main research which rises in this article is: Where does Kosovo stand on the process of EU Visa Liberalization and which are the factors prolonging the process of Visa Liberalization? In order to respond to this question the following hypothesis arises: Hypothesis 1 – The main factors which are prolonging the process of EU Visa Liberalization for Kosovo are the organized crime and corruption, the non-ratification of the agreement for demarcation of the borderline between Kosovo and Montenegro, the improvement of relations between Kosovo and Serbia through the Brussels dialogue mediated by EU Institutions, the control of illegal migration, and the economic situation. Hypothesis 2 – Kosovo has made a very good progress towards EU Visa Liberalization process, but it needs several improvements and more efforts to finish the process.

## 2. THE PROCESS OF VISA LIBERALIZATION - WESTERN BALKANS

The possibility of EU visa liberalisation for Western Balkans (WB) nations was presented at the Thessaloniki Summit in June 2003. The EU Council proposed a list of benchmarks and reforms to be addressed by all WB countries in order to benefit from a free visa regime: to strengthen their capacities in combating organised crime, corruption and illegal migration as well as enhance their capacity to administer and exercise border control and security of official identification documents. Through many reports, EU evaluates the advancement that WB countries including Kosovo made in satisfying the benchmarks set in the visa liberalisation roadmap. A similar examination took place for Kosovo. The examination limits to 16 months – the date when the principal guides were conveyed to WB nations (yet Kosovo), in March 2008 and October 2010 when the last suggestions (for Albania and BH) were made to the EU Council for the visa liberalisation

(Muja, 2013). The readmission and reintegration was a weight for WB nations. All WB countries operationalized the systems for readmission yet facing various difficulties in execution and rushed to present biometric international IDs, secure the common registry documents and the uprightness of the framework. All nations confronted various difficulties that identify with absence of assets, specialized challenges and in a few occurrences political issues. However, all the countries except Kosovo, has gained noteworthy ground in this benchmark and in has come satisfying the criteria. As result, citizens of Macedonia, Montenegro and Serbia have been able, with biometric passport, to travel visa-free to the EU Member States (with the exception Ireland and UK) in accordance with Regulation 539/2001, since 2009. One year later, citizens of Albania and Bosnia and Herzegovina have enjoyed the same visa-free travel status (EC, 2015). Albanian citizens of Kosovo continue to remain the only isolated community in this region. Different from its neighbours, Kosovo was asked by the Council of the EU to conclude its border agreement with Montenegro prior to EU visa liberalisation decision for its citizens. The delays on the ratification of such agreement by the Kosovo Parliament has become one of the reason for the prolongation of visa liberalisation process for Kosovo citizens. Of course there are other factors that have influenced such process as our finding proofs.

### **3. VISA LIBERALIZATION FOR KOSOVO**

The subject of confirmation of Kosovo to the visa liberalisation has been set apart as an issue of high need, for both, its institutions and for residents of Kosovo. At the point when the EU dined the visa liberalisation process for Western Balkan nations back in January 2008, Kosovo had not yet pronounced the freedom and was not in this manner welcomed to take an interest all the while (GLSPS, 2012). Notwithstanding, in its Communication on Kosovo of October 2009 the European Commission attested that "Kosovo nationals need to share promote in the advantages of EU guess, including the likelihood to travel without visa in the EU. The Commission proposes to advance with an organized way to deal with convey Kosovo's natives nearer to the EU through a visa exchange with the point of view of possible visa progression when the fundamental changes will have been embraced" (EC, 2009). End of 2009, the EU Council pronounced that Kosovo ought to likewise benefit from visa liberalisation process giving that it will meet the initial benchmarks. Even though, Kosovo did fulfilled those initial conditions such as the readmission and reintegration process, the EU Council one year late asserted "that Kosovo will likewise profit by the point of view of possible visa advancement once all conditions are met (EC, 2010). Finally, the visa advancement discourse amongst Kosovo and EU was propelled in January 2012, when the European Commissioner for Home Affairs Cecilia Malmström, stated that to lift the visa requirement for residents of Kosovo, the Government of Kosovo has to actualise significant changes in key ranges, for example, the security of travel archives; outskirts, relocation and refuge administration; open request and security issues, ect. (EC, 2012).

Visa progression process denotes a phase of concrete and inflexible guide based correspondence with EU. Up to date, the discourse on the visa progression process for the Western Balkan Countries was trailed by the accommodation of the Roadmap, an arrangement of concrete and quantifiable criteria so as to accomplish a visa free administration process. Kosovo was avoided from this procedure. Nevertheless, EU constantly asserted that Kosovo has a point of view of visa free development. In October 2009, the Commission recognized a rundown of preconditions that Kosovo needed to meet before a visa liberalisation dialogue is opened, principally identified with working readmission courses of action. It along these lines affirmed that "Kosovo needs to adjust its enactment, fortify its regulatory ability to process readmission demands and actualize a powerful reintegration methodology. It likewise needs to upgrade the security of its outskirts and secure the administration of common registries and the issuance of records" (EC, 2009). In addition, the Commission proposed to advance through a visa discourse with the point of view of "possible" visa progression simply after these fundamental changes are embraced. Kosovo made one-sided strides with a specific end goal to be set up for every one of the necessities of the visa progression process, by arranging a one-sided 'Guide on visa progression with the European Commission', in light of and as indicated by the acts of neighbouring nations guides (Kosovo Government, 2009). Additionally, the Action Plan for Visa Liberalization with the EU was approved, covering measures like the records security, illicit relocation including readmission, open request and security, and outside relations and essential rights. Following more than two years, the expansion of the security and nature of reports issuance was ensured, and the Civil Registration Agency was built up. Moreover, all metropolitan workplaces of common status, including nearby group workplaces were using the updated IT application with access to focal database of common status. On October 2011, Kosovo began issuing biometric international IDs. Concerning square II (of the Kosovo one-sided guide); the law on readmission was approved, that provides the techniques for confirmation and return of Kosovo nationals and non-natives who crossed in travel from Kosovo to different nations (ECLO Kosovo, 2012). Also, the Government finished up two-sided concessions to readmission with some European nations, and Standard Operating Procedures for handling haven searchers demands have been settled. A list of

requires laws have been approved.<sup>i</sup> Moreover, a list 95 conditions were set by the EU to Kosovo through Visa liberalisation Road Map (EC, 2012). On May 2016, the European Commission approved the recommendation for visa liberalization for Kosovo, as Kosovo implemented the obligations deriving from the Visa Liberalization Roadmap. But, in July 2016, the European Parliament issued a referral to approve the recommendation for visa liberalization under the condition that two additional criteria are essential to be fulfilled: the establishment of a register of investigations, final court decisions and seizures on cases of High profile of organized crime and corruption; as well as the ratification of the border demarcation agreement with Montenegro (Kosovo Government, 2016). This late condition that was not set for Montenegro, is considered to be as the one that has mostly prolonged the visa liberalisation process as parliament of Kosovo has not be able to ratified the border delimitation agreement signed between Kosovo and Montenegro government officials in 2015. The opposition party considers that Kosovo is losing land, and the non-ratification of such agreement is not the only factor that has affected such process. In order to proceed faster to this process it is important to identify the main factors that has effect the process.

#### 4. METHODOLOGY

Due to the lack of scientific materials and studies related to this topic, the research methods used for testing the hypothesis of this article, are the Qualitative Method and the Quantitative Method. There are 203 people interviewed, selected ordinary citizens and key government officials for the visa liberalization process. Respondents are classified based on their education and knowledge about the visa liberalization process, which are shown in the following figures. The majority were highly educated respondents: 49% of them are holders of Bachelor Degree, 23% have PhD, 15% respondents have finished a Master Degree, 12% finished High School, and only 1% or 1 has finished Primary School. As seen the respondents are most of them moderately involved in political matters. Forty four per cent (44%) of them have declared a moderate participation in political processes, 31% have said to be very involved, 18% are involved sometimes, 4% have said to be member of political party and 3% not involved at all. The respondents are quite knowledgeable on the field of legal matters and legislation, 49% of them have said to moderately know the law, 24% have said to know it good, 21% have said to know a little of it, 3% have said to not know it at all and another 3% said to know it very well. In addition, the respondents have answered to be very involved in the voting processes, 64% have said to vote regularly for different parties, 14% have said to vote regularly for the same party, 10% claimed to not have the right to vote, 10% do not vote at all and 2% answered none of the above.

#### 5. FINDINGS, HYPOTHESIS, AND RESULT

Based on the respondents' responses, there is a confirmation of the hypothesis that the main factors which are prolonging the process of EU Visa Liberalization for Kosovo are the organized crime and corruption, the ratification of the agreement for demarcation of the borderline between Kosovo and Montenegro, the improvement of relations between Kosovo and Serbia through the Brussels dialogue mediated by EU Institutions, the control of illegal migration, and the economic situation. Data and analysis of respondents' responses is done through IBM SPSS Statistics 19.0 statistical program.<sup>ii</sup> Initially, as the first step to be taken and one of the most important in the SPSS program to calculate the results of respondents' responses, is the Sustainability Analysis (CSS) to measure the Cronbach Alpha value described in Fig.1.

**Table 1. Reliability Statistics**

Cronbach's Alpha	Cronbach's Alpha based on Standardized Items	No. Items
.957	.965	7

Source: Author's survey

Based on Nunnally's finding (1969) that the Cronbach's Alpha value is less than 0.69 then the sub-variables are incompatible, the results of our study show that Cronbach's Alpha is 0.95 which means we have a high consistency in matching variables between each other. Along with the stability analysis, the Inter-Item Correlation Matrix (Table 1) also shows which variables have a higher correlation or lower correlation, so we have a correlation between the variables.

**Table No. 2. Inter-item Correlation Matrix**

	Q1 (b)	Q2 (b)	Q3 (b)	Q4 (b)	Q5 (b)	Q6 (b)	Q7 (b)
Q1 (a)	1.000	.922	.781	.881	.870	.829	.790
Q2 (a)	.922	1.000	.792	.841	.883	.869	.822
Q3 (a)	.781	.792	1.000	.690	.689	.595	.715
Q4 (a)	.881	.841	.690	1.000	.862	.833	.813
Q5 (a)	.870	.883	.689	.872	1.000	.753	.694
Q6 (a)	.829	.869	.595	.833	.753	1.000	.788
Q7 (a)	.790	.822	.715	.813	.694	.788	1.000

All the questions have a great correlation between them in which we see that the values are over 0.90 but there are also of them lower from what we can understand that it is not so important whether they have applied earlier and what impact did the application have on thinking of how much they might affect them in the future. Following the Inter-Item Correlation Matrix, we have the sample adequacy test or KMO (Kaiser-Meyer-Olkin) (Table No.3) which measures the adequacy for each variable presented and for the whole case study. Source: The Author

The KMO score is the measure of the variance ratio between the variables that may have the same variance. Also the KMO is also attached to the Bartlett spheroid test.

**Table No.3. KMO and Bartlett's Test**

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.875
Bartlett's Test of Sphericity	Approx. Chi-Square	2891.171
	Df	36
	Sig.	.000

Knowing that we are dealing with a small number of respondents, only 203, then the value of 0.87 shows us a very good adequacy since, each value above 0.60 is adequate, while those below

0.60 are considered inadequate. If we had more respondents, we would have a higher value of adequacy. Also, the value of the "Bartlett's Test of Sphericity" sphere of 2891.171 shows a rather high significance that we can use as statistical data to prove the hypothesis that the real estate market is heavily influenced by mortgage loans of financial institutions but also with many difficulties for their application and approval.

**Figure No. 1. Scree Plot**



For a graphical presentation to see how important are the factors interfering the process of EU Visa Liberalization, we have presented the graph of the Scree Plot on which we base on its curb, there where the curve appears flat, these factors are more important. We have presented 5 factors and the results are shown in Figure no. 1.

Source : Author's survey

Below, the Component Matrix (Table No. 4) is displayed with the Extraction method using the Principal and Communalities analysis method. The Component Matrix table contains the components that are in correlation between components and variables. Any correlation that is less than 0.3 does not make any meaningful impact, so in our case all correlations are of a value higher than 0.3 and all have a very similar meaning to each other.

**Table No.4. Component Matrix**

	Component				
	1	2	3	4	5
1. Do you think that the Brussels Agreements and the Dialogue with Serbia has influenced the acceleration of the process of Visa Liberalization for Kosovo?	.95 5	.01 6	.02 2	.25 1	- .01 2

	Component				
	1	2	3	4	5
6. Do you think that ASS has improved the position of Kosovo in the Integration Processes?	.95 5	.05 7	- .09 5	.03 9	- .05 7

2. Are you satisfied with the effort of the Institutions of the Republic of Kosovo on the war against Corruption and Organized Crime?	.80 8	.55 7	.07 7	.07 9	- 10 0	7. Do you think that the process of the Demarcation of the Border-line between Kosovo and Montenegro it's a real condition for the Visa Liberalization Process for Kosovo?	.90 3	.02 2	- 32 2	.15 7	.21 2
3.From 1 to 5 list the above mentioned factors	.89 9	- 32 1	.15 8	.09 4	- 17 7	8. How much are you informed about the Agreement on Stabilization and Association signed between EU and Kosovo?	.94 6	.24 9	.00 9	.00 7	.09 3
4. Do you think that Kosovo fulfills all the criteria for free movement within the Schengen zone?	.87 4	.02 5	.41 0	- 0.8 5	.23 5	9. How Much are you informed about the process of Visa Liberalization for Kosovo?	.91 3	.09 4	- 12 4	- 34 4	- 12 4
5.How much are you informed about the process of the Demarcation of the Border-line between Kosovo and Montenegro	.94 3	- 08 9	- 10 3	- 20 7	.11 7						

Source : The author's survey

Table No.5 shows the Communalities table which shows the proportion of each variance of the variable that can be explained by the principal components. Results at Communalities should not be below 0.4 and in the table presented based on our study, we have very good results where no value is below 0.4 but all are approximate to the primary value which is equal to 1.

**Table No.5. Communalities**

	Initial	Extraction		Initial	Extraction
1. Do you think that the Brussels Agreements and the Dialogue with Serbia has influenced the acceleration of the process of Visa Liberalization for Kosovo?	1.00 0	.976	6. Do you think the SAA has improved the position of Kosovo in the Integration Processes?	1.000	.930
2. Are you satisfied with the effort of the Institutions of the Republic of Kosovo on the war against Corruption and Organized Crime?	1.00 0	.985	7. Do you think that the process of the Demarcation of the Border-line between Kosovo and Montenegro it's a real condition for the Visa Liberalization Process for Kosovo?	1.000	.988
3.From 1 to 5 list the above mentioned factors	1.00 0	.976	8. How much are you informed about the Agreement on Stabilization and Association signed between EU and Kosovo?	1.000	.965
4. Do you think that Kosovo fulfills all the criteria's for free movement within the Schengen zone?	1.00 0	.996	9. How Much are you informed about the process of Visa Liberalization for Kosovo?	1.000	.985
5. How much are you informed about the process of the Demarcation of the Border-line between Kosovo and Montenegro?	1.00 0	.965			

Source: The author's survey

Continuing our study and issuing statistics with the SPSS program brings us to the Principal Axis Factoring extraction method, which shows the table presented in Table No.6 called Factor Matrix, which shows correlation between variables and factor.

**Table No.6. Factor Matrix**

	Factor				
	1	2	3	4	5
Do you think that the Brussels Agreements and the Dialogue with Serbia has influenced the acceleration of the process of Visa Liberalization for Kosovo?	.958	.014	.245	-.102	-.045

Are you satisfied with the effort of the Institutions of the Republic of Kosovo on the war against Corruption and Organized Crime?	.793	.435	.135	.059	-.004
From 1 to 5 list the above mentioned factors	.893	-.310	.109	.105	-.051
Do you think that Kosovo fulfills all the criteria's for free movement within the Schengen zone?	.858	.012	.121	.225	.158
How much are you informed about the process of the Demarcation of the Border-line between Kosovo and?	.946	-.066	-.229	.000	.193
Do you think the SAA has improved the position of Kosovo in the Integration Processes?	.948	.071	.009	-.058	-.059
Do you think that the process of the Demarcation of the Border-line between Kosovo and Montenegro it's a real condition for the Visa Liberalization Process for Kosovo?	.899	.006	-.050	-.354	.051
How much are you informed about the Agreement on Stabilization and Association signed between EU and Kosovo?	.946	-.253	-.005	.026	-.089
How much are you informed about the process of Visa Liberalization for Kosovo?	.916	.149	-.311	.123	-.145

Source: The author's survey

From the results presented in the table we see that in general there are adequate figures, especially the last question with a score of 0.98 and the first question with a score of 0.95 which confirms that previous experiences and potential clients' opinion. But should not be left behind even other questions that show high scores with 0.93 and are also very important components when dealing with the EU Visa Liberalization for Kosovo. Also with Principal Axis Factoring we also deal with the Rotation Method of the Varimax model with Kaiser Normalization. Table No.7 showing the Rotated Factor Matrix contains the results that represent how much weight variables for each factor and also the correlation between variables and factors. Even in this case, we are dealing with numbers below 0.3, which are not relevant, so are worthless, and any figure above 0.3 appears to be acceptable or even good.

**Table. No. 7. Rotated Factor Matrix**

	Factor		Factor		
	1	2	3	4	5
Do you think that the Brussels Agreements and the Dialogue with Serbia has influenced the acceleration of the process of Visa Liberalization for Kosovo?	.624	.572	.486	.194	.034
Are you satisfied with the effort of the Institutions of the Republic of Kosovo on the war against Corruption and Organized Crime?	.249	.781	.269	.299	.086
From 1 to 5 list the above mentioned factors	.811	.278	.300	.287	.106
Do you think that Kosovo fulfills all the criteria's for free movement within the Schengen zone?	.587	.522	.191	.279	.309
How much are you informed about the process of the Demarcation of the Border-line between Kosovo and Montenegro?	.508	.320	.469	.525	.367
Do you think the SAA has improved the position of Kosovo in the Integration Processes?	.516	.515	.460	.404	.068
Do you think that the process of the Demarcation of the Border-line between Kosovo and Montenegro it's a real condition for the Visa Liberalization Process for Kosovo?	.413	.368	.721	.318	.108
How much are you informed about the SAA signed between EU and Kosovo?	.751	.283	.396	.401	.076
How Much are you informed about the process of Visa Liberalization for Kosovo?	.400	.451	.302	.731	.078

Source: The author's survey

Generally, all variables are above 0.3 and mean that they have a high weight in verifying our first hypothesis and also the variables have a fairly high correlation with factors such as the case of the most stable ones which seem to be one, three, and six because the variables do not differ much between the factors and there is a higher correlation than other questions.

**Table No.8. Model Summary**

Model	R	R.Square	Adjusted R.Square	St.Error of the Estimate
1	.884 <sup>a</sup>	.781	.772	.491909

At the end of the work of collecting SPSS statistics, once we have obtained the preliminary results presented in the previous pages, we also have Model Summary and Coefficients. These are the last two components that

determine the truth or not of our hypothesis, but all of these are dependent on our preliminary study and the previous values obtained in the previous steps. Based on Table No.8 of the Model Summary by looking at the R Square value of 0.781 we can conclude that 78.1% of the respondents are thinking and believe that the factors which effect mostly the process of Visa Liberalization are the ones brought in front of them in the survey.

**Table No.9 Coefficients**

	Unstandardized Coeff.		Standardized Coeff.	t	Sig.
	B	Std. Error			
(Constant)	.837	.073		11.479	.000
Do you think that Kosovo fulfills all the criteria's for free movement within the Schengen zone?	-.052	.036	-.068	-1.428	.155
How much are you informed about the Agreement on Stabilization and Association signed between EU and Kosovo?	.343	.046	.621	7.462	.000
Do you think tha ASS has improved the position of Kosovo in the Integration Processes?	.339	.054	.438	6.324	.000
Do you think that the Brussels Agreements and the Dialogue with Serbia has influenced the acceleration of the process of Visa Liberalization for Kosovo?	-.272	.059	-.440	-4.630	.000
Are you satisfied with the effort of the Institutions of the Republic of Kosovo on the war against Corruption and Organized Crime?	.381	.052	.320	7.371	.000
How much are you informed about the process of the Demarcation of the Border-line between Kosovo and Montenegro?	.425	.060	.508	7.098	.000
Do you think that the process of the Demarcation of the Border-line between Kosovo and Montenegro it's a real condition for the Visa Liberalization Process for Kosovo?	-.098	.040	-.159	-2.471	.014
From 1 to 5 list the above mentioned factors	-.130	.036	-.243	-3.589	.000

Source: *The author's survey*

Finally, we have the Table No.9 where is presented the Coefficients table in which we examine the column Beta and "t". In the Beta column we see that the majority of the coefficients are above the value of 0.1, which means that this is favourable for the proof of the hypothesis while also in column "t" we have coefficients above 1.96 which are also favourable for the verification of the hypothesis. Therefore based on the results presented by Beta and "t" we can say that the hypothesis is TRUE.

## CONCLUSIONS

The study is based on two hypotheses. In the first hypothesis that is " The main factors which are prolonging the process of EU Visa Liberalization for Kosovo are; the organized crime and corruption, the ratification of the agreement for demarcation of the borderline between Kosovo and Montenegro, the improvement of relations between Kosovo and Serbia through the Brussels dialogue mediated by EU Institutions, the control of illegal migration, and the economic situation," the finds proofs it and we came to understand that the EU Visa liberalization is very important for the citizens of Kosovo and it can be done only through fulfilling the requests of the EU institutions. Respondents' responses we have analysed using the IBM SPSS 19.0 program, which helps us to find the answers of the respondents based on the numerical values shown, allowing us to validate or not hypothesize. Since the numerical values were largely positive then we realized that the hypothesis " The main factors which are prolonging the process of EU Visa Liberalization for Kosovo are; the organized crime and corruption, the ratification of the agreement for demarcation of the borderline between Kosovo and Montenegro, the improvement of relations between Kosovo and Serbia through the Brussels dialogue mediated by EU Institutions, the control of illegal migration, and the economic situation." is verified. Regarding the second hypothesis, we have used another method of research which is a qualitative method within which we have formulated a questionnaire and addressed the questionnaires to several different stakeholders.



Based on the responses of the interviewed experts, who were people in key positions in institutions directly dealing with the European Visa Liberalization for Kosovo we have found accordance in several points of conversation which makes also our second hypothesis “Kosovo has made a very good progress towards EU Visa Liberalization process, but it needs several improvements and a lot of effort put to finish the process,” is proven (see annex 1-Interviews). This study will be a great benefit to citizens who think to give their individual contribution on the European Visa Liberalization for the country and also the future European Integration.

## RECOMENDATIONS

Given our research results, it can be concluded that the following recommendations needs to be: i) The Ministry of European Integration and the Ministry of Foreign Affairs in Kosovo, make a joint strategy within which, a project would be implemented to enable massive lobbying and advocacy for the as-soon-as-possible liberalization of visas for Kosovo; ii) Ministry of Finance develop financial policies which support the citizens of Kosovo and harmonize all the laws and other regulations with the EU legislation; iii) Ministry of Justice should work in strengthening the rule of law and develop an action plan to counterforce such criminal offences, and concentrate in fighting the organized crime and corruption within the institutions; iv) The Ministry of Labour should create a framework for the reintegration of the returnees from the last wave of illegal migration; v) A Ministry of Dialogue (regular) should be established and have branches for implementation off all the agreements signed between Kosovo and Serbia until now; vi) All the citizens of Kosovo should do their part on the EU Visa Liberalization for Kosovo, by not committing criminal offences, not taking or giving bribery, by supporting the institutions, by continuing to live in their own country and valuing their country as such.

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## **Annex 1: Interviews**

Mrs. Dhurata Hoxh, ex-Minister of Justice (current Minister of European Integration) in Kosovo

<p>1. <i>What is the importance of the functioning of the legal system in relation to EU Visa Liberalization for Kosovo?</i></p>	<p>The Visa Liberalization Dialogue between the EU and Kosovo has proved to be an important and particularly effective tool in advancing far-reaching and difficult reforms in the justice and internal affairs area and beyond, affecting areas such as reforms in the field of rule of law and criminal law.</p>
<p>2. <i>What are the legal issues interfering the process of Visa Liberalization?</i></p>	<p>There are no legal issues interfering the process of Visa Liberalization. MoJ is not directly involved in the two requirements: Border Demarcation and Track record. However, it has contribute in the improvement of legal infrastructure, capacity building in the justice staff and the incorporation of international standards within the field of Justice.</p>
<p>3. <i>According to your opinion to what extent Kosovo has worked towards fighting the corruption and organized crime?</i></p>	<p>Guaranteeing the protection of citizens' rights, the fight against corruption, organized crime, terrorism, and other negative phenomena, present preconditions that Kosovo must meet as a modern and democratic country wherein rule of law prevails. Within the scope of its mandate and competencies, MoJ has made special commitments on having laws in line with EU standards, and functional laws for the Republic of Kosovo. Our top priority has always been the ongoing advancement and improvement of the legal infrastructure in the field of anti-corruption, by drafting laws that aim to successfully fight such phenomena. The Criminal Code of Kosovo and the Criminal Procedure Code, relevant for combating these negative phenomena have been drafted. The Criminal Code has reformed the punitive standards and policies by recognizing all kinds of violations for material benefits, including the amending and supplementing of the laws related to anti-corruption field, such as the <i>Law on Declaration, Origin and Control of Property of Senior Public Officials and on Declaration, Origin and Control of Gifts of all Public Officials, and the Law on Prevention of Conflict of Interest in Discharge of Public Functions</i>. However, after the entry into force of these Codes about five years ago, we have now started the process of revising the Criminal Code and the Criminal Procedure Code, the strengthening of the free legal professions, the monitoring of the implementation of laws, increasing performance in specific sectors which provide arguments that we are willing to make the law enforcement a strong component of the Republic of Kosovo. The MoJ is improving the accountability of prosecutors and judges by reforming, in legal terms, the disciplinary procedures against them. In addition, in order to strengthen the fight against corruption, within the European Reform Agenda, MoJ has planned to draft a Concept Paper on the suspension or dismissal from office of senior public officials accused or convicted for corruption-related criminal offenses. In this regard, a comparative analysis will take place with EU member countries through the support of projects mainly financed by the EU, and then, this Concept Paper will be prepared and delivered to the Government giving recommendations on what steps Kosovo should take in addressing this issue, as required by EU.</p>
<p>4. <i>Did the Ministry of Justice constitute a special regulation or law which would help to improve the situation in front of visa liberalization requirements?</i></p>	<p>MoJ, within its competencies, is constantly working on improving the criminal legislation, both against corruption and the judicial reforms within the challenges arising in the process of meeting the visa liberalization requirements. As part of the visa liberalization requirements, MoJ has sponsored <i>the Justice Law Package and the Law on Crime Victim Compensation</i>. In order to implement the Law on Crime Victim Compensation, which has been a key requirement for visa liberalization, the Ministry of Justice has functionalized the "Committee for Compensation of Victims of Crime", which, upon the MoJ proposal, has been appointed by the Government, being followed with the drafting of the respective administrative instructions. This Law provides that certain offences fall into the category of compensable offences, for which crime victims can apply for compensation. Moreover, in the framework of the Law on Preventing and Combating Trafficking in</p>

	Human Beings and Protecting Victims of Trafficking, in cooperation with all local and international stakeholders, the list of indicators related to human trafficking, which has been approved by the Government has been finalized.
5. Do you believe that Kosovo has fulfilled the criteria for Visa Liberalisation?	In our opinion, Kosovo has met all the criteria required in order to join the white list of the Schengen area in order for its citizens to move freely in that area.

Mrs. Edita Tahiri, ex- Minister of Dialogue:

1. How did the Brussels Dialogue affect the process of Visa Liberalisation for Kosovo?	The Brussels Dialogue has had an indirect impact on the visa liberalization process. Several agreements reached in the Brussels dialogue have enabled the completion of EU technical criteria for visa liberalization. Thus, the IBM Agreement reached in December 2011 and implemented very well by both countries since its entry into force in 2012 has enabled Kosovo to have cross-border cooperation with the neighbouring state of Serbia, rounding up this co-operation criterion with all neighbouring countries according to EU standards. Then, the Kosovo Civil Registry Reconciliation Agreement, which Serbia had violently taken away from Kosovo during the war in 1999, has enabled Serbia to make the return of civil registry documents to Kosovo, enabling the state of Kosovo to consolidate its civil registry of relevant data for citizens of the Republic of Kosovo, and at the same time to fulfil this criterion for visa liberalization. IBM Agreement, the Agreement on mutual recognition of customs seals between the two countries (2011) and the Agreement on customs collection (2013), have enabled the establishment of legality in two border crossings in the northern part of the border between Kosovo and Serbia, enabling the reduction of informal economy and the successful combat of smuggling at these two border points. Prior to the agreement there was no border customs control, because these two warheads were burned by Serbian extremist elements after Kosovo's declaration of independence in 2008. The IBM agreement has enabled the abolition of Kosovo's state border authorities at these two crossings.
2. When will Visa Liberalisation for Kosovo be a reality?	When we fulfil the last condition - when the Assembly of Kosovo approves the ratification of agreement on demarcation of the border line between Kosovo and Montenegro
3. What do you think is the main criterion for Visa Liberalisation for Kosovo?	The EU criteria for visa liberalization are set by the EU and each of them needs to be met. Kosovo has fulfilled all except the demarcation of the border with Montenegro, for which I hope that the deputies of the Assembly of Kosovo will take a positive place and will not leave the citizens of Kosovo isolated.

Endnotes:

<sup>i</sup> The Law on Prevention of Money Laundering and Financing of Terrorism, the Law on Preventing and Combating Cyber Crime, Law on Preventing Conflicts of Interest Exercising Public Functions, Law on Declaration, Origin and Control of Property, and the Law on Personal Data Protection.

<sup>ii</sup> SPSS is a program used for statistical analysis in social science. It is also used for market research, health research, monitoring companies, governments, educational research, marketing organizations, and so on. The statistics included in the program are: Descriptive statistics, bivariate statistics, forecast for numerical incomes, forecast for group identification. We are dealing with all sorts of statistics. The broader meaning of SPSS means "Statistical Package for Social Sciences".