



CONTESTED STATEHOOD: EXPLORING THE REASONS BEHIND NON-RECOGNITION OF KOSOVO BY CERTAIN STATES



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Abstract

This paper analyzes the non-recognition of Kosovo's statehood by a group of key states, including five European Union members (Spain, Greece, Romania, Cyprus, and Slovakia) and two permanent members of the United Nations Security Council with veto power, China and Russia. The focus is on the interaction between legal factors and political considerations in formulating these positions. The use of recognition theories in international law, as well as an examination of literature and official documents, helps clarify the fragmented context of Kosovo's international subjectivity. Non-recognition directly affects Kosovo's ability to integrate into international organizations and exercise multilateral diplomacy. The ongoing non-recognition of Kosovo remains a reflection of tensions between law and politics in the international system. In this context, the study suggests that Kosovo's international subjectivity could be built through approaches sensitive to the context, shifting the focus from diplomatic confrontation to the creation of stable relations with non-recognizing states.

1. Introduction

Since the declaration of independence on February 17, 2008, the Republic of Kosovo has worked diligently to strengthen its status as an independent state on the international stage. It has sought to gain as much recognition as possible from sovereign states and to become a member of important international organizations such as the United Nations, UNESCO, and INTERPOL. To date, over one hundred states have recognized its independence, including the majority of EU countries and key Western allies. However, a group of states, including five EU members and two permanent members of the UN Security Council, has still not recognized Kosovo, preventing it from fully participating in international forums and limiting its legal subjectivity. Non-recognition of Kosovo is not only a legal issue but is also tied to various political, diplomatic, and strategic factors. Some states fear the precedents that the Kosovo case might set for their own regions with demands for autonomy or independence, while others pursue interests linked to regional or global alliances. On one hand, Kosovo meets the basic conditions for statehood according to the Montevideo Convention, but on the other hand, the lack of universal recognition keeps it in an uncertain international status. This paper aims to analyze the positions of the states that have not recognized Kosovo and understand the reasons behind this refusal. Through concrete examples such as Spain, Cyprus,

Romania, Slovakia, Russia, and China, the paper seeks to explain how internal factors and global interests influence this issue. Furthermore, the paper discusses the consequences of non-recognition on Kosovo's international development and suggests strategic steps that may help improve its diplomatic position.

2. Literature Review

Recognition in international law is the process by which a state acknowledges the existence and legitimacy of another entity as a sovereign subject. It can be explicit or implicit and has a direct impact on the new state's ability to enter into international relations (Lauterpacht, 1947, p. 6). Recognition is not only a political act but a legal duty arising from the factual existence of an entity that meets the criteria for statehood. The Montevideo Declaration of 1933 sets out four basic criteria for statehood: a permanent population, defined territory, government, and the ability to enter into relations with other states. However, in practice, decisions regarding recognition have been influenced by political, geostrategic factors, and the national interests of existing states (Crawford, 2006, p. 94).

International recognition can be achieved through individual state decisions, but a key factor is membership in international organizations like the UN, which reinforces legal subjectivity.

According to the International Court of Justice's 2010 ruling on Kosovo, the declaration of independence did not violate international law, but this did not guarantee automatic recognition. The constitutive theory of recognition holds that recognition is a political process, not a legal one (Worster, 2009, p. 146). Therefore, recognition is a decision that each state makes individually. States choose which territories to recognize, when, and why. There are often strong reasons for states to withhold recognition. For example, when the UN decides that a state should not be recognized, or when recognition could cause problems within the state or with other countries (Ker-Lindsay & Armakolas, 2020). The case of Kosovo illustrates the complexity of the process: although it meets the criteria of the Montevideo Convention and has broad international support, its non-recognition by key states has created a fragmented international subjectivity. Five EU member states (Spain, Greece, Romania, Cyprus, Slovakia), as well as two permanent members of the UN Security Council (China and Russia), have not recognized Kosovo, thus preventing it from joining these two organizations.

Spain has refused to recognize the independence of Kosovo primarily due to territorial issues. Madrid's position arose as a result of support from Catalan and Basque separatists for Kosovo's independence. The creation of this mistaken analogy was spurred by the misuse of Kosovo's self-determination process by separatists, who supported Kosovo's UDI (Unilateral Declaration of Independence) to advance their own independence causes (Sarriá & Demjaha, 2019). Spain has recognized Palestine as an independent state but its refusal to recognize Kosovo reveals historical, cultural, and geopolitical differences. Spain has strong cultural and diplomatic ties with Arab countries, but lacks similar connections with the countries of the Western Balkans, particularly with Kosovo (Daku & Rudaku, 2024). On January 6, Spain recognized Kosovo's passport after the latter achieved visa liberalization for the Schengen area. However, according to the spokesperson of Spain's Ministry of Foreign Affairs, Elena Aljral (2024), this in no way signifies recognition of Kosovo, as all Schengen countries have recognized Kosovo's passport (Radio Evropa e Lire 2024). According to Ferrero-Turrión (2020), the two main reasons for Spain's non-recognition are: 1. Spain's position as a defender of international law, and 2. Fear of internal conflicts with historical nationalities. However, the first reason is refuted with factual data, as Kosovo has fulfilled all the basic conditions for statehood, and the ICJ's opinion on Kosovo's independence confirms that Kosovo's declaration of independence does not violate international law. Therefore, Spain's refusal to recognize Kosovo stems solely from the unresolved territorial issues concerning Catalonia and the Basque Country.

Greece has opposed the independence of Kosovo. Although it has never completely ruled out recognition, it has questioned the legality of the act and emphasized the need for a negotiated solution between Serbia and Kosovo. Greece's policy is primarily based on two factors. The first is Greece's long-standing concern about the potential implications for the Cyprus issue. The opinion of the International Court of Justice on Kosovo's independence has somewhat alleviated fears regarding possible precedents for Cyprus, as well as broader concerns about the legality of the act, although it did not necessarily make Kosovo's independence more acceptable. The second factor Greece considers is the impact on its relationship with Serbia, a country with which Athens has strong ties formed during the 1990s and which it considers an important player in regional politics (Armarkolas, 2020).

Despite its refusal to recognize Kosovo, Greek authorities have been more open to bilateral relations than those of other non-recognizing states. Greece has maintained a very active liaison office in Kosovo and various Greek governments have shown openness toward Kosovar officials, receiving delegations and conducting official visits to Kosovo (Fazliu, 2016).

Cyprus refuses to recognize Kosovo due to its own internal situation regarding Northern Cyprus, which is only recognized by Turkey. According to Ioannides (2019), Cypriot authorities fear the political consequences that recognizing Kosovo might have in relation to their unresolved internal issues. Cyprus claims to represent the entire island, ignoring the Turkish Cypriot community in the north and the Turkish Cypriot state entity—especially after Cyprus joined the EU. By refusing to recognize Kosovo, it seeks to prevent the recognition of Northern Cyprus. (Güner, 2021).

Cyprus will continue not to recognize Kosovo, declared Cypriot President Nikos Christodoulides during an official visit to Belgrade (Nacionale, 2024). This position demonstrates that Cyprus' non-recognition of Kosovo has further strengthened its relations with Belgrade.

Romania has refused to recognize Kosovo due to internal issues with its minorities (Visoka, 2018, p.179). Romania's historical ties with Serbia and its conservative approach towards territorial changes have played a significant role in its negative stance. The main reason for non-recognition is the fear that the Hungarians concentrated in Transylvania may follow the same path as the Albanians in Kosovo (Dalipi et al., 2016). According to Eraldin Fazliu (2016), Romania's non-recognition of Kosovo is not only an internal issue. Another reason is its economic interests with its western neighbor, Serbia. Romania's official recommendation is

that Kosovo's issue should be solved through dialogue with Serbia (Tiguea, 2011).

Slovakia has not yet shown signs of recognizing Kosovo's independence. There is hesitation linked to Slovakia's internal situation, where Kosovo could be used as a precedent elsewhere (Rrahmani, 2015). According to Katarina Lezova (2013, p. 214), the political context in which Slovakia made the decision to not recognize Kosovo's statehood relates to the interaction that could happen between Slovakia, Hungary, and the Hungarian minority living in Slovakia. However, in the last decade, Slovakia's engagement with Kosovo has been more active and deeper than that of some countries that have recognized Kosovo. This has come primarily through Slovak diplomacy and civil society activists, though it has also shown the limits of this engagement when it comes to influencing policy changes (Nic, 2020).

Russia has openly opposed Kosovo's independence. In its first statement following the declaration of independence, Ministry of Foreign Affairs of the Russia Federation (2008) stated: 'On February 17, the Provisional Institutions of Self-Government of Kosovo unilaterally declared independence, thus violating the sovereignty of the Republic of Serbia, the UN Charter, Resolution 1244, the principles of the Helsinki Final Act, Kosovo's Constitutional Framework, and the High-Level Contact Group Agreement. Russia fully supports the Serbian leadership's response to the events in Kosovo and its legitimate demands to restore the country's territorial integrity.' Vladimir Putin denounced the recognition of Kosovo's independence by the USA and many other Western countries as a dangerous act. He called Kosovo's declaration of independence 'illegal, ill-considered, and immoral,' emphasizing that in light of such a precedent, Moscow would be forced to recognize the independence of Abkhazia and South Ossetia from Georgia (Abazi, 2008). Russia's intervention in the Caucasus, support for the secessionist movements, and recognition of Abkhazia and South Ossetia as independent states on August 26, 2008, are diplomatic maneuvers aimed at increasing Russia's influence in international relations. By raising the issue of these two Georgian regions, Russian diplomacy is trying to negatively affect Kosovo's integration processes. These tendencies have been loudly echoed by Russia, putting the similarities between Kosovo and Crimea at the center of its justification (Dalipi, 2016). Russia has relied so heavily on Kosovo's trajectory that it has used it to justify an act that has nothing to do with it, such as the incorporation of Crimea into the Russian Federation and its attempts to do the same with other southern and eastern Ukrainian territories (Ingimundarson, 2023). From this literature review, it is clear that Russia opposes Kosovo's independence not only in

support of Serbia but also because of its own geopolitical interests regarding the West.

China does not recognize Kosovo primarily due to its concerns about territorial integrity and internal issues such as Taiwan, Tibet, Xinjiang, Inner Mongolia, and Hong Kong (Vuksanovic, 2024). China's tense relationship with Taiwan means that China sees any other separatist movement as a threat to its internal sovereignty (Jamar & Vigness, 2010). China's official position on Kosovo's independence is that it recognizes Serbia's territorial integrity and state-controlled media still describe Kosovo as an autonomous region under Serbia's sovereignty (Kristianovska, 2022). China has very high-level diplomatic and economic relations with Serbia, and according to a report by Balkan Investigative Reporting Network. (2021), China is deeply involved in the country's economic development through 61 projects worth around 19 billion euros. Given the geopolitical landscape and the increasing polarization between East and West, it is likely that China will become more engaged with Kosovo for a variety of reasons. First, China's economic growth and increasing global influence have led to a more assertive foreign policy. Second, China may seek to increase its resistance to Kosovo's international recognition to prevent Taiwan from benefiting from similar recognition. Third, as the war in Ukraine continues, Serbia may seek other international partners besides Russia in its efforts to oppose Kosovo's full inclusion in international institutions; clearly, China would be a choice. Finally, China's internal opinion on Kosovo is largely negative and mostly favors Serbia (Krstimovska, 2022).

Kosovo has secured recognition from 115 states, has established diplomatic relations with over 80 countries, has opened 25 embassies, and has become a member of more than 60 international and regional organizations (Visoka, 2018, p. 4). Among the most important are the International Monetary Fund, the World Bank, the World Trade Organization, the European Bank for Reconstruction and Development, etc.; while it has not succeeded in joining UNESCO and INTERPOL. Kosovo continues to lobby for membership in as many international organizations as possible, but its primary goal remains membership in the United Nations and other Euro-Atlantic organizations (Rexhepi et al., 2021). Seeing that Kosovo is still not represented in these organizations, it is necessary to change the strategy in order to become part of them. (Emini & Marleku, 2016). Kosovo must intensify its efforts for membership in international organizations because by being part of these organizations, it strengthens its international.

3. Methodology

This paper adopts a mixed-methods approach, combining qualitative interviews with an analysis of official and academic documentary sources. The purpose of this approach is to provide a deeper and more comprehensive understanding of the factors influencing Kosovo's non-recognition on the international stage. On the qualitative side, three interviews were conducted with experts in the field: two political science professors and one diplomat. These interviews were used to gather insights and

analysis on the positions of the states that do not recognize Kosovo, focusing on the political and strategic aspects of the issue. In addition to the interviews, official sources such as statements and documents from the respective Ministries of Foreign Affairs, reports from international institutions, as well as academic papers, scholarly articles, and foreign policy analyses were examined. The combination of these sources enables a balanced analysis that blends empirical perspectives with theoretical argumentation.

4. Interviews

Table 1. Analysis of Interviews with two professors of international relations and a diplomat

| Category | Preliminary interpretation | Text |
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| 1. How does the non-recognition of Kosovo by some states affect the strengthening of its international subjectivity? | According to the interviewees, Kosovo's non-recognition by a group of states significantly hinders the strengthening of its international subjectivity, negatively impacting diplomatic representation, participation in international organizations, and the establishment of stable international relations. This situation places Kosovo in a fragmented position with limited functionality in the international system. | <p>S.K.</p> <p>Non-recognition by a significant group of states—particularly those with global influence such as Russia, China, or the five EU non-recognizers directly affects Kosovo's international subjectivity. From a legal perspective, statehood relies on fulfilling the Montevideo criteria, but for functional international subjectivity, recognition is essential. As Kosovo cannot become a member of the UN or UNESCO due to the veto power of certain non-recognizing members, it lacks full access to global decision-making structures. This limits its participation in international security, justice, economic and political cooperation mechanisms, thus reducing its capacity to act as a sovereign actor on the global stage.</p> <p>B.R.</p> <p>On a political and practical level, non-recognition is a key factor keeping Kosovo's statehood contested and uncertain in parts of the international arena. It directly affects the legitimacy of its institutions, the development of strategic partnerships, foreign investment security, and access to international markets. This situation is especially sensitive in regional initiatives where mutual recognition is required for participation. Non-recognition creates a fragmented image of Kosovo's statehood in comparison to other Balkan states and slows down its Euro-Atlantic integration.</p> <p>B.N.</p> <p>Observing integration and development processes in the Western Balkans, non-recognition of Kosovo is not merely a formal issue but a substantial barrier to its development as an equal international actor. It affects Kosovo's ability to build stable relationships, participate in international decision-making, and benefit from global cooperation mechanisms. Every forum where its presence is challenged whether organizations, conferences, or regional agreements—damages both the image and functionality of Kosovo as a state.</p> |

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| <p>2. What are the main reasons why the five European Union recognizing states, as well as Russia and China, continue to withhold recognition of Kosovo as an independent state?</p> | <p>According to the interviewees, the non-recognition of Kosovo by these states is primarily linked to their internal political challenges and fear of setting precedents that could encourage demands for territorial separation or self-determination within their own borders. In addition to these concerns, some particularly Russia, China, and Romania maintain this stance due to close political, diplomatic, or historical ties with Serbia, with whom they share common regional and strategic interests.</p> | <p>S.K. The approach of the five EU countries, Spain, Greece, Romania, Slovakia, and Cyprus, toward Kosovo's non-recognition can be understood not only through their internal political concerns but also through their historical, cultural, and diplomatic ties with Serbia. These countries have developed close ties with Serbia in areas such as energy, defense, and diplomacy, often aligning with Serbian interests. Greece, for example, has maintained a balanced regional policy and a history of economic and political cooperation with Belgrade, which makes it cautious regarding Kosovo's independence. For Spain and Romania, alongside internal concerns, there is also political solidarity with Serbia, seen as facing a threat to territorial integrity. Russia and China use Kosovo's case to oppose Western dominance in global politics and also support Serbia as a strategic ally. Russia's link with Serbia is part of a broader narrative of sovereignty protection and counterbalancing NATO expansion.</p> <p>B.R. Non-recognition by the five EU states and two global actors Russia and China reflects political calculations more than evaluations of Kosovo's statehood. For the EU countries, the main reason is internal: fear of legitimizing demands for autonomy or secession. Spain's position is influenced by tensions with Catalonia, while Cyprus remains sensitive due to its unresolved conflict in the island's north. Russia and China see non-recognition as part of their strategic positioning against the West. Russia uses Kosovo to justify its recognition of separatist regions in Georgia and Ukraine, while China remains cautious to avoid precedents affecting Taiwan and other self-determination movements.</p> <p>B.N. The non-recognition of Kosovo by the five EU states and global actors like Russia and China results from a blend of internal political factors and external geopolitical strategies. The EU states mainly fear risks to their territorial integrity. Spain, for example, deals with secessionist pressures from Catalonia and the Basque Country. Cyprus faces de facto division concerns. Russia and China use Kosovo as a tool to challenge Western hegemony and to maintain internal control over sensitive regions like Georgia, Ukraine, and Taiwan. Their decision is less about legal interpretations and more about complex political and geostrategic calculations.</p> |
| <p>3. In what ways could Kosovo's diplomatic strategies influence the change in position of non-recognizing states?</p> | <p>Experts suggest that Kosovo should develop diplomatic strategies tailored to each non-recognizing state, combining formal diplomacy with functional approaches and engagement in international organizations. Multilateral diplomacy, conclusion of the Serbia dialogue, and creating specific cooperation channels in</p> | <p>S.K. Kosovo's diplomatic strategies must be well-coordinated and focus on international affirmation of its statehood through multilateral diplomacy and strengthened institutional engagement. Membership in organizations like the Council of Europe, especially after Russia's exit, presents an exceptional opportunity. This membership would enhance Kosovo's image as a state committed to human rights and the rule of law. Strategies should be tailored to each country's specific interests and sensitivities.</p> |

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| | <p>areas like education and culture are essential to influence these countries' positions.</p> | <p>Public diplomacy and active involvement in international forums are key to creating a positive narrative and reducing the impact of opposing stories</p> <p>B.R.</p> <p>Kosovo should adopt a pragmatic foreign policy that emphasizes functional and long-term diplomacy beyond just seeking formal recognition. This involves developing concrete partnerships in areas like trade, energy, education, and digital transformation. Academic exchanges and education cooperation agreements, including with Serbia, could build trust and normalize relations. If a country sees tangible benefits from collaborating with Kosovo, it's more likely to reconsider its stance. Diaspora communities can also act as informal bridges to influence public opinion.</p> <p>B.K.</p> <p>Kosovo's diplomacy should focus on building lasting relationships with international actors through active participation in forums and organizations, even without formal membership. A flexible approach that includes constructive dialogue and technical cooperation can create room for easing rejectionist positions. The successful conclusion of the dialogue with Serbia is vital not only for bilateral normalization but also as a positive signal to non-recognizers that Kosovo is a stable regional partner. Cultural diplomacy and exchanges in areas like education and innovation can help build trust and shift perceptions.</p> |
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5. Interpretation of Interviews

5.1. How does the non-recognition of some states affect Kosovo's international subjectivity?

The responses from the three interviewees confirm that the non-recognition of Kosovo by a considerable group of states constitutes one of the major obstacles to consolidating its international subjectivity. This phenomenon is not seen solely as a legal challenge but as a multidimensional issue involving diplomatic representation, participation in international organizations, and Kosovo's capacity to influence global decision-making. The lack of recognition by the EU non-recognizers, as well as Russia and China, significantly limits Kosovo's ability to present itself as a state with full rights within the international system. This situation places Kosovo in an ambiguous and often contested position on the international stage, undermining its affirmation as a subject of international law.

According to the interviewees, this non-recognition hampers Kosovo's normalization of foreign relations, restricts its participation in international forums like the United Nations, UNESCO, and INTERPOL, and creates a gap between the internal status it has built and the recognition it receives abroad.

This has numerous consequences, including the lack of access to international mechanisms for justice, security, trade, and political cooperation. Moreover, international investors often hesitate to invest in a country that lacks universal recognition, affecting Kosovo's economic development and long-term stability.

They also emphasize that non-recognition has a significant symbolic impact: it undermines Kosovo's legitimacy in the eyes of the international community and weakens its efforts to build a stable image as a democratic and peaceful state. As a result, Kosovo's international subjectivity remains partial and conditional, while the state continues to face persistent challenges in acting as an equal player in the global order.

5.2. What are the main reasons why the five EU non-recognizing states, as well as Russia and China, continue to withhold recognition of Kosovo as an independent state?

The interviewees' responses to this question focus on two primary reasoning blocks: the internal political factors of the non-recognizing states and their historical, diplomatic, or strategic ties with Serbia. In the case of the five EU states that have not

recognized Kosovo—Spain, Greece, Romania, Slovakia, and Cyprus—the dominant reason emerging from the interviews is the fear of setting precedents for similar movements within their own borders. Spain faces independence claims from Catalonia and the Basque Country; Cyprus is de facto divided and fears recognition of its northern part; Romania and Slovakia are cautious due to internal ethnic structures and concerns over preserving territorial integrity. In this context, recognizing Kosovo is perceived as a risk of creating uncontrolled precedents.

On the other hand, Russia and China follow a clearer geopolitical logic in not recognizing Kosovo. Russia, in particular, has used Kosovo's case to challenge the Western-led international order and to justify its actions in regions such as Abkhazia, South Ossetia, and more recently Crimea and eastern Ukraine. For Russia, accepting Kosovo's independence would imply acceptance of international interventions without UN Security Council approval. Meanwhile, China maintains a cautious stance on Kosovo due to its sensitivity regarding issues such as Taiwan, Tibet, and Xinjiang, seeking to avoid any legitimization of unilateral territorial secession.

All three interviewees agree that, beyond internal and strategic factors, there are also elements of diplomatic solidarity with Serbia, especially in cases where countries maintain close political, economic, or cultural ties with it. Greece and Romania, for instance, have built long-term relationships with Serbia and often coordinate their regional positions with Serbian interests. Ultimately, the non-recognition of Kosovo is not solely based on legal arguments but is a product of a complex combination of internal considerations and careful international calculations.

5.3. In what ways could Kosovo's diplomatic strategies influence the change in position of non-recognizing states?

The analysis of the interviews highlights that Kosovo's diplomatic strategies can play a crucial role in influencing the positions of non-recognizing states, provided they are carefully designed and tailored to the political and diplomatic specificities of each country. All three interviewees emphasize that Kosovo's approach should go beyond formal recognition requests and focus on building concrete cooperation and trust through functional diplomacy.

In this regard, they underline the importance of developing cooperative relations with non-recognizing states in areas such as education, culture, technology, and innovation. Educational exchanges and bilateral agreements in the field of education are valued as powerful mechanisms for building trust and creating sustainable institutional ties. These activities contribute to

building a positive narrative for Kosovo and create space for internal reflection within the non-recognizing states.

Another key point is Kosovo's participation in international organizations and forums, even without full membership status. Involvement as a non-formal or observer member can serve as a platform for presence and demonstrate international responsibility. This helps non-recognizing states view Kosovo not as a political issue but as a trustworthy partner contributing to regional stability and development.

Kosovo must also be able to clearly communicate that its case is unique and cannot be compared with the internal issues of non-recognizing states. As a *sui generis* case, born from systematic violence and international intervention, Kosovo's independence does not create precedent for other similar separations and this should be an essential part of its diplomatic argument in bilateral and international meetings.

Moreover, the successful conclusion of the dialogue with Serbia remains a key element to influence countries that have conditioned recognition on progress in this process. Finally, public diplomacy and the role of the Albanian diaspora as informal cooperation channels can help shape a favorable climate for revising positions on Kosovo's statehood.

6. Conclusions

The analysis shows that Kosovo's non-recognition is not only a legal issue but is deeply political and strategic. The different approaches of non-recognizing states reflect internal fears about territorial stability and the influence of global politics. In particular, the stances of Spain, Greece, Cyprus, Romania, and Slovakia are closely linked to internal concerns about minorities and separatist movements. Meanwhile, Russia and China use Kosovo as a tool to advance their international agendas against Western states. This situation has direct consequences for Kosovo, affecting its limited international subjectivity, preventing its membership in important organizations, and increasing its diplomatic isolation in some areas.

We recommend that:

1. Kosovo should develop differentiated diplomatic strategies for each non-recognizing state, considering their internal political context and regional interests.
2. The creation of an inter-institutional platform for coordinating the recognition campaign, supported by academic analysis and well-structured lobbying.
3. Increased engagement in forums where Kosovo has observer status or the possibility of informal participation, as a step toward broader legitimacy.

4. Kosovo should promote the cause that its independence is a *sui generis* case, influenced by systemic violence and international intervention, and does not create a precedent for other separations. The International Court of Justice has affirmed that its declaration of independence does not violate international law.
5. Develop strong relations with civil society and academic communities in non-recognizing states to influence the changing of perceptions.
6. Continue the dialogue with Serbia constructively, linking it directly to efforts to increase international recognition.

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