



The Politicization of International Organizations: How Non-Recognizing States Obstruct Kosovo's Membership

Muhamet Brajshori¹, Center for Interdisciplinary Studies of the University of Sarajevo

Abstract

The politicization of international organizations undermines their integrity and effectiveness. This article focuses on the attempts to block and hinder Kosovo's membership in the World Customs Organization (WCO) and the Permanent Court of Arbitration (PCA), illustrating how states that do not recognize Kosovo use their political clout to hinder its membership. Despite Kosovo fulfilling all the necessary requirements, a few influential states have obstructed its accession by exploiting their roles within these organizations. The article highlights biased actions by member states, revealing a pattern of politicization and manipulation. It discusses the impact on neutrality, impartiality, and rule-based governance, calling for robust mechanisms to protect the integrity of international organizations. The article contributes to the broader debate on how member-state politicization affects the functioning of international organizations in a polarized world.

¹ Muhamet Brajshori is a PhD candidate at the University of Sarajevo, Center for Interdisciplinary Studies.

Introduction

The quest for recognition on the international stage has long been a key aspiration for states asserting their sovereignty. However, in a world of geopolitical tensions and competing interests, the path to recognition is often fraught with obstacles and political maneuvering. This is especially true for Kosovo, whose bid for statehood has been met with both support and resistance. Similar scenarios were rare even during the Cold War, save for cases like East and West Germany or North and South Korea. Today, Kosovo exemplifies a stark divide: Western powers advocate for its recognition, while Russia and China resist, backing Serbia's territorial claims.

At the heart of Kosovo's ongoing pursuit of recognition lies its effort to join key international organizations, a crucial step in affirming its international legitimacy. This quest for inclusion is not just symbolic; it grants Kosovo access to the privileges of recognized states. The struggle for membership reflects the broader challenges of statehood and sovereignty in the modern geopolitical landscape, where legal, political, and diplomatic forces intersect.

This article explores the obstruction of Kosovo's membership in international organizations, focusing on its efforts to join the World Customs Organization (WCO) and the Permanent Court of Arbitration (PCA). By analyzing these case studies, the article examines the motivations behind opposition to Kosovo's membership and the strategies used to block its accession.

The choice of the WCO and PCA as case studies is intentional, as both illustrate different facets of Kosovo's membership campaign. Despite opposition from non-recognizing states, Kosovo has secured membership in both organizations by leveraging legal frameworks that bypass traditional voting procedures. This approach, while legally valid, has drawn criticism from some members, highlighting differing views on alternative pathways to membership within the international community. Through these case studies, the article sheds light on the complex dynamics of resisting recognition within international organizations and offers broader insights into the implications for statehood, sovereignty, and the functioning of international institutions in a fragmented global order.

Navigating the Tightrope: The Interplay Between Member States and International Organizations

International organizations serve as platforms reflecting the collective interests of member states, relying on legitimacy and support to be effective (Binder and Heuper 2021, 1). These organizations enable states to address shared problems and pursue mutual interests, coordinating policy and fostering collective responses to global challenges. Their effectiveness depends on the level of engagement they receive from members, as broad support enhances legitimacy, mobilizing resources and facilitating decision making (Binder and Heuper 2021, 1). Conversely, skepticism and lack of support can hinder their ability to manage contentious issues.

In recent decades, international organizations have seen a rise in authority, reducing their reliance on individual member states for control (Lenz 2017, 1). This shift is evident in two key developments: majoritarian decision making, known as pooling, and the delegation of power to independent institutions (Lenz 2017, 1). Pooling allows decisions to be made by majority vote, increasing efficiency and reducing the risk of deadlock. Delegating authority to independent bodies enhances the impartiality of these organizations, enabling them to address complex transnational issues more effectively. However, even with greater autonomy, international organizations still depend on member states' consent (Binder and Heuper 2021, 1). Sovereignty remains fundamental, and organizations must balance their authority with respect for member states' independence.

This tension between national sovereignty and supranational authority is a persistent challenge. States acknowledge the benefits of collective action but are often reluctant to cede control over critical decisions. Member state consent is crucial not only as a legal requirement but also as a political necessity. Without trust and support, organizations struggle to implement policies and mobilize resources. Legitimacy plays a key role, as organizations perceived as legitimate can more easily attract the financial and political backing necessary to achieve their goals.

International organizations also play a pivotal role in global lawmaking through treaties, conventions, and regulations. Beyond their regulatory functions, they “define meanings and diffuse norms” (Binder and Heuper 2015, 238), that can promote a collective identity among member states. This normative influence fosters policy harmonization, encouraging cooperation. However, the balance between cooperation and sovereignty can be fragile. States may prioritize national interests over collective goals, engaging in obstructionist behaviour that undermines organizational effectiveness. Selective compliance and procedural manipulation can further weaken organizations, eroding trust and credibility.

Politicization within international organizations, often characterized as the pursuit of narrow political objectives in traditionally non-political arenas, complicates their functioning (Lyons et al. 1977, 85). The degree of politicization typically depends on the contentiousness of the issues addressed, which, in turn, influences the organization’s structure and effectiveness. While some argue that politicization reflects the organization’s engagement in a broader global bargaining process—integrating it into the complex interplay of geopolitical and normative dynamics that shape planetary governance (Lyons et al. 1977, 87)—it can also highlight its potential to expose underlying power dynamics. This dual perspective offers insights into strategic decision-making and organizational adaptation. However, politicization can also be wielded as a tool to advance specific agendas, often at the expense of consensus building, thereby exacerbating tensions and undermining the organization’s ability to respond effectively to global challenges. Ultimately, international organizations’ ability to navigate the complex interplay of sovereignty, legitimacy, and politicization is key to their effectiveness in addressing the global challenges of today.

The Journey of Kosovo Towards International Organizations

Kosovo’s declaration of independence on February 17, 2008, marked a critical juncture in its history, ending years of ambiguity over its political status. Despite significant support from Western nations and a UN-led proposal for “supervised independence” spearheaded by former Finnish President Martti Ahtisaari, Kosovo faced considerable obstacles in securing international recognition and integrating into the global community. The resistance from Serbia, backed by powerful allies such as Russia and China, and the divisions among European Union (EU) member states, including Greece, Spain, Romania, Cyprus, and Slovakia, have complicated Kosovo’s pursuit of sovereignty and international legitimacy. Kosovo’s reluctance to formally pursue United Nations (UN) membership underscores the complexities of its situation. Concerns about potential vetoes from Russia and China in the UN Security Council (Newman and Visoka 2018, 7) have deterred Kosovo from seeking full UN membership, despite substantial support from various nations and international entities.² Following Kosovo’s declaration of independence, key countries such as the United States, the United Kingdom, Germany, France, Italy, Turkey, Canada, Japan, and most EU member states promptly recognized the new state, bolstering its international standing.³

² Ministry of Foreign Affairs of Kosovo. 2022. “List of Recognition.” Accessed May 2, 2024. <https://mfa-ks.net/lista-e-njohjeve>.

³ Ministry of Foreign Affairs of Kosovo. 2022. “List of Recognition.” Accessed May 2, 2024. <https://mfa-ks.net/lista-e-njohjeve>.

However, Serbia's vehement opposition, supported by its strategic allies, has fuelled a contentious international debate regarding the legality and legitimacy of Kosovo's statehood. In an effort to obstruct Kosovo's international recognition, Serbia sought an advisory opinion from the International Court of Justice (ICJ) through the UN General Assembly. After thorough hearings and deliberations, the ICJ ruled in July 2010 that Kosovo's declaration of independence did not violate international law or Security Council resolutions (ICJ 2010), thereby affirming Kosovo's status as a *sui generis* case.⁴ Despite these legal affirmations, Kosovo continues to face diplomatic challenges and disputes instigated by Serbia. Nonetheless, Kosovo has made significant strides in its quest for international recognition. As of October 2024, 117 UN member states have officially recognized Kosovo's independence, according to the MFA

Kosovo (MFA Kosovo 2024). Additionally, Kosovo has successfully gained membership in over 70 international, European, and regional organizations and institutions, including prominent bodies such as the International Monetary Fund (IMF) and the World Bank, as well as entities like the Council of Europe Development Bank and the European Bank for Reconstruction and Development. The case of Kosovo illustrates the intricate interplay between political sovereignty, international recognition, and geopolitical dynamics. Kosovo's journey towards international recognition highlights the challenges that new states face in securing legitimacy within the global community. The support from Western nations and international organizations contrasts sharply with the resistance from Serbia and its allies, underscoring the geopolitical complexities involved in statehood recognition. Kosovo's experience demonstrates that international recognition is not merely a legal or procedural matter but is deeply embedded in the broader geopolitical landscape. The divisions within the EU and the strategic interests of global powers like Russia and China play a crucial role in shaping the outcomes of such recognition efforts. The ICJ's ruling, while affirming the legality of Kosovo's independence, did not resolve the political and diplomatic challenges that continue to impede its full integration into the international system.

Christina Davis's (2023) argument regarding the role of membership in defining a state's position within international society is particularly relevant to Kosovo, as it is to any country. Membership in international organizations shapes a state's identity, relationships, and interactions with other states and actors on the global stage (Davis 2023, 5). Through such memberships, states seek to shape their associations with other states and enhance their international standing. For Kosovo, pursuing membership in international institutions is a crucial aspect of its state-building and diplomacy efforts. By seeking membership, Kosovo aims to establish itself as a recognized and respected member of the international community, solidifying its sovereignty and legitimacy as an independent state. The absence of United Nations membership significantly impacts Kosovo's ability to fully participate in the international community and assert its sovereignty. This absence limits Kosovo's access to certain forums, resources, and diplomatic channels that are available to recognized states. Additionally, the lack of UN membership hinders Kosovo's ability to negotiate treaties, engage in formal diplomatic relations, and advocate for its interests on a global scale. In this context, membership, or the lack thereof, plays a crucial role in shaping Kosovo's position within international society.

⁴ The *sui generis* characterization of Kosovo's independence constitutes a legal and political framework advanced by Kosovo and its international supporters to underscore the uniqueness of its statehood within international law, rather than as a precedent for secessionist movements. This distinct status is justified by a combination of factors, including the historical context of systemic oppression and conflict, the prolonged period of international administration, the absence of Serbia's sovereign control since 1999, the UN-backed political process outlined in the Ahtisaari Plan, and the 2010 advisory opinion of the International Court of Justice (ICJ), which served as a culminating legal affirmation of this narrative. This strategic framing has been instrumental in securing broader international recognition for Kosovo's independence while simultaneously reinforcing its exceptional nature, thereby limiting its applicability to other contested regions.

Despite its established independence and recognition by many countries, Kosovo's status as a non-member of the UN underscores the ongoing challenges it faces in asserting its statehood and integrating into the international community. Davis's argument highlights the broader significance of membership in defining states' roles and relationships within international society. Beyond specific policy reforms and institutional constraints, membership status influences states' identities, perceptions, and interactions in the complex web of international relations. For Kosovo, achieving full membership in key international organizations remains a critical step towards solidifying its place in the global community and shaping its international identity. Membership in international institutions is instrumental for Kosovo, as it is for any country, in shaping its association with other states and enhancing its international status. The pursuit of membership in international organizations is not merely a procedural goal but a strategic endeavour. Membership in bodies such as the International Monetary Fund (IMF), the World Bank, and other regional and global institutions provides Kosovo with platforms to engage with other states, share its perspectives, and contribute to global policy discussions. These memberships help Kosovo build its international identity and allow Kosovo to counteract the opposition from states like Serbia and its allies by demonstrating its commitment to international norms and cooperative engagement. Through these memberships, Kosovo can showcase its dedication to the principles of international law, democratic governance, and regional stability, thereby strengthening its case for broader recognition and support.

Kosovo's Membership in WCO and PCA

Conventions are crucial for states seeking recognition and membership in international organizations. They establish diplomatic legitimacy and adherence to international norms, providing a framework of shared principles and obligations. Accession to conventions demonstrates a commitment to universal standards of behaviour, governance, and human rights, enhancing a state's credibility and trustworthiness globally. By aligning their legal frameworks with conventions, states demonstrate readiness for constructive international engagement, fostering cooperation and collaboration. Conventions are essential for navigating international diplomacy, establishing diplomatic relations, and pursuing recognition and membership in international organizations. Adherence to these conventions shows a commitment to the rule of law and international governance, essential for gaining acceptance and trust. Constituent treaties, which form the governance framework of international organizations, are crucial in this process. They define the rights and obligations of member states and play a transformative role in creating and defining the structures and mechanisms of international organizations, including new member admissions.

The transformative nature of constituent treaties highlights their importance in the international legal framework. By formalizing the establishment of international organizations, these treaties set the foundational rules and standards that govern the behaviour and interactions of member states (Klabbers 2002, 103). The regulation of membership in international organizations is rooted in the foundational principles of international institutional design, as articulated in their constituent treaties. These treaties function as constitutional documents that outline the organization's purpose, structure, and decision-making processes, while simultaneously establishing criteria for membership (Klabbers 2002, 104–105). For states aspiring to membership, understanding and adhering to the provisions of constituent treaties is crucial, as it signifies their alignment with the organization's foundational principles, commitment to its collective goals, and readiness to integrate into its governance structures. For states like Kosovo, which aspire to gain recognition and integrate into the international community, accession to conventions and adherence to constituent treaties are crucial steps. By aligning with these international legal instruments, Kosovo can enhance its diplomatic legitimacy and signal its readiness to participate constructively in international governance. This alignment helps Kosovo build a positive international reputation, making it a credible and trustworthy partner in the eyes of other states and international organizations.

World Customs Organization (WCO)

The provision in the Convention Establishing a Customs Co-operation Council reflects a broad and inclusive approach to membership, highlighting the organization's commitment to universality and cooperation beyond the constraints of United Nations membership. By explicitly stating that "the Government of any State which is not a signatory to the present Convention may accede thereto,"⁵ the convention avoids imposing restrictions based on UN membership or other specific criteria. This open language allows any state, regardless of its international status, to participate, emphasizing the importance of broad engagement in global cooperation. This inclusivity is particularly significant in areas like customs and trade, where collaboration across diverse political entities is essential for effective international coordination. Furthermore, as the convention serves as the legal foundation for the World Customs Organization (WCO), accession to the convention directly translates into membership in the WCO. The convention's accession procedure is notably straightforward, offering a sharp contrast to the complex and detailed processes required by other international organizations, such as the United Nations or UNESCO. This simplicity underscores WCO's focus on functional cooperation and practicality, ensuring that membership remains accessible and streamlined to encourage the widest possible participation.

The WCO Convention stipulates that the deposit of an instrument of accession by an aspiring member state is sufficient to initiate membership.⁶ This membership is formalized through the depositing of accession instruments within the Belgian Ministry of Foreign Affairs, which serves as the depository, followed by notification to relevant parties.⁷ Unlike other international organizations, the WCO does not mandate a comprehensive screening process or require affirmative votes from its organs. Instead, accession relies solely on the formal act of depositing the instrument, reflecting the organization's commitment to simplicity and inclusivity. There are no provisions for evaluating the suitability or qualifications of aspiring members, nor is responsibility assigned to any organ of the WCO for conducting such screenings. This absence of screening procedures underscores the organization's emphasis on openness and non-discrimination in its membership criteria.

By streamlining the accession process, organizations can expedite the participation of states in collaborative efforts, such as trade facilitation, security cooperation, and capacity building. This streamlined approach allows the WCO to attract a larger membership base, increasing its reach and impact on global affairs. A diverse membership enhances the organization's resources, expertise, and network, enabling it to pursue its mission more effectively. By reducing administrative burdens and simplifying decision-making processes, organizations like the WCO can allocate resources more efficiently towards achieving their objectives. This approach aligns with the logic of the founders of the Convention and the WCO, suggesting an intention to prioritize inclusivity and broad participation.

The founders of the WCO appear to have prioritized the pragmatic imperative of global customs cooperation over the political sensitivities associated with statehood. By streamlining the membership process and extending eligibility to "any State," the organization sought to foster broad international engagement in customs affairs, circumventing the diplomatic intricacies often tied to state recognition and participation in other international institutions.

⁵ World Customs Organization. 1950. *Convention Establishing a Customs Co-operation Council*. Accessed December 16, 2024. <https://www.wcoomd.org/en/about-us/legal-instruments/~media/7E31EB9C9DC24D7984C217508F05D9E8.ashx>.

⁶ World Customs Organization. 1950. *Convention Establishing a Customs Co-operation Council*. Accessed December 16, 2024. <https://www.wcoomd.org/en/about-us/legal-instruments/~media/7E31EB9C9DC24D7984C217508F05D9E8.ashx>.

⁷ World Customs Organization. 1950. *Convention Establishing a Customs Co-operation Council*. Accessed December 16, 2024. <https://www.wcoomd.org/en/about-us/legal-instruments/~media/7E31EB9C9DC24D7984C217508F05D9E8.ashx>.

On March 6, 2017, the WCO received notification from the Belgian Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation regarding the accession of the Republic of Kosovo to the Convention Establishing a Customs Co-operation Council (WCO 2017b). This communication indicated that on January 25, 2017, the Belgian authorities received the instrument of accession from the Republic of Kosovo pertaining to the aforementioned international act. As stipulated by Article XVIII, paragraph C, of the said convention, both the Convention itself and its annex became effective for the Republic of Kosovo on the date when the instrument of accession was deposited, namely January 25, 2017 (WCO 2017b). The Serbian government vehemently opposed Kosovo's accession to the Convention, arguing that it would grant Kosovo full membership status in the WCO, the primary international body governing customs. Serbia contended that Belgium, in its role as the depositary, had breached international law by accepting Kosovo's deposition to the Convention (Embassy of the Republic of Serbia in Belgium 2017). Furthermore, Serbia asserted that Kosovo lacks the legitimacy to become a member of the WCO (Embassy of Serbia in Belgium 2017). Serbia's opposition to Kosovo's accession to the Convention extends beyond mere participation in an international convention or membership in an international organization. It delves into the realm of statehood and border control, which are fundamental pillars of national sovereignty and territorial integrity.

In 2012, Kosovo submitted its instruments of accession to the WCO, seeking membership for the first time (WCO 2012). This request sparked significant debate within the WCO Council and Policy Commission. The core of the controversy revolved around the status of Kosovo as a state. The Chairperson ultimately concluded that, due to the lack of consensus, Kosovo's accession should not be revisited until there was tangible progress or a compelling reason to do so (WCO 2012). Consequently, the Council did not make a decision on Kosovo's application in 2012. There is a significant gap in the express powers granted to the WCO Council concerning the accession of new members. Specifically, the WCO Convention, which establishes the legal and operational framework of the organization, does not endow the Council with the authority to make decisions on the accession of new member states (WCO 1950).

The conclusions of the 2012 WCO Council Chairperson, which recommended delaying Kosovo's membership application until certain conditions were met, lack binding legal authority. In 2017, Belgium fulfilled its duties as a depositary by accepting Kosovo's instrument of accession to the World Customs Organization. A depositary's main responsibility is to manage the administrative aspects of international treaties, including receiving and recording accession instruments. Although Kosovo's statehood is not universally recognized, it enjoys recognition from a majority of the international community, providing a reasonable basis for treating Kosovo as a state for accession to international organizations. Therefore, Belgium's acceptance of Kosovo's accession instrument aligns with the recognition by the majority of states, operating within a legitimate and justifiable framework. Kosovo's act of depositing its accession instrument could be viewed as "tangible progress," meeting the conditions outlined in the 2012 conclusions.

Kosovo's membership in the World Customs Organization is clear-cut, initiated upon the deposit of its instrument of accession as stipulated by Article XVIII of the Convention Establishing a Customs Co-operation Council. This article explicitly states that any state can become a member upon depositing the instrument of accession with the Belgian Ministry of Foreign Affairs, the designated depositary.⁸ The 2012 conclusions, referenced by certain member states, including Serbia, Russia, Romania, and others, lack legal weight regarding Kosovo's accession process. These conclusions were not formal decisions within the WCO's constitutional framework, as the Council does not have jurisdiction over accession matters.

⁸ World Customs Organization. 1950. *Convention Establishing a Customs Co-operation Council*. Accessed December 16, 2024. https://www.wcoomd.org/en/about-us/legal-instruments/~/_media/7E31EB9C9DC24D7984C217508F05D9E8.ashx.

However, in 2017, some member states, led by Serbia and Russia chose to disregard the established legal framework of the WCO, impeding Kosovo's membership and challenging its rightful participation in the organization's activities. This obstruction undermines the WCO's integrity as an inclusive and rules-based institution. The situation escalated when the Chairperson of the WCO Council from the Russian Federation led discussions on challenging Kosovo's membership status (WCO 2017, paras 249–251). Russia, as Chair, outlined discussions within the Policy Commission, noting their thorough nature and the lack of a definitive conclusion. The Chairperson highlighted the complexity of considering quasi-state entities' legal status and the potential precedents set by the Council's decisions for future accession processes (WCO 2017, paras. 249–251).

Serbia's opposition to Kosovo's accession was vocal, asserting that the Council, where all Member States participate, serves as the supreme decision-making body of the WCO. Serbia cited the Council's 2012 conclusion, which recommended deferring Kosovo's accession until tangible progress was achieved (WCO 2017, para. 253). Serbia argued that this consensus decision reflected the collective will of all Member States, and challenging this conclusion was tantamount to challenging the will of all Member States (WCO 2017, para. 253).

Other countries, such as Kazakhstan, Russia, China, Argentina, Cyprus, Belarus, Spain, Romania, and Azerbaijan, echoed similar calls, advocating that no entity should become a member without Council approval, criticizing the depository for allegedly violating the founding documents of the WCO by not adhering to the Council's role in the accession process. Conversely, countries led by the United States, which had recognized Kosovo, welcomed Kosovo as a member of the WCO (WCO 2017, para. 290). They opposed the argument suggesting that the Council had any role in the accession process, citing the 1950 Convention.

The Secretary General of the WCO clarified the procedural norms governing accession to the Convention Establishing a Customs Co-operation Council. He asserted that once the depository acknowledged an instrument of accession and notified the members and Secretariat, the accession process was considered finalized, a protocol consistently followed for 65 years (WCO 2017, paras. 316–318). He distinguished between the accession scenarios of 2012 and 2017. In 2012, the depository sought Council advice before discontinuing the process, whereas in 2017, there was no prior consultation, and Kosovo's accession notification arrived concurrently for all members (WCO 2017, paras. 316–318). Stressing his lack of discretionary authority, the Secretary General underscored his commitment to procedural adherence and non-involvement in political issues within the Organization (WCO 2017, paras. 316–318).

The Chairperson provided a unilateral assessment of the discussions surrounding Kosovo's accession to the WCO (WCO 2017, para. 319). He highlighted objections to the depository's procedure, with several states expressing dissatisfaction and questioning the validity of actions taken (WCO 2017, para. 319). The Chairperson aimed to guide the process towards the removal of Kosovo's representatives by citing threats of member states leaving the Organization (WCO 2017, para. 320). Austria raised procedural objections, disputing the accuracy of the Chairperson's conclusions and citing inadequate consideration of the depository's position (WCO 2017, para. 320). Moreover, Austria pointed out factual inaccuracies, particularly regarding the assertion of a decision on Kosovo's accession in 2012 (WCO 2017, para. 324).

This controversy underscores the complex dynamics of international organizations' membership processes and the interplay between legal frameworks and political considerations. The case of Kosovo's accession to the WCO highlights the tension between procedural adherence and political maneuvering. On the one hand, WCO's legal framework stipulates a straightforward accession process that should be immune to political influence. On the other hand, member states' political interests and interpretations of procedural norms can complicate and impede this process.

The Belgian Ministry of Foreign Affairs, serving as the depository for the Convention Establishing a Customs Co-operation Council, played a crucial role in facilitating this process. By receiving Kosovo's instrument of accession and notifying all contracting parties and the WCO Secretary General, Belgium adhered to its procedural obligations (WCO 2017, para. 328). The distinction between "receiving" and "accepting" the instrument was emphasized, with Belgium clarifying that notification was a neutral formality rather than a decision (WCO 2017, para. 329). This approach ensured that legal consequences were determined by the application of the Convention, allowing each Contracting Party to assess statehood and eligibility issues through their responses.

The procedural simplicity of Kosovo's accession process, as opposed to the more complex procedures of other international organizations like the UN, highlights the WCO's commitment to inclusivity. In 2017, Kosovo's accession was informed by the fact that 114 states had recognized Kosovo as a sovereign entity, and it had already gained membership in various international organizations and multilateral conventions (WCO 2017, para. 330). Belgium's handling of Kosovo's accession mirrored its previous approach to Palestine's accession, despite not recognizing Palestine bilaterally (WCO 2017, para. 333). This is demonstrated, as argued by the depository, as its adherence to procedural integrity and transparency (WCO 2017, para. 331).

However, the 2017 accession process was marred by political contention. Argentina's proposal to establish a working group for analyzing future accessions, backed by Serbia and Brazil, reflects the contentious nature of Kosovo's membership (WCO 2017, paras. 334–338). The Chairperson of the WCO Council insisted on upholding the conclusions reached in 2012 and refused to grant Kosovo's representative speaking rights (WCO 2017, paras. 334–341). This decision, challenged by Belgium, invoked procedural rules and sought a vote, which the Chairperson confirmed (WCO 2017, paras. 342–343).

The contrasting viewpoints between the Chairperson and the Secretary General regarding Kosovo's membership status and voting rights highlighted divergent interpretations of organizational norms and conventions (WCO 2017, paras. 358–360). The Chairperson's opposition to acknowledging Kosovo's membership and the Secretary General's defence of Kosovo's legitimate membership underscores the tension between procedural adherence and political influence (WCO 2017, paras. 358–360). While the Chairperson's actions seemed to diverge from established norms, the Secretary General and the Belgian Depository maintained their commitment to the WCO's conventions (WCO 2017, paras. 358–360). Serbia's challenge to Kosovo's inclusion in the members' contributions list and Kosovo's subsequent invitation to pay its annual membership fee emphasized the procedural legitimacy of Kosovo's accession (WCO 2017, paras. 515–516).

As Belgium, acting as the depository, explained to the Council, only 13 out of the then 181 WCO Member States had formally objected to Kosovo's accession via Note Verbale (WCO 2017, para. 329). Therefore, the overwhelming majority of Member States did not lodge any objection to Kosovo's accession, in accordance with the procedures of the 1950 Convention and the Vienna Convention on the Law of Treaties. Despite this, the WCO was effectively hijacked by a small number of countries, supported by a Chairperson who failed to distinguish his national position from his role as Chairperson.

The 2017 episode exemplifies the susceptibility of international organizations to political maneuvering and strategic alignments, revealing the extent to which decision-making processes can be influenced by geopolitical considerations. The actions of the Chairperson, backed by a coalition of aligned member states, raise fundamental concerns about the legitimacy and neutrality of institutional procedures. Although some states voiced objections, the overall response from the broader membership suggested a general acceptance of Kosovo's accession, aligning with the principles embodied in the 1950 Convention and the Vienna Convention on the Law of Treaties. This divergence between established legal frameworks and political interventions underscores the persistent challenge international organizations face in preserving their institutional integrity amid shifting geopolitical currents.

Kosovo's membership in the WCO not only signifies a form of diplomatic recognition but also directly contests Serbia's political narrative and territorial claims. By affirming Kosovo's ability to administer its customs and regulate its borders independently, the international community implicitly weakens Serbia's assertions of sovereignty over Kosovo. Kosovo's case within the WCO underscores the profound influence of political interests on the operational integrity of international institutions, highlighting the necessity for resilient mechanisms that safeguard organizational processes from undue politicization. As Kosovo navigates its role within the WCO and asserts its rights as a member, this episode serves as a reminder to the intricate interplay between legal frameworks and geopolitical dynamics. It further illustrates the enduring challenge faced by international organizations in upholding institutional impartiality while contending with the realities of global political power structures.

Permanent Court of Arbitration (PCA)

The establishment of the Permanent Court of Arbitration (PCA) at the First Hague Conference represents a seminal moment in the evolution of international dispute resolution. As the world's first and oldest intergovernmental organization dedicated to the peaceful resolution of disputes, the PCA embodies the foundational principles of international arbitration and diplomacy (Daly et al. 2014, 3). The Convention formulated during the conference enshrined a commitment among participating states to the "Pacific Settlement of International Differences,"⁹ emphasizing methods such as "good offices, mediation, and inquiry" (van Haersolte-van Hof 2007, 397). Notably, arbitration was recognized as "the most effective, and simultaneously the most equitable means of resolving disputes that diplomacy has been unable to settle."¹⁰

Initially, the PCA's focus was predominantly on arbitration between states, reflecting the early twentieth-century emphasis on inter-state conflict resolution (Brooks 2014, 4). However, the PCA's scope has significantly broadened over time to include a diverse range of dispute-resolution mechanisms. Today, the PCA provides comprehensive services, including arbitration, conciliation, fact-finding commissions, good offices, and mediation, addressing the needs of states, state-controlled entities, intergovernmental organizations, and private entities (Brooks 2014, 4). This evolution highlights the PCA's adaptability to the complexities of contemporary international relations, reflecting a nuanced understanding of the varied forms of dispute resolution required in a globalized world.

Kosovo's accession to the 1907 Convention for the Pacific Settlement of International Disputes, formalized on November 18, 2015 (MFA of the Netherlands 2015), provides a significant case study in the application of PCA's principles. The Netherlands, as the depository for the Convention, played a crucial administrative role in facilitating Kosovo's accession, adhering to the procedural guidelines set out in Articles 91–97 of the 1907 Convention for the Pacific Settlement of International Disputes¹¹ and Articles 76–80 of the 1969 Vienna Convention on the Law of Treaties.¹² The depository's role is to manage the formalities of accession, ensuring neutrality and effective implementation of the treaty,

⁹ The principle enshrined in Article 1 emphasizes the commitment of signatory states to prevent the use of force in international relations by prioritizing peaceful dispute resolution mechanisms. This obligation requires states to resolve conflicts through legal and institutional means such as arbitration or judicial proceedings rather than coercion or military action, reinforcing their duty to seek peaceful solutions under international law.

¹⁰ Permanent Court of Arbitration. 1907. *Convention for the Pacific Settlement of International Disputes*. Accessed February 8, 2025. <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf>.

¹¹ Permanent Court of Arbitration. 1907. *Convention for the Pacific Settlement of International Disputes*. Accessed February 8, 2025. <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf>.

¹² UN Secretary General. 1969. *Vienna Convention on the Law of Treaties*. Accessed February 8, 2025. <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>.

without engaging in substantive assessments of the acceding state's legitimacy.¹³ At the time of Kosovo's accession to the Permanent Court of Arbitration, 116 states were parties to the PCA's founding conventions.¹⁴ Of these, 66 states formally recognized Kosovo as an independent sovereign entity.¹⁵ Thus, more than half of the member states of the PCA had then already recognized Kosovo as an independent State (Zyberi 2016). This recognition was crucial as it underscored the fact that membership in the United Nations or other international organizations is not a prerequisite for accession to the PCA's conventions. The process of accession, akin to that of the World Customs Organization's 1950 Convention, relies on the formal act of depositing the instrument, reflecting an approach that prioritizes inclusivity and simplicity. This procedural framework aligns with the broader objectives of international conventions, which seek to maximize participation and facilitate broad-based adherence to international norms.

Kosovo's accession to the PCA's conventions, despite its non-UN membership, exemplifies the principle that procedural mechanisms in international treaties can accommodate a wide range of states. This inclusivity underscores the PCA's approach to universal principles of peaceful dispute resolution, irrespective of broader political or diplomatic controversies. The case of Kosovo highlights the significance of procedural neutrality and administrative efficiency in international organizations. The role of the depositary in managing the formal aspects of treaty accession, without engaging in substantive decisions about the acceding state's status, reinforces the importance of maintaining impartiality in international legal processes. This approach ensures that the fundamental principles of international conventions are upheld, even in the face of complex geopolitical dynamics.

The case of Kosovo's accession to the Permanent Court of Arbitration presents a complex intersection of procedural norms, institutional authority, and international law. The developments surrounding Kosovo's membership status illuminate broader discussions about the governance of international organizations and the interplay between procedural rigidity and political considerations.

On January 4, 2016, the PCA's Administrative Council made a notable decision to "keep under review" the status of Kosovo and Palestine, deferring any definitive resolution on their membership (Zimmermann 2016). This decision, instructing the depositary to exclude Kosovo from the list of member states during the evaluation period, was met with significant objection from Kosovo (MFA of the Netherlands 2016). Kosovo contended that accession to the 1907 Convention for the Pacific Settlement of International Disputes was contingent solely upon the deposit of an accession instrument, which had been duly completed (MFA of Kosovo 2016a). Kosovo argued that the Convention did not provide for review or objection mechanisms by the Member States or the Administrative Council and that no agreements establishing specific conditions for accession existed (MFA of Kosovo 2016a). According to Kosovo, the longstanding practice of the PCA was to accept new members without imposing additional conditions, emphasizing that the Convention's legal framework did not grant the Administrative Council or the Depositary the authority to remove Kosovo from the list post-accession (MFA of Kosovo 2016a). The procedural conflict came to a head when, despite the PCA's initial decision, Palestine was subsequently recognized as a Contracting Party and member of the PCA on March 14, 2016 (Permanent Court of Arbitration 2016b). The contrast in handling Kosovo's and Palestine's accession raises crucial questions about the consistency and fairness of procedural application within the PCA. The recognition of Palestine as a member on December 29, 2015, following a favourable vote, while Kosovo continued to face procedural and political barriers, highlights

¹³ Permanent Court of Arbitration. 1907. *Convention for the Pacific Settlement of International Disputes*. Accessed February 8, 2025. <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf>.

¹⁴ Permanent Court of Arbitration. 2024. "Members of the Permanent Court of Arbitration." Accessed December 16, 2024. <https://pca-cpa.org/en/about/introduction/members-of-the-court>.

¹⁵ Ministry of Foreign Affairs of Kosovo. "List of Recognition." Accessed May 2, 2024. <https://mfa-ks.net/lista-e-njohjeve>

how geopolitical factors can shape decision-making within international organizations. Kosovo's recognizing partners in the PCA advocated for Kosovo's inclusion in the organization. They proposed an agenda item for the PCA's 195th meeting, scheduled for June 13, 2016, to address Kosovo's membership status (Permanent Court of Arbitration 2016c). Kosovo reiterated its position that it had fulfilled all requirements for membership and that both the Administrative Council and the depositary had overstepped their authority under the 1907 Convention (MFA of Kosovo 2016b).

The PCA Administrative Council's decision on June 13, 2016, to rescind its January 4, 2016, decision and formally recognize Kosovo as a member state provides a critical case study in the understanding of institutional governance (Permanent Court of Arbitration 2016a). This decision, following a vote of 41 in favour, 24 against, and 13 abstentions, restored Kosovo's status as a member of the PCA, reaffirming its accession to the Convention (Permanent Court of Arbitration 2016a). The PCA's initial decision to review Kosovo's status reflects an attempt to navigate the political sensitivities surrounding international recognition and membership. The eventual reversal highlights the tension between procedural adherence and political influence in international organizations. This situation underscores the challenge of maintaining procedural integrity while addressing geopolitical considerations. The debate over Kosovo's membership illuminates questions of authority and legitimacy within international organizations. The PCA's decision-making processes, as evidenced by the differing treatments of Kosovo and Palestine, raise concerns about the consistency of institutional norms and the role of political factors in shaping organizational outcomes. The handling of Kosovo's accession reflects broader implications for international law and practice. The procedural debates and political interventions highlight the complexities of treaty interpretation and the implementation of international conventions. This case serves as a reminder of the need for robust mechanisms to safeguard the impartiality and effectiveness of international dispute resolution bodies. The role of the depositary in managing accession processes and the adherence to procedural norms is crucial for the legitimacy of international treaties. The PCA's experience underscores the importance of maintaining a clear distinction between administrative functions and substantive decisions to ensure the integrity of international legal frameworks.

The actions taken by the Netherlands, as the state depositary for the 1907 Convention for the Pacific Settlement of International Disputes, and the subsequent decisions by the PCA's Administrative Council regarding Kosovo and Palestine provide a critical lens through which to examine procedural norms, legal authority, and political motivations within international organizations.

The Netherlands' initiative to independently raise the issue of Kosovo's accession to the PCA, despite the presence of a mechanism allowing any concerned state to call for a meeting of the Administrative Council, raises questions about the necessity and motivations behind this action (Zyberi 2016). At the time of the PCA's Administrative Council's meeting on January 4, 2016, only three of the 116 PCA member states—Russia, Serbia, and Mexico—had voiced objections to Kosovo's membership (Zyberi 2016). Notably, a significant majority of PCA member states had recognized Kosovo as an independent state. This majority recognition, combined with the procedural framework for accession to the 1907 Convention, suggests that the Netherlands' decision to highlight Kosovo's membership may have been disproportionate.

This situation mirrors broader issues related to the role of depositaries and the exercise of authority within international organizations. The Netherlands' proactive approach could be seen as exceeding the scope of its administrative responsibilities, raising concerns about whether such actions align with the principles of neutrality and impartiality expected of a depositary. The absence of widespread dissent among PCA member states further questions the justification for initiating a review process, highlighting potential biases or political motivations influencing the Netherlands' decision.

The unilateral actions taken by certain states to suspend or remove Kosovo from PCA membership, absent clear legal authority or procedural legitimacy, underscore a departure from established norms. The PCA's 1907 Convention, like many international agreements, does not explicitly provide mechanisms for suspension or expulsion of member states by the Administrative Council. This lack of clear procedural provisions suggests that attempts to alter Kosovo's status without a legal basis or broad consensus represent a significant deviation from established practices, reminiscent of similar issues observed in other international bodies such as the World Customs Organization.

The historical context of objections to state accession, including the Democratic Republic of Germany's efforts to join the PCA in the late 1950s, illustrates a pattern of resistance to new members that challenges the foundational principles of inclusivity and voluntary participation (Zyberi 2016). Objections based on geopolitical considerations rather than explicit treaty provisions can undermine the collaborative nature of international adjudication mechanisms and disrupt the pursuit of peaceful dispute resolution. This phenomenon highlights the tension between the sovereign equality of states and the procedural norms governing international organizations.

International law, which upholds the principle of sovereign equality among states, underscores the importance of respecting states' autonomy in determining their treaty obligations. This principle ensures that treaty relations are based on voluntary consent and mutual agreement, reinforcing the equality and autonomy of states in the international arena. The PCA's handling of Kosovo and Palestine underscores the need for clear guidelines and procedures to address objections while preserving the principles of fairness, transparency, and inclusivity.

The reversal of the PCA's Administrative Council's decision regarding Palestine set a precedent for reconsidering Kosovo's status and reflecting a broader trend toward maintaining consistency in organizational practices. However, these reversals, while necessary for preserving the PCA's credibility and commitment to impartiality, also highlight the challenges of balancing legal consistency with procedural fairness. Future decisions within international organizations must prioritize adherence to legal norms, procedural transparency, and respect for established practices to ensure the integrity and effectiveness of mechanisms for peaceful dispute resolution.

Conclusion

The case of Kosovo's accession to the World Customs Organization and the Permanent Court of Arbitration offers a compelling lens through which to examine the theoretical concepts of institutional integrity and procedural adherence within international organizations. This analysis highlights the intersection between international norms, political maneuvering, and organizational governance. Kosovo's adherence to the procedural frameworks set by the WCO and the PCA reflects a theoretical commitment to the principles of international law and organizational norms. The meticulous following of accession procedures, including the formal submission of documentation and compliance with membership protocols, demonstrates Kosovo's dedication to engaging with the global community responsibly and lawfully. This adherence aligns with the broader theoretical notion that states must respect and follow established international norms and procedures to legitimize their participation in global institutions.

Certain member states' obstruction of Kosovo's accession, despite lacking legal authority, underscores the conflict between political maneuvering and legal principles. By exploiting procedural gaps and applying diplomatic pressure, they hindered Kosovo's membership, deviating from standards of transparency, accountability, and the rule of law. Scholarly discussions on political interference in international organizations highlight how such actions weaken institutional credibility and compromise their impartiality in global governance.

The effects of these tactics on the WCO's institutional structures reveal a broader challenge: the erosion of trust in international organizations. Political bias in decision making undermines institutional integrity, diminishing confidence among member states and stakeholders. Theoretical perspectives emphasize that maintaining credibility requires fair, transparent, and rules-based processes.

Conversely, the PCA's response to procedural irregularities in Kosovo's accession demonstrates institutional adaptability. Its swift correction upon recognizing deviations reflects a commitment to procedural integrity and established norms. This responsiveness highlights how organizational legitimacy is upheld through acknowledging and addressing procedural deficiencies, reinforcing adherence to institutional frameworks.

The failure of states to engage with legal mechanisms under the Vienna Convention on the Law of Treaties (VCLT) when opposing Kosovo's membership provides insight into the theoretical tension between legal norms and political strategy. As a cornerstone of international law, the VCLT establishes guidelines for treaty negotiation, ratification, and interpretation, including specific procedures for objections and modifications. Adhering to these frameworks is essential for maintaining the legitimacy and operational stability of international treaty systems. When states bypass these legal protocols, they not only challenge the rule of law but also diminish the authority of international institutions, weakening their role in dispute resolution and global cooperation.

Kosovo's accession to international conventions exemplifies the broader theoretical challenge of politicization within international organizations. The propensity for states to engage in political maneuvering rather than adhering to established legal norms illustrates the vulnerability of these organizations to manipulation. This politicization can manifest in various ways, such as exploiting procedural loopholes, exerting diplomatic pressure, and leveraging alliances to advance political objectives. The theoretical concern here is that such manipulation undermines the principles of impartiality, transparency, and fairness that are supposed to govern international organizations. By prioritizing political expediency over procedural integrity, member states compromise the effectiveness of these institutions and erode confidence in their ability to function as unbiased arbiters of international affairs.

The disregard for organizational norms and principles in favour of political objectives sets a troubling precedent for the functioning of international organizations. Theoretically, this erosion of integrity not only undermines the credibility of these institutions but also impedes their ability to fulfill their mandates effectively. When states prioritize their political interests over adherence to established procedures, they contribute to a deterioration of the organizational mechanisms designed to ensure fairness and accountability. This deterioration has significant implications for the ability of international organizations to resolve disputes, foster cooperation, and maintain global stability.

The accession process of Kosovo reveals the intricate dynamics between political interests and institutional frameworks within international relations. This case study illuminates a theoretical concept wherein member states exploit organizational mechanisms for strategic advantages, thus politicizing processes that should be governed by neutral and established norms. The interplay between political agendas and institutional rules underscores a fundamental challenge in international governance: the susceptibility of international organizations to external pressures and manipulation.

These insights contribute to a broader understanding of how international organizations must navigate the complexities of political influence while adhering to established norms. Moving forward, it is imperative for these organizations to reinforce adherence to legal frameworks and procedural integrity to safeguard their credibility and effectiveness in global governance. The lessons drawn from Kosovo's accession process underscore the need for robust mechanisms to ensure fairness, transparency, and accountability, thereby preserving the organizations' role as neutral and effective platforms for international diplomacy and dispute resolution.

REFERENCES

- Archives of the Ministry of Foreign Affairs and Diaspora of Kosovo, Pristina. International Bureaus of the Permanent Court of Arbitration, The Hage, Netherlands. Secretariat of the World Customs Organization, Brussels, Belgium.
- Binder, Martin, and Monika Heupel. 2015. "The Legitimacy of the UN Security Council: Evidence from Recent General Assembly Debates." *International Studies Quarterly* 59 (2): 238–250. <https://doi.org/10.1111/isqu.12134>.
- . 2021. "The Politics of Legitimation in International Organizations." *Journal of Global Security Studies* 6 (3): 1–18. <https://doi.org/10.1093/jogss/ogaa033>.
- Daly, Brooks W., Evgeniya Goriatcheva, and Hugh A. Meighen. 2014. *A Guide to the PCA Arbitration Rules*. Oxford University Press.
- Davis, Christina L. 2023. *Discriminatory Clubs: The Geopolitics of International Organizations*. Princeton University Press.
- Embassy of the Republic of Serbia in Belgium. 2017. "Note Verbale 10445, March 7, 2017, Addressed to the Federal Public Service Foreign Affairs, Foreign Trade, and Development Cooperation of Belgium." Archive of the Ministry of Foreign Affairs and Diaspora of Kosovo, Pristina.
- International Court of Justice. 2010. *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*. Advisory Opinion, no. 2010/25. <https://www.icj-cij.org/sites/default/files/case-related/141/16012.pdf>.
- Klabbers, Jan. 2002. *An Introduction to International Institutional Law*. Cambridge University Press.
- Lenz, Tobias. 2017. "The Rising Authority of International Organisations." *GIGA Focus Global* 4 (11)1–11. GIGA German Institute of Global and Area Studies - Leibniz-Institut für Globale und Regionale Studien. https://www.ssoar.info/ssoar/bitstream/handle/document/53943/ssoar-2017-lenz-The_Rising_Authority_of_International.pdf?sequence=1&isAllowed=y&lnkname=ssoar-2017-lenz-The_Rising_Authority_of_International.pdf.
- Lyons, Gene M., David A. Baldwin, and Donald W. McNemar. 1977. "The 'Politicization' Issue in the UN Specialized Agencies." *Proceedings of the Academy of Political Science* 32 (4): 1–14.
- Ministry of Foreign Affairs of Kosovo. 2016a. "Note Verbale Addressed to the Ministry of Foreign Affairs of the Netherlands." February 28, 2016. Archive of the Ministry of Foreign Affairs and Diaspora of Kosovo, Pristina
- . 2016b. "Note Verbale to the Member States of the PCA, Ref. 242/2016 of 8 June." Archive of the Ministry of Foreign Affairs and Diaspora of Kosovo, Pristina.
- Ministry of Foreign Affairs of the Kingdom of the Netherlands. 2015. "Notification on the Accession of Kosovo to the Convention for the Pacific Settlement of International Disputes of 1907." November 18, 2015. https://repository.overheid.nl/frbr/vd/003316/1/pdf/003316_Notificaties_12.pdf.
- . 2016. "Note Verbale Addressed to the MFA Kosovo." January 22, 2016. Reference no. MINBUZA-2016.45091. Archive of the Ministry of Foreign Affairs and Diaspora of Kosovo, Pristina.
- Ministry of Foreign Affairs of Kosovo. 2022. "List of Recognition." Accessed May 2, 2024. https://mfa-ks.net/lista-e-njohjeve_
- Newman, Edward, and Gëzim Visoka. 2018. "The Foreign Policy of State Recognition: Kosovo's Diplomatic Strategy to Join International Society." *Foreign Policy Analysis* 14 (3): 367–387. <https://doi.org/10.1093/fpa/orw042>.

- Permanent Court of Arbitration. 1907. *Convention for the Pacific Settlement of International Disputes*. Accessed February 8, 2025. <https://docs.pca-cpa.org/2016/01/bd7626f1-1907-convention-for-the-pacific-settlement-of-international-disputes.pdf>.
- . 2016a. “New PCA Member State: Kosovo.” June 14, 2016. Accessed March 1, 2025. <https://pca-cpa.org/en/news/new-pca-member-state-kosovo>.
- . 2016b. “New PCA Member State: Palestine.” Accessed March 1, 2025. <https://pca-cpa.org/en/news/new-pca-member-state-palestine>.
- . 2016c. “Provisional Agenda of the 195th Administrative Council Meeting on June 13, 2016.” Document CA 166845. International Bureau of the Permanent Court of Arbitration, The Hague, Netherlands.
- . 2024. “Members of the Permanent Court of Arbitration.” Accessed December 16, 2024. <https://pca-cpa.org/en/about/introduction/members-of-the-court>.
- UN Secretary General. 1969. *Vienna Convention on the Law of Treaties*. Accessed February 8, 2025. <https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>.
- van Haersolte-van Hof, Jacomijn J. 2007. “The Revitalization of the Permanent Court of Arbitration.” *Netherlands International Law Review* 54 (2): 395–413. <https://doi.org/10.1017/S0165070X07003956>.
- WCO (World Customs Organization). 1950. *Convention Establishing a Customs Co-operation Council*. Accessed December 16, 2024. <https://www.wcoomd.org/en/about-us/legal-instruments/~media/7E31EB9C9DC24D7984C217508F05D9E8.ashx>.
- . 2012. Document SC0112E1a, 2012 Council Session, June 28. Secretariat of the World Customs Organization, Brussels, Belgium.
- . 2017. “Minutes of the 129th/130th Sessions of the Customs Co-operation Council (Brussels, 6–8 July).” Available at the Secretariat of the World Customs Organization, Brussels, Belgium.
- . 2017. “Notification from Belgian Authority on Deposit of Instrument-Convention Establishing a Customs Co-operation Council.” March 10. Accessed May 5, 2024. <https://www.wcoomd.org/en/media/newsroom/2017/march/notification-from-belgian-authority-on-deposit-of-instrument.aspx>.
- Zimmermann, Andreas. 2016. “Palestine at the Gates of the Peace Palace: The Long and Windy Road Towards Palestinian Membership in the Permanent Court of Arbitration.” *EJIL: Talk!* April 5. Accessed May 25, 2024. <https://www.ejiltalk.org/palestine-at-the-gates-of-the-peace-palace-the-long-and-windy-road-towards-palestinian-membership-in-the-permanent-court-of-arbitration/>.
- Zyberi, Gentian. 2016. “Kosovo’s Membership in the PCA: Some Comments on Professor Zimmermann’s Post.” *EJIL Talks*, April 13. Accessed May 25, 2024. <https://www.ejiltalk.org/kosovos-membership-in-the-pca-some-comments-on-professor-zimmermanns-post>.

Published by the Centre for European Studies at Carleton University, Ottawa, Canada

Available online at: <https://ojs.library.carleton.ca/index.php/CJERS/index>

The *Canadian Journal of European and Russian Studies* (CJERS – formerly *Review of European and Russian Affairs*) is an open-access electronic academic peer-reviewed journal: articles are subject to double-blind peer-review. Topics relate to the European Union, its Member States, the former Soviet Union, and Central and Eastern Europe. The journal is published by the Centre for European Studies, an associated unit of the Institute of European, Russian and Eurasian Studies at Carleton University. CJERS aims to provide an accessible forum for the promotion and dissemination of high-quality research and scholarship.

Contact:

Carleton University
The Centre for European Studies
1103 Dunton Tower
1125 Colonel By Drive
Ottawa, ON K1S 5B6
Canada
E-mail: CJERS@carleton.ca

Creative Commons License



<https://creativecommons.org/licenses/by-nc-nd/4.0/>

This article is licensed under a Creative Commons Attribution-Non-Commercial-No Derivs 4.0 Unported License (CC BY-NC-ND 4.0). Articles appearing in this publication may be freely quoted and reproduced, in unadapted form only, provided the source is acknowledged. We request that for any online postings, you do so by providing the title and/or abstract with the DOI link back to the original version of the article on the journal's website.

ISSN: 2562-8429

© 2025 The Author(s)