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THE SECURITY SYSTEM IN KOSOVO

A Bachelor Thesis submitted for the degree of
"Bachelor of Arts in Law, Political Science and Diplomacy"
at the University for Business and Technology

UBT

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Executive Summary

Security is one of the fundamental elements in order that the state to exercise without any restriction or threats (internal and external), its control and acts, within the lawful and administrative borders.

The synthesis of all social subsystems is the security system, because it secures the basic conditions for the development, and the improvement of life quality, as well as the existence of society¹. In order to establish a safe environment within a state, it is needed a sub-institutional and international cooperation. The security of the state and its stability, is dependent upon some relevant factors which in direct or indirect way have impact in the security system, but it also it depends from the environment that it is surrounded by, such as geopolitics and geostrategic environment.

The threats that come from terrorism, organized crime, contraband, crimes, economic development, weaknesses of judicial system, the safety of ecological environment; all of these require individual responsibility and institutional for the security of the right to live (physical security), as a precondition to realize the fundamental human rights.

The system of security in Kosovo is build upon several institutions, where each of them has its specifics, and by the way its interconnections, (which make it be “sui generis”) make it to be more complicated. So it is not easy to understand the way how the security functions, its area of operation, its organization system and the institutions which control it.

My purpose on this topic is to show the functioning of the security system in Kosovo. But, the foundations and establishments of institutions and organizations have been in the process of overall establishment, so my only possibility was only to describe the processes. By the way, the process of establishment has brought some difficulties on my project

Since the end of the war, the security system is in the building process, where while some of the institutions and some very important organizations, which were very important and necessary, created a chain system in the field of security.

¹ Gashi (2006), The Management Strategy of Kosova Security Force System

Short historical of the Security System in Kosovo 1999-2009

By the end of the war and the removal of the Yugoslav police forces from Kosovo, the Resolution 1244 was a document for physical security of the unprotected civilians, so for the purpose of security, this resolution was for the purposes of security, after that it directly comes from the mandate of the Security Council “For International Protecting the Peace and Security.” In order to create a safe environment for all citizens and the return of the refugees, except the presence of the NATO forces, this Resolution later approved to bring the presence of the UNMIK police as well. In Kosovo it started to be established a new environment, based on the presence and the establishment of the KFOR troops, and the security services.²

OSCE in cooperation with some other organizations founded the Kosovo Police Service, which was very limited in their competences in the field of security. But, based on the success they showed, they began to have more competences.

The security chain in Kosovo was strengthen by the Kosovo Protection Corps, which were established by the end of demilitarization of the former Kosovo Liberation Army. KPC played a very important role in the security system, and as such they were one of the most credible institutions.

Now we will see below that how the changes happened within these organizations.

UNMIK

Its base comes from the Resolution 1244 of the United Nations Security Council. UNMIK was set in Kosovo in 1999, just after the end of the war, and at that time it had the role of a temporary government which in domestic meaning was not established yet.

Primar duties of UNMIK in Kosovo were: performance of the civil administrative functions, establishment of the substantial and self-governmental institutions, to help ease the process of deciding the final Kosovo Status, coordination within the international emergency and humanitarian organizations, sustain the key infrastructure reconstruction, maintain and perform

² Gashi (2006), The Management Strategy of Kosova Security Force System

the civil laws, to promote for human rights and offer security for the return of all refugees removed from their properties.³

The jurisdiction of UNMIK was organized in 4 main pillars:

1. Police and Justice
2. Civil Administration
3. The Establishment and democratization of Institutions
4. Economic development and reconstruction⁴.

The first pillar, through the UNMIK police, was determined to secure a safe environment. The mandate of UNMIK police is written in Point 11, alinea (1), by the Resolute 1244 of the Security Council of the United Nations Organization, which states that “it protects the civil order and law, by including the establishment of native police forces, and this through the presence of the International Police which will be serving in Kosovo”⁵(Gashi 2006).

This Police force consisted of Special Forces which acted according to the need in specific cases, in ex. for securing the law execution in borders, migration, and for the border crossing it was responsible the border police.

After the announcement of the Kosovo independence, the UNMIK role has changed by the reconfiguration of the UNMIK mission made by the General Secretary of UN Ban Ki Mun. The current mission in Kosovo, EULEX, still has some responsibilities, especially in police sector and in courts where the majority of population is inhabited by Serbs, but the majority of responsibilities have been left to the institutions of Republic of Kosovo.

NATO- KFOR

Since June 1999, NATO troops were established in Kosovo, with the purpose of creating peace and stability, which were leading peaceful operations in our country. This particular part of NATO which was established in Kosovo was called KFOR (Kosovo Force). Initially the

³ http://en.wikipedia.org/wiki/United_Nations_Interim_Administration_Mission_in_Kosova

⁴ http://en.wikipedia.org/wiki/United_Nations_Interim_Administration_Mission_in_Kosova

⁵ Gashi (2006), The Management Strategy of Kosova Security Force System, page 11

number of NATO troops was 50.000, but as the process of establishing the institutions and the general stability, the number decreased in 15000.

The initial tasks of KFOR were medical assistance, security and public order, minority security, boundaries security, the return of refugees, deactivation of unexploded munitions, sustain and the establishment of civil institutions, judicial system, and the implementation of the program for weapon amnesty.

The main purpose of KFOR was to create a calm and stabile environment. KFOR organized the demilitarization of the Kosovo Liberation Army based on a preliminary agreement, so in that way it created the Kosovo Protection Corps. It collected all the remained weapons from war, and it makes in continuity doing so in nowadays as well. KFOR has readiness for maintaining security during all the time.

After Kosovo declared independence, KFOR is assigned with new tasks, which were adopted in accordance with the situation.

The process of decomposition of the Kosovo Protection Corps and its members has gone in parallel with the rise of the Kosovo Security Force. Also in the building process has been integrated the establishment of the Ministry of KSF, which at the end are all responsibilities of KFOR.

KFOR continues to be in Kosovo in accordance to its mandate, even though with slightly changes that it has done depending in the situation. It is a key factor in the security issues, and it will be so unless there is not any next decision by the Security Council or any other decision which would change the role and mandate of KFOR in Kosovo.

Kosovo Protection Corps

Kosovo Protection Corps was the only institution inherited from the Kosovo Liberation Army. KPC was formed based on agreement for the demilitarization and transformation of the former Kosovo Liberation Army. Officially KPC was established on 20th of September, 1999. In the document “Enterprise for Demilitarization and transformation of KLA” signed by the political representative of KLA and KFOR general Michael Jackson on 21st of June 1999, were set the foundations of KPC. After the period of demilitarization ended, in September of 1999, the

Head of Administration of UNMIK, Dr. Bernard Kushner, signed the regulation 1999/8 for the establishment of Kosovo Protection Corps which was followed by the Declaration of Principles, signed by the KPC Commander and KFOR Commander.⁶

The main mission of this organization was to protect the properties of population in case of catastrophes. KPC had a hierarchical organization structure and functions based on Operative Procedures and Standards, set by experts of this organization. It is a composition of Head Quarter, led by General Lieutenant Sylejman Selimi. In the hierarchy of Headquarter there are 6 protection zones.

KPC has also its special units for different cases which functions have showed great contribution in supporting the population of Kosovo. These special units are Kosovo's Garda, which mission is to interfere in rapid reactions, than there is Logistics Command, Medical battalion, Support and Construction Battalion, The Battalion of MKABK, which mission is to react in case of danger from chemical, biologic and atomic poisons. Another important unit is the Civilian Protection Brigade. As we can see KPC is a very professional organization and well structured, and until now it has successfully achieved its tasks that were granted by the Kosovo's Government and UNMIK. KPC has a great cooperation with KFOR including the education and training issues. With a very solid budget, KPC was formed by 3000 active troops and 2000 reserves.

This Corps has a military structure and it is uniformed in military style but armed functions are limited only in ceremonial casers and fire watch.

KPC was the only multi disciplined service, multiethnic which carried these missions:

- a) To react in cases of any catastrophic by which the population is threatened.
- b) Heading the search and survival operations.
- c) To help the reconstruction of infrastructure
- d) To help when required by the UN mission and KFOR in their tasks.
- e) To perform ceremonial tasks.⁷

⁶ <http://www.tmk-ks.org/nee/tmk/pertmk/per.php>

⁷ <http://www.tmk-ks.org/nee/tmk/legjislacioni/legjislacioni.php?id=6>

The Regulation of UNMIK 2006/3 set some additional tasks for KPC. Some of these tasks were:

- a) Offer their service in isolated places
- b) Demination
- c) Contribution in reconstruction of infrastructure and monitoring the building process of houses of minor communities
- d) Kosovo Protection Corps is a multiethnic institution where there are included all citizens of Kosovo. KPC has fulfilled the standard by accepting 10% from minorities, where 2% are Serbian minority.⁸

The Declaration of Principles has foreseen such structure similar to military structures. KPC has a commanding structure form internally and externally perspective, e very clear chain of command and ranks as well. There are 2000 weapons which are held in trust for KPC, while only 200 of them are available for use, as mentioned in above paragraphs.

KPC has played a huge and important role in while maintaining the stability and security in Kosovo. Even though the role it had did not grant too much of competences in the years after the war, again this institution was a very significant factor, and it has earned the respect of the population. Assessed as the most respectful institution in Kosovo (according to ISSR), KPC helped in reconstruction of after war, and also reacted in some cases of nature catastrophes and other emergencies. Its professionalism was showed in the case of earthquake in Gjilan, and also the hitch that happened in Power Plant Kosovo B in 2003. The Mine Clearing Battalion has also given its contribution in cleaning the area from mines.

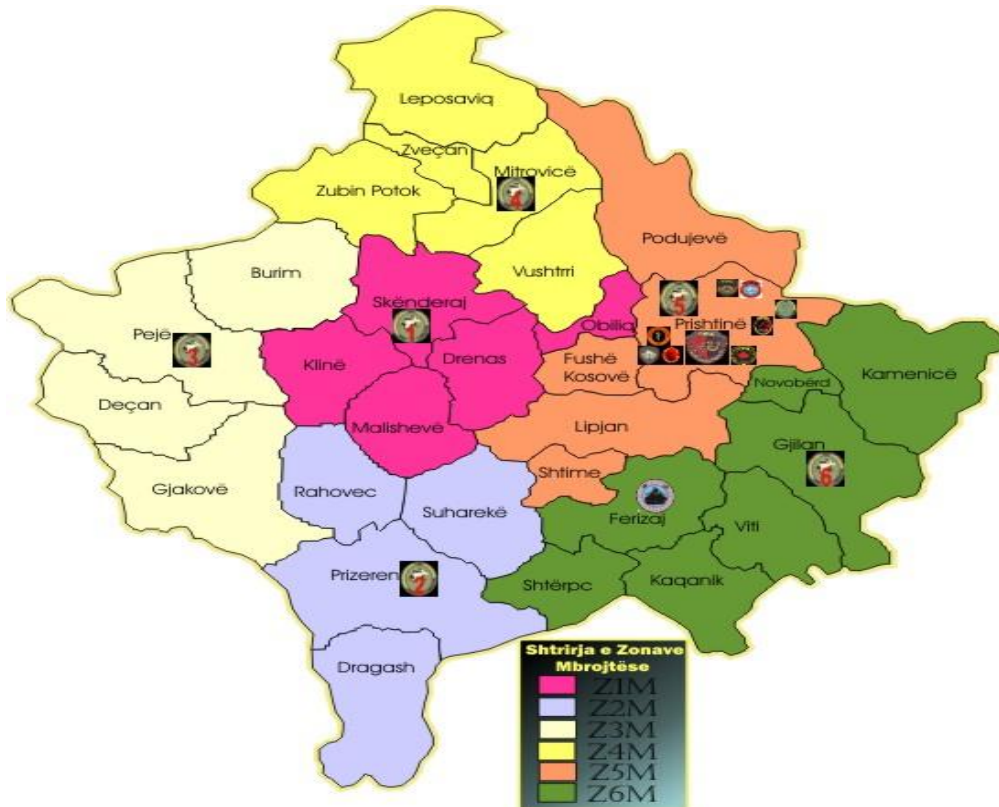
The Rapid Reaction Brigade with its professional units has reached to be part of the Department for Emergency Management in the Kosovo's Level, by showing readiness in training and much stimulation while practicing reactions in cases of nature catastrophes. The preparations for education within the organization were with the only purpose to prepare for next coming military organization. The role it had, as "contributor in stabilizing the overall security after the war" (GASHI 2006) helps on having the right to pretend to be an army in the future. According to Dr. Sc. Bejtush Gashi, KPC must be focused in quality and not in quantity. He further explains: "The transformation should be focused on building a new force

⁸ Gashi (2006), Revision Sector for Internal Security in Kosova, page 112

with Euro Atlantic orientation, which in its organization should have the concept of professionalism”(GASHI 2006).⁹

The unit stretch of KPC units was organized similarly to what was the KLA did, and it offered a same operational structure in the whole territory of Kosovo.

Map 1. The place where the KPC headquarter is set, Protection Zones, and other Units.¹⁰



The Ahtisaari’s Settlement states that this troop should be disintegrated 120 days after the declaration of independence. The main priority in this force will belong to active members of KPC, who fulfill criteria, set by the military experts of NATO. The main responsibility for the KPC disintegration has the NATO residency in Napoli.

⁹ Gashi (2006), The Management Strategy of Kosova Security Force System

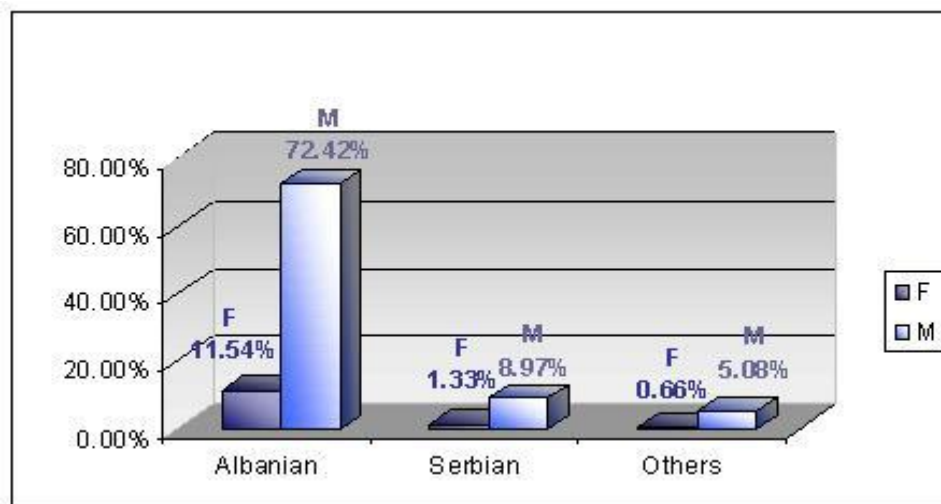
¹⁰ <http://www.tmk-ks.or>

Kosovo Police Service

This institution was founded on 6th of September 1999. The OSCE mission in Kosovo, in agreement with the Resolution in the United Nations 1244, has seen as reasonable and necessity to open a police school, which started the training for new candidates of this service. Such service was founded based on a democratic and professional perspective. Training in the Kosovo Police Service is a high standardized training, including the Police Ethical Code, Applied legislature in Kosovo, Crime investigation, evidence collection in the method of interviews, democratic policy and the focus in trust of rules, fire weapons usage, traffic control etc. Kosovo Police Service is multiethnic institution and it has equal access in justice for all Kosovo's citizens. All crimes are investigated in depth, without bearing in mind whether they come from any ethnic minority. ¹¹

Until in June of 2006, KPS has functioned under the full authority of Special Representative of Permanent Secretary and under the supervision of UNMIK Police Commission; where later there was the full competence carriage to the Ministry of Internal Affairs.

The statistics of KPS members of Republic of Kosovo in terms of ethnicity and gender.¹²



Until now the government has approved these laws: Law for Police, Law for integrated

¹¹ http://www.Kosovapolice.com/misioni_visioni.html

¹² http://www.Kosovapolice.com/misioni_visioni.html

management and border check, Law for roads, Traffic Law, Road Communication Law, Law for goods transportation, Law for Minors, Law for Gender Equality, Law against violence in the family.

Kosovo Police Service has set as a priority strategic objectives which aim to protect the properties of Kosovo's citizens, to detect and therefore stop the crime, to protect the rights and liberties of citizens without any racial, religious, and gender discrimination, and also maintain the public order.

Kosovo Police has shown great success by applying the most suitable methods which in turn has result in successful management of public safety. As a result the population has very big trust on them and the cooperation is increased. It should be mentioned that since from its beginning, the KPS was sustained and helped by the Police of Temporary Mission of United Nations in Kosovo (UNMIK-P).¹³

The Assembly of Kosovo, based on the Article 65 (1) of the Constitution of Kosovo's Republic, has approved the law for the Policeman/woman, where the main purpose of this law is to set some rules for the Police workers of Kosovo' Republic.

Based on the Article 4 of the Law approved by the Kosovo's Assembly for the foundation of the Police of Kosovo's Republic, it is cleared that this institution operates under the Ministry of Internal Affairs umbrella. The KPS is uniformed and operates according to its chain of command in the whole area of the Republic of Kosovo.

Every member of Kosovo Police Service his or their functions execute based on some principles, so that all the citizens can have fair and equal treatment, they are not allowed to express any discrimination in the viewpoints of political persons, they should have integrity, honesty, and responsibility in public service, by showing respect to all human nature. They should possess full legitimacy while they perform their tasks, without conducting any discrimination, because their performance should be in accordance with the Ethical Code.

¹³ http://www.Kosovapolice.com/misioni_visioni.html

Relationship between Police, Ministry, Public Prosecutor and Courts

Kosovo Police functions under the authority of the Ministry for Internal Affairs, while it is controlled by the general director of policy¹⁴, who reports to the minister. The operational management is a competence exercised by the general director of policy, and the Minister does not have authority for such right.

The minister has some rights when it comes to decide about the public safety, to support the execution of legislature, to collect and analyze statistical data, to ensure that the discipline and other police functions to be well conducted as the law requires. Also the minister has authority to supervise the cooperation between the police and other authorities in terms of checking borders, and observe the relationship between other authorities who are responsible in the field of public order and safety.

The Kosovo Police executes all orders and instructions which come from the judge or public prosecutor¹⁵, where it reports to the Public Prosecutor Office for any suspected criminal activities.

The cooperation with the community, Central Institutions, local, and the cooperation with the Internationals

The Kosovo Police cooperates with other governmental institutions in the Republic of Kosovo,¹⁶ which together work in crime prevention and also strengthens the public safety, where through a productive cooperation with other authorities of local government they perform very well.

Except the cooperation with the central governmental institutions of the Republic of Kosovo, who are responsible for the security, the Kosovo Police has a very good cooperation with foreign police organizations and institutions. The Kosovo Police may send its own members of police if required abroad for performing duties if that it is approved by the Kosovo's institutions.

¹⁴Law of Kosovo Police, L/34-sk, Kosovo Assembly, 2008, page3

¹⁵Law of Kosovo Police, L/34-sk, Kosovo Assembly, 2008, page 3

¹⁶ Law of Kosovo Police, L/34-sk, Kosovo Assembly, 2008, page4

General Duties and Powers of the Police

The Police shall have the following general duties:

- a) To protect the life, safety and property of all individuals;
- b) To protect the human rights and fundamental freedoms of all citizens;
- c) To prevent dangers to the public and maintain the public order and safety;
- d) To detect and prevent criminal acts;
- e) To investigate criminal acts;
- f) To provide surveillance and control for traffic safety;
- g) To provide surveillance and control of the border;
- h) To provide assistance during natural disasters and other emergencies; and
- I) To perform other duties as assigned by applicable law.¹⁷

Police officers while accomplishing their tasks have an authority to exercise control over people or their property, obeying lawful orders and instructions by achieving legal objectives of the police.¹⁸

Furthermore, the border police during their tasks have an authority to control under border traffic.

Considering that police officers face different situations while accomplishing their tasks, however they have to have control over their self's because they face different situations which may be very risky, by measuring the level of seriousness of doing the offence act in different situations to determine level of limitation of the freedom of the person. By doing the maximum effort to causes as little damage as possible and after the legal objectives of the police are achieved there should be termination of the police authorization.

Police Officer's Duty to Obey Lawful Orders and Refuse Unlawful Orders

¹⁷Law of Kosovo Police, L/34-sk, Kosovo Assembly, 2008, page 5

¹⁸ Law of Kosovo Police, L/34-sk, Kosovo Assembly, 2008, page 5

Every order which is unlawful, police officers should report that order without having fear of the punishment, thus every task given to the police officers should be in accordance with orders given in the right manner by the supervisor. No matter the circumstances, police officers do not allow any torture or inhuman treatment in any circumstances against any other human.

Information which is reported by different persons regarding the offence act or disobeying the law, the police should receive that information and immediately start the investigations based on information received. If after reporting of those acts the police find out that those act were not offence one or the act that is known based on the private accusation, the person who report previously should report to the defective party if exists. Police officials should report all information's dealing with offense acts within 24 hours of receiving in Office of the Public Procurement.

If the police officer consider that any person has the important information that could be helpful in achieving legitimate objectives of the police, then he or she should invite that person to give further information that are needed, nevertheless the person need to know the reason why he or she is invited by the police. If during the interview the person doesn't give any information regarding the case, then the same person would not be called anymore regarding the same case. If during their tasks, the police officers consider that there might be any risk while achieving legitimate objectives, then he or she has the authority to limit the freedom of movement of the person in specific zone, but that limitation should end immediately after the legitimate objectives are achieved. When police officials stop any person they are not held together with the imprison persons or other arrested persons, they are not also held with the persons of the other sex, or minors except if they are the same, they are held for the time needed but not more than 6 hours¹⁹. However, police have to tell the reason why they are stopped temporarily and also they should allow them to call and inform their family or their relatives.

Police officials have also an authority to confiscate stuff temporarily in order to prevent the immediate risk to other persons or property however those stuff police officials keep only to

¹⁹ Law of police, L/34-sk, Kosovo Assembly, 2008, page9

the time when legal objectives are achieved, and after that they are returned back to the legal owner as soon as possible.

With the intention to prevent immediate risk to the public safety, life or property, preventive control of the persons, objects, and certain places in cases when the risk can exist or the doubt for done acts which may risk the life or the property, police officials have an authority to control those objects or other places.

Usually the inspection is done with the intention to move out the weapons or other things which can pose risk to the people their life and property, prevent activities that endanger life and wealth.²⁰

This control if necessary can include the usage of the technical means and other same thing for explosive detections, chemical materials, biological or radioactive materials.

Police officials do the security of the place where the act is done, in order to see whether the offence act or any other accident is done, while the responsible personnel for investigation arrives, which then begin investigations in order to find any evidence, to find out the responsible person who commit that unlawful act.²¹ Furthermore, the police official has an authorization to forbid video and voice recording of the offense act or the accident with the purpose to protect the victims of the offense act or the accident.

With the purpose of collection of information the police are authorized to use video and voice recordings and pictures for the purpose of public surveillance, and that only when it believes that particular public event can pose danger to other persons or their property. These recordings, video and audio of the prevent ice surveillance are kept until the control is done, verification of the recording that contains information for the criminal act.

Police official is authorized to use force only when the life of other persons is in danger by others, escape of the person who commit unlawful acts, prevention of the offense act, then when other previous measures were not successful, and that force is used only to the level of the achievement of the legitimate police objectives.

Police official prior to the usage of weapon, give an oral warning, and also in the cases when there is no endangerment of the person's life he or she doesn't use the weapon. Police officials

²⁰ Law of police, L/34-sk, Kosovo Assembly, 2008, page10

²¹ Law of police, L/34-sk, Kosovo Assembly, 2008, page 10

use their weapons only when it comes to protect the life of the persons with the purpose to prevent the unlawful acts which may pose the risk to life of the persons, to prevent the escapement of the persons who pose risk for the life's of others, to arrest persons who pose danger for life of other people, and resist to obey the lawful orders given by police officials.²²

Moreover police officials are authorized to use their weapons against animals as well who pose danger to the people because they have diseases with can be transmitted to the people, and also when they pose the risk of attacking the persons to that degree where their life is in risk by them.

Collection, Protection, Procedure, Analyzing, Usage and Deletion of the information

All the information's that are given by the anonym persons or also when the identity is known, the police officials collect and analyze those information's, but always having in mind to protect the identity of the persons who gave that information, only in the case when the public prosecutor wants that their identity to be known.

With the purpose of collection relevant information which leads to achieving legitimate objectives, the police can offer rewards for those who give relevant information, but these rewards are given only when that particular information is not yet known by the police, and for those rewards there is a public announcement in newspapers, TV, and Radios.

Police officials collect, save, and analyze the information in the secure manner, they save personal data, and are used only when the police is about to achieve the legitimate objectives, and also those information are analyzed for the purpose of protection and order, and public safety, prevention and disclosure of the offence acts, in identification and the place of the event, or also the capture of the persons who commit offence act.

Organization of the Kosovo Republic Police

Kosovo Police is organized in the central and local level. The General Director of the police is one who proposes the internal structure of the police of the Republic of Kosovo, which then is approved by the Minister.

²² Law of police, L/34-sk, Kosovo Assembly, 2008, page 12

“The General Police Directorate’s functions shall include the following” (Law of police 2008)

- a) To support the General Director in the performance of his or her duties;
- b) To supervise the performance of the Regional Police Directorates;
- c) To manage, observe, analyze and evaluate the overall security situation;
- d) To lead police operations in extraordinary or exigent circumstances;
- e) To coordinate development and implementation of strategies for prevention and reduction of crime, for restoration and maintenance of public order and safety, and for securing and controlling the border;
- f) To coordinate administrative functions of the Police, including, but not limited to, maintenance of police data and telecommunications systems, recruitment, training and education of police personnel, management of budget and financial matters, and procurement and management of police assets and facilities;
- g) To cooperate with international organizations and to coordinate implementation of international agreements related to police activities; and
- h) To perform other functions as assigned by law, or by lawful rule, instruction or order.

32.3 The General Police Directorate of the Kosovo Republic Police shall be located in Pristine²³

In order for actions of the police to be possible and to be managed in the effective way, the Police of the Republic of Kosovo is divided into several regions, which serve, support, and supervise the police effectiveness, and also coordinate various tasks which may be selected by the General Directorate, such as professional education and various trainings for police officials and staff or the administrative jobs which are related with finance objects and various tools. Each municipality has its own station and proceeds according to territorial legislation, but besides regional stations there are also other established border police stations, which as a duty have to control and manage state borders.

For the purpose of the Kosovo Police to be helped whenever is needed, the so called reserve police is established which consist of persons who voluntarily applied for this position which sign contract with the police of Kosovo, which then can help the Kosovo Police in

²³ Law of police, L/34-sk, Kosovo Assembly, 2008, page15

extraordinary cases or any urgencies as is the case of the emergent response against terrorist attacks, emergent response in extraordinary cases such as the natural disaster, cases of the different public emergency, and disorder of the citizens etc.²⁴

Senior Management of the Police

General Director of the Police of Kosovo is appointed by the Prime Minister of the Republic of Kosovo, based on presented proposals from the Minister, and has the mandate of 3 years, but which may be reappointed for 5 other years. Candidates who compete for this job have to have at least years of the service of the highest management of the police, to have University Education, and to have completed trainings and programs from the Police Academy of the Republic of Kosovo. All candidates should be in good mental and physical condition in order to fulfill requirement that made him or her eligible to be Police Official. For all the candidates there is an investigation regarding their past, that has to do with whether they have done any offence or not. General Director of the police lead, control, and supervise the Police, and also is responsible to manage and deliver the budget of the police having in mind priorities from the Minister.²⁵

General Director appoints commanders of the regional stations and substations which deliver the list of the candidates in the Municipal Assembly. During the process of selection the general director shows the importance of the responsibilities that Police and its official has to serve based on the needs and sorrow of the local community that has to do with the Police Service, without any discrimination. Mission and the responsibility of the commanders of the stations and substations and also the responsibility of the border police commanders is to supervise functions of the police within the jurisdiction and exercise the control over the selected employees in its station or substation of the police.

Director and deputy director can be dismissed from their duties for not showing interest for responsibility and not accomplishing certain tasks or they are not able to accomplish those

²⁴ Law of police, L/34-sk, Kosovo Assembly, 2008, page17

²⁵ Law of police, L/34-sk, Kosovo Assembly, 2008, page17

tasks and also they can be discharged if they have medical problems, if they have done misconduct of the discipline, and for doing unlawful acts.²⁶

Carelessness in their duty, misuse of the authorization, not obeying the law, and wearing the uniform improperly and improper personal presence is considered as the lightly offence from the police officials.

In the other hand, heavy misconduct is considered when police officials are implied in corruption, disobeying the authorization, disclosure of the information, the usage of the weapon improperly, improper behavior, damnification of the assets of the police, the usage of force, the usage of alcoholic drinks and other likely substances, sexual harassment during the service, offence act, misuse in the sex and age manner, and ethnic and religious relative. For all these misconducts they can be degraded and to be expelled from the police service.²⁷

Selection, Training, Performance and Discipline of Police Officers

Candidates which shows the interest to be part of the Police Service of the Republic of Kosovo have to fulfill several requirements such as to be citizens of the Republic of Kosovo, to be in good mental, emotional, and physical condition, to graduate at least from high school, to have a good ethical and moral past, should not be convicted for any offence act. All the candidates are subject to needed trainings and annually there is an evaluation done for each police official.

In order to sustain the cooperation with competent international authorities, or international organizations, police officials can be sent abroad to accomplish specific tasks, but this is done with their accordance.

The budget of the Police of Kosovo is issued by the Assembly; the police of Republic of Kosovo is responsible for the implementation and management of the budget. Police should have another fund that is useful when it comes to pay for special operations of the police, to pay rewards, and to pay for protection of the witnesses. If the police official is injured during the mission physically or in judicial manner, then it is the responsibility of the Government of the Republic of Kosovo to take care over them.

²⁶ Law of police, L/34-sk, Kosovo Assembly, 2008, page 20

²⁷ Law of police, L/34-sk, Kosovo Assembly, 2008, page 22

Furthermore, for accomplishing a task successfully and in the effective way police officials are rewarded by receiving medals and praise for their job.

Transitional and Final Provisions

With the establishment of this law from the Assembly of Kosovo, all tasks, responsibilities and functions of the Police Service of the Republic of Kosovo are transferred to the Police of the Republic of Kosovo, which were established previously by United Nations Mission in Kosovo, via rules of the UNMIK. Besides the authority and obligations where the assets are included as well, contracts, budget and responsibilities of the Kosovo Police Service established according to the UNMIK authority. Furthermore the officials of the police of Republic of Kosovo will receive all books and data's for each police official.

With the purpose of cooperation and support between Municipal Assembly and community with accordance with this article which support the full functionality of the Communities for Security and General Director of the police board will extract some lawful acts.²⁸

Law on the Kosovo's Intelligence Agency (KIA)

Based on the articles 65(1) and 129 of the Constitution of the Republic of Kosovo it is formed the Kosovo's Intelligence Agency

Taking into account that without a professional intelligence agency the development of the country would be half-witted, the Assembly of the Republic of Kosovo approved the Law on the Kosovo's Intelligence Agency.

Taking into account that for structuring a state without doubt the intelligence has a crucial and very important role, knowing the importance of the protection, security and the analyzing of the interior and the exterior factors, and gaining the information when needed shows the need for forming the Kosovo's Intelligence Agency. This agency will act as a juristically organ, governed based on the constitution, has a mandate acting on whole territory of Kosovo and will be financed by the budget of Kosovo.

²⁸ Law of police, L/34-sk, Kosovo Assembly, 2008, page31

The aim of the establishment of the Kosovo's Intelligence Agency is to have the essential information for the population of Kosovo, external and internal threats of terrorism, organized crime, trafficking of narcotics, and other issues related to the security of Kosovo. To be rapid and efficient in taking information and to take responsibility for its actions.

Scope of Action

The Intelligence Agency will engage in all information related to security of Kosovo and everything that is considered threat to security, territorial or institutional integrity, or the deterioration of the development and economic stability, or anything that damages Kosovo or its people²⁹.

- (i) Terrorism
- (ii) Stimulation or helping the terrorism
- (iii) Espionage against Kosovo or against security of Kosovo
- (iv) Sabotage against vital infrastructure of Kosovo
- (v) Organized crime against Kosovo in whatever from including money laundry
- (vi) Stimulation of the dissatisfaction in the security structures
- (vii) Trafficking of the illegal substances, weapons, or human beings
- (viii) Illegal production or transportation of the weapons of mass destruction or their components and the needed materials and equipments for their production
- (ix) Illegal trafficking of the products and technologies under International Control
- (x) Activities that are in opposition with the international humanitarian right
- (xi) Organized violence acts or frightening against the ethnic or religious groups in Kosovo, and
- (xii) Issues that are related to the serious threats against health or public security.³⁰

For being as much efficient and professional during the getting information the Intelligence Agency based on the article 2.1 and in compliance with articles 28 and 30 of this law has on disposition the mobile and static listening-in.

- (i) Secret personnel in collection of the information
- (ii) Technical listening-in, like are equipments for listening, listening-in, and suite
- (iii) Secret agents
- (iv) Collection of the confidential data from banks, ports and telephones³¹

“Strategic priorities of the Kosovo's Intelligence Agency are enunciated in the Annual Platform of the Politic for Intelligence and Security (we will refer as APPIS) which contains

²⁹ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 2

³⁰ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 2

³¹ Law for intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 3

the general instructions for the work of the Kosovo's Intelligence Agency. The director of the Kosovo's Intelligence Agency proposes a version of the APPIS to the Kosovo's Security Council (KSC) for processing. After consultation with the President of the Republic of the Kosovo, APPIS will be delivered to Government for approval. After approval, APPIS will be delivered to the Assembly Organ for Monitoring for information, and to the director of the Kosovo's Intelligence Agency for action³² (Law of intelligence Agency 2008) Kosovo's Intelligence Agency acts for the rights of all the citizens of Kosovo without any racial, ethnic, or religious discrimination, which also does is not in the opposition with human rights of the International Convents. Political or economic rights?

Knowing that the Intelligence Agency in Kosovo at current time is limited by law means that it is controlled and monitored in institutional manner and some of the functions are prohibited by law, which much more is like a investigation and research activity.

According to article 3 the Kosovo's Intelligence Agency cannot use

- (i) The right to use direct or indirect force
- (ii) Authority for arrest
- (iii) Possibility for initiating penal procedures, and
- (iv) Authorization to force certain people or businesses to cooperate for its activities³³

Even certain people or businesses can collaborate with Kosovo's Intelligence Agency in voluntary bases (Article 3) because there are no executive functions for something like that. If this agency does not comply with regulations and laws during actions and non actions the whole responsibility taker is the Government of Kosovo, which has the right through the judicial system to return every sum of money to the third party in case that an employee of the Kosovo's Intelligence Agency is guilty for any detriment made by him/her.

Kosovo's Intelligence Agency will be very careful during the verification of candidates, employees and its informers, and every one of them will have same training without

³² Law for intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 3

³³ Law for Intelligence Agency 03/L-063, Kosovo Assembly, 2008

discrimination in any aspect. This is done due to maintaining the security of activities done for the protection of the security in Kosovo and its people.

The administrative organization of this agency is determined in the second chapter which shows responsibilities, regulations on inner organization and other laws which are of the director of the Kosovo's Intelligence Agency, who reports directly to Prime Minister of Kosovo. The President and the Prime Minister are those that name the director and the vice director of this agency. The candidates for these posts should have university diplomas in a professional field with high qualities indicated during their experience. The mandate for the director of Kosovo's Intelligence Agency is 5 years with the possibility of continuance for another one. Same as nomination is the discharge from the post.

Director of KIA is in a position that has a lot to work and responsibility. One of the responsibilities is to inform and to give in disposition all the needed information for the security in the country to the President and Prime Minister, and for other intelligence issues. Also he is responsible for the conservation and distribution on time, collection and analyzing of information, protection of information, coordination of relations with intelligence agencies of other states, secure that the activity of KIA is impartial and does not harm interests of any group or community, reports to the Assembly Commission that monitors when required, prepares reports and plans, and proposes annual budget³⁴. One of the responsibilities of the director of the KIA is the annunciation of the regulations which regulate the inner organization delivered to the Prime Minister for approval. He announces rules, regulations and instructions which have to do with:

1. The ethic code
2. Plan for the security of the data
3. Regulation on classification and declassification of data
4. Regulation on the procedure for the security permission
5. Regulation on the securing and conserving the secret data
6. Regulation on distribution of the data
7. Regulation on recruiting, managing, and paying the informers

³⁴ Law for Intelligence Agency, 03/L-06, Kosovo Assembly, 2008

8. Regulation on the execution, usage, and engagement of special and technical operational equipment
9. Regulation on having and using weapons
10. Regulation on workplace
11. Regulation on wages
12. Regulation on inner security
13. Regulation on discipline procedures
14. Regulation on basic and general calling of the employee of KIA
15. Regulation on cooperation with different organs and institutions
16. Regulation on signing of memorandums with other organs and institutions in Kosovo
17. Regulation on cooperation with international organs and interchange of intelligence
18. Regulation on IDs
19. Regulation on compliance mechanisms consulted with the Ombudsperson institution in Kosovo and placed in public domain³⁵

Vice director of KIA incase that there is no director or its inability to fulfill the position requirements takes temporarily the post of the director. He can exercise the responsibilities of the director of KIA if he is announced not able to fulfill his job requirements until the formal naming of the new director of KIA is made³⁶. Kosovo's Intelligence Agency has a benevolent inner governmental cooperation with security and other institutions which makes the development of its activities easier. KIA signs memorandums with Kosovo's Police, Ministry of Interior Affairs and other relevant institutions which make the KIAs activities to be done in an efficient and credible manner.

General Inspector is also named by the President of the Republic and the Prime Minister of Kosovo in a 4 year mandate with the possibility for continuance for another one. The General Inspector of the KIA is responsible for inspection of all KIA activities, also informs the KIA director for potential problems and recommends correction actions and monitors the execution of actions taken by the director, and reports direct to the Prime Minister and at least once in six months to the Assembly Monitoring Commission. He can make financial auditions, have access on objects, initiate inspections, investigation and also investigate compliances related to KIA's activities and supports investigations of Ombudsperson in Kosovo. If the director of

³⁵ Law for Intelligence Agency 03/L-063, Kosovo Assembly, 2008

³⁶ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 6-7

KIA considers that the vital interests of the security in Kosovo are not protected than he has the right to cancel these initiations, which should be reported to the Prime Minister and the President of Kosovo within 7 days.

Employee of the Kosovo's Intelligence Agency

The legislation for the civil servants is executed toward the employee of the KIA even they are not civil servants³⁷. Persons that want to work on KIA have to fulfill some criteria determined by law. Candidates should be citizens of Kosovo, older than 18, fulfill the educational and professional requirements, to be disengaged from the military service if applied and to fulfill the other requirements based on the position in which they apply. Candidates must fulfill the strict standards of security. Trust, character and stability are things that are most evaluated to each candidate. Candidates who successfully fulfill these requirements are employees of the KIA, have a salary, advance in career, physical and moral integrity protection during the time working for KIA and job continuance until retiring.

Employees of KIA cannot work in any other place at the same time they are working for KIA or in any other paid public activity³⁸. They also cannot be members and get instructions of any political party. The employees of KIA cannot comment or give public declarations for KIA, give unauthorized information on data, documents, purpose, knowledge or the KIA personnel. They cannot accept any other monetary beneficial except that regulated by law³⁹. KIA employee should be maximally devoted to the new workplace, but if considers that the order received is in confront and violates the applied law of Kosovo should refuse and report immediately. Because KIA employees have not executive power they have the right to carry weapon except in cases when the director of KIA for personal protection needs authorizes it.

Weapon authorization will:

1. Registration in written form
2. Released for a specified time period

³⁷ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 9

³⁸ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 11

³⁹ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 12

3. Are available to the general inspector deliberation⁴⁰

Collection, separation and protection of the information

The intelligence role is to collect and to analyze information which is considered as vital for the security of a state. Information collected, are distributed and protected for lawfully governmental purposes. Employees of KIA use different operational equipments and methods, technical and tactical for the purpose of collection and security of the trustworthy of the needed information. They during the applying time of their duty collect information hiding the reasons for the sake of its secret nature.

For coming to the needed information the KIA employees can create secret contacts with individuals using different methods, use advanced systems for the collection of the information, use operational impostures, use fake documents for them and for their collaborators, to create and to use temporary organizations for the purpose of secret collection of information and to secretly allocate someone in institutions or organs of Kosovo. All of these are supported by this law.

All the information collected by the KIA employees are processed, analyzed to the exact conclusions which must be verified.

Results of the information can be distributed to the other governmental institutions after they are approved by the KIA director. If the collected results show that any person or any subject is or has done a penal action then is informed the general director of the Kosovo's Police and the competent public prosecutor. But, if the doubt exists that something is against the security of Kosovo and its constitutional order, KIA director can require that temporarily be suspended the execution of pre-penal procedure when this is in the interest of national security and when the life and health of other people is not in danger⁴¹.

After the process of analyzing and verifying these information has passed, they can be distributed among other governmental institutions and this can be done only with the approval of the KIA director. The KIA will inform the director of the Kosovo's Police and the

⁴⁰ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 14

⁴¹ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 16

competent prosecutor in case that during the results analysis process has found that certain person is doing or has done a penal crime. However, if the collected results lead to the query that any action is planned or organized against the security in Kosovo and against its constitution, the KIA director can ask for suspending temporarily the execution of the pre-penal actions when this is in interest of the national security in Kosovo and when the life of other is not in danger⁴².

For collecting important information which is needed for the security in Kosovo, are used different tools and methods for accessing this information, including the outrage of the people's privacy by the usage of different operational actions.

KIA employees cannot enter buildings outrage people's privacy in an independent and uncontrolled manner without the permission of a judge of the Supreme Court. The judge releases a written authorization under oath which is approved by the director or vice director of the KIA. This request should contain all correct description regarding the object or the person who is being outraged.

The KIA employees can enter private buildings, outrage of different telecommunication and electronic information, have access in personal files of the third party, but the techniques used should be by standards and they are stopped immediately if the objectives are achieved or are no more relevant.

For preserving and protecting all the collected information there are taken steps in automating processes from destroying or the accidental loss⁴³. All the information collected can be used only for specific and lawful purposes. However, the information is kept only for the time it is considered important for KIA, in the time it is considered that is not needed anymore these information are destroyed.

⁴² Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page. 16

⁴³ Law for Intelligence Agency, 03/L-063, Kosovo Assembly, 2008, page 19

Proceed and responsibilities of the parliament monitoring organ

Monitoring commission is held responsible and controls the work flow of the KIA and makes sure that that is done in accordance with law. It is also responsible for investigating, analyze inspector's general reports, and analyze reports for the budget spending of KIA with the KIA director or to offer any proposition for KIA budget, and to make investigations regarding the KIA employees. This commission analyzes reports with the prime minister for the problems raised within the KIA and their correction. The monitoring commission cannot be a member of any political party, it should have professional preparation, it can ask from the prime minister, KIA director, or to any employee information regarding their job.

If the monitoring commission considers that KIA is doing its work unlawfully calls the prime minister to take the needed action for investigating responsibilities⁴⁴.

Kosovo Security Force

Kosovo Security Force is the most important chain which connect the security system in Kosovo, by which the system consist of some institutions which are interrelated between each other. This institution which is important for our country is established based on the Constitution of the Republic of Kosovo from the article 65 (1), and also by Law for Kosovo Security Force (Law Nr.03/L-046).⁴⁵

Kosovo Security Force is volunteer professional and multiethnic force which will implement its mission all around the territory of Kosovo and which is consisted by all levels of society. Having in the consideration that KSF is working toward its structure, for the beginning it will consist of 2500 active soldiers and 800 reserve soldiers. KSF will be a well constructed and well organized organization, in hierarchical manner, with ranks of officers and non commission officers.

⁴⁴ Law for Intelligence Agency, 03/L-063, Kosovo Assembly ,2008 page 21

⁴⁵ Law of Kosovo Security Force, 3/L-45, Kosovo Assembly, 2008

Kosovo Security Force is established in order to response to the needs of the Kosovors citizens which cannot be done by the police, will be a modern security force, will consist of educated staff and trained in the professional way, in order to accomplish its specific tasks and responsibilities effectively.

With the establishment of the law for KSF, it makes every aspect of it clear and at the same time it were established the fundamental legal bases for establishment of KSF which enclose and complete the security system in Kosovo. However, even after its establishment operation, the NATO troops are still present in Kosovo which have still the responsibility for keeping the security in general and especially the territorial security in Kosovo.

If we compare the regional Armies with that what is KSF doing and also those Countries that are part of the NATO, we will see the big difference regarding the role of KSF either in numeral or equipment aspect.

With the establishment of the law for KSF, tasks, mission, organization, structure, and control for KSF are also established as well.

This law gives the right for everyone who is interested to apply for being the part of KSF, all those who are the citizen of Kosovo, which have minimum 18 years. All candidates that apply will go through test and selection process. In the beginning this process will be directed by the KFOR, which will then select persons that have fulfill all the requirements, those who were well prepared in every aspect, and then successful candidates will continue as recruits in other required trainings.

This law is applied to all the members of the KSF, even in the cases when the members of KSF are abroad while accomplishing various tasks, both the law of the Republic of Kosovo and certain country law is applied, and this is excluded only if there is an agreement within the status of KSF.

None of the members of KSF can be part of any political party, and also they cannot be used as a means for any interest of any political party, even though they are permitted to vote. They are obliged to apply and respect the courtesy code of this force, the code which is enforced by the Ministry.

We can say that KSF has a very functional structure, even though having in mind that it is under its construction as a force and also having in mind that it has a small number of members which limits its capacity, for the needs of the Republic of Kosovo in order to be the only operational force which will cover all the territory of Kosovo regarding security sector.

According to some experts from the field of security from the center of Kosovo for security studies came in conclusion that the structure of the KSF, consist of the structure which fulfill all requirement in order to be functional force, in collaboration with other security structures which will collaborate in different missions.⁴⁶

Kosovo Security Force will be designed and prepared to fullfil all the functions of the security that do not belong to the police or other law executive organizations, by which the functions will be authorized via monitoring the process according to the specifik standards, which will be decided by the presence of the internacional Military institutions associated with the International Civil Commisioner.⁴⁷

It should be emphasized that the approved law is applied for all members of KSF either active or reserve members including recruits. Members of this force are authorized to serve abroad only if the mandate is given by the Assembly of the Republic of Kosovo, with the invitation of any international organization. Furthermore the members of KSF have the right to continue their education and they also have the right to participate in trainings abroad in any international organization which has an aspiration that even Kosovo to be part of them. But all these mentioned are valid if there is an approval by the Republic of Kosovo.

⁴⁶ Qehaja (2008), The Foundation, Operationalization, and the democratic Functioning of Kosova, page 12

⁴⁷ Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

Mission and Duties

Kosovo Security Force is designed and prepared to meet its duties and functions which cannot be performed by the police or any other organization in accordance with law. It is committed to fulfill its mission always relying on the Government of Kosovo.

Kosovo Security Force will be lightly armed; it will not have heavy artillery such as tanks, heavy artillery or offensive air capabilities.⁴⁸ If a more thorough analysis was conducted one might see that the reason that the competences are limited is that for a period NATO will have the final say. With the development and the functioning of this force there will probably be changes in the competences and the level of artillery, which will be determined by the International Civil Representative. Nevertheless, a review of this development will be done only five years after the law is in power.

The initial duties of KSF determined by law are:

- a) To take place in operations in response to crises, including peace keeping operations. This will take place abroad the country and will be determined for that reason.
- b) To help civil authorities in response to natural cases, and other emergencies in and out of the country.
- c) To destroy explosives
- d) To help civil authorities with the civil protection operations.⁴⁹

In the future members of the Kosovo Security Force will have additional duties other than those determined by law. As it is needed they will help and assist KFOR, the police or other security mechanisms. According to the paragraph 5.4 of the Fifth Amendment KSF will be designed and prepared to fulfill other security measures that are not applicable or able to be performed by the police or other organizations of law obedience. Getting additional duties will

⁴⁸ Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

⁴⁷ Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

⁴⁸ Qehaja Ramadan, Ferati Haxhi, Kosumi Kosum, Qehaja Florian. The Foundation, Operationalization, and the democratic Functioning of Kosova, page 15

depend on the presence of the civil and military international factors, which will evaluate the readiness and skills of the KSF operations.⁵⁰

As mentioned above the security system of Kosovo is a chain, and as such we can observe that the KSF has a close and reliable cooperation with other security institutions. The functioning and organization of the professionalized units in sensitive issues and circumstances will be a challenge for the Kosovo Security Force. As a help to the difficulties KSF might encounter will be the experience of the KPC staff that have passed the criteria to enter KSF. They have a professional experience especially in crisis reactions, or natural disasters.

The Organization

The Kosovo Security Force is well organized and functions in a hierarchy which is composed by 2500 members and 800 reserved. It has a functional organization in the duties and responsibilities as well as missions in proportion to the number of its members. In order to be more effective and efficient in its operations KSF members will serve all around the territory of the Republic of Kosovo. KSF includes Infantry Command, Fast Reaction Brigade, Support of the Operations Brigade and the Brigade of the Trainings and Doctrine Command⁵¹.

Based on the law the component of the emergency reaction will be the most charged with duties especially in the search and rescue field, demining, treatment of the dangerous materials, and fire downs. KSF will choose uniformed members which will serve also in the Ministry of KSF.

The Structure

The Kosovo Security Force has a structure which includes all elements of a functional force, interrelated to the other security structures with which it will coordinate to different operations.⁵² Based on the law, KSF members will have officers and commissioned officers

⁵¹ Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

⁵² Qehaja Ramadan, Ferati Haxhi, Kosumi Kosum, Qehaja Florian. The Foundation, Operationalization, and the democratic Functioning of Kosova, page12

⁵¹Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

ranks. There will be nine officer ranks and six commissioned officers ones. The officer ranks start from sub lieutenant, lieutenant, captain, major, sub colonel, colonel, Brigadier general, Major general, and General Lieutenant. Whereas the commissioned officer ranks are: soldier, corporal, sergeant, first class sergeant, staff sergeant, and flag holder.⁵³

Command and Controls

Command and control over the armed forces is a chain which is well defined by constitutional laws and safety where noted forms of control over the armed forces. In order to be control over force as the democratic, the chain consists of chain of command within the military force, and the chain of civil or better to say by the government and the Assembly of the Republic⁵⁴. Chain consists of government:

Assembly of Kosovo – which with the help of its commission of security issues supervises the job of Kosovo Security Force as well as its long term plans. This commission also presents the KSF’s achievements and failures, any reformation, as well as the need for extra budget in order to improve the infrastructure and the equipments of its members.

The assembly of Kosovo is the only institution which authorized sending the troops in different missions such as, cooperating in natural catastrophes, in cases where the police needed help; in protests etc.⁵⁵ “The civil control of the armed forces is a doctrine in the army and in political sciences that presents a responsibility in decision making strategies of the country that is in the hands of the civil commanders.”⁵⁶(Qehaja, et. al 2008a)

⁵²Law of Kosova Security Force 3/L-45, Kosovo Assembly, 2008

⁵³Law of Kosova Security Force 3/L-45, Kosovo Assembly, 2008

⁵⁴Qehaja (2008)The Foundation, Operationalization, and the democratic Functioning of Kosova, page 7

⁵⁵Law of Kosova Security Force 3/L-45, Kosovo Assembly, 2008

⁵⁶Qehaja (2008)The Foundation, Operationalization, and the democratic Functioning of Kosova

The President – based on the constitution of the Republic of Kosovo the supreme commander of KSF is the president. With the recommendation of the minister of KSF, the president has the power to nominate and select the commander as well as other staff high rank officers. The same way that he can charge them he can also discharge them from their duties. He can also reward members for special cases and executions.⁵⁷

The Prime Minister – plays a significant role on the chain of command, as he makes the recommendation of the minister in front of the assembly, as well as has its own authority over the force. In coordination with the president he also makes decisions on national security and makes sure that all nationalities are included in the missions.

The Minister of KSF – the next in the hierarchy is the minister of KSF. He is recommended by the prime minister and is one of most important factors in decision making. He makes recommendations to the president and prime minister for the changes needed as well as for promoting high rank officers. He also reports to the assembly meetings for security and KSF's plans in general for the force.

The minister of KSF is the only person that has straight influence inside the structures and in coordination with the KSF commander makes important decisions. He also represents the Kosovo Security Force in high ministry levels.

KSF Commander – recommended from the minister of KSF and assigned by the president, the KSF commander has authority over the force. He reports to the minister and submits yearly reports to him/her, and if needed s/he reports verbally to the parliament commission whenever asked.

S/he has the General Lieutenant rank which the highest rank in the army. The general is also responsible for supervising the trainings and educating potential and existing members.

European Mission for the Rule of Law (EULEX)

⁵⁷Law of Kosovo Security Force 3/L-45, Kosovo Assembly, 2008

European Mission for the Rule of Law (EULEX) is the largest civil mission until today of the European Security and Defense Policy (ESDP). Its intention is to help and support authorities of the country in the rule of law, especially in the politics, law, and customs fields. The purpose of the mission is not to rule or administer in Kosovo but rather monitor, and advice the Kosovo government. EULEX acts in accordance to the 1244 Resolution of the United Nations and has a united chain of command in Brussels.⁵⁸

EULEX came in with the purpose to help domestic institutions, especially law obedient once, while holding order. Its mission is to monitor, nevertheless it has also other special executive responsibilities when it advises and consults Kosovo authorities. EULEX is focused on three main fields: the Police, Law, and Customs, always in support of multi ethnic functioning in Kosovo. This mission aims to help domestic institutions to develop without political influences while using the best European practices as well as fulfill international standards. One of the most special characteristics is that EULEX has prepared small international and domestic groups, which through a test will measure the progress of missions. By this method they will observe the fulfillments of EULEX's objectives and mission in Kosovo.

The Police Component of Mission of EULEX in Kosovo - The Police Component of Mission of EULEX in Kosovo will cover the whole territory of Kosovo, with totally 1, 400 official international police. The personnel is structured according to their special duties in three departments: The Executive Police department, Special Police department, and the Administrative department.⁵⁹ The three departments will help the Kosovo Police in achieving the standards of European practices in the Police fields.

The official police of EULEX will intervene only then when the Kosovo authorities fail to stop violence against the minorities, it will use revisable competences to achieve a multi ethnic police, one without political preferences that will serve the population of Kosovo.

The Law Component of EULEX – the aim of EULEX is to improve and enrich the Judicial system of Kosovo, which itself aims a fair, equal, multiethnic system, with the judgments being held in accordance with international standards and the best European practices. The

⁵⁸ <http://www.eulex-Kosova.eu/alb/index.php?id=2>

⁵⁹ <http://www.eulex-Kosova.eu/alb/index.php?id=9>

judges of EULEX cooperate with Kosovo homologues, and advise in the functioning of the objectives set my law. In the law field the EULEX component has 300 employees, where 70 of them work in jails, 40 judges and around 20 prosecutors.

The Customs Component of EULEX – the main aim of EULEX is to advise the Kosovo customs system in achieving the objectives in societal service, in fulfilling the European standards and practices, and in improving stability. It contributes in a customs system without political of ethnic preference, and helps the economy of Kosovo by banning illegal products, the illegal market, and organized crime. The EULEX component will be composed of 27 internationals and 19 domestic which will work and collaborate together. This component will monitor, and advise the customs service as well as hold some executive and judicial responsibilities when needed.

Conclusion

The security system is a complex component which is composed of many factors such as the economic, geopolitics, geostrategic, army and local. The later have direct as well as indirect influence in this system. In my point of view the security issue is a multidiscipline field, which should use different mechanism from different segments and organisms.

The security system in Kosovo is a unique one which is changed and developed from year to year especially after 1999. If we observe from the content this system is organized with high standards as well as according to the European ones, from the most developed countries. This is a big advantage since it brings us to become strong and economically independent.

If you do a distinction between external threats and the internal we will see what are the shortcomings and delays in security in Kosovo. Protecting the border from terrorist attacks, or attacks from other countries, organized crime, trafficking of human beings, then the customs side belong to the external security which ask strategy developed and carefully. Given the KFOR troops are stationed in Kosovo and in cooperation with local institutions there is no risk of external security in Kosovo.

Nevertheless, if we look at the other end the divided city of Mitrovica continues to be separated even after the declaration of independence of Kosovo could be seen as opportunities within the risk for Kosovo. Because the northern part of the established community where Serbs, Albanians cannot go to their properties because life was endangered and they are areas where Serbs are mostly Serbian policemen. So the question is whether that can be such a thing happening in an independent country, or does it occur only in Kosovo. Perhaps this question will be addressed to the union. The Interlingua, which has in many respects stuck in Kosovo, especially the rule of law.

Education and training are factors that play greater role in society, given the awareness and training led to precisely vary from state education. In Kosovo the system of education has changed in recent years. Introducing reforms in the early cause of confusion, but are now improve. Despite wages that are very low, our teachers never stopped even when their lives were jeopardize by holding classes in private homes as schools were closed by the Serbian regime. After the war other than wages, other things changed in positive way. The number of students increased from year to year, although the numbers that receive state university was small compared to what end schools, but with the opening of private universities were created new opportunities. Then the opening of new directions, arrival of foreign professors, return of students, study abroad the country, all these provide a good experience and experience in Kosovo.

While regarding the economic aspect and the social system is complex, it has been establishing adequate institutions lately, their successive establishment, lack of competence and the mixture of them passes slowly to institutions which have caused confusion. A major challenge for the honor Kosovo I think is unemployment. Unemployment, low salaries, and economic developments and investment have been low level, which have contributed to have a measure of a considerable corruption. That included most of the institutions and revives suspicions of the citizens to big. Only KPC was the institution of confidential according to a research conducted by students, while institutions such as the aspect of law which in my opinion is very sensitive and others have turned out to have little confidence by citizens.

A stable government that would create mechanisms that would inform in case of any danger to the safety of citizens or national security such as terrorist attacks, a service would help develop system and security in Kosovo. Then the Membership in Kosovo International organizations such as economic policy also would be great in the help towards European and Atlantic integration.

A successful and stable army which will form a defense strategy mechanism in the field of security, design legislature to control and operation of security institutions, creation of laws for human rights, all these will be a main core of the external and internal security.

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