

Serbia's Campaign to Derecognize Kosovo: A Foreign Policy Tool for National, Not International Gain

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ABSTRACT

The article examines the phenomenon of state derecognition in the context of Serbia's campaign urging countries to withdraw their recognition of Kosovo's independence, the legal underpinnings of the campaign, and its objectives. In lobbying for derecognition of Kosovo, Belgrade does not engage in legal evaluations of whether the youngest European state meets the fundamental Montevideo criteria for statehood. Instead, the justification for encouraging countries worldwide to reverse their recognition tends to exclusively be the "the damage" Kosovo's independence declaration has caused to Serbia. Among others, the analysis tends to find out if Serbia has used the recognition of Kosovo primarily as a tool to prevent the creation of a majority among UN members who support Kosovo's independence, not to defend the international order. Against this backdrop, the paper seeks to clarify whether international law recognizes and legalizes the revocation of diplomatic recognition of states in general. In conclusion, the paper will try to prove that by bypassing of the Montevideo recognition doctrine, which not only sets the major criteria for recognition but forbids derecognition in international relations — Serbia conducts its campaign primarily for the sake of domestic consumption rather than for the presumed international benefits.

KEYWORDS: Serbia, Kosovo, derecognition, Montevideo doctrine, diplomacy

POVZETEK

Članek preučuje fenomene nepriznanja države v kontekstu srbske kampanje, ki države poziva k umiku priznanja neodvisnosti Kosova, pravne podlage kampanje in njene cilje. Z lobiranjem za odpoved priznanja Kosova, se Beograd ne spušta v pravne ocene, ali najmlajša evropska država izpolnjuje temeljna montevideoska merila državnosti. Namesto tega je utemeljitev za spodbujanje držav po vsem svetu, da razveljavijo svoje priznanje, po navadi „škoda“, ki jo je razglasitev neodvisnosti Kosova povzročila Srbiji. Analiza se med drugim nagiba k zaključku, da je Srbija odpoved priznanja Kosova uporabila predvsem kot orodje za preprečitev oblikovanja večine med članicami ZN, ki podpirajo neodvisnost Kosova, ne pa za obrambo mednarodnega reda. V tem ozadju skuša prispevek razjasniti, ali mednarodno pravo priznava in legalizira preklic diplomatskega priznanja držav na splošno. V zaključku bo prispevek poskušal dokazati, da Srbija z obhodom doktrine priznanja Montevidea, ki ne le določa glavna merila za priznanje, temveč prepoveduje odvzem priznanja v mednarodnih odnosih, vodi svojo kampanjo predvsem zaradi domače potrošnje in ne zaradi domnevne mednarodne koristi.

KLJUČNE BESEDE: Srbija, Kosovo, odpoved priznanja, doktrina Montevidea, diplomacija

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INTRODUCTION

Kosovo's declaration of independence has ignited a fiery feud with Serbia. As the fiercest opponent of independent Kosovo, due to its persistence that it seceded unilaterally and illegally, Serbia has not sat idly by since Pristina declared independence in 2008. The main direction of its "anti-Kosovo independence" campaign was launched almost on the same day on which Kosovo broke away from Serbia. Parallel to it, Serbia launched in 2017 something that has been seen very rarely in contemporary international relations: a derecognition lobbying campaign among Kosovo's recognizers for the annulment of the decision to recognize the youngest European democracy. The campaign in particular relies on convincing smaller, faraway countries not so familiar with the dispute between Pristina and Belgrade to withdraw their recognition of Kosovo. It is very challenging to discern an accurate picture of the derecognitions of Kosovo the six years after the campaign was launched, as the authorities of Belgrade and Pristina provide conflicting accounts about them. Belgrade claims that the derecognition campaign delivered a strong blow to Kosovo's dream of full independence, achieving so far number a total of 28 countries that have withdrawn recognition of Kosovo.² Pristina, on its end, refuses to accept that derecognition campaign has made any significant impact on Kosovo's prospects for universal recognition, claiming that it has been recognized by 117 countries, including those which Belgrade lists as de-recognizers. To make everything more puzzling, the derecognizers states have largely stayed silent on the issue.³ Further adding to the confusion, three of them (Burundi, Comoros, and Togo) sent Belgrade diplomatic notes which are "textually identical", (Papic, 2020, p.289) in their argumentation for the derecognition of Kosovo.⁴

Academic researches on the topic of derecognition in international relations have so far been scarce and there are hardly any papers or data available on it, probably because it has so far been a rare or almost entirely unprecedented phenomenon in international practice that one country lobbies other countries to withdraw their decision to recognize a third country. This article will study the possible ef-

2 "I want to tell you clearly and precisely under full responsibility, as Minister of Foreign Affairs, that 28 UN members have withdrawn their recognition of Kosovo", said Minister of Foreign Affairs, Ivica Dačić, at the session of the UN Security Council on April 27, 2023, [online] Available at: <https://www.danas.rs/vesti/politika/sta-su-porucili-ivica-dacic-i-donika-gervala-svarc-na-sednici-sb-un/> [Accessed 2 May 2023].

3 Only one single derecognition *verbal note* out of alleged 28 has arrived in Pristina by now, stating the annulment of the decision on the recognition of Kosovo. It was from Suriname.

4 Guinea Bissau, Liberia and Sao Tome and Princes.

fects of derecognition, examining whether it affects the existence of a state and limits the applicability of rights that stem from statehood on the international scene. Also, the aim of this paper is to examine contemporary international practice when it comes to the withdrawal of recognition by one state of another state. The author will analyze if recognition and its subsequent withdrawal are in accordance with contemporary international law. The paper's research questions are: is it possible in international law to withdraw recognition once it has been declared; is this unusual diplomatic tool about upholding international law and what are national and international benefits that led to derecognizers ERS taking Serbia's side in the Kosovo-Serbia diplomatic conflict? The paper hypothesizes that the derecognition of Kosovo is not about defending the international order, but a foreign policy tool for implementing the self-interest of Serbia as the initiator of the process. To achieve the objective of this research, a qualitative approach will be employed; secondary data will be collected from referent websites, books, articles, journals, and media. The paper consists of an introduction, four chapters: the first of which is dedicated to the process of recognition of Kosovo, the second to the derecognition of Kosovo, the third to the impact of the campaign, while the fourth to the derecognition and international law, and the conclusion.

INTERNATIONAL RECOGNITION OF KOSOVO INDEPENDENCE

After Kosovo declared independence on February 17, 2008, its diplomatic forces prioritized the challenging task of lobbying for bilateral and multilateral international recognitions with the ultimate goal of reaching universal recognition and its admittance in the UN. The first to recognize independent Kosovo was Costa Rica, whose "Foreign Ministry congratulated Kosovo for 'the successful achievement' of gaining independence democratically and peacefully".⁵ After this, bilateral recognitions of the newly declared country started landing on the Kosovo government's desk from all over the world, primarily thanks to backing from Western powers.

Both the US and UK lobbied countries around the world to recognize Kosovo. With the support of these and other influential actors, Kosovo quickly received a bevy of recognitions (Democracy for Development, 2021, p.12).

5 <https://ticotimes.net/2008/02/22/costa-rica-high-fives-kosovo-on-independence> [Accessed 20 August 2022]

It was clear at the very beginning that countries found in the U.S. sphere of influence, with strong political, economic and military ties to the leading world power, have been more likely to recognize Kosovo. As a result, by the end of 2008, Kosovo received a total of 53 recognitions, among them: all Western powers allied with the U.S., 23 out of 28 EU member states⁶ and influential regional powers like Turkey, Canada, Japan and Australia. Later it would turn out that 2008 would be the most successful year when it comes to the number of recognitions of Kosovo. However, the prediction of then Prime Minister Hashim Thaçi – who said on the eve of the declaration of independence that there would be “a powerful, massive and consolidated recognition”, and that his government had confirmation that “more than 100 countries have promised to recognize our independence, once we declare it”⁷ – was not fulfilled. Recognitions in the first year of independence reached only half of the projected number. Interestingly, what lacked in 2008 and still lacks is the recognition of powerful actors in key regions of the world such as Argentina, Algeria, Brazil, India, Iran, Indonesia and Mexico. In 2009 the total number of recognitions dropped to only 11 new ones during the entire year, in 2010 the number of recognitions declined further, totaling only 8, although the ruling BY the International Court of Justice regarding Kosovo’s independence declaration represented a great opportunity for obtaining new recognitions as “it added significant credence to Kosovo’s cause,” (Democracy for Development, 2021, p.11). With the exception of Bosnia and Herzegovina and Serbia, the former Yugoslav republics all recognized Kosovo. However, EU members Cyprus, Greece, Romania, Slovakia and Spain do not. Neither do Serbian allies Russia and China, both veto-holders on the UN Security Council.

In 2011, the Government of Kosovo consolidated its recognition efforts into a single campaign, the “Strategy for the Achievement of Full International Recognition of the Republic of Kosovo,” (Newman, Visoka, 2018, p.376). Nevertheless, despite these activities, in the following years the number of new recognitions remained low. In 2011 and 2012 respectively, Kosovo received 13 recognitions. According to Kosovo’s foreign ministry, the country received 20 new recognitions from 2013 to 2022, reaching the total of 117 recognitions for its 14th birthday, which was more than half the members of the UN General Assembly.⁸

6 While the Great Britain was a member of the EU.

7 <https://balkaninsight.com/2008/02/08/kosovo-recognition-by-100-states/> [Accessed 24 August 2022]

8 <https://mfa-ks.net/lista-e-njohjeve/> [Accessed 20 August 2022]

The total number of recognitions has not changed indeed for Kosovo's 15th birthday. The last recognizer was Israel who announced its recognition of Kosovo in September 2020. Support from the U.S. and Western allies paved the way to the membership of many key international bodies, including the World Bank (WB), International Monetary Fund (IMF), the European Bank for Reconstruction and Development (EBRD), International Olympic Committee (IOC), the Union of European Football Associations (UEFA), and International Federation of Association Football (FIFA). According to a press release from the Ministry of Foreign Affairs in Pristina from November 2017, Kosovo "has established diplomatic relations with 88 countries, has joined more than 60 regional, European and international organizations, has opened almost 40 diplomatic missions and consular posts and has accredited non-resident ambassadors in about 60 countries around the world" (Democracy for Development, 2021, p.12).

However: China and Russia's opposition to Kosovo's independence has effectively deterred Kosovo from seeking a UNGA vote on UN Membership (Ibid).

One of the most significant acknowledgements of Kosovo's existence based on international law came from the international judiciary. The ICJ ruled in 2010 that "the declaration of independence of Kosovo adopted on February 17 did not violate international law," (International Court of Justice, 2010, p.403). The decision of the ICJ was a heavy blow for Serbia (Papic, 2020, p.690).

After the verdict, the UN General Assembly adopted in its sixty-fourth session in September of 2010 a resolution in which it "acknowledged the 22 July advisory opinion of the International Court of Justice on whether Kosovo's declaration of independence was in accordance with international law," transferring the mandate for future negotiations on Kosovo's status to the EU (UN General Assembly, 2010). The Assembly welcomed that the proposed dialogue between the parties would help promote cooperation, achieve progress on the path to the European Union and improve the lives of the people (Ibid).

The situation concerning the international recognition of Kosovo has changed dramatically in recent years. The country failed in 2015 and 2018 to become a member of UNESCO and Interpol, as it lacked the required two thirds-majority. On both occasions, Russia and Serbia lobbied

against Kosovo's membership.⁹ In the last four years only one recognition poured in. The recognition *verbal note* came from Israel and is a result of the U.S. lobbying. Otherwise, the recognition process has stalled. Commenting on the reasons for slowing down the process of international recognition of Kosovo and the poor impact of the 2011 strategy that has not achieved its objectives, Demjaha says that Pristina's focus of lobbying mainly to political levels and the lack of proper coordination was a major obstacle to the practical implementation of the strategy (2017, p.57): Instead of coordinating and building state culture, recognition efforts were often personalized... for internal political promotion.

To make things worse for Kosovo, a series of internal political crisis after almost every cycle of parliamentary elections after declaration of independence have had seriously damaged Kosovo's image in the world scene, and additionally disturbed its efforts to gain new recognitions. "The domestic political situation in Kosovo in recent years has done enormous damage to recognition efforts," says Ker-Lindsay, identifying the disruption in the parliament, which saw opposition parties even resort to letting off tear gas, has been particular harmful. It was a public relations disaster (2017, p.15).

Going forward, the situation regarding further recognitions is rather critical. Easy recognitions, mainly secured through intensive lobbying of key western partners are a thing of the past. For example, Great Britain, along with the U.S., played a key role in leading the international efforts to persuade countries to recognize Kosovo and secure its place in various international organizations. But, as Ker-Lindsay argues, the intensity of British pro-Kosovo lobbying activity at the international scene "has decreased in recent years," (Ibid).

As one British official noted, 'the low hanging fruit has been picked'. Those countries that were in any way inclined to recognize Kosovo did so long ago. The remaining 80 or so United Nations members that have not recognized Kosovo are, by and large, the tougher hold outs (Ibid).

"The reality of the decreasing number of potential new recognizing states and the slow progress on the Belgrade-Pristina dialogue make these lobby efforts more difficult," (Himmrich, 2017, p. 17).

9 <https://europeanwesternbalkans.com/2022/05/12/kosovos-membership-in-the-council-of-europe-and-the-come-back-of-the-washington-agreement/#:~:text=It%2C%20however%2C%20has%20not%20become%20a%20member%20of,become%20a%20member%20of%20UNESCO%20and%20Interpol%2C%20respectively> [Accessed 12 March 2023].

DERECOGNITION CAMPAIGN

Alongside Serbia's lobbying to prevent Kosovo's membership to international institutions and new individual recognitions, the young country's foreign policy since 2017 has faced an unusual challenge coming from its northern neighbor: a campaign among countries which recognized Kosovo's independence to withdraw their decisions. The campaign has enjoyed the top state priority and was decided at a meeting of the highest political and security structures in Belgrade.¹⁰ The official justification of the move is not known, but Cakolli (2020, p.21) says that by countering recognitions of Kosovo from individual states Serbia hoped to gain leverage over it in a bilateral dispute on the final settlement of Kosovo statehood:

Serbia's campaign for the international derecognition of Kosovo is in fact part of a strategy of Serbia, which in principle aims at the international delegitimization of Kosovo, making it impossible for the latter to secure the necessary votes for membership in international organizations.

Little is known about how this campaign has been run. It is to be assumed that the main implementer of the campaign is the diplomatic network of Serbia and that its Ministry of Foreign Affairs is the main coordinator. The campaign has been mainly focused on small, distant countries in Africa and Latin America and island nations in Oceania that are little known in global affairs. Little is also known about the real motives of the derecognizing countries to violate their decision to recognize Kosovo. De Olivier sheds more light on this phenomenon:

Impoverished Central American, Asian, and African states bargain with the relevant interest groups for the continued recognition or derecognition of breakaway territories they had previously recognized in exchange for humanitarian aid, technical assistance, investment, military, and security cooperation, among others (2023).

Small countries, often desperate for foreign investment and humani-

¹⁰ Commenting on the criticism of the opposition after reaching an agreement with Kosovo Prime Minister Albin Kurti in Ohrid (Macedonia), on March 18, 2023, the President of Serbia, Aleksandar Vučić, boasted a day later that Serbia collected 27 de-recognitions of Kosovo and called on the opposition to say whether it managed to achieve one-only such de-recognition. As there was no positive answer to this, Vučić stated that of course it was not, because the campaign for the de-recognition of Kosovo was launched when he came to power and that it was decided at the National Security Council of Serbia, which he otherwise presides over officially, [online] Available at: <https://www.youtube.com/live/xHB0oUMT-yI?feature=share>

tarian aid, are known to rent their ability to recognize to the highest bidder. Kosovo was never likely to be the highest bidder, (Democracy for Development, 2021, p.17).

The first recognizer to break the ice and withdraw its recognition of Kosovo in October 2017 was the Republic of Suriname, the former Dutch colony on the north-western coast of South America.¹¹ This country had recognized Kosovo as an independent country in July 2016, becoming the 112th state to do so.¹² The news of Suriname's withdrawal from the block of states which recognize Kosovo's independence was announced to the media by then (and current) Serbian Foreign Minister Ivica Dačić: "This is a historic event for us - we didn't do it with money because we don't have it, nor with pressure because we can't, but with dedication".¹³

Suriname, "through its diplomatic mission in the United Nations, sent (the verbal note) to the ministries of foreign affairs of both Serbia and Kosovo, but despite the letter in which it says so, Pristina immediately denied that Suriname withdrew its recognition," (Ibid). An adviser to the Kosovo Prime Minister even declared that "in international law, there is no derecognition or withdrawal of recognition" and that "Kosovo has excellent relations with all the countries that have recognized its independence".¹⁴ Suggesting the possible background behind Suriname's decision to cancel its recognition of Kosovo, a former diplomat of Serbia, Srećko Djukić, said that the "road from Suriname leads to Moscow".¹⁵ "Namely, when that (verbal note on de-recognition) was sent to our (UN) mission in New York, Suriname's foreign minister was visiting Moscow."¹⁶ Scholars like Ker-Lindsay highlighted the first de-recognition of Kosovo as "undoubtedly significant" as there has been "a perception that Kosovo's acceptance by the international community is a one-way street, so to speak".¹⁷ This perception has been challenged by new derecognitions that followed.

11 <https://eadaaily.com/en/news/2017/10/31/suriname-recalls-recognition-of-kosovo> [Accessed 2 April 2023]

12 <https://www.bing.com/search?q=Suriname+recognise+Kosovo&form=ANNT11&refig=5ecce0ab02d06453fb2d-d847c6e0623da> [Accessed 02 March 2023]

13 <https://www.politika.rs/sr/clanak/391726/Dacic-Surinam-povukao-prizanje-Kosova> [Accessed 2 February 2023]

14 Halil Matoshi, media adviser to PM [online] Available at: <https://www.evropaelire.org/a/surinami-njohje-terheqje/28826124.html> [Accessed 15 January 2023]

15 https://www.b92.net/eng/news/politics.php?nav_id=102703 [Accessed 20 January 2023]

16 This is just one of several indications of Russia's involvement in the derecognition campaign that the author came across during his research. Unfortunately, any delving into this topic would divert attention from the main topic as well as exceed the permitted scope and size of this paper

17 https://www.b92.net/eng/news/politics.php?nav_id=102703 [Accessed 12 April 2023]

“During 2018, recognitions of Kosovo were withdrawn by eight other countries.¹⁸ By 2019, the number of recognition withdrawn dropped to five states,¹⁹ while in 2020, Sierra Leone claimed to have rescinded the recognition of Kosovo,” (Cakolli, 2020, p.19).

Several years later, when announcing the news that Sierra Leone withdrew its recognition of Kosovo, Dačić, said in March 2020 that it was the eighteenth country in a row. The years 2021 and 2022 were also fruitful for Serbia in lobbying against Kosovo's independence as Serbian officials claimed even greater number than those reported before. The Director of the Government Office for Kosovo and Metohija, Petar Petković, said in May of 2022 that “a total of 22 countries have withdrawn their recognition of Kosovo” and announced that “this number will be increased”.²⁰ President of Serbia Aleksandar Vučić said in August 2022 that “at this moment, in my drawer and in the drawer of the Minister of Foreign Affairs, there are seven documents concerning the withdrawal of recognitions”. “We were successful,” he added.²¹ Several derecognitions were announced in press conferences where Dačić presented “the letter of withdrawal”, or a few other times during joint conferences with respective representatives of those states. Most of these letters state that the countries withdraw de-recognition of Kosovo to allow the EU-facilitated dialogue to finish and meanwhile they recognize the Resolution 1244 of United Nations (PIPS, 2019, p.10).

KOSOVO'S EFFORTS TO DEBUNK DERECOGNITION CAMPAIGN

Serbia's campaign for the international derecognition of Kosovo is in fact part of a strategy which in principle aims at making it impossible for the latter to secure the necessary votes for membership in international organizations, with a special focus on ensuring that “[...] most UN member states do not recognize Kosovo's unilateral declaration of independence”.²² Almost all information related to the withdrawal of recognition of Kosovo have been announced from Belgrade, but very rarely by the states themselves, which had withdrawn the recognition of Kosovo. These statements with a dateline from Belgrade have been repeatedly challenged by the Kosovo Ministry of Foreign Affairs,

18 Burundi, Papua New Guinea, Lesotho, Comoros, Dominica, Grenada, Solomon Islands and Madagascar.

19 Palau, Togo, Central African Republic, Ghana, and Nauru

20 <https://www.danas.rs/vesti/politika/petkovic-ukupno-22-zemlje-povukle-priznanje-kosova/> [Accessed 13 April 2023]

21 https://www.b92.net/info/vesti/index.php?yyyy=2022&mm=08&dd=27&nav_category=640&nav_id=2203158

22 <https://kossev.info/dacic-sierra-leone-18th-state-to-withdraw-kosovos-recognition-pristina-denies/> [Accessed 12 January 2023]

which responded that, except for A single *verbal note* by Suriname, it had not received any other official notification from the de-recognizers listed by Serbia.

Such a claim has not been proven even after personal conversations with representatives at various levels of these states, nor after consultation with the important partners of our country.²³

According to a list of recognitions on Kosovo's Foreign Ministry website, 117 countries have recognized its 2008 declaration of independence from Serbia.²⁴ The list includes countries that Serbia claims have since withdrawn their recognition. Although Belgrade had never explained why the derecognitions reached them first and were sent only to them instead of those to whom the *verbal notes* were addressed, it has assumed the role of the one who exclusively informs the world about new cases of derecognition of Kosovo. The states that were said to have derecognized Kosovo were staying silent despite Kosovo's claim it did not receive any communication about the revocation nor notes about their renouncement, except for Suriname.

The silence of Kosovo's international partners in the face of Serbia's aggressive campaign for the derecognition of Kosovo has also played a negative role in this regard, (Cakolli, 2020, p.21).

No country that has withdrawn recognition of Kosovo has justified that decision by questioning Kosovo's qualifications for statehood. Instead, they either argue that Kosovo's declaration of independence was illegal or they point to ongoing negotiations between Kosovo and Serbia as evidence that Kosovo's status is unresolved and that recognition is therefore premature," (Democracy for Development, 2021, p.15).

On diplomatic notes disclosed by the Serbian Ministry of Foreign Affairs, the inexistence of statehood elements in Kosovo was never presented as a reason for derecognition by third states, (de Oliveira, 2023).

At the annual press conference in January 2023, Vučić said that currently 106 countries do not recognize Kosovo's independence, that 84 recognize it, while, as he said, three countries do not know whether

23 <https://www.evropaelire.org/a/njohje-gervalla-vu%c3%a7iq-mpjd-pretendime/32211070.html> [Accessed 04 April 2023]

24 <https://mfa-ks.net/lista-e-njohjeve/> [Accessed 12 January 2023]

they recognize IT or not. He justified new and high derecognition figure by saying that nine new countries had withdrawn the recognition of Kosovo: Somalia, Burkina Faso, Gabon, Eswatini, Libya, Guinea, Antigua and Barbuda, Saint Lucia and the Maldives, and that “we are waiting for the tenth”.²⁵ One day after, Pristina refuted Vučić’s statement:

The Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo announces that there is NO announcement in the Ministry of Foreign Affairs and the missions of the Republic of Kosovo, regarding yesterday’s claims by the Serbian president that some countries have withdrawn their recognition.²⁶

The ministry’s press release called for Serbia to urgently give up “aggressive attacks on Kosovo and its sovereignty and return to the negotiation table centered on mutual recognition” (Ibid). Meanwhile, Kosovo diplomatic missions launched a debunking offensive against Serbia’s latest claims about new de-recognitions of Kosovo’s independence. Six days after Vučić’s statement, on January 10, 2023 Kosovo’s ambassador to Turkey, Agon Vrenezi, met with his Somali counterpart, Jama Abdullahi Mohamed, discussing the possibilities of cooperation between the countries.²⁷ On January 11, 2023 the ambassador of Kosovo in Brussels, Agron Bajrami, announced the meeting with the ambassador of Libya in Belgium, Amel Jerary. He wrote on Twitter that he and Jerary “agreed to deepen Kosovo-Libya relations”.²⁸ On the same day, the ambassador of Kosovo in Canada, Adriatik Kryeziu, published on Twitter the news that he met representative of the Gabonese Embassy in Canada, Engone Rosine Epouse Oliveira and discussed “current bilateral and future cooperation” with his counterpart.²⁹ Meanwhile, the head of the Consulate General of Kosovo in the United States, Blerim Reka, met with the permanent representative of Maldives in the UN Thimeeza Hussain on January 12, 2023 and they reconfirmed their “excellent bilateral relations”. Kosovo’s ambassador to the United Kingdom, Ilir Kapiti, visited Eswatini’s embassy in London on January 12, 2023. “We welcome the strengthening of relations between Kosovo and Eswatin, exploring economic opportunities”, Kapiti wrote after

25 <https://www.danas.rs/vesti/politika/vucic-otkrio-imena-zemlja-koje-su-povukle-priznanje-kosova/> [Accessed 28 February 2023]

26 <https://top-channel.tv/2023/01/05/ministria-e-jashtme-e-kosoves-mohon-pretendimet-e-vucicit-per-terheqje-te-njohjeve-ndaj-kosoves/> [Accessed 12 April 2023]

27 <https://twitter.com/IlirKapiti/status/1613530301795373056> [Accessed 12 April 2023]

28 <https://twitter.com/AgronBajrami/status/1613153470915268609> [Accessed 13 April 2023]

29 https://twitter.com/Adriatik_K/status/1613254147721109505 [Accessed 12 April 2023]

meeting with the high commissioner of this country in London, Thandazile P. Mbuyisa.³⁰

Some of the withdrawals of recognitions were considered highly dubious. Guinea-Bissau withdrew its recognition in November 2017, according to Belgrade, but in 2018 “the Embassy of Guinea-Bissau in Brussels transmitted to the Ministry of Foreign Affairs the *note verbale* reconfirming that Guinea-Bissau’s recognition of Kosovo’s independence in 2011 is sustainable,” said then Foreign Minister of Kosovo, Behgjet Pacolli.³¹ There were also cases where the alleged withdrawal of recognition has been denied by some of the states themselves. Liberia revoked its recognition of Kosovo in June 2018, following a meeting between Liberian Foreign Minister Gbehzohngar Milton Findley and Dačić. A note from the Ministry of Foreign Affairs of Liberia was published which stated in part that it “annuls its letter of recognition of Kosovo”. But just a few days later the government of Liberia issued a statement “reaffirming” bilateral relations with Kosovo.³² Furthermore, Liberia’s MFA posted a notice on its website saying that it refutes reports on its revocation of diplomatic relations with the Republic of Kosovo.”³³

Liberia was one of the first countries to recognize Kosovo’s sovereignty on May 30, 2008 following its declaration of independence, and remains committed to the Joint Communiqué on the Establishment of Diplomatic Relations. The two countries continue to enjoy mutual confidence and friendship.³⁴

The most conflicting derecognition was that of Sao Tome and Principe. Although the Council of Ministers of this country in 2012 had adopted a resolution for the recognition of Kosovo, the decision was considered invalid by the President of this country, Manuel Pinto da Costa, in early 2013, who said that his country had never officially recognized Kosovo and the decision has also not been ratified by parliament,³⁵ thus casting doubt on whether there had ever been official recogni-

30 <https://balkaninsight.com/2023/01/13/kosovo-debunks-serbian-claims-about-derecognitions/> [Accessed 18 April 2023]

31 <https://twitter.com/pacollibehgjet/status/959439612526575616> [Accessed 20 April 2023]

32 <https://frontpageafricaonline.com/politics/diplomatic-snafu-liberia-in-row-with-kosovo-after-recognition-of-serbia/> [Accessed 18 April 2023]

33 https://www.mofa.gov.lr/public2/2press.php?news_id=3108#:~:text=Liberia%20Reaffirms%20Bilateral%20Ties%20with%20Kosovo%20Flag%20of,of%20diplomatic%20relations%20with%20the%20Republic%20of%20Kosovo. [Accessed 11 March 2023]

34 https://www.mofa.gov.lr/public2/2press.php?news_id=3108&related=7&pg=sp [Accessed 12 March 2023]

35 <https://balkaninsight.com/2013/01/10/kosovo-s-number-of-recognitions-questioned/> [Accessed 02 April 2023]

tion by this country or not. However, former Kosovo Foreign Minister, Enver Hoxhaj, insisted the recognition remains valid: The *verbal note* received by Sao Tome and Principe on Kosovo's recognition proves the country has been recognized as an independent state," (Ibid).

There were also conflicting reports on whether Oman had recognized, or derecognized Kosovo. In a press release issued on 20 September 2011, the Government of Kosovo said that "following successful meetings in New York, the Prime Minister of the Republic of Kosovo, Hashim Thaçi and the Minister of Foreign Affairs, Enver Hoxhaj received confirmation from the Minister of Foreign Affairs of the Sultanate of Oman, Yusuf bin Alawi bin Abdullah of full recognition of the independence of Kosovo."³⁶ But, than Serbia's Foreign Minister Vuk Jeremić claimed that a note from Oman said that this country "never recognized Kosovo".³⁷

DERECOGNITION CAMPAIGN AND KOSOVO'S INTERNATIONAL STATUS

The negative impact of derecognition on newly declared states is huge, especially in political and diplomatic terms as this process not only hinders universal international recognition of these states but also deepens their isolation on the international scene. If Belgrade's claims about 28 countries withdrawing their decision to recognize Kosovo are true, then the Serbian campaign could be characterized as a useful tool that serves Belgrade's major goal of putting a stop to Kosovo's admission in the UN by reducing "the number of Kosovo recognitions to 96 or less than half the number of UN member states," (de Oliveira, 2023).

By reducing Kosovo's recognition total, Serbia impedes Kosovo's ability to join multilateral organizations (most of which require two-thirds a majority for membership) and benefit from the increased interaction and diplomacy that those memberships provide, (Democracy for Development, 2021, p.16).

Cakolli supports the claim, adding that the Serbian campaign "impacts the political process of consolidation of Kosovo's statehood, especially in terms of membership in international organizations," (2020, p.24).

36 <https://kryeministri.rks-gov.net/en/blog/the-sultanate-of-oman-fully-recognizes-the-independent-state-of-kosovo/> [Accessed 03 February 2023]

37 <https://www.eurasiareview.com/11092011-serbia-claims-countries-cancelling-kosovo-recognition/> [Accessed 30 January 2023]

However, Kosovo claims that it is recognized by more than a half of members of the UN and the derecognition campaign orchestrated by Serbia has not in any existential way lessened its existence or diminished its statehood. From the very beginning of its independent path launched on February 17, 2008 and regardless of the number of recognitions landing sporadically in Pristina lately, Kosovo has been assuming the status of state under international law. Observers in Pristina share this approach, claiming that the status of Kosovo as a newly declared country at the world scene has also remained unaffected by the campaign carried out by Serbia. They also argue that Kosovo's case has proved that several individual acts of derecognition do not seem to affect its rights at the international level by limiting or denying its existence. As for the research conducted by the author for this paper, he could not identify one single case of the derecognition campaign affecting the right Kosovo enjoys or had before the campaign at the international level. The country continues to be backed mainly by the West and ignored mainly by the East. Theoretically, it is possible to assume that the first harmful consequence of the act of derecognition results in the denial of rights for the targeted state by the derecognizing state. If so, has Kosovo been limited in its rights in the domestic realm of allegedly 27 or so derecognizing states? It is difficult to respond authoritatively to this question as none of the rights Kosovo could have enjoyed in the domestic legal order of derecognizing states were used before derecognition. These are distant countries on the periphery of other continents. They and Kosovo have not undertaken any essential moves to further establish and develop bilateral cooperation between them after recognizing Kosovo, starting with establishing diplomatic relations or opening embassies. We also cannot talk about any deterioration of the relations between them and Kosovo after the derecognitions were made. However, perhaps Serbia itself stands to profit domestically from the derecognition campaign. Conley and Saric argue that "Serbia carried out a derecognition campaign against Kosovo to gain leverage over Kosovo in negotiations," (2021, p.3). Along with the political and psychological pressure on Pristina, the campaign aims at strengthening its leverage to hinder the process of Kosovo's membership in international organizations.

"Serbia's derecognition campaign, developed in response to Kosovo's recognition efforts, has proven effective, (Democracy for Development, 2021, p.16).

If it is true that 28 states withdrew their recognition of Kosovo, Serbia would be able also to turn the derecognizing countries against Kosovo's membership in international organizations. From this perspective, there is no dilemma that the derecognition campaign affected Kosovo's ability to join multilateral bodies and will exercise a huge impact should a vote on UN membership occur. Potentially, this can represent a huge seatback for the young country and its dream for universal international recognition. One of the negative outcomes of the campaign to persuade recognizers to withdraw the recognition of Kosovo's independence consists of the tightening of relations between Pristina and Belgrade, which occurred especially on the economic front. In November 2018, in response to Serbia's lobbying against Kosovo's admission in Interpol:

Kosovo has slapped 100% customs tariffs on Serbian imports, blaming the government in Belgrade for its latest failed bid to join international police organization Interpol.³⁸

This escalation damaged Serbia economically and Kosovo diplomatically as it has weakened support for Kosovo amongst its western allies. It proves that the act of derecognition in the first place significantly affects bilateral diplomatic relations between those who lobby for derecognition and the derecognized state more than it worsens the status of the derecognized state on the international scene.

KOSOVO DERECOGNITION CAMPAIGN AND INTERNATIONAL LAW

Despite the signs of growing interest from scholars for the derecognition phenomenon after Serbia launched it in 2017, the topic still remains under-explored subject in the international law and international relations theory. The first papers on this topic those begin pouring in share the finding that derecognition, in particular an arbitrary one, as Visoka claims, is not regulated legally and still is out of the system of international law as an unusual development in state practice:

It seems that arbitrary derecognition by states will continue to remain a black hole in international law, and an unpredictable, destabilizing foreign policy instrument, (2020, p.330).

Cakolli (2020, p.10) adds that as such derecognitions are "entirely

38 <https://www.bbc.com/news/world-europe-46287975> [Accessed 18 April 2023]

discretionary upon states, based in their interests”: Consequently, in the absence of a prohibitive or restrictive provision on derecognition, the international practice of states will continue to face actions of this nature.

Visoka, Doyle and Newman, list alongside Kosovo as the most characteristic examples of derecognition the cases of: Palestine, Taiwan, Western Sahara, South Sudan, Somaliland, Abkhazia, South Ossetia, Transdnistria and Northern Cyprus (2020, p.344-473). The authors’ experience while working on this paper shows that the phenomenon of derecognition cannot be examined successfully if it does not begin from existing international legal provisions for state recognitions as the ground work for analyzing derecognitions. Derecognition of someone can be declared by another one only if we have had a prior recognition of the first one by latter one. This takes us to the Montevideo Convention on Rights and Duties of States that could be considered the foundational basis for legal international recognition.³⁹ Ninety years after its adoption, this convention is without a doubt the most influential and widely-cited international document when it comes to the recognition of new states, while its four criteria for recognition (population, territory, government, and the capacity to engage in international relations) represent universal conditions for recognition under international law. According to the Convention, the act of recognition is a result of the free will of each state as international law has not foreseen duty to recognize new states, but that each state freely decides upon it. Moreover, the Convention stipulates in Article 6 that recognition: acknowledges the identity of the other and cannot be reversed.⁴⁰

The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable, (Ibid).

A strict interpretation of the Montevideo criteria unavoidably leads to the conclusion that by stating that recognitions were irrevocable under international law, the Convention, in its Article 6, provides for final character to the decision for recognition. Also, The Convention does

39 Montevideo Convention on the Rights and Duties of States is adopted in 1933 in Montevideo, Uruguay. [online] Available at: <https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf> [Accessed 11 April 2023] and also at https://h2o.law.harvard.edu/text_blocks/28904 [Accessed at: 11 April 2023]

40 Ibid

not even introduce the possibility of derecognition. At the same time, it does not ban this instrument in a direct and active way, providing only for its passive use: if someone has the (active) right to recognize new states, it also should enjoy the (passive) right for derecognition, applying the same criteria as for recognition but in the reverse direction. It means that derecognition can be declared in exceptional cases when one or more of the four Montevideo conditions for recognition of statehood itself ceases to exist or disappear, ending with erasure of a country from the world political map. Like in the Montevideo Convention, derecognition is not provided for in an active way also in any other generally accepted and binding international document. However, Papić (2020, p.722) claims that here are strong reasons for the claim that recognitions may be revoked beyond the stringent rules for derecognition offered in the doctrine, which are embodied in situations where the criteria of statehood ceases to exist: First, the lack of international law rules prohibiting derecognition seriously undermines the argument on the irrevocability of recognition. The lack of such rules suggests that states are free to derecognize because they were free to recognize in the first place (Ibid).

Mutually opposite and sketchy interpretations about the (i)legality and (i)llegitimacy of derecognition only show how unexplored this topic is and how little coverage it has by international law. Before Serbia launched its campaign for Kosovo's derecognition, cases of withdrawal of recognition were so infrequent and states so rarely resorted to derecognition that this phenomenon did not attract the attention of academic circles at all, nor was this issue researched thoroughly and continuously by scholars. In this regard, the topic that has provoked immense interest and debate in the doctrine of international law was the recognition of states, while derecognition has never been researched systematically because this phenomenon has been very uncommon in state practice. Derecognitions of statehood are "by any account an exceptional phenomenon in international practice", says Papić (2020, pp.683-684), adding that "the literature on de-recognition, i.e. the withdrawal of recognition once given, is measured not in books, but in paragraphs". The Serbian derecognition campaign against Kosovo has started to draw attention to this topic, focusing on the two nations (the derecognizing and the derecognized country) which are actors in an exceptional process in state practice and international relations. Derecognition in this way begins to question the domination of doctrinal opinions on irrevocability of recognition that

was built up upon the normative framework and the criteria for statehood from the Montevideo Convention as a pillar in this regard. The dominant doctrinal position of international law scholarship has been that, once freely given, recognition of emerging states is not revocable and cannot be taken back. This claim - without state practice to the contrary - has survived until the present day. Before Belgrade pressed the Kosovo derecognition campaign button, the international doctrine has even denied the possibility of derecognition, "save in exceptional cases when statehood itself would objectively cease to exist", (Papic, 2020, p.711). So, the predominant view on the doctrine remains to this day, that without the factual disappearance of statehood criteria regarding a previously recognized state, recognition, once given, is irrevocable", (Ibid,p.712).

Very rare cases of derecognition have not supported the "legalization" of this phenomenon by international law. They also prevented the development and adoption of specific derecognizing rules that would be applied once it needs to happen in the practice. In the absence of convincing derecognition practice and rules, it has been only logical that those who wanted to withdraw their recognition of other countries are to apply the Montevideo criteria, but in the opposite direction. According to this interpretations, states that do recognition by the Montevideo criteria will consider derecognition only if one or more of these four criteria cease to exist. Can this interpretation be in favor of Serbia and its campaign against Kosovo? It is difficult to make a positive reply to this question since Kosovo does not lack any single state attribute out of four set as the recognition conditions by the Montevideo criteria. It means that if the derecognition countries in the Kosovo case would have acted accordingly and strictly by the Montevideo book, they would not have any cardinal reason to revoke the recognition of Kosovo.

We have no reliable information about how Serbia has conducted its derecognition campaign against Kosovo behind the closed doors. However, it is obvious that Belgrade has judged that the Montevideo recognition criteria were not in favor of the anti-Kosovo independence campaign. Until now, at least not publicly, Serbian officials have not once referred to the criteria from Montevideo during their campaign, but have rather used other justifications in lobbying for the derecognition of the Kosovo statehood. So, what is Serbia's argument to conduct the campaign? Not finding support in the Montevideo criteria for carrying

out a derecognition campaign against Kosovo, i.e. correctly concluding that this criterion does not apply to the Kosovo case, Serbia has been trying to introduce another justification for derecognition: the damage caused by the secession of a recognized state to the injured state that initiated the world-wide initiative for derecognition.⁴¹ Serbia has tried to promote a new concept and new and exclusive justification for derecognition that has nothing to do with Montevideo. This concept claims that those who are damaged by someone else's declaration of independence like Serbia, which is damaged territorially by the secession of Kosovo from it - regardless of whether they themselves do not recognize the independence of emerging countries and regardless of the justification of recognized countries to break away also due to "the damage" they suffer in community - have the right not only to lobby internationally against recognition but also for the cancellation of this recognition by other states.⁴² Considering that derecognition campaign against Kosovo challenges the long-standing doctrinal claim that, once given, recognitions of statehood are irrevocable, Papic (2020, p.728) provides for theoretical backup for the new doctrine: I submit that the substantial number of de-recognitions of Kosovo put this claim into question and warrant its reexamination.

But there are also opposing observations on derecognition, contributing to the controversy of this topic. Hrnjaz argues that withdrawal of recognition is a disputable concept and "if the recognition is '*de jure*' it is irreversible; only '*de facto*' recognition is reversible".⁴³

41 Serbia still considers Kosovo as the cradle of its statehood. Kosovo is still defined in the Serbian constitution as a south province of Serbia.

42 It should be mentioned here that international law prohibits statehood recognition of entities that were born out of a violation of the rule against the use of force, which is a *jus cogens* rule. Kosovo, on the other hand, declared its independence from Serbia and did not do so by use of force.

43 <https://kallxo.com/gjate/analize/cnjohja-e-kosoves-a-e-ekziston-dicka-e-tille/> [Accessed 28 April 2023].

CONCLUSION

KOSOVO: LESS COUNTRY WHEN RECOGNISED THAN WHEN DERECOGNOSED

“Serbia, hoping to evade the question of Kosovo’s legitimacy as an independent state, finds it much easier to persuade other states to derecognize Kosovo than to litigate whether Kosovo merits statehood,” (Democracy for Development, 2021, p.15).

Statehood capacity is not a decisive factor in the campaign against Kosovo’s independence advocated by Serbia and backed up by those who derecognized this country. Derecognitions of Kosovo were not provoked by a change of the factual Montevideo circumstances pertaining to the statehood. They also do not match to the Montevideo Convention’s passive (and the only existing internationally legal) doctrinal framework that makes derecognition possible due to a state ceasing to fulfill one or all statehood criteria set in Montevideo. On the contrary, Kosovo has enjoyed a stronger statehood under international law during the derecognition campaign than earlier when the recognitions were granted to the newly declared. At the onset of independence, its sovereignty was internationally monitored and the young country was even partially ruled by an international steering group. This group enjoyed a capacity to even overrule acts passed by Pristina.⁴⁴ It all means that Kosovo met the Montevideo statehood criteria to a greater extent and “was more of a country” at the time of the derecognitions than when the recognitions were initially declared. That could explain why derecognitions have not harmed, let alone erased, Kosovo’s legal existence, doing it only directly in relation to the derecognizing states.

MISING MOTIVES OF THE DERECOGNISERS

The countries that withdrew the recognition mostly did not announce their decision but left it to Belgrade. They did not contact Kosovo in advance, nor did they take a single step towards the state that they were recognized until then in order to clarify possible objections to its account that could lead to derecognition. There is no information about what Serbia’s arguments were to manage to convince small, far-reaching, lesser known, and mostly underdeveloped countries on the other

⁴⁴ Kosovo had been overseen by a group made up of 23 EU countries, the US and Turkey since 2008, when it unilaterally declared independence from Serbia. Western powers overseeing Kosovo have announced in September 2012 the end of their supervision of the tiny Balkan nation: <https://www.bbc.com/news/world-europe-19550809> [Accessed 30 April 2023].

side of the globe to walk back on their previous decision to recognize Kosovo and side with Serbia in one of the most sensitive political conflicts in Europe that just recently was on brink of a major conflict. This conflict concerns Europe, in particular after the full-scale Russian invasion of Ukraine, but does not touch upon them much. It is not clear what the national and international interest were that derecognizing countries were defending by taking sides in the Kosovo-Serbia diplomatic conflict and becoming a tool for preventing the creation of a majority in the UN that supports Kosovo's independence.

It is a generally accepted opinion that the derecognizing countries recognized Kosovo in the beginning not because of successful lobbying from Kosovo or because of a thorough understanding of its need for the statehood, but because Western powers, led by the U.S., lobbied them to do so. What could have been the motive for these countries to take an unpopular step that puts them at odds with Western powers, from whom they can expect much more backing than what Serbia can do for them? Diplomatically, it would be distasteful to claim that the derecognizing states, realized in hindsight that they had made a mistake recognizing Kosovo and, guided by the principle of justice in international relations, decided to quit the recognition of this country. It is also difficult to claim that by withdrawing their recognition of Kosovo the derecognizers opted for the side that is generally right in the dispute, because they were among the first to recognize Kosovo's independence.⁴⁵ This much ambiguity opens the door for scholars to suspect the existence of a tradeoff to Kosovo's derecognition. According to Visoka, different incentives from chequebook diplomacy to domestic and geopolitical interests "play a far more significant role in shaping the prospects for recognition or/and de-recognition than is often assumed," (2021, p.326).

LEGALIZATION OF DERECOGNITION INTRODUCES CHAOS IN INTERNATIONAL RELATIONS

The international law does not possess specific regulations for the process of state-recognition, nor withdrawal of recognition for that matter, (PIPS, 2019, p.5).

Remaining only at the discretion of states, derecognition is one of the

⁴⁵ On 18 February 2008 the National Assembly of the Republic of Serbia declared Kosovo's declaration of independence as null and void per the suggestion of the Government of the Republic of Serbia: <https://www.cbc.ca/news/world/serbia-declares-any-unilateral-kosovo-independence-bid-invalid-1.772561>

most controversial matters in modern international relations. In the Kosovo case it has not served any examination of whether the young country fulfils the core criteria of statehood. Also, being contradictory to the ruling of the ICJ of July 2010,⁴⁶ derecognitions of Kosovo are not about upholding international law as the court ruled that the independence declaration of Kosovo was not against the international law. The derecognition in the Kosovo case was used as a diplomatic tool for implementing the self-interests of the initiator of the process (Serbia) and the derecognizers. We know what Belgrade's IS goal in the derecognition campaign, but we do not know what were the interests of the derecognizers. In a world increasingly relying on peaceful co-existence and cooperation between nations, recognition of statehood matters immensely, determining who deserves international recognition and the benefits FROM it. Derecognition, on the other hand, produces a mess, starting first with recognition, continuing then with derecognition and returning in a position from which recognition can be executed again. Imagine what the world would look like if the 193 Member States of the UN start withdrawing their recognitions of other states with or without any justification based on international law? The legalization of the phenomenon in international law, according to which one country has the discretionary right, in the absence of specific and strict regulation, to withdraw the recognition of another whenever it considers that the targeted country does not deserve it, would introduce a lot of uncertainty and would increase the permanent presence of chaos in international relations. Why? Because any intention to legalize the phenomenon of withdrawing of recognition in international law would rule out the finality of recognition and will promote an infinite right to temporarily recognize and derecognise. Not to mention the real possibility of trading with derecognition. Chequebook diplomacy and rental recognition are not sustainable practices, as they turn international recognition into a tradable diplomatic commodity," (Visoka, 2021, p.329).

States as the main subject of international relations have used derecognition to a limited or nonexistent level because they have much more effective and legally elaborate means to show dissatisfaction with states with which they are in diplomatic conflict. The dilemma is how to demonstrate that dissatisfaction if the state who should receive that message is derecognized, that it does not exist? Imagine what would happen if international law institutionalizes derecogni-

46 <https://icj-cij.org/case/141/advisory-opinions> [Accessed 09 January 2023].

tion as an acceptable tool for punishing states that are not or do not behave to someone's liking, despite meeting the Montevideo criteria? With the decision to withdraw Russia's recognition, would the West successfully manage to cause some effect on the aggressor in the direction of giving up their territorial pretensions over Ukraine? Will it be in the position to negotiate peace more easily with a Russia that is derecognized or a Russia which is still recognized? That is why the author argues that Serbia's derecognition campaign against Kosovo does not represent a suitable and a long-term means for dispute solution or crisis management.

DERECOGNITION WORSENS THE IMAGE OF DERECOGNIZERS

In an analysis like this, it is impossible not to examine the role of the derecognizing states, as they are subjects of legally and politically unusual manifestation of will in international relations. The entire phenomenology of this process in the Kosovo case speaks a lot about their seriousness to be a worthy member of the international community, first by making fundamental decisions with international implications and then withdrawing them without any weighty justification.

Derecognition comes with a price, damaging the reneging country's credibility and potentially jeopardizing beneficial relations with those countries that support Kosovo, (Democracy for Development, 2021, p.17).

From the very beginning of the Kosovo derecognition campaign, it was strange and uncustomary that the states that withdrew the recognition, except in one case, were informing only Serbia, but not Kosovo, who is the addressee and subject of the decision to cancel the recognition. Was it a matter of the de-recognizers' great trust in Serbia that they would not manipulate their derecognition and use it for daily political purposes? Whatever reply, 'to recognize and then not to recognize' tool, blames the de-recognizers in the first place. They cannot turn the clock back and unmake a state, if it exists and the domestic reality remains factually unchanged. Derecognition can have a spill-over effect which not only undermines efforts to normalize relations between the parties in conflict but also triggers regional tensions, (Visoka, 2021, p.328).

Serbia's campaign to have countries withdraw their recognition of

Kosovo has increased tensions between Belgrade and Pristina, aggravating relations between the two countries. It has provoked the Kosovo government into responding to the campaign with tariffs on the import of Serbian goods. This tit-for-tat series of moves that has endangered the success of the EU-backed dialogue on the normalization of relations between the parties. Kosovo had consistently threatened to withdraw from the dialogue process if Serbia continued its anti-recognition campaign. Fortunately, the huge increase in tensions that the arbitrary derecognition campaign produced did not result in an open conflict between Kosovo and Serbia, but it showed that unjustified and unprincipled de-recognitions represent a destabilizing diplomatic tool that does not encourage peace. The two Balkan neighbors have no perspective in their constant gloating and effort to present themselves to the international public as the only side that is right. Neither can Serbia stop the process of further international recognition of Kosovo, nor can Kosovo convince Serbia to recognize the independence of the territory it still considers its southern province. That is why neither side should try to prove that it is only right in relation or comparison to the other side.

DERECOGNITION: BETWEEN CONSTITUTIVE PRACTICE AND POLITICAL CALCULATIONS

The success of the derecognition campaign, indicate that constitutive practices like derecognition and checkbook diplomacy will continue to shift the motivations that determine recognition away from the Montevideo Convention's criteria and towards political capital, (Democracy for Development, 2021, p.20).

The derecognition of Kosovo has been employed by Serbia as a tool of foreign policy and aims at preventing the creation of a majority in the UN that supports Kosovo's independence, but should not be viewed as a defense of the international order. The stakes in the Kosovo derecognition campaign have been high, not only for the targeted party but for all other young and small states with modest diplomatic capabilities and not entirely friendly or well-meaning neighbors. For now, it is difficult to predict what impact the campaign for the derecognition of Kosovo will have on international practice and how much it will serve as a model for those who would like to erase the existence of a state. As of now and if the practice of derecognition according to the voluntarist Kosovo model continues or expands by becoming so far the strongest contest of the Montevideo doctrine and practice on

recognition, it could be projected that they would produce significant consequences on a global scale by affecting harmony in international relations, moving away from the Montevideo Convention's criteria on the recognition (and derecognition) of states, to the field of political calculations and detrimental machinations.

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