

VISA AND KOSOVO

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Introduction: You never fully comprehend the privileges you have until someone denies them from you

For a moment imagine a country where the president is sworn in but neighboring countries refuse to recognize him. Now imagine that the speaker of the parliament, confronted with huge citizens' protests, decides to declare himself as an interim president. While international media report about alleged coup attempts and human rights violations, amid food and energy supply crisis, citizens try to flee to the neighboring countries as border restrictions are introduced. This country exists and it is called Venezuela. Its 30 million citizens are among over sixty privileged countries, including Australia, Brazil, Mexico, Ukraine and the US, that do not need a visa to enter the Schengen zone.

The Schengen zone is one of the European Union's biggest and most renowned successes. It has been praised and criticised, but over the years it has allowed more than 500 million citizens of 28 EU member states and 4 non-EU Schengen states to travel visa-free across the continent and with few exception also without any passport control.

This system also enables millions of citizens of other countries in the world to travel and stay in the Schengen zone up to three months. For citizens of those countries that do not enjoy this privilege, visas are needed. In 2017, 16.1 million applications for short-stay visas were lodged and 14.6 million visas were issued.¹ In Europe there are only six countries whose citizens need to apply for a visa to enter Schengen. These are Armenia, Azerbaijan, Belarus, Kosovo, Russia and Turkey.

Like all other Western Balkan countries Kosovo received from the European Commission a list of conditions to must be met in order for its citizens to be granted a visa-free travel – the so-called visa roadmap – in 2012. The roadmap consisted of 95 benchmarks that had to be met.²

In its latest report on Kosovo, published in May 2019, the European Commission repeated its assessment from summer 2018 that "...Kosovo has fulfilled all visa liberalisation benchmarks."³ The Commission also added that "in March 2019, the European Parliament supported the Commission's proposal for visa liberalisation in its first reading. The proposal is pending in the Council and should be treated as a matter of urgency."⁴

But in order for Kosovo to be on the list of visa-free countries the final decision by EU member states is missing. Some EU member states are sceptical, quoting fear of increased illegal migration to the EU. However, statistics show that the number of Kosovo asylum seekers in the last couple of years has decreased significantly. According to the Eurostat, the EU statistics agency, there were approximately 5,300

¹ Schengen visa info, "2017 Schengen Visa statistics for consulates", accessed 2019. <https://statistics.schengenvisainfo.com/2017-schengen-visa-statistics-for-consulates/>

² Schengen visa info, The Timeline of the Long Road to EU Visa Liberalization for Kosovo, <https://www.schengenvisainfo.com/news/timeline-eu-visa-liberalization-with-kosovo/>

³ Kosovo* 2019 Report, European Commission, page 3, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf>

⁴ Kosovo* 2019 Report, European Commission, page 3, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf>

first-time asylum seekers from Kosovo in the EU during 2017ⁱ. This number indicates a sharp drop of first-time applicants. Over the past few years, 9,200 Kosovars applied for asylum in 2016, a stark contrast to 2015 when almost 70,000 Kosovars sought asylum into the EU.

Furthermore, according to the most recent youth study conducted by Friedrich Ebert Stiftung, among all Western Balkan countries, Kosovo has the highest percentage of youth with no intention to emigrate, 41 percent compared to only 22 percent in Serbia.⁵ As Prishtina Insight, an English speaking news portal, concluded in March 2019:

*"The fear that Kosovars might 'invade' Europe illegally and produce instability doesn't stand, at least considering the above-mentioned statistics. Even in the worst-case scenario, if all Kosovars migrate to the EU, that is still only four percent of the total population of Ukraine."*⁶

A look at facts and statistics, as well as what happened when other Western Balkan countries were put on a visa-free list, reveals that the fear of experiencing a wave of migrants is unfounded.

In Kosovo, thousands of citizens await in anxiety for Schengen-visas to visit their relatives, attend a business-related event or just explore as tourists. Over the past ten years, personally, I obtained twenty visas. For some of those I had to pay 60 euros in order to travel for five days. It is up to a visa officer in consulates to decide on ones visa application. Sometimes it depends on pure luck and over the years frustrations grow. Among Kosovo citizens there is a growing feeling that visa officers determine someone as unqualified for the slightest of reasons.

In 2012, for example, I was unable to travel to Italy to attend a cultural event because the officer rejected my visa application. I distinctly remember this because it was the very first time I understood that even after the Kosovo war in 1999 I was not totally free to move wherever I wanted. I was a child when the war happened in Kosovo and yet I was still unable to grasp the wholeness of freedom as it is.

Back in the 1980s my parents could travel to Italy, Russia and the United States visa-free because they possessed a Yugoslav passport. Ironically, living in a democracy, I am refrained from free-movement, something that in my context seems more like a privilege rather than a human right. Thirty years later, a piece of paper would not let me go and meet new people in Italy, one hour away from my hometown by plane.

Overview: visa regime and its implications

This piece of paper, stamped in a passport, is of course a visa. A travel-visa, allows you to enter into a foreign country for a specific amount of time. After you submit all relevant documents, the embassy of the respective country you are travelling to requires you to wait for an answer, a period which could take up to 4 weeks.

Prior to submitting the visa application--among other things--you are required to submit your birth certificate, household information, employment history, bank information, scan your fingerprints, allowing the Embassy to know much of your personal information.

In 2012 the Italian Embassy in Pristina put a red stamp on my passport which said "refused." However, nobody explained why my application was refused. I, a 21 years

⁵ YOUTH STUDY SOUTHEAST EUROPE 2018/2019, The Friedrich-Ebert-Stiftung (FES), <http://library.fes.de/pdf-files/id-moe/15274-20190408.pdf>

⁶ A tale of two countries: Kosovo and Ukraine, Visar Xhambazi, March 2019, Prishtina Insight, <https://prishtinainsight.com/a-tale-of-two-countries-kosovo-and-ukraine/>

old journalist and occasional writer was not able to travel to Italy and present my work and I never knew the reasons why I was refused in the first place. A lot of other youngsters from Kosovo have lost tremendous opportunities, be that professional or personal ones, because they could not obtain a visa.

Dite Gashi, 28 years old, is one of the many who experienced this torment. Dite is a friend of mine and we know each other since elementary school. Today, Dite is a U.S. educated entrepreneur based in Czech Republic, who utilizes the power of blockchain, crypto currencies and financial software to bring about new disruptive innovations. He is the co-founder and CTO at Bitsapphire. Dite is an alumni of TLP – Transformational Leadership Program supported by the United States Agency for International Development (USAID). Occasionally he could not attend business opportunities due to different embassies processing methods and schedules to provide a visa. What Dite explained in 2016 remains relevant to this day:

*"I have another business opportunity that needs me to physically be in the Czech Republic in late November. As I was telling our partners — I cannot confirm my attendance.... [...]....The visa regime as we know it is very inefficient. I was a European resident for four years during my studies and have had numerous short-visit business and tourist visas for several European countries; the rules of which were completely respected. However, this does not guarantee me any sort of leniency when applying for a new visa."*⁷

Since five EU member states, Spain, Cyprus, Greece, Slovakia and Romania, do not recognize Kosovo's independence, difficulties for Kosovo's citizens are even stronger. Greece and Slovakia have liaison offices in Kosovo and issue Schengen visas for Kosovo citizens, but the Spanish position towards Kosovo has in that respect been quite aggressive. They don't accept Kosovo as a country, nor its passports, Spain does not even issue visas for Kosovo citizens.

This is why Tanita Zhubi, 28 years old, could not continue her master studies in Bilbao because Spain authorities would not accept her Kosovo passport. According to her, "its somehow impossible to go to Spain for a long time if you are a Kosovo citizen." Tanita had to pause and then go through the same procedure again, this time with a successful finish. She enrolled in a University in Aarhus, Denmark, and managed to obtain a visa in order to travel and live in Denmark for the needed period.

A lot of people like Dite and Tanita have been harshly damaged by the visa scheme. Dite and Tanita are just two of my close friends whose stories I am aware of. There are thousands of other untold stories out there.

When you have completed all criteria but you are still labelled as unqualified

The last Kosovo country report released by the European Commission in May 2019 mentions the word 'visa' 25 times in total.⁸ A country report is an annual document put together and published by the European Commission to show the progress and shortcomings of countries that hope to join the EU. Even though in July 2018 the European Commission confirmed that Kosovo had met all 95 required criteria, the proposal is pending in the Council and Kosovo citizens. The Head of EU Office in Kosovo and EU Special Representative, Nataliya Apostolova, has clearly stated that the EU member states should be rational in deciding soon:

⁷ Dite Gashi, YOU ARE FROM KOSOVO, NO BOARDING FOR YOU, November 2016, <https://kosovotwopointzero.com/en/kosovo-no-boarding/>

⁸ European Commission, Kosovo* 2019 Report, May 2019, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf>

“We want the people to be able to travel visa free as soon as possible. It is important to know that the European Commission and the European Parliament have said that Kosovo has met all conditions and recommended that visas be lifted”.⁹

In the Western Balkans, Serbia, Montenegro and North Macedonia were offered visa-free travel as early as 2009; visa restrictions for Albania and Bosnia and Herzegovina were lifted in 2010. Moreover, Ukraine and Georgia became the latest European countries to benefit from visa liberalization in 2016.¹⁰ With all conditions met, Kosovo citizens feel discriminated as the only citizens from the Western Balkans that have to apply for and obtain a visa to travel in the EU.

Not to forget here that not so long ago, the passport of Yugoslavia was quite a handful one.¹¹ For a certain period, Yugoslav citizens really had topped the global hierarchy of mobility. The Yugoslav government signed scores of mutual agreements on visa-free travel from the mid-1960s. Eventually this applied to most states on the globe, excluding, for example, the USA, Albania, China, Israel and Greece, but including over a hundred Non-Aligned states and almost all European states in both the Eastern and Western blocs.¹²

Visa restriction is seriously damaging Kosovo citizens, especially its youth. Half of Kosovo's population is under the age of 30. Furthermore, it is damaging the EU since it makes it harder to enjoy in what Kosovo has to offer. A significant number of Kosovo youngsters speak at least two foreign languages and throughout the years have shown enormous potential to contribute to European culture and sports. Majlinda Kelmendi, a judoka, won the first gold medal in the Olympics for Kosovo. “Shok” a short-film was nominated for Oscars in 2016. Kosovo football team are unbeaten in the last two years, losing only to England in September this year. Visa restriction is damaging the EU's reputation in Kosovo and could further strengthen the argument that Kosovo citizens are being treated differently.

While European Union is moving towards initiatives such as #DiscoverEU, with everyone turning 18 being able apply for a Interrail ticket for a whole summer, youth in Kosovo is still required to stand in long lines for their visas.¹³

Recommendations

- EU member states should, as a matter of priority, decide to allow Kosovo citizens to travel visa-free in the Schengen zone because the authorities fulfilled all conditions and fears of negative consequences are unfounded.
- Visa liberalization will boost Kosovo's economy and will allow more people to travel in Europe and hold business meetings with the hope of returning back home with new business deals. Visa liberalization can be instrumental to give life to youth mobility for Kosovo youngsters.
- The EU must keep their promises because Kosovo is the most pro-European country in Europe. Kosovars still view the EU with admiration; therefore, visa liberalization is also a foreign policy mechanism.

⁹ The youth are showing the way to Kosovo's European future, NATALIYA APOSTOLOVA, 2019, https://eeas.europa.eu/delegations/kosovo/62039/youth-are-showing-way-kosovo%E2%80%99s-european-future_en
¹⁰ Europe's isolated youth, FRANZISKA TSCHINDERLE, May 2018, <http://www.erstestiftung.org/en/europes-isolated-youth/>

¹¹ The afterlives of the Yugoslav red passport, Stef Jansen, 2012, BTurn, <http://bturn.com/8704/yugoslav-red-passport-afterlives>

¹² Lura Limani, Prishtina Insight, 'Over 5,000 Kosovars applied for asylum in the EU during 2017', March 2018, <https://prishtinainsight.com/5000-kosovars-applied-asylum-eu-2017/>

¹³ <http://www.youdiscover.eu/>
